



Town of Newmarket

Agenda

Committee of the Whole

Date: Monday, March 18, 2019
Time: 12:30 PM
Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Pages

1. Additions & Corrections to the Agenda

2. Declarations of Pecuniary Interest

3. Presentations & Recognitions

*3.1 2018 Annual Water Quality Summary Report

2

Note: Luigi Colangelo, Manager, Water/Wastewater will be in attendance to provide a presentation on this matter.

*3.2 Proposed Regulations for Smoking By-law

18

Note: Kiran Saini, Acting Director of Legislative Services/Town Clerk will be in attendance to provide a presentation on this matter.

4. Deputations

*4.1 Amendment to Interim Control By-Law 2019-04

50

Note: Paulo Carvalho will be in attendance to provide a deputation on this matter.

*4.2 Amendment to Interim Control By-Law 2019-04

74

Note: Catherine M. Callaghan will be in attendance to provide a deputation on this matter.

*4.3 Construction Vibration Issues

100

Note: Gordon Prentice will be in attendance to provide a deputation on this matter.

5. Consent Items

- | | | |
|------|---|-----|
| *5.1 | 2018 Newmarket Water Distribution System Annual Water Quality Summary Report | 112 |
| | <ol style="list-style-type: none"> 1. That the report entitled Development & Infrastructure Services – Public Works Services Report dated March 18, 2019 be received; and, 2. That members of the public be directed to view any documents referenced herein as attached (where applicable), online at newmarket.ca, by request at the customer service counter, 395 Mulock Drive, as well as at the Newmarket Operations Centre, 1275 Maple Hill Court; and, 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution. | |
| 5.2 | Correspondence from the Town of Aurora re: Cannabis Public Use By-law | 232 |
| | <p>The Strategic Leadership Team/Operational Leadership Team recommend:</p> <ol style="list-style-type: none"> 1. That the Correspondence from the Town of Aurora re: Cannabis Public Use By-law be received for information. | |
| 5.3 | Construction Vibration Issues | 234 |
| | <ol style="list-style-type: none"> 1. That the report entitled Construction Vibration issues dated March 18, 2019 be received; and, 2. That staff require vibration impact assessments as part of a complete application for development proposals; and, 3. That Council endorse the proposed notice and complaint process identified in this report; and, 4. That Staff be authorized and directed to do all things necessary to give effect to this resolution. | |
| 5.4 | Community Improvement Plan Partnerships | 242 |
| | <ol style="list-style-type: none"> 1. That the report entitled Community Improvement Plan Partnerships dated March 18, 2019 be received; and, 2. That staff be directed to begin the process to amend the Official Plan substantially as presented in Attachment 1 to | |

authorize the Town to participate in Community Improvement Plans implemented by the Regional Municipality of York and to bring such an amendment to a statutory public meeting as required by the Planning Act; and,

3. That following the public meeting, that comments from the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.5 1015-1029 Davis Drive Application

254

1. That the report entitled 1015-1029 Davis Drive Application dated March 18, 2019 be received; and,
2. That the application be referred to a statutory public meeting as required by the *Planning Act*; and,
3. That following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and,
4. That Ryan Guetter, Weston Consulting, of 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8 be notified of this action; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.6 Oracle Licensing – Non-Competitive Acquisition

278

1. That the report entitled Oracle Licenses – Non-Competitive Acquisition dated March 3, 2019 be received; and,
2. That a non-competitive acquisition for Oracle Licences and Annual Support and Maintenance to Oracle Canada, ULC for a period of five (5) years, commencing in 2019, for an estimated amount of \$1,200,000.00 be approved; and,
3. That the non-competitive provisions of the Procurement Bylaw, specifically Section 13.6, Subsection (iii), as well as

the Limited Tendering provisions of the applicable trade treaties, as described below, be considered in support of this acquisition; and,

4. That the Director, Information Technology Services and the Manager, Procurement Services be authorized to execute all required documentation; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.7	Appointment Committee Meeting Minutes of January 17, 2019	304
	1. That the Appointment Committee Meeting Minutes of January 17, 2019 be received.	
5.8	Central York Fire Services Joint Council Committee Meeting Minutes of January 22, 2019	308
	1. That the Central York Fire Services Joint Council Committee Meeting Minutes of January 22, 2019 be received.	
5.9	Main Street District Business Improvement Area Board of Management Meeting Minutes of September 18, 2018	314
	1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of September 18, 2018 be received.	
5.10	Newmarket Public Library Board Meeting Minutes of November 21, 2018 and December 19, 2018	320
	1. That the Newmarket Public Library Board Meeting Minutes of November 21, 2018 and December 19, 2018 be received.	
5.11	Site Plan Review Committee Meeting Minutes of March 4, 2019	328
	1. That the Site Plan Review Committee Meeting Minutes of March 4, 2019 be received.	
5.12	Item 5.2 of the Site Plan Review Committee Meeting Minutes of March 4, 2019 (Application for Site Plan Approval – Block 120, Plan 65M-4587)	
	1. That the presentation regarding application for Site Plan Approval for File Number D-11-NP-18-21 be received; and,	

2. That staff be directed to continue the technical review of the application to ensure conformity with the Zoning By-law, Official Plan, and all other applicable policies; and,
3. That the staff comments as provided in the "Notes to Committee" dated March 4, 2019 be addressed to the satisfaction of staff; and,
4. That staff be directed to ensure full consideration is given to all comments provided by Committee, including exploration of all opportunities for visitor parking; and,
5. That Joanne Barnett, Marianneville Developments Limited, 3-26 Lesmill Road, Toronto ON M3B 2T5 be notified of this action; and,
6. That Kerigan Kelly, Groundswell Urban Planners Inc., 95 Mural Street, Suite 402, Richmond Hill ON L4B 3G2 be notified of this action.

5.13 Outstanding Matters List

332

1. That the list of outstanding matters be received.

6. Action Items

*6.1 Proposed Regulations for Smoking By-law

344

1. That the report entitled Proposed Regulations for Smoking By-law dated March 18, 2019 be received; and,
2. That Council select one of the three Options outlined within this report; and,
3. That Staff be directed to conduct community consultation for a period of no less than 30 days on Council's proposed regulations for smoking in the Town of Newmarket; and,
4. That Staff be directed to report back with proposed amendments to the Town's Smoking By-law after the community consultation period has ended; and,
5. That Council repeal Odour By-law 2002-111; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7. Reports by Regional Representatives

8. Notices of Motions

8.1 Participation in Earth Hour – March 30, 2019

Whereas climate change is the biggest environmental threat to our planet and a major concern for all Canadians; and,

Whereas at exactly 8:30 p.m. on Saturday, March 30, 2019, major cities around the world will turn off their lights and electrical power for one hour to raise awareness about climate change and to symbolize that, working together, the people of the world can make a difference in the fight against global warming; and,

Whereas the event, called “Earth Hour”, began in Sydney, Australia in 2007 as 2.2 million people turned off their lights to take a stand against climate change; and,

Whereas since then, it has become an annual, globally-observed event; and,

Whereas participating in Earth Hour sends a powerful message to every citizen and business around the world that it’s possible to take action on climate change and that switching off our lights and electrical power is just one simple action we can take to help make a difference; and,

Whereas in the last several years, Newmarket has continued to be a leader in this effort, with one of the highest rates of reduction in electricity consumption in the GTA; and,

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That at 8:30 p.m. on Saturday, March 30, 2019, the Corporation of the Town of Newmarket will join other cities around the world in literally “turning out the lights” by shutting off all non-essential lighting and power in all of its facilities, where feasible, and without jeopardizing safety, for one full hour; and,
2. That participation in Earth Hour by the Corporation of the Town of Newmarket will be widely promoted and publicized in order to raise awareness about this important issue and in order to encourage every individual, household and business in town to join in by turning off their lights and electrical power for one hour at 8:30 p.m. on Saturday, March 30, 2019 wherever possible to safely to so; and,

3. That a copy of this Resolution will be forwarded to every municipality in the GTA.

9. Motions

10. New Business

11. Closed Session (if required)

12. Public Hearing Matter

None.

13. Adjournment



2018 Annual Water Quality Summary Report Highlights

Newmarket Drinking Water System (DWS)

Prepared by: Luigi Colangelo – Manager,
Water/Wastewater

Department: Public Works Services

Date: March 18, 2019

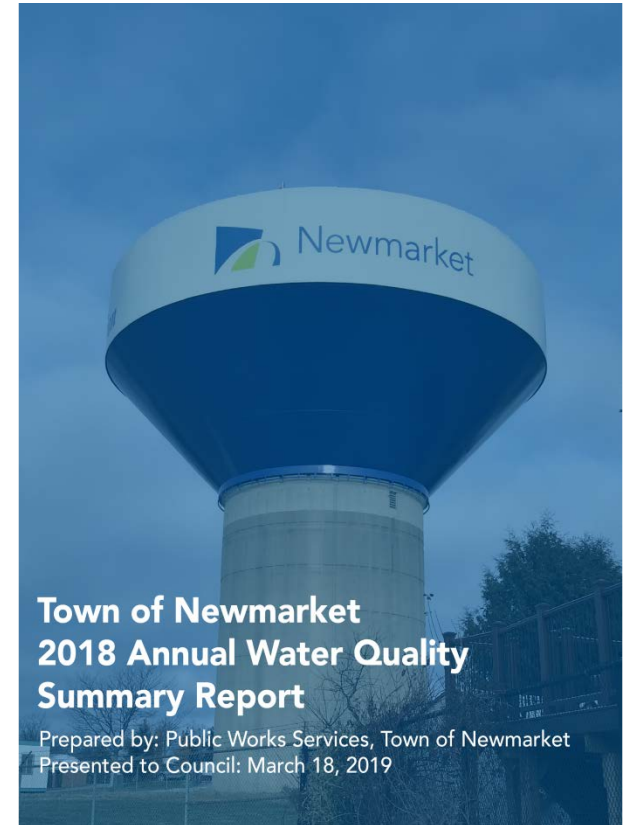
Report Requirements

(Safe Drinking Water Act, 2002)

Annual Water Quality Summary Report contains information about the Town's drinking water system (DWS) for the period of January 1, 2018 to December 31, 2018

Provincial regulations require we report this information to the following:

- The Drinking Water System Owners (Mayor and Council)
- Owner and Operating Authority Top Management (Commissioner, Development & Infrastructure Services; Director, Public Works Services; and Manager, Water/Wastewater Services)
- The Public



The Annual Water Quality Summary Report must include...

- A brief **description of the Town's drinking water system**
- A summary of **water sampling results** required by Provincial regulations
- A summary of all **adverse test results and corrective actions**
- A description of **major expenses** incurred
- **Where** this report can be found
- Town **requirements under the *Safe Drinking Water Act, 2002*** regulations, approvals, licences, and permits
- **MECP Inspection results.** MECP Inspectors inspect the Town's Drinking Water System annually to ensure compliance with regulatory requirements

Copies of Newmarket's 2018 Annual Water Quality Summary Report are available for viewing at

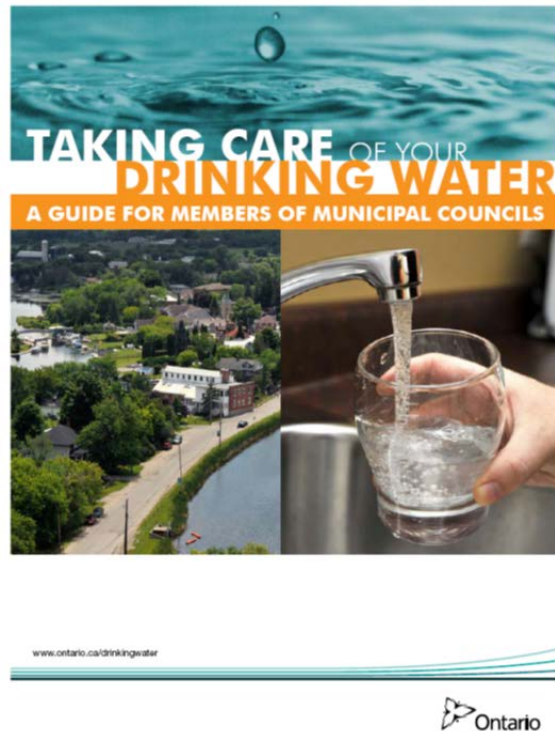
Newmarket Operations Centre,
1275 Maple Hill Court

Newmarket Municipal Offices,
Customer Service Counter, 395
Mulock Drive

Online at
newmarket.ca/waterwastewater



Statutory Standard of Care



Section 19 of the *Safe Drinking Water Act, 2002* (SDWA) describes the legal responsibilities of owners and operating authorities of municipal drinking water systems and every person who oversees the operating authority or makes decisions concerning the system

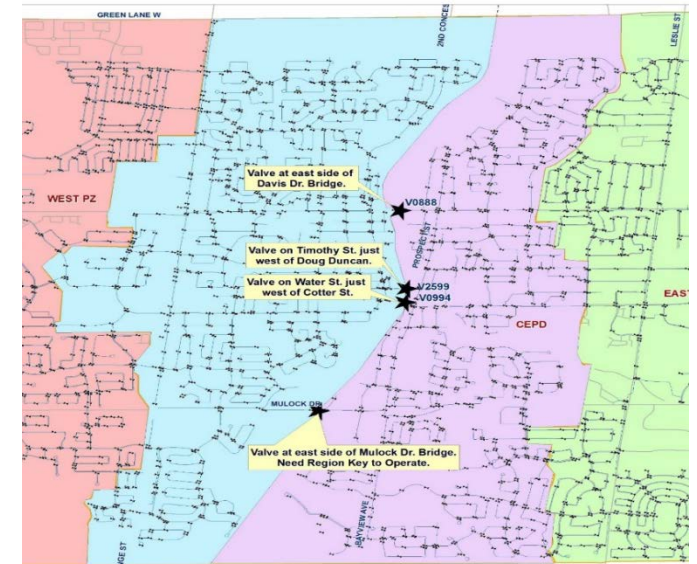
Council, owner and staff decisions play a key role in providing safe drinking water and managing risk

It is expected that those with operating and decision making authority exercise a level of care, diligence and skill that a reasonably prudent person would be expected to do and act competently

Town's Drinking Water System

- Two-tiered water supply partnership with York Region
- York Region responsible for source water, wells, supply agreements with Toronto and Peel, treatment, transmission, storage
- Town responsible for the local distribution system operations, maintenance and monitoring
- “Source to Tap” approach using industry best practices, collaboration and communication
- System is monitored continuously by York Region SCADA and by the Town’s enhanced sample plan
- Newmarket is at the top end of the York Water System that starts at Lake Ontario and ends at Green Lane

arket 2019 | Central Zone East/West



ture\Water Operation\GIS\2019\Operational_Strategies_Alterations\Workfiles\Newmarket_2019_Central_East_West

— Water Main — Road
 — Pressure Zone - - - Railway
 — Boundary — Ward Boundary

0 180 600 720 1,080 1,440 Meters

Designed & Public Wor
 Water/Waste
 Printed: Ja

Town's Drinking Water System

The Town's Distribution System Infrastructure (including watermain, valves, hydrants, water services, and meters) services approximately 85,000 people within the Town of Newmarket.

The Newmarket DWS is comprised of approximately;

- 318 kilometers of distribution system watermain
- 4,035 mainline valves
- 2,358 municipally owned fire hydrants
- 26,407 metered water services

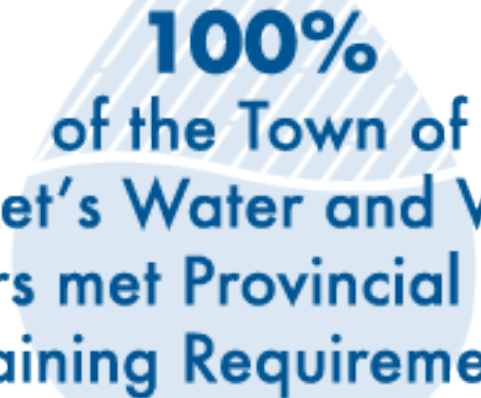
Trained and certified operators respond immediately to system emergencies such as watermain breaks

⁹ Certified Operator Training and Development

Town provides training to all certified operators working in the Town's DWS

Training is provided internally and by external training vendors

Training is tracked and records are available for MECP inspection

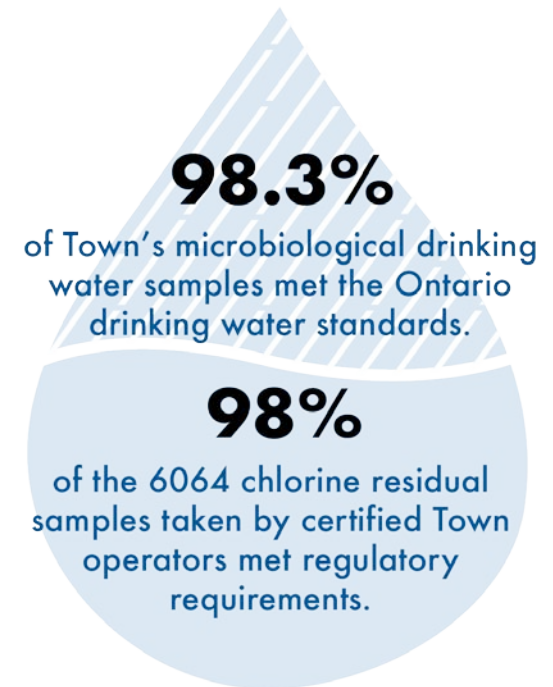


100%
of the Town of
**Newmarket's Water and Wastewater
Operators met Provincial Regulatory
Training Requirements.**

Training is a regulatory requirement for operators to maintain their Provincial certification

Drinking Water Sampling Results

- 1363 samples submitted to third-party lab for bacteriological analysis
- 6064 samples collected by certified operators and analyzed for chlorine residuals
- 25 samples submitted to third-party lab for analysis of lead to meet regulatory requirements
- York Region also submitted 529 samples to third-party lab for bacteriological analysis for water entering the Newmarket DWS
- York Region has 48 analyzers continuously monitoring drinking water for chlorine residuals. Approximately 5 million chlorine residual samples taken by analyzers in 2018.



Drinking water quality is closely monitored by samples collected by Town and Region certified operators



Adverse Water Quality Incidents (AWQIs)

147 AWQIs were reported in 2018

- 124 were due to low combined chlorine residual
- 22 for Total Coliform
- 1 E.coli

Operators initiated corrective actions and reporting for all of the AWQIs as required under O. Reg. 170/03.

In all cases, the drinking water supplied to the public was confirmed safe

At no time did the Medical Officer of Health (MOH) or MECP require further actions to be taken by the Town

The Town Received a 90.95% Result for the 2017 - 2018 MECP DWS Inspection

Inspection Non Compliance Identified by MECP	Town's Response
All required notifications of adverse water quality incidents were not immediately provided as per O. Reg. 170/03 16-6	The Town conducted a comprehensive review of its standard operating procedures for AWQI reporting. The Town provided training to operations staff and contractors working in the Town's DWS using internal staff and external training providers
For one adverse water quality incident a written notice of resolution was provided to the Ministry a day later than the prescribed seven (7) days.	The Town conducted a comprehensive review of its standard operating procedures for AWQI reporting. The Town provided training to operations staff and contractors working in the Town's DWS using internal staff and external training providers
Review and update the "Measurement and Recording Equipment Calibration" procedure	The standard operating procedure for "Measurement and Recording Equipment Calibration" was reviewed by the Town and includes industry best practices and recommendations provided by the MECP. Training was provided to staff on the revised procedure
Watermain break/repair records were not clear on which of the listed certified operators took chlorine residuals and at what time the residuals were taken	The Town's "Watermain Break Repair Report Form" was reviewed and updated using industry best practices and includes all information as outlined in the Watermain Disinfection Procedure and recommendations made by the MECP. Training was provided to staff on the revised procedure

The annual inspection ensures the Town complies with all applicable regulatory requirements related to the delivery of safe drinking water

Drinking Water System Licence and Permit



MECP issues the Town the following licence and permit to operate the DWS

Municipal Drinking Water Licence (MDWL)
number: 124-101

Drinking Water Works Permit (DWWP) number:
124-201

These documents outline detailed conditions and regulatory requirements in regard to the operation, maintenance and monitoring of the drinking water system

In 2018, the Town complied with all conditions of it's Municipal Drinking Water Licence (MDWL) and Drinking Water Works Permit (DWWP)

Drinking Water Quality Management Standard (DWQMS)¹⁴

The MECP mandates the implementation of an Operational Plan under the Drinking Water Quality Management Standard (DWQMS) for all DWS in the Province of Ontario.

For 2018, the Town was audited externally by AET Consultants (September) and SAI Global (January, 2019)

Two internal audits were conducted by Town staff (June, September)

Non-conformances to the standard included the requirement for the Town to;

- Improve document and record controls
- Improve the process for addressing preventive and corrective actions identified through audits and inspections
- Review the Operational Plan with staff on a more frequent basis
- Review water infrastructure needs annually with Engineering to inform the 5 year capital plan



NEWMARKET WATER DISTRIBUTION SYSTEM QUALITY MANAGEMENT SYSTEM POLICY

The Town of Newmarket Water Distribution System is recognized by the Ministry of Environment & Climate Change (MOECC) as a Large Municipal Residential Drinking Water System.

The Town of Newmarket is committed to the consistent delivery of safe drinking water through compliance with applicable legislative and regulatory requirements.

The Town will strive to achieve this goal through the implementation, maintenance, and continuous improvement of the Drinking Water Quality Management System (DWQMS).

The Town commits to ensure open communication, both with the public, as well as staff concerning all policies, procedures and documentation pertaining to DWQMS.

The Quality Management Policy applies to all municipal management and staff, and is posted at the Operations Centre, Municipal Offices and on the Town's website.



Revised: June 12, 2018

All Non-conformances are being addressed to the satisfaction of the auditor and Town continues to meet the requirements of the DWQMS

2018 Water Consumption Data

Description	Amount
Total water billed to the Town of Newmarket by York Region (m ³)	8,768,108
Total water sold to the consumers of the Town of Newmarket (m ³)	6,885,791
Total unbilled water (m ³)	1,882,317
Percentage water loss*	21.47%

*The 21.47 percentage water loss includes the following;

- Water used for flushing to maintain water quality (approximately 750,840 m³, 8.56%)
- Routine maintenance activities (approximately 29,060 m³, 0.33%)
- Watermain breaks (approximately 26,060 m³, 0.30%)
- Other Water Loss including water meter inaccuracies, aging infrastructure and system leakage, firefighting, theft, new watermain commissioning/testing (1,076,357 m³, 12.28%)

Town staff will be reporting to Council in Q2, 2019 to provide details on system water loss including current challenges, planned activities and opportunities to manage water loss and non-revenue water within the Town's drinking water system

¹⁶
In 2018, The Town of Newmarket spent approximately \$3,133,499 installing, repairing, replacing and maintaining infrastructure used to deliver safe drinking water



34 watermain breaks successfully repaired meeting MECP standards



1441 water and sewer locates completed to protect Town's buried assets



26,407 water meters serviced by the Town



141 customer service calls received and responded to by staff



5 kms of watermain cleaned by swabbing



318 kms of watermain and **4035** valves required to deliver water to customers



2358 hydrants inspected to ensure they operate when required

Drinking Water System
Capital Improvements:
\$ 2,229,924

Watermain Maintenance:
\$ 337,340

Hydrant Maintenance:
\$ 90,000

Watermain
Flushing/Swabbing Program:
\$ 476,235

WE STRIVE FOR

Creating opportunities to
exceed expectations

WE ENVISION

Progress With Success

WE STAND FOR

Innovation, Trust, Respect,
Fairness, Transparency,
Versatility

PWS 

Questions

If you have any questions or would like any additional information, please contact

Luigi Colangelo, Manager,
Water/Wastewater

lcolangelo@newmarket.ca

References:

2018 Annual Water Quality Summary Report for the Newmarket Water Distribution System

Walkerton Clean Water Centre: Statutory Standard of Care - Safe Drinking Water Act, 2002 Training for Municipal Drinking Water System Owners and Decision Makers

2018 MECP Newmarket Distribution System Drinking Water Inspection Report



Proposed Regulations for Smoking By-law

Presented to: Committee of the Whole

Presented by: Kiran Saini, Acting Director of
Legislative Services/ Town Clerk

Date: March 18, 2019

Overview

- January 15, 2019 Council directed staff to “prepare amendments or new by-laws as required & return with recommendations as to how smoking and vaping of cannabis in public places should be regulated.”
- York Regional Working Group developing template definitions & considerations.
- External legal opinions received.

Legislative Framework

- Municipal Act, 2001 allows municipalities to adopt by-laws to restrict smoking and vaping in public places & workplaces.
- Smoke-Free Ontario Act, 2017 (“SFOA”) creates a regime for smoking & vaping in the Province.
 - No differentiation between medical & recreational cannabis for the purposes of the SFOA

Newmarket By-laws currently in place

- Smoking By-law:
 - Prohibits smoking in Town-owned buildings, vehicles & smoking while operated Town-owned equipment.
- Odour By-law:
 - Difficult to enforce & prosecute due to subjectivity.
 - Recommend repealing By-law immediately.
- Parks By-law:
 - Smoking prohibited anywhere in Sunnyhill Park, 20 metres surrounding sports surfaces, play structures & entrance/exit of a park.

Public Consultation

- Prior to adopting prohibitory by-laws, Town should engage in public consultation.
- Allows community to provide input.
- Assists staff with developing a “threshold” for tolerance in Newmarket.
- Strengthens validity of any by-laws & supports policy rationale for adopting regulations.



Option 1 – Restricting cannabis use to within a dwelling

- Only allow cannabis consumption in an individual's home.
- Cannot prohibit smoking or vaping cannabis/tobacco on a highway

Yes



No

Everywhere else that isn't a home,
sidewalk or road

Option 1 - Benefit

1. For the most part, confines the often “offensive” skunk-like smell to individual homes.

Option 1 - Drawbacks

1. Enforcement would be challenging
2. Not easy to understand from a public education & compliance standpoint
3. Not aligned with how tobacco is currently consumed in Newmarket
4. Cannabis is a legal product
5. Exposes others' to second-hand smoke
6. Limits residents use & enjoyment of own outdoor property

Option 2 – Align with Smoke-Free Ontario Act (“SFOA”)

- Legislation passed in 2017
 - Provisions are fairly restrictive
- Education currently underway by public health agencies
 - Advocating for smoking in unenclosed areas
- SFOA does not differentiate between medicinal & recreational cannabis



Option 2 – SFOA Restrictions

1. Restaurants & bar patios

- Smoking & vaping not permitted on patio or within a 9 metre that is a public area.



2. Vehicles & boats

- Smoking & vaping not permitted if a passenger 15 years or younger is present.



Option 2 – SFOA Restrictions

3. Child care facilities & home child care centres

- Smoking & vaping not permitted on entire property.
- Home child care centres: not permitted at all times indoors or outdoor spaces that children use.



4. Public & private schools

- Smoking & vaping not permitted on entire property.

Option 2 – SFOA Restrictions

5. Playgrounds, Town-owned sports areas, reserved outdoor seating venues, community recreational facilities

- Smoking & vaping not permitted on playgrounds or 20 metres from these areas

No



Option 2 – SFOA Restrictions

6. Enclosed workplaces & public places

- Smoking & vaping not permitted at all times

7. Sheltered areas

- Smoking & vaping not permitted in outdoor shelters with 2 or more walls & a roof
 - For example: bus shelter

No



Option 2 – SFOA Restrictions

8. Health &/or long-term care service providers

- Smoking & vaping prohibited:
 - On hospital or psychiatric grounds.
 - Within 9 metres of entrance/exits of hospital, psychiatric facility, long-term care home or independent health facility.

No



Required Signage

- Residential long-term care facilities & hospices can have designated smoking area for residents who **live** there.



Option 2 – SFOA Restrictions

9. Smoking & vaping is prohibited in common indoor areas of condos, apartment building, college/university residences.
10. Hotels, motels & inns
- Smoking & vaping in enclosed guest rooms is **permitted in designated rooms**
 - Not permitted around playgrounds

No



Option 2 - Benefits

1. Public Health Agencies already conducting education
2. Signs already in place
 - Installed at all Newmarket playgrounds, workplaces
3. SFOA applies across Ontario
 - Consistency
 - Motion from Aurora Council
 - Increased likelihood of voluntary compliance
 - Enforcement conducted by Town & York Region Public Health



Option 2 - Drawback

1. Community may feel additional restrictions are necessary.

Option 3 – SFOA³⁶ alignment with additional restrictions

- Provides greater regulations around areas within the Town that may be considered sensitive.



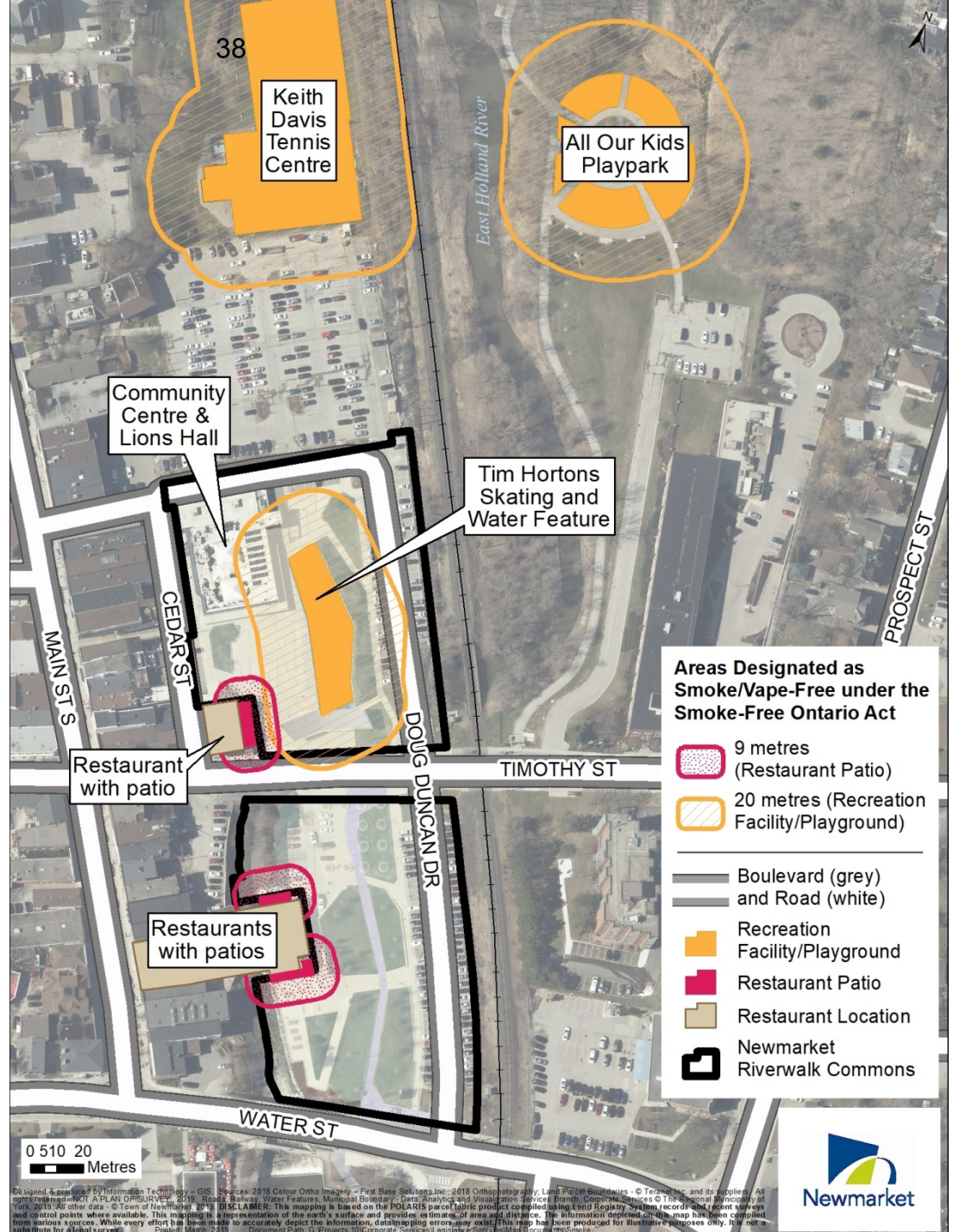
1. Riverwalk Commons

- Significant events & festivals
- Events catered towards young children

1. Designate the area in its entirety as no smoking & vaping; **or**
2. Designate a “smoking & vaping area”

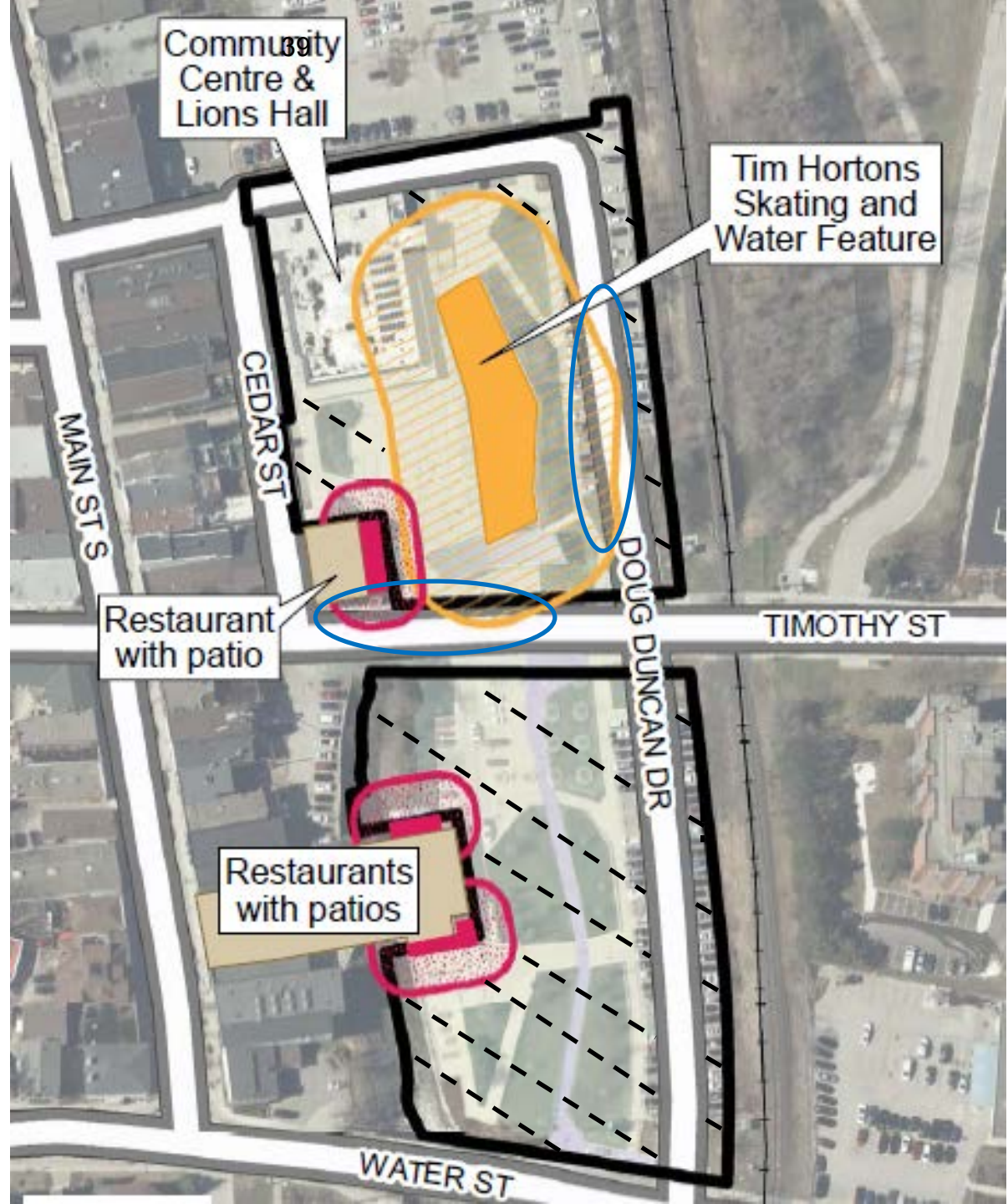
Riverwalk Commons Area Map

- Black area = Riverwalk Commons
- Yellow & pink area = No smoking or vaping (SFOA)
- Grey & white = sidewalks & roads (In general, cannot prohibit smoking or vaping)



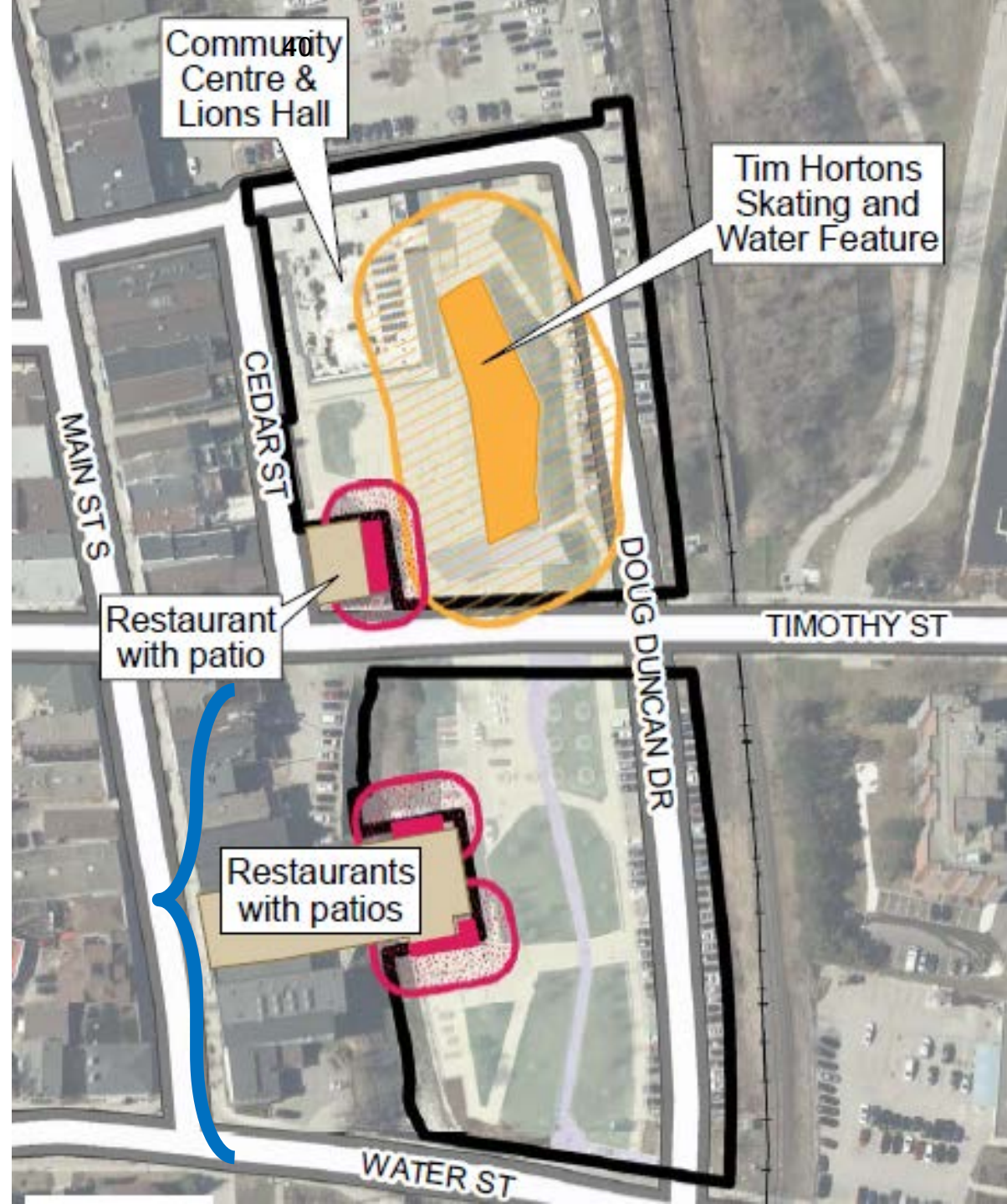
Riverwalk Commons Map

- Option to prohibit no smoking & vaping in entire area
- Smoking & vaping would still be permitted on sidewalks along Doug Duncan Dr. & Timothy St.
 - Exceptions circled in blue



Riverwalk Commons Map

- Potential for designated smoking & vaping area in southern vicinity.



2. Town-owned parks & trails

- SFOA currently prohibits smoking & vaping in sports areas & playgrounds.
- Smoking **tobacco** is currently prohibited:
 - Anywhere in Sunnyhill Park
 - Within 20 metre radius surrounding the edge of all parks
 - Within 20 metre radius of all park entrance & exits

3. Town-owned Facilities

Facility Name	Community Recreational Facility?
Art Ferguson Clubhouse	No
Central York Fire Services Stations 4-1 & 4-2	No
Elman W. Campbell Museum	No
Global Pet Food Dog Park	No
Gorman Outdoor Pool	Yes
Hollingsworth Arena	Yes
Magna Centre	Yes
Municipal Offices	No
Mulock Estate	No
Newmarket Community Centre & Lions Hall	No
Newmarket Youth Centre & Sk8 Park	Yes
Robert N. Shelton Operations Centre	No
Newmarket Public Library	No
Old Town Hall	No
Ray Twinney Recreation Complex	Yes
Seniors' Meeting Place	No
Stickwood Walker Farmhouse	No

3. Town-owned Facilities

- Community recreational facilities already have a 20 metre smoking & vaping prohibition as per the SFOA.
- Option to adopt no smoking or vaping regulations for facilities that **do not** qualify as “community recreational facilities” to prohibit smoking & vaping on outdoor grounds.
 - Restrict within a certain distance from the buildings (e.g., 9 metres or 20 metres) **or** prohibit on the entire exterior property.

Other Considerations

- Medical cannabis
 - Do municipalities have the authority to restrict beyond the SFOA?
- Smoking & vaping **cannot** be regulated on highways (municipal boulevards)
- Designated Smoking Areas
 - Promotes compliance by making an area available to tobacco & cannabis consumers

Other Considerations

- Other Substances
 - Does Council wish to restrict other smoked or vaped products?
- Alignment of regulations in Town
 - ✓ Creates less confusion for the public
 - ✓ Potential for increased compliance
 - ✓ Assists with enforcement

Budget Impact

- Depending on the regulations adopted by Council, additional signage would result in a budget impact.
- Preliminary estimate of signage in parks is approximately \$28,000
 - Each sign costs \$100

Complaints in 2018

Town

- 3 complaints related to smoking/vaping cannabis on private property
- Complaints expected to increase in warmer months

York Region Public Health

- 22 complaints all related to tobacco in Newmarket (none related to cannabis)

Next Steps

1. Council repeal Odour By-law due to enforcement & prosecution challenges.
2. Council to select an option & provide direction to staff to proceed with public consultation.
3. Present amendments to Smoking By-law in April/May.
4. Conduct public educations on adopted By-law.

**Thank you
Questions?**

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Name: Paulo Carvalho	
Organization / Group/ Business represented:	
Address: [REDACTED]	Postal Code: [REDACTED]
Daytime Phone No: [REDACTED]	Home Phone: [REDACTED]
Email: [REDACTED]	Date of Meeting: March 18, 2019
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Interim By-Law 2019-04- Please see detailed email.	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905 895-5193 Ext. 2211 Fax 905-953-5100



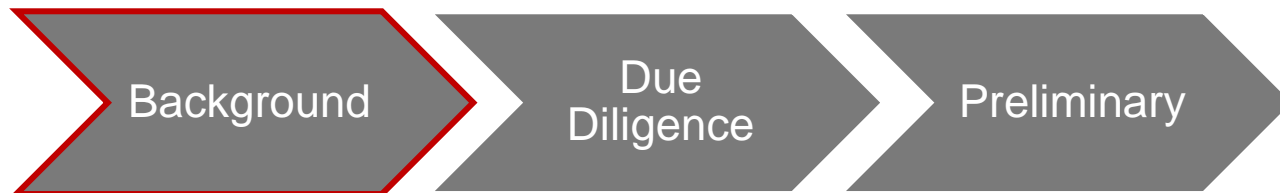
DEPUTATION REGARDING BY-LAW 2019-04 (INTERIM CONTROL BY-LAW)

PAULO CARVALHO

MARCH 18, 2019

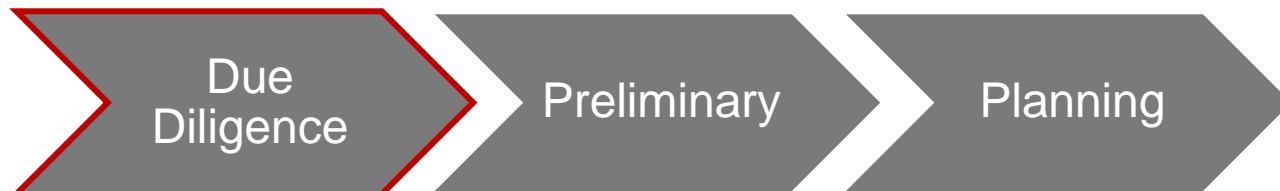
BACKGROUND

- Purchased current residence, 257 Hodsgon Drive, in 2011 as a "starter home"
- Family of 4, including two young boys aged 19 months and 4 years old
- Admiration for the Quaker Hill neighborhood
- Great access to schools, parks and amenities
- Desire to put down roots and raise our family in our present neighbourhood
- We have outgrown our current residence, but current real estate prices preclude upsizing to a larger home in the same area



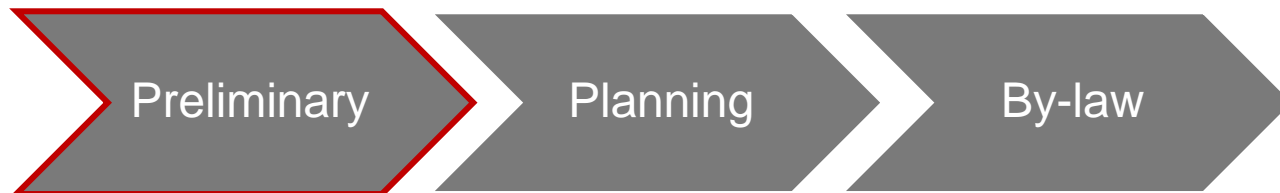
DUE DILIGENCE – DEC. 2017

- **Began exploring options for an addition in late 2017**
- **Thoroughly researched best practices consulting:**
 - Canadian Consumer Handbook
 - Canadian Home Builders Association
 - Town of Newmarket website
 - Other provincial resources



PLANNING – DEC. 2017-APR. 2018

- Canvased local area for homes that have been renovated.
- Interviewed architectural firms
- Hired firm that would complete a full scope of current town bylaws
- Completed preliminary drawings which included avoiding to apply for minor variance (set back of 1.8M from the property line).
- Process completed around April, 2018 (e-mail confirmation)



PLANNING – APR. 2018 – DEC. 2018

- **Hired a reputable contractor who would work with timeline**
- **Project estimated to take 4 months**
- **Eldest son attends Rogers Public school, looking to minimize disruption to his education**
- **Work would commence May 1, 2019 and we would move out of the home June 28, 2019, in order to be move back in by start of school year (Sept. 2019)**



PLANNING – APR. 2018 – DEC. 2018

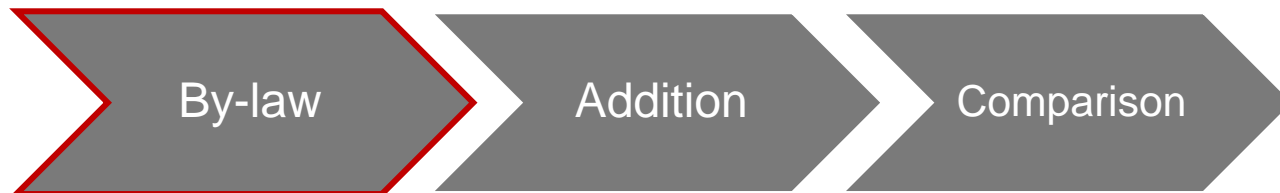
- Saved and scheduled 3 weeks holidays (wife and myself) to pack and move out of our home
- Co-ordinated with colleagues and management during peak vacation period for exception to be off for 3 weeks
- Family members booked a 3 month vacation to allow us to rent their home for us to move into
- Coordinated vacation time of family members to help with packing and moving



BY-LAW 2019-04

(INTERIM CONTROL BY-LAW)

- **Proposed addition does not meet section 3.d.ii (Gross floor area exceeds 25%)**
 - Current property is ~1300 sq. ft.
 - Proposed addition is 736 sq. ft.
- **Our home is the smallest of the two story models existing on Hodgson Drive**
- **Addition would match other renovations already done in the neighbourhood**
- **Addition would be in line with look and feel of the neighbourhood and larger original homes**
- **Not a "Flip"**



EXISTING HOME



Addition

Comparison

Neighbours

PROPOSED ADDITION – FRONT VIEW

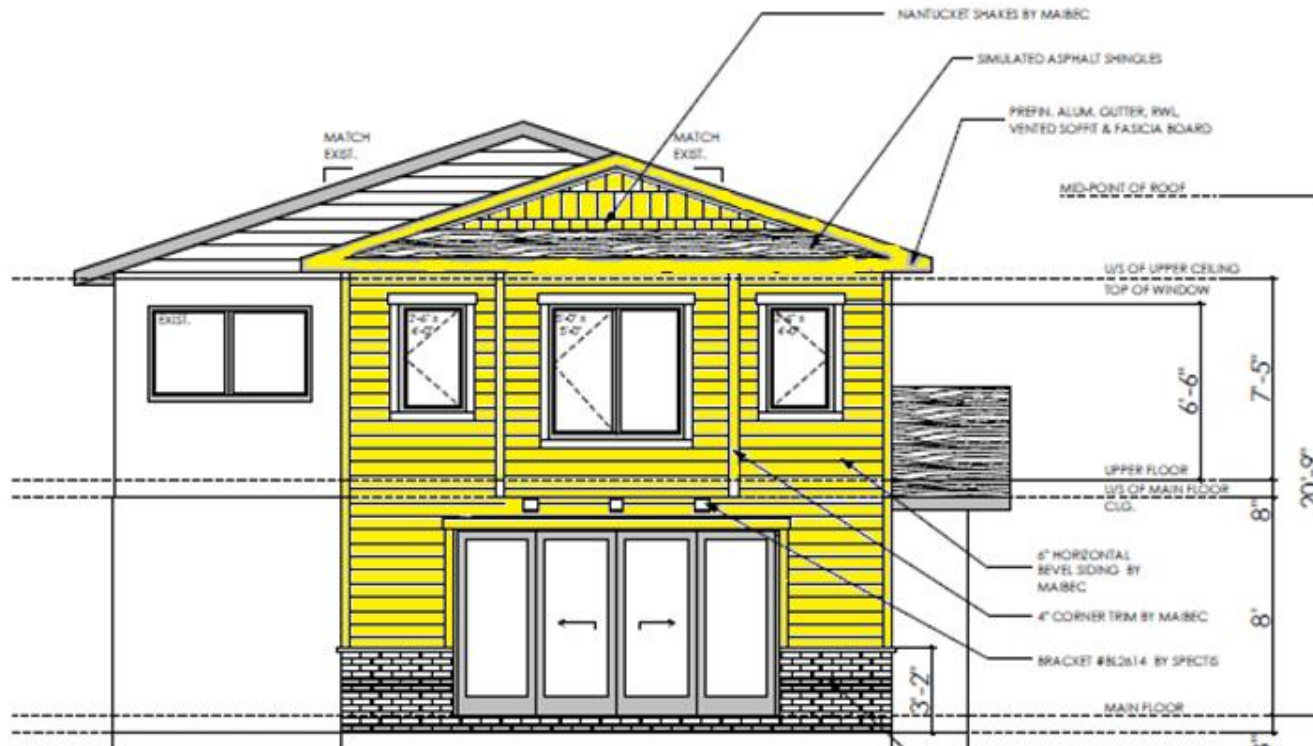


Addition

Comparison

Neighbours

PROPOSED ADDITION – REAR VIEW

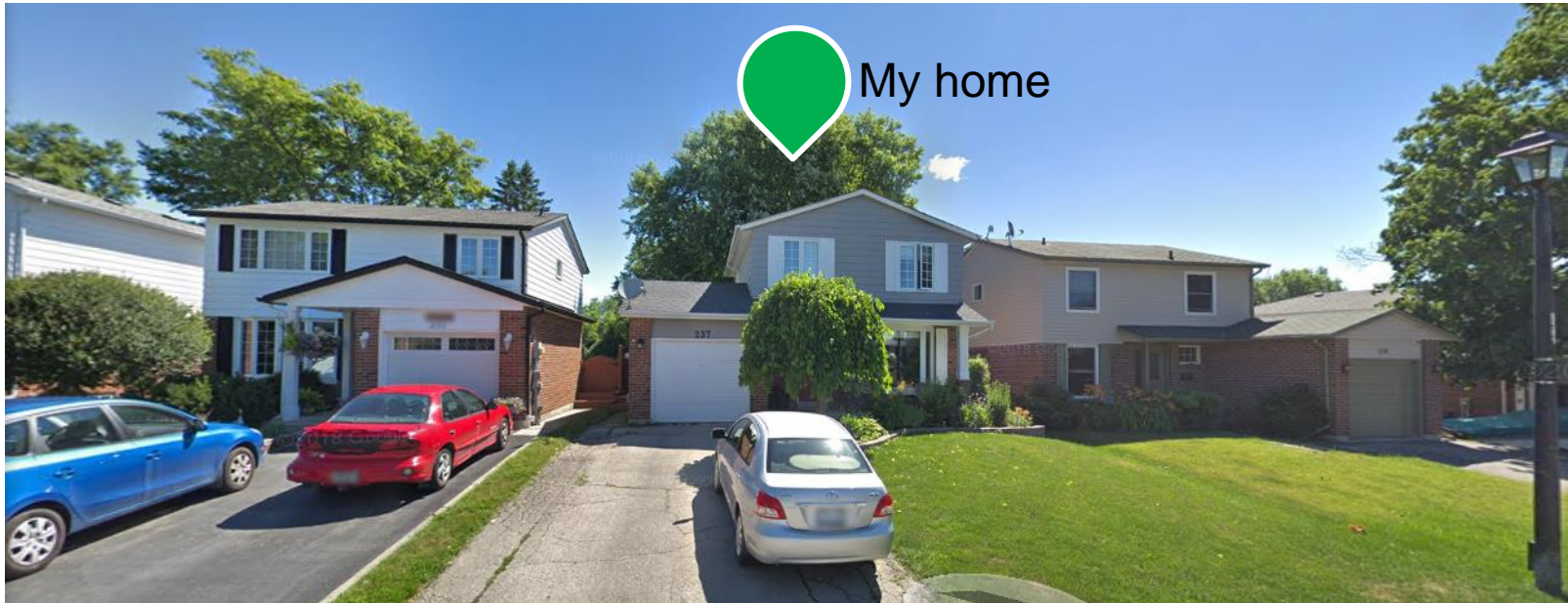


Addition

Comparison

Neighbours

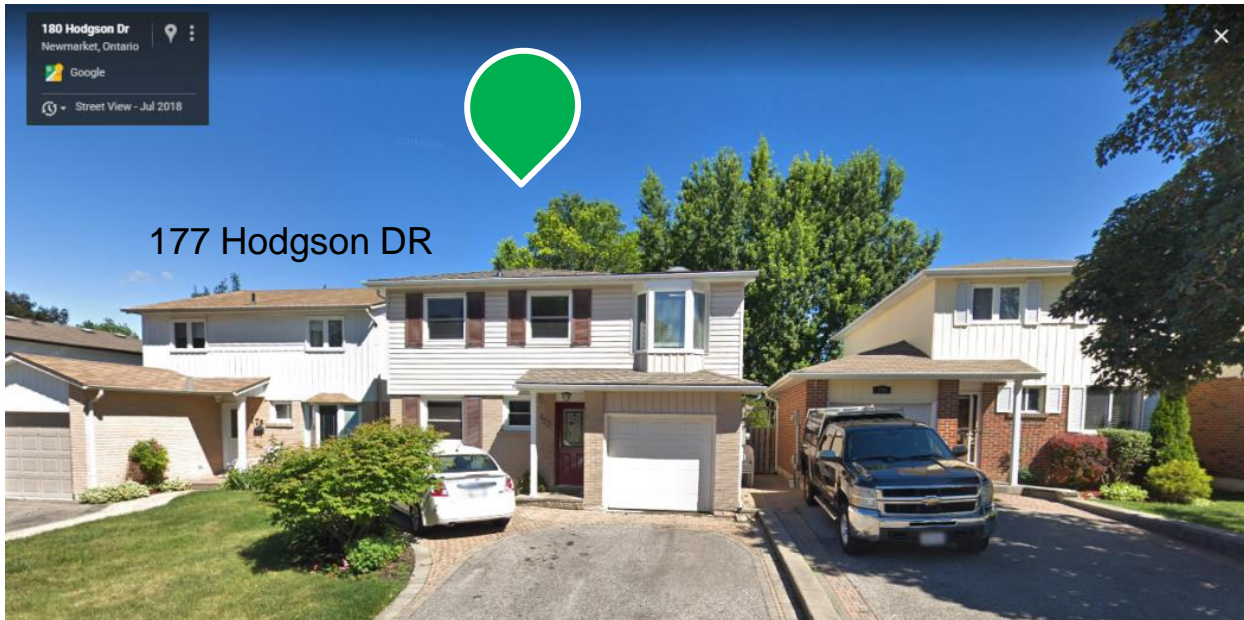
COMPARISON



My current property is one the smallest models on the street. The proposed addition would be built to the same width of my immediate neighbours' houses. I will not be applying for a minor variance.



COMPARISON



Property located up the street on Hodgson Drive, which was previously renovated to include an addition.



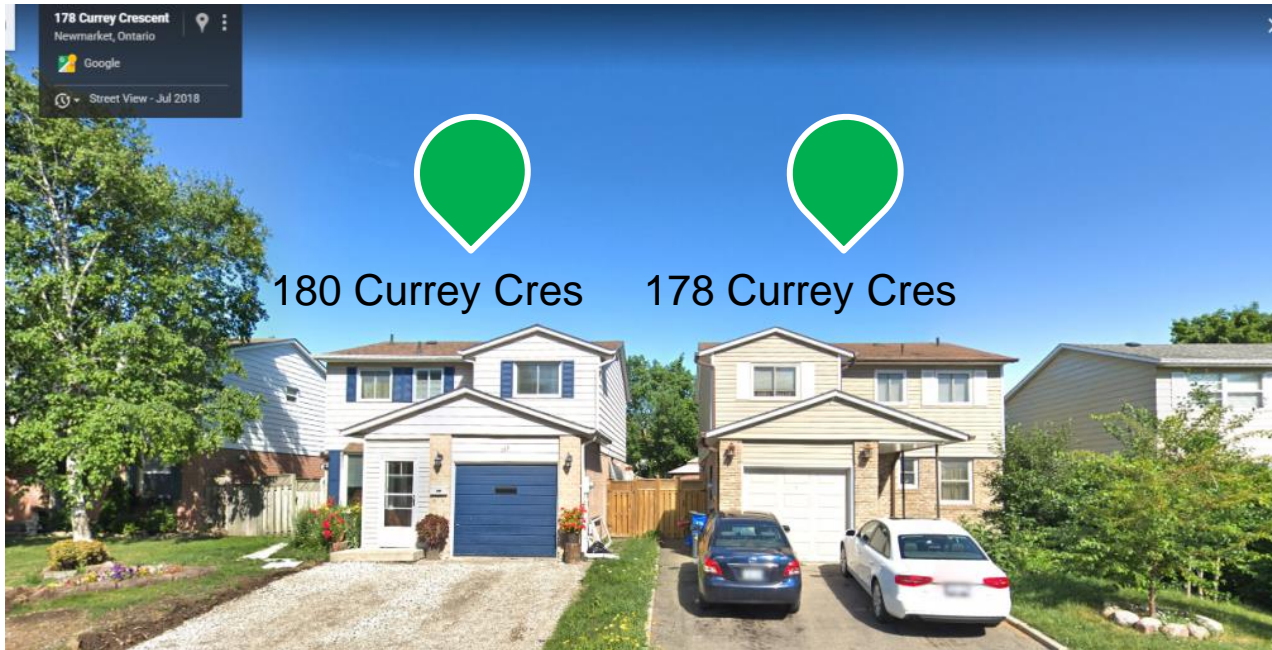
COMPARISON



Property on nearby Handley Crescent, located in the same neighbourhood of Quaker Hill, with an addition added in 2018. Their addition is similar to my proposed addition, however, they were approved for a minor variance.



COMPARISON



Additional examples of existing homes similar in size to my proposed addition located on Currey Crescent (located within the Quaker Hill community).



COMPARISON



Additional examples of existing homes similar in size to my proposed addition located on Sandford St. (located within the Quaker Hill community).



COMPARISON



258 Hodgson Dr



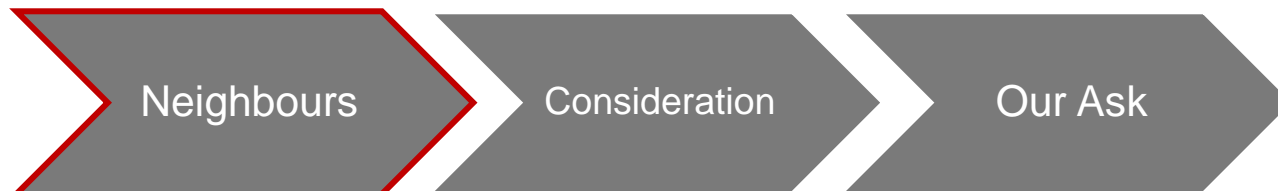
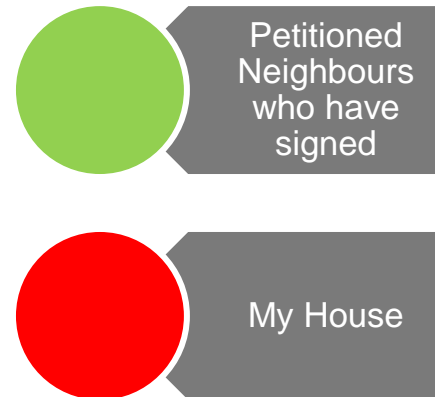
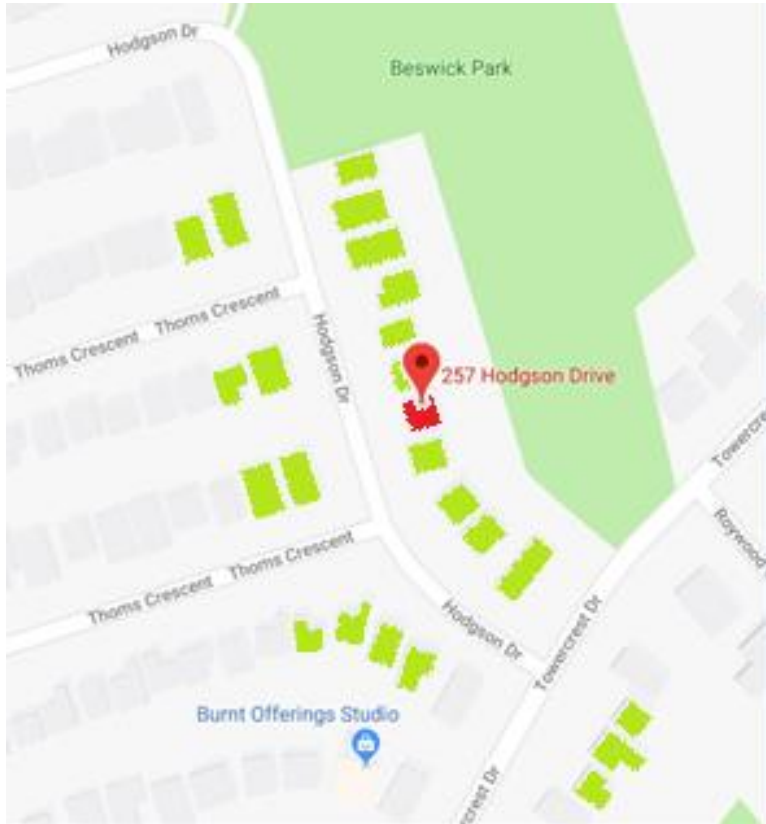
254 Hodgson Dr



Properties located directly across the street from my current house are much larger in size. Proposed addition to my existing property would blend in well within the neighborhood.

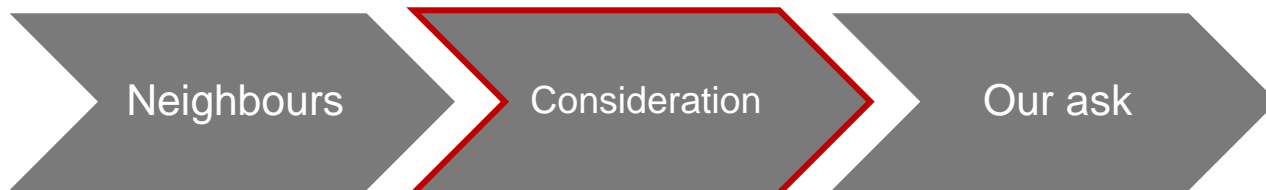


PETITIONED NEIGHBOURS



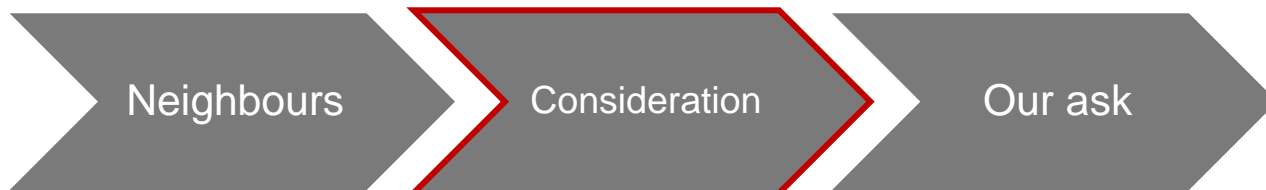
CONSIDERATIONS & INVESTMENTS TO DATE

- **My family and I have been planning this for well over a year**
- **We followed all recommended advice and best practices**
- **Substantial financial commitment (non-refundable security deposits)**
- **Coordinated and rented family members home (which they planned vacation around)**
- **Planned vacation time**
- **Minimize disruption to routine child's education**
- **We were not forewarned about any potential change**



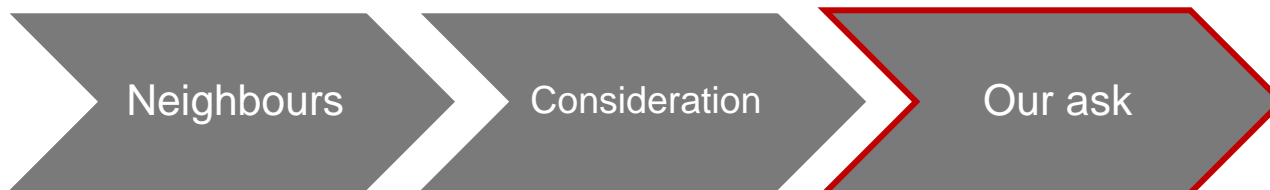
CONSIDERATIONS

- **Proposed addition is desirable use of the land**
- **Not a "Flip"**
- **Will match look and feel of the Quaker Hill area**
- **Will be in line with the Town's Official Plan**
- **The addition does not adversely affect the surrounding properties or neighbourhood**



MY FAMILY'S ASK

- That council use its bestowed ability to provide an exception to the existing interim control By-law
- That the Town of Newmarket and its departments work within its legal framework to allow my project to proceed in a timely fashion, which a start date as close as possible to the original planned start date of May 1st, 2019.



THANK YOU

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

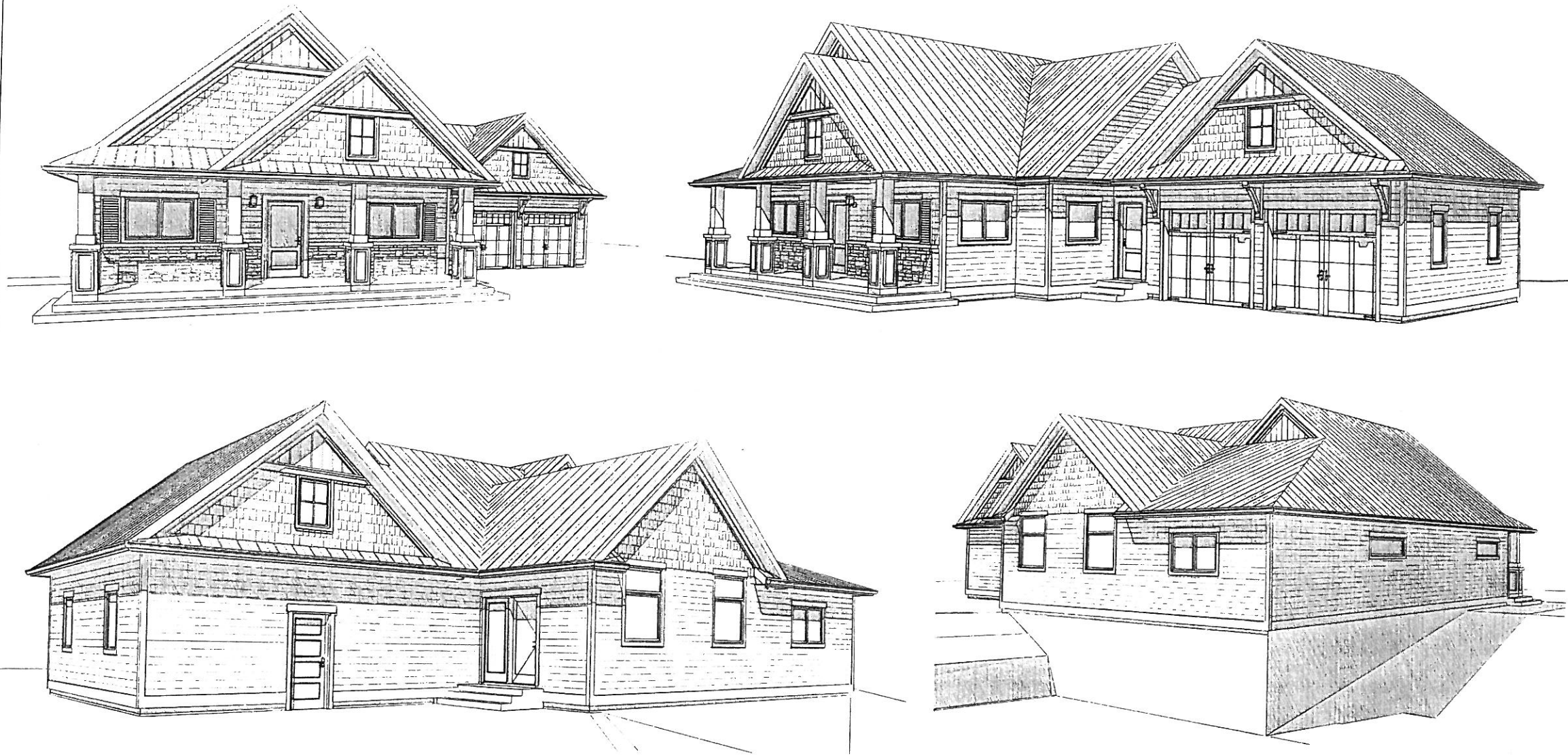
Name: Catherine M. Callaghan, HHL Law Firm LLP	
Organization / Group/ Business represented: Peter May & Bernadette May (Newmarket Residents)	
Address: [REDACTED]	Postal Code: [REDACTED]
Daytime Phone No: [REDACTED]	Home Phone: [REDACTED]
Email: [REDACTED]	Date of Meeting: March 18, 2019
Is this an item on the Agenda? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Clients wish to discuss a new home build on property in Newmarket.	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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CLASS
DESIGN

905.505.0781
class5design@gmail.com

GENERAL NOTES

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REVISION SCHEDULE

578 LYDIA STREET
Neumark, ON

SURVEYOR'S REAL PROPERTY REPORT

PART 1 - PLAN OF

LOT 1 SOUTH OF LYDIA STREET, REGISTERED PLAN 85

TOWN OF NEWMARKET - REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 300

E.R.GARDEN LTD.

PART 2 - REPORT SUMMARY
NO EASEMENTS REGISTERED
ROOFLINE OF ADJACENT SHED EXTENDS
ONTO WEST LIMIT
FENCING IS AS SHOWN ON PLAN

THIS REPORT WAS PREPARED FOR
THE EXCLUSIVE USE OF
BILL AND FRAN REDDY

BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO
THE NORTH LIMIT OF GORHAM STREET HAVING A BEARING
OF N72°06'10"E AS SHOWN ON PLAN BA-237 (L-126-8)

LEGEND

■ FOUND	■ IRON BAR
□ PLANTED	■ STANDARD IRON BAR
○ ROUND	■ SHORT STANDARD IRON BAR
— ALONG LINE	— OLD NOTE
— BOARD FENCE	— NOTES OF F. PETERSON D.L.S.
— CHAINLINK FENCE	— DATED 16 NOV 1990
— END OF FENCE	— (882) J.C. MOORE D.L.S.
— FENCE CORNER	— (917) R. AGARWAL D.L.S.
— METAL SHED	— (1834) F. PETERSON D.L.S.
— ROOF LINE	
— VINYL SHED	

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1470137

THIS PLAN IS NOT VALID
UNLESS IT IS ENCLOSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Registration 1026, Section 29(3).

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 5TH DAY OF SEPTEMBER 2003

SEPTEMBER 5, 2003

DATE

E.R.GARDEN LTD.

SEPTEMBER 5, 2003

DATE

E.R.GARDEN

ONTARIO LAND SURVEYOR

METRIC : DISTANCES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED TO FEET
BY DIVIDING BY 0.3048

E.R.GARDEN LIMITED

ONTARIO LAND SURVEYOR

1260 JOURNEY'S END CIRCLE, UNIT 1

NEWMARKET ONTARIO L3Y 7V1

PHONE 905-895-5600 FAX 905-895-7127

D.G.GILES

FILE No.

03-3500

CLASS
DESIGN

905.505.0781
class5design@gmail.com

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REVISION SCHEDULE

578 LYDIA STREET
Newmarket, ON

FILE 03-3500



TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK

SURVEY INFORMATION DERIVED FROM A SURVEY BY
E.R. GARDEN LTD. - ONTARIO LAND SURVEYORS
1260 JOURNEY'S END CIRCLE, NEWMARKET, ON.
DATED SEPTEMBER 05th, 2003

SITE ANALYSIS

LOT AREA	10,288 SQ.FT.	(100.24 SQ.M.)
EXISTING HOUSE (TO BE REMOVED)	1,005 SQ.FT.	(103.03 SQ.M.)
PROPOSED HOUSE:	1,945 SQ.FT.	(180.70 SQ.M.)
PROPOSED GARAGE:	604 SQ.FT.	(56.11 SQ.M.)
PROPOSED COVERED PORCH	195 SQ.FT.	(18.49 SQ.M.)

TOTAL EXISTING LOT COVERAGE:	1,109 SQ.FT. (10.28%)	(103.03 SQ.M.)
TOTAL PROPOSED LOT COVERAGE:	2,746 SQ.FT. (25.47%)	(255.30 SQ.M.)

REQUIREMENTS FOR SINGLE

FAMILY DWELLING
TOWN OF NEWMARKET
'R1-D-119' ZONING REQUIREMENTS

	BY-LAW	PROPOSED
LOT FRONTAGE	15.0m	21.19m
LOT AREA	511 sq.m	1002 sq.m
FRONT YARD SETBACK	3.0m	
INT. SIDE YARD SETBACK	1.2m	
REAR YARD SETBACK	1.5m	
MAXIMUM HEIGHT (ONE STOREY)	7.5m	
MAXIMUM LOT COVERAGE (ONE STOREY)	35%	

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GENERAL NOTES

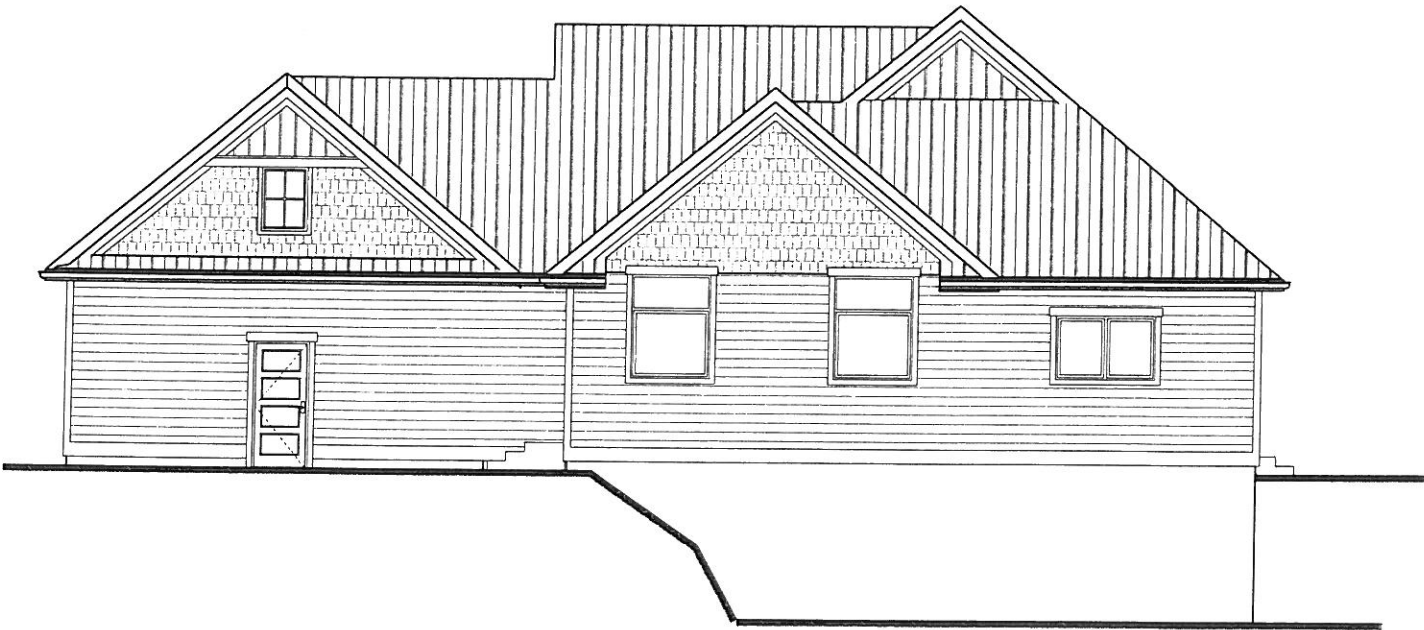
2. Location for plumbing stack and vent (Room 101, Terrace, 2nd floor) to be confirmed by owner with mechanical contractor.
3. Location for plumbing stack and vent (Room 101, Terrace, 2nd floor) to be confirmed upon review with plumbing trades.
4. Location for electrical panel to be confirmed upon review with electrical contractor.
5. Exterior location for mechanical equipment servicing to be confirmed upon review by Owner and Ontario Hydro.
6. All measurements to be checked and confirmed by contractor before construction. Any discrepancies should be reported.
7. **DO NOT SCALE DRAWINGS**
8. Discrepancies shall be considered "Not for Construction" unless they are resolved by the local building department. All construction to comply with the Ontario Building Code and the Ontario Building Code.
9. Pre-engineered truss fabrication shall be based on approved drawings for approval by Bldg. Dept.
10. Pre-engineered truss supplier to provide layout drawings for approval by Bldg. Dept.
11. All heating, ventilating and mechanical equipment requirements to be provided by others.
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REVISION SCHEDULE

578 LYDIA STREET
Newmarket, ON



FRONT ELEVATION
SCALE 1/4" = 1'-0"



REAR ELEVATION
SCALE 1/4" = 1'-0"

NOTES:
* ROOF TO BE VENTED AS PER SECT. 9.2 OF O.B.C.
* CALK OVER & AROUND ALL EXTERIOR OPENINGS
* DRAIN CAPS & FLASHINGS TO BE INSTALLED OVER ALL EXTERIOR OPENINGS AS REQUIRED
* ALL EXTERIOR DOORS TO BE INSULATED & WEATHERSTRIPPED
* ALL GLASS IN DOORS TO BE TEMPERED GLASS UNLESS NOTED OTHERWISE

NOTE:
LOT TO BE GRADED SO THAT WATER WILL NOT ACCUMULATE AT OR NEAR BUILDING AND WILL NOT AFFECT ADJACENT PROPERTIES (AS PER S.M.A.1 OBC 302)

NOTE:
ALL DOWNSPOUTS NOT CONNECTED TO SEWER SHALL BE EXTENDED TO CARRY RAIN WATER AWAY FROM THE BUILDING IN A MANNER THAT WILL PREVENT SOIL EROSION (AS PER S.M.2 OBC 302)

CLASS
5
DESIGN

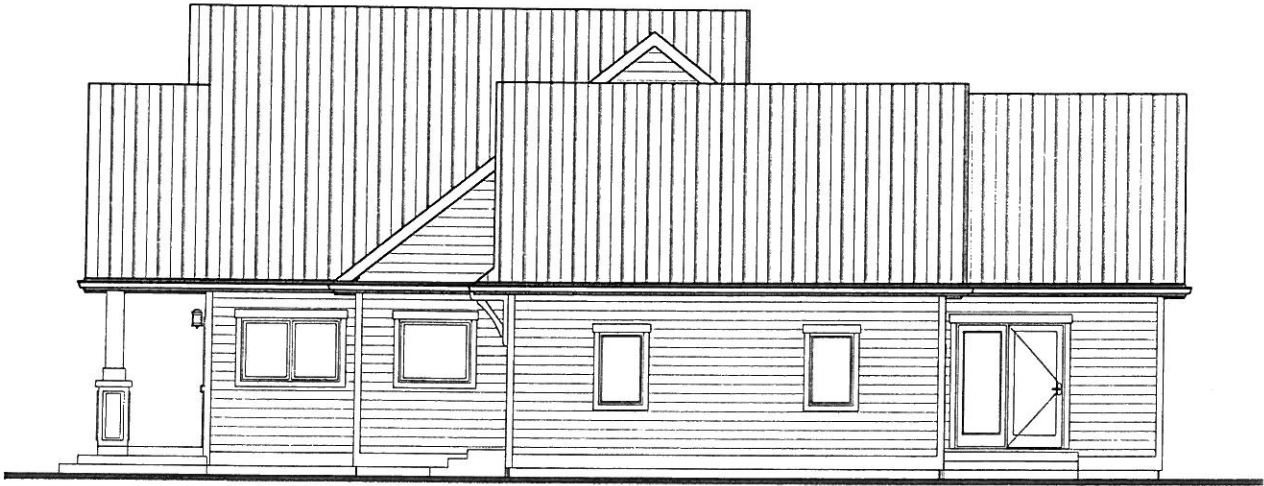
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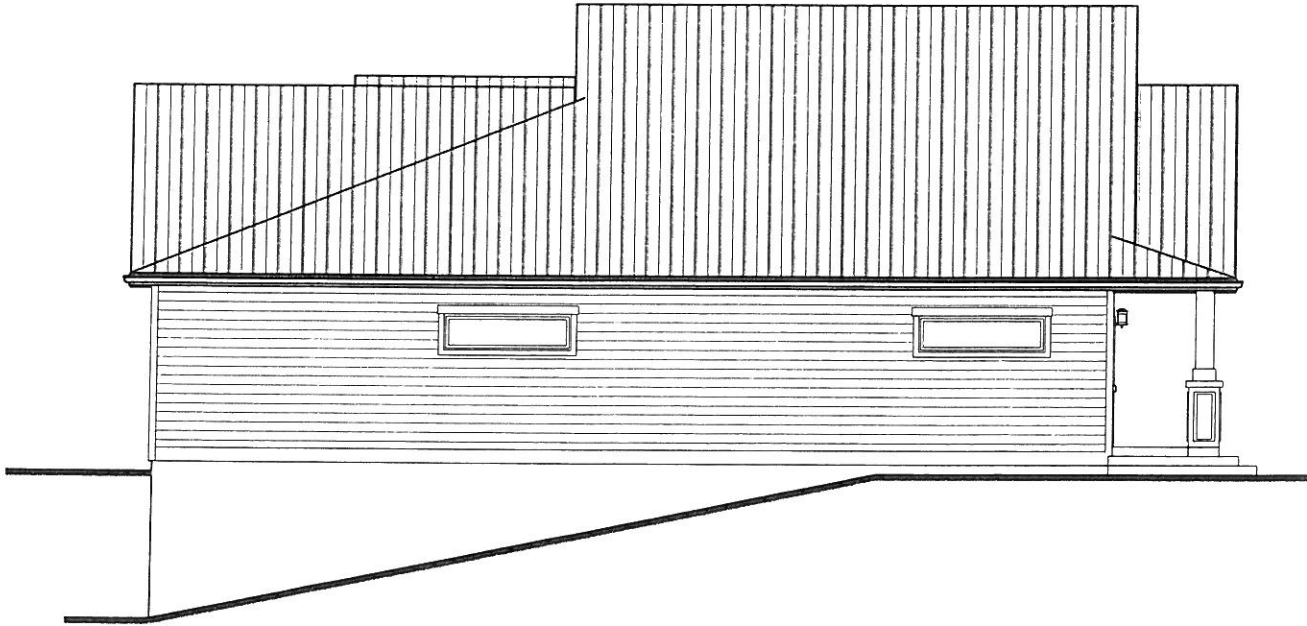
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REVISION SCHEDULE

578 LYDIA STREET
Newmarket, ON



RIGHT ELEVATION
SCALE 1/4" = 1'-0"



LEFT ELEVATION
SCALE 1/4" = 1'-0"

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CLASS
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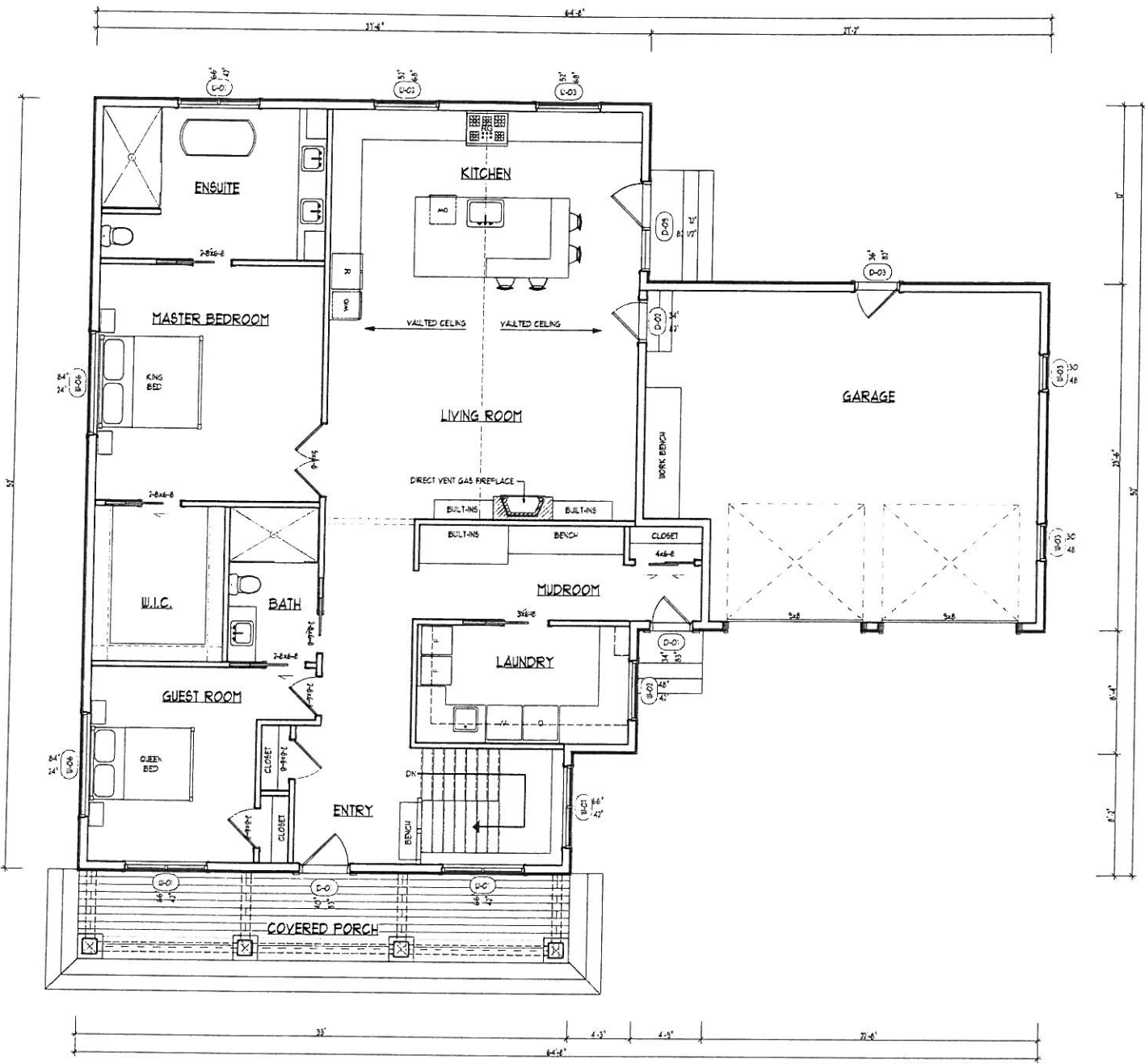
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REVISION SCHEDULE

576 LYDIA STREET
Newmarket, ON



1st FLOOR PLAN
SCALE 1/4" = 1'-0"

CLASS
5
DESIGN

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 3. Location for electrical panel to be confirmed upon review with electrical contractor.
 4. Exterior location for electrical meter servicing to be confirmed upon review by Owner and Ontario Hydro.
 5. All lumber to be no.1 & 2 grade S-P-F.
 6. All measurements to be checked & confirmed by contractor before construction. Any discrepancies should be reported.
 7. DO NOT SCALE DRAWINGS.
 8. These plans shall be considered "Not for Construction" unless they have been approved by the local building department
 9. All construction to comply with requirements of the Ontario Building Code.
 10. Pre-engineered truss fabricator to supply truss layout c/w sealed designs for approval by Bldg. Inspection Dept.
 11. Pre-engineered floor joist supplier to provide layout drawings for approval by Bldg. Inspection Dept.
 12. All heating, ventilating, mechanical and air conditioning system requirements to be provided by others.
- This drawing is not to be reproduced, or used to produce products or services, unless the proper written consent is obtained from the proper officials prior to any usage.

REVISION SCHEDULE:



March 11, 2019

Patti Wilson Design Inc.
489 Timothy Street, Suite 3
Newmarket, Ontario
L3Y 3X1

Attention: Ms. Patti Wilson

**RE: REVIEW OF THE EXISTING RESIDENTIAL STRUCTURE AT 578 LYDIA STREET, NEWMARKET, ONTARIO
OUR JOB No. 190042**

Dear Ms. Wilson:

As per your request, we scheduled to meet with you at 578 Lydia Street, Newmarket, Ontario during the afternoon of January 15, 2019 to review existing residential structure based on random visual sampling. The scope of this report was to examine existing structure and provide our opinion on the extent of structural remediation that may be required for future renovations and structural alterations. For the purpose of this report, the front of the house is deemed to be facing north. Appendix A of the report consists of few pictures pertaining to this residence.

The current structure is a detached single-family dwelling and appears to be century old. The foundation walls consist of 13" thick field-stone rubble foundation wall with no evidence of strip footings. Portion of the basement appears to have been lowered and stabilized by bench footing. It appears that the mortar in foundation wall has been repointed in some areas. The condition of the foundation wall in these areas appear to be in a satisfactory condition. However, loose stone and loss of mortar bed is evident in other areas of the basement. It was also noted that floor system was not anchored to top of foundation wall.

At few locations along the foundation wall, efflorescence stains and vertical cracking extending from previous window opening were evident. It is not known at this time if waterproofing is applied on the exterior of the foundation wall. However, efflorescence stains suggest that water has been penetrating through the basement foundation walls. It is also not clear at this time if a slip joint is present between field-stone foundation wall and soil interface.

The floor construction is a platform-type construction with timber joists of varying sizes attached to supporting beams with mortise and tenon type connections. This type of connection tends to introduce holes of varying sizes in the main beams supporting tributary joists. It was also evident that few of the main beams for ground floor framing were supported by steel posts supported from the existing slab-on-grade. It is typical construction to have spread footings below steel posts for to transfer these concentrated loads. There is no evidence of spread footings.

Based on our review of the existing structure, it is our opinion that significant structural remediation may be required for any alterations and renovations to the existing structure:

1. The rubble foundation wall may require additional stability measures for vibrations introduces during construction;
2. New footings/underpinning may be required to transfer new loads into underlying soils;

3. New wall piers and spread footings may be required to account for any point loads that may be introduced as part of renovations;
4. Existing mortise and tenon joints may require new hangers to connect tributary joists to main beams;
5. Holes present in main beams will require further analysis and possible reinforcement to comply with current codes and standards;
6. Excavation along the exterior foundation wall for waterproofing maybe required;
7. New excavation may lead to further instability of the rubble foundation walls;
8. A slip joint at the interface of field-stone foundation wall and soil may be required to negate frost heaving effects; and
9. New spread footings may be required under existing steel posts if existing slab-on-grade is not adequate to accept new loads due to the proposed renovations/alterations.

It is to be noted that the above list is not exhaustive and further remedial measures may be required depending on the extent of proposed renovations/alterations. Our opinion is presented based on the information available at the time of preparing this report. We hope that this suffices your present requirements. Please feel free to contact us with any questions or concerns.



Yours very truly,
A-D Engineering Group Ltd.

Dharmik P. Prajapati, P.Eng., M.Eng.
Structural Engineer

DPP/

APPENDIX A



Photo 1 - Existing field-stone rubble foundation wall with loss of mortar and loose stone at top of foundation wall.



Photo 2 - Existing field-stone rubble foundation wall with evidence of efflorescence stains and vertical crack extending from previous window opening.



Photo 3 - Existing framing for ground floor and mortise and tenon joint into main structural beam.



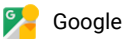
Photo 4 - Existing steel post supported from slab-on-grade with no evidence of spread footing.

Google Maps 578 Lydia St



Image capture: Jul 2018 © 2019 Google

Newmarket, Ontario



Street View - Jul 2018

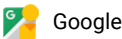


Google Maps 570 Lydia St



Image capture: Jul 2018 © 2019 Google

Newmarket, Ontario



Street View - Jul 2018

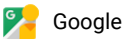


Google Maps 581 Lydia St



Image capture: Jul 2018 © 2019 Google

Newmarket, Ontario



Street View - Jul 2018

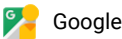


Google Maps 570 Lydia St



Image capture: Jul 2018 © 2019 Google

Newmarket, Ontario



Street View - Jul 2018



Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Name: GORDON PRENTICE	
Organization / Group/ Business represented: -	
Address: [REDACTED]	Postal Code: [REDACTED]
Daytime Phone No: [REDACTED]	Home Phone: [REDACTED]
[REDACTED]	Date of Meeting: 18 MARCH 2019
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): I WISH TO SUPPORT THE RECOMMENDATIONS IN THE STAFF REPORT "CONSTRUCTION VIBRATION ISSUES" BUT BELIEVE THEY SHOULD BE APPLICABLE MORE WIDELY AND NOT BE RESTRICTED TO NEW DEVELOPMENT	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

- Deputations related to items on the agenda can be accommodated up to and including the meeting day;
- Deputations related to items not on the agenda may be scheduled within sixty (60) days of receipt of this form;
- Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council;
- Deputations are limited to 5 minutes.

Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

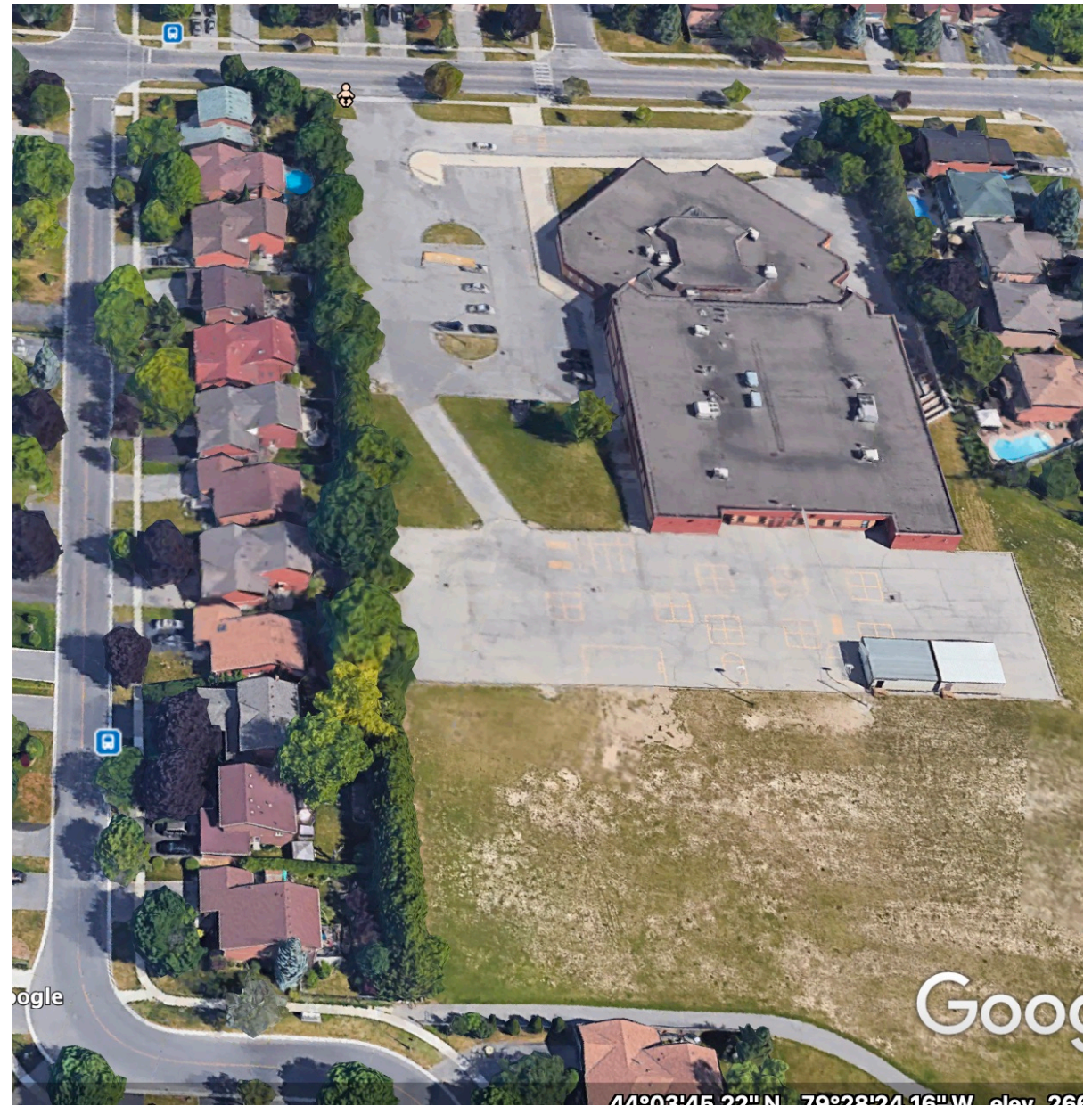
Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905 895-5193 Ext. 2211 Fax 905-953-5100

Construction Vibration Issues

Vibration can cause significant damage to property

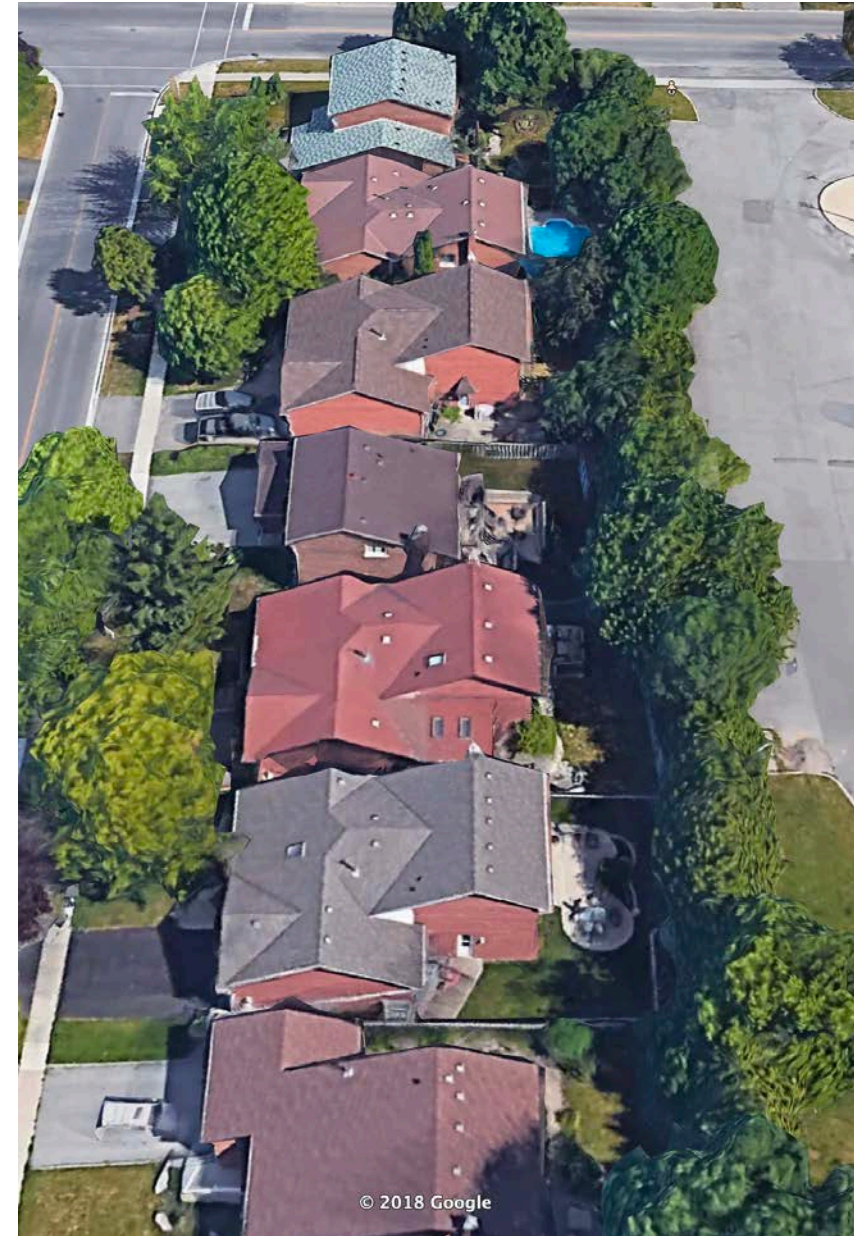
The car park at the Canadian Martyrs

103



Houses are
very close

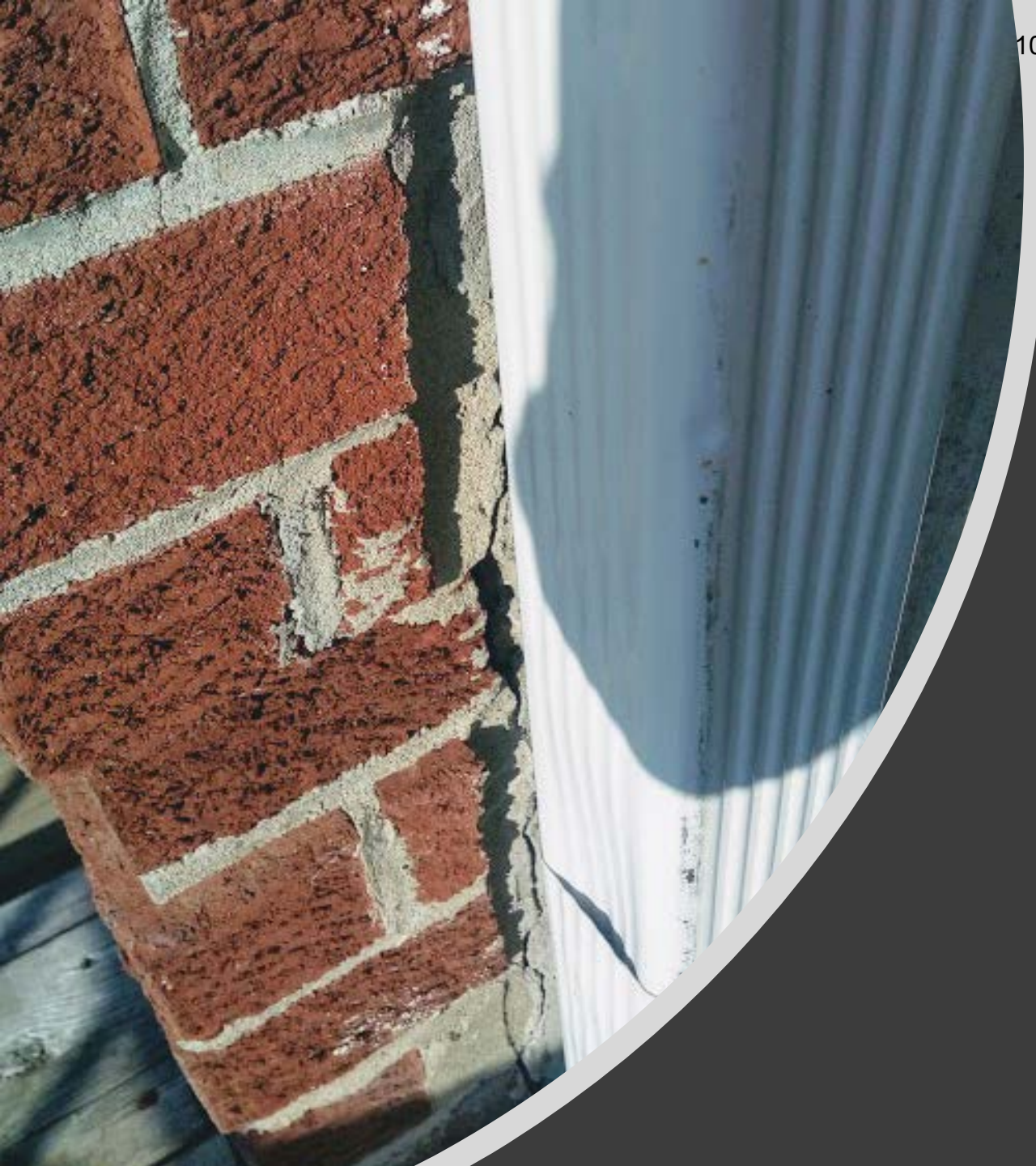
104



© 2018 Google



Heavy machinery
within yards of
property line



Visible
damage

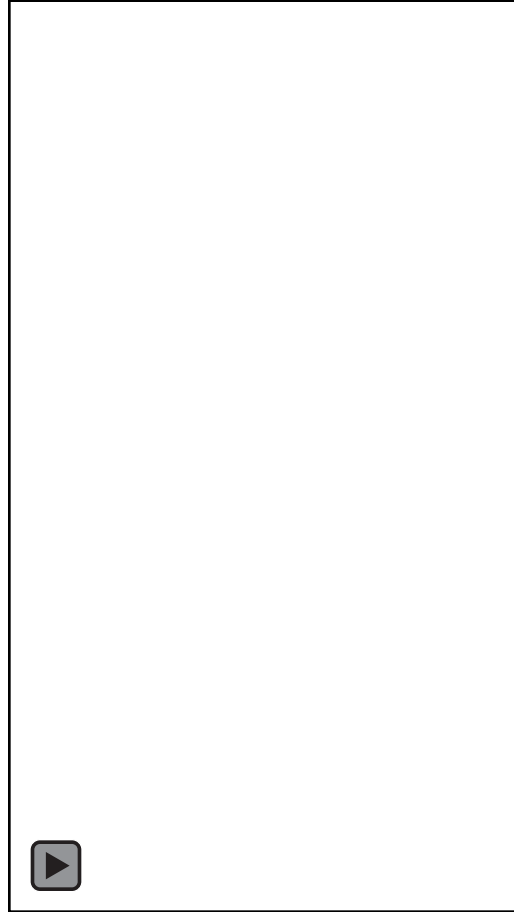


Cracked bricks



Damage is
widespread

Construction only a few feet away



Vibration damage excluded from insurance

PERILS EXCLUDED

We do not insure loss or damage:

1. Acts of war
caused by war, invasion, act of a foreign enemy, hostilities, civil war, rebellion, revolution, insur
2. By-laws
caused directly or indirectly, proximately or remotely, arising in consequence of or contributed to by a law regulating zoning or the demolition, repair or construction of buildings or structures, which require the repair or reinstate the property as it was immediately prior to the loss.
3. Data
caused directly or indirectly:
 - a. to **data**;
 - b. by a **data problem**.
4. Earth movement
caused by snowslide, earthquake, landslide or any other earth movement. If any of these result in damage.
5. Flood
caused by **flood** to the property insured.
6. Grow-op
arising directly or indirectly from the growing, manufacturing, processing or storing by anyone of a substance the possession of which constitutes a criminal offence. This includes any alteration of the knowledge of such activity.
7. Illegal or criminal activities
to buildings or structures occupied by the **Insured** or others and used in whole or in part for il

A construction vibration by- law is needed



The Staff Report focusses on new development but the problem goes wider



The by-law should capture all property damage from vibration arising from construction work



The York Catholic District School Board says the residents should claim against their own insurance policies. But this can't happen.



With new construction planned in Glenway and elsewhere the Town should bring in a Vibration By-law without delay.



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

2018 Newmarket Water Distribution System Annual Water Quality Summary Report Staff Report

Report Number: 2019-27

Department(s): Public Works Services

Author(s): Director, Public Works Services

Meeting Date: March 18, 2019

Recommendations

1. That the report entitled Development & Infrastructure Services – Public Works Services Report dated March 18, 2019 be received; and,
2. That members of the public be directed to view any documents referenced herein as attached (where applicable), online at newmarket.ca, by request at the customer service counter, 395 Mulock Drive, as well as at the Newmarket Operations Centre, 1275 Maple Hill Court
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

The purpose of this report is to provide information to system owners and stakeholders and to satisfy the regulatory requirements of the *Safe Drinking Water Act, 2002* (SDWA) including the Drinking Water Quality Management Standard (DWQMS), and regulatory reporting required under O.Reg. 170/03 (Section 11 and Schedule 22). The report is a compilation of information that helps to demonstrate the ongoing provision of a safe supply of high quality drinking water to customers located within the Town of Newmarket.

The Town of Newmarket Drinking Water System (DWS) is required to comply with the *Safe Drinking Water Act, 2002* (SDWA) and Regulations as well as requirements contained in Municipal Drinking Water Licences (MDWL) and Drinking Water Works

2018 Newmarket Water Distribution System Annual Water Quality Summary Report

Permits (DWWP). Having met the quality management system requirements of the SDWA, The Town of Newmarket is an accredited Operating Authority with an up-to-date Operational Plan.

The Newmarket Water Distribution System is a Class I Distribution Subsystem. From January 1, 2018 to December 31, 2018, eighteen (18) water operators and staff were certified to operate/maintain the system.

The Town of Newmarket purchases water from York Region, which in turn purchases it through supply agreements from the City of Toronto and Peel Region. York Region also operates and maintains groundwater wells located in the Yonge Street Aquifer that service the Town of Newmarket. The integrated system includes Newmarket's local distribution watermains and York Region's transmission watermains, pumping stations, storage facilities and groundwater treatment facilities. Treated water from the Region supply network is monitored on-line, 24 hours per day by operators through the Regional SCADA (System Control and Data Acquisition) system.

The Town and York Region operations staff works closely to deliver source to tap drinking water in the integrated and complex system.

The Town's Distribution System Infrastructure (including watermains, valves, hydrants, water services, and meters) services approximately 84,224 people within the Town of Newmarket.

The Newmarket DWS is comprised of approximately;

- 318 kilometers of distribution system watermain
- 4,035 mainline valves
- 2,358 municipally owned fire hydrants
- 26,407 metered water services

Purpose

This report and included attachments, along with the information released online, satisfies reporting requirements in Ontario Regulation 170/03 – Drinking Water Systems, and helps Council to meet its Standard of Care requirements in the *Safe Drinking Water Act, 2002* (SDWA). This report provides municipal council with an Annual Summary Report on the quality of the Drinking Water System for the 2018 reporting year.

The Ministry of the Environment, Conservation and Parks (MECP) regulates drinking water systems in Ontario. The SDWA requires municipal drinking water system owners to report annually on the quality and quantity of drinking water produced.

This year, the regulatory requirement is satisfied through:

- This report, presentation and attachments to Council

2018 Newmarket Water Distribution System Annual Water Quality Summary Report

- Water quality Section 11 reports available at newmarket.ca/waterwastewater

It also serves to provide Council with information related to the Drinking Water Quality Management Standard (DWQMS), as well as the MECP annual inspection of the Town's compliance with Provincial regulations pertaining to the Town's Drinking Water System (DWS).

Background

Safe Drinking Water Act, 2002

The SDWA purpose is to protect human health through the regulation of drinking water systems and drinking water testing. The Act also has the benefit of gathering in one place all legislation and regulations relating to the treatment and distribution of drinking water.

Highlights of the Act address:

- Accreditation of operating authorities
- Municipal drinking water systems
- Drinking water testing
- Inspections, Compliance and Enforcement
- Standard of Care

Standard of Care, Section 19, Safe Drinking Water Act, 2002

This report helps Council exercise due diligence and meet it's Standard of Care under the SDWA

Standard of Care defines the legal responsibility of the owner and operating authority of a municipal drinking water system. It requires that the owners and operating authorities exercise the level of care, diligence and skill with regard to a municipal drinking water system that a reasonably prudent person would be expected to exercise in a similar situation. Owners and operating authorities must exercise this due diligence honestly, competently and with integrity. The Town of Newmarket Council is considered the owner of the Town of Newmarket's drinking water distribution system.

Annual Report

Legislative amendments to the *Safe Drinking Water Act, 2002*, released in 2004 resulted in substantial changes to Water and Wastewater operations. Amendments to O. Reg. 170/03 increased regulatory compliance requirements on system operations. The amendments also required an increase in reporting by system owners on the performance of systems to the MECP and applicable stakeholders.

Reporting under Schedule 22 and Section 11 of O. Reg. 170/03 was mandated, requiring the owner of a drinking water system to prepare an annual report in accordance with the Regulation and submit these reports to Council and the public.

Town staff has annually submitted these reports to Council and have made the information available to the public through the Town website.

Drinking Water Quality Management System (DWQMS)

The MECP mandates the implementation of an Operational Plan under the DWQMS for all DWS in the Province of Ontario. The Operational Plan serves to provide an understanding of the DWS, the responsibilities of the owner and operator (operating authority) of the water system, and a commitment to the provision of safe drinking water. This, in turn allows the municipality to plan, implement, check, and continually improve the system.

Newmarket's Operational Plan is available to view upon request from the Town of Newmarket Operations Centre at 1275 Maple Hill Court, or by emailing Luigi Colangelo, Manager of Water Wastewater at icolangelo@newmarket.ca.

The DWQMS requires that the relevant aspects of the standard and its effectiveness be communicated by Top Management to the Owner (Mayor and Council, and CAO) of the drinking water system, along with the results of the Management Review no later than the 31st of March each year.

2018 MECP Drinking Water System Inspection

The primary focus of an annual drinking water system inspection by the MECP is to confirm compliance with MECP legislation, as well as evaluating conformance with Ministry drinking water policies and guidelines during the inspection period. The Newmarket Water Distribution System is subject to the legislative requirements of the *Safe Drinking Water Act, 2002* (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O.Reg. 170/03). The 2018 Inspection was conducted pursuant to Section 81 of the SDWA.

The Town participated in a "focused" MECP inspection on August 22, 2018 and data was reviewed for the period covering October 1, 2017 to August 11, 2018. A focused inspection involves fewer activities than those normally undertaken in a detailed inspection. The Town's system was chosen for a focused inspection because its performance met the Ministry's criteria and that there were no deficiencies as identified in O. Reg. 170/03 in the past 3 years.

Discussion

2018 Annual Water Quality Summary Report

Ontario Regulation 170/03, Drinking Water System outlines the testing and reporting requirements for water systems. This regulation is in support of the *Safe Drinking Water Act, 2002* and outlines all the testing and reporting requirements for drinking water systems in Ontario. The 2018 Annual Water Quality Summary Report fulfills the requirements of this regulation. (2018 Annual Water Quality Summary Report - Newmarket Water Distribution System attached)

The provision of safe drinking water is the Town's top priority

The report provides a summary of the legislative requirements under the SDWA. It contains the water quality information for the dates between January 1, 2018 and December 31, 2018. In 2018, Public Works Services' provincially certified Water Operators collected over 1,300 microbiological samples and 25 mandated samples for lead for submission to the York Durham Regional Environmental Laboratory for analysis. Operators also field tested over 6,000 chloramine (disinfectant) residuals.

The annual report includes the corrective actions taken by operators to address any sample(s) failing to meet parameters referred to in the regulation and resulting in an adverse water quality incident (AWQI)

An adverse bacteriological sample is the result of the presence of bacteria in a test referred to as a presence/absence test.

An adverse chlorine residual event occurs when the measured combined chlorine residual is <0.25 mg/L **and** the free chlorine residual is <0.05mg/L.

In 2018, 98.3% of the Town's microbiological drinking water samples met the Ontario drinking water standards.

In 2018, 98% of the 6064 chlorine residual samples taken by certified Town operators met regulatory requirements.

An AWQI must be reported to the MECP and local Medical Officer of Health (MOH) - York Region Community & Health Services immediately and corrective action taken as required by O. Reg 170/03.

In 2018, a total of one hundred and forty seven (147) adverse samples were reported to the MECP and MOH.

Of these:

- 124 were due to adverse (low) combined chlorine residual
- 22 for the presence of Total Coliform
- 1 for the presence of E Coli

Operators initiated corrective actions for all of the AWQIs listed above as per requirements under O. Reg. 170/03, and all were resolved without incident.

In all cases, the drinking water supplied to the public was confirmed safe. At no time did the MOH or MECP require further actions to be taken by the Town.

Drinking Water Quality Management Standard (DWQMS)

Newmarket's Operational Plan was created internally and exceeds minimum requirements laid out by the MECP under the DWQMS. In 2018, it was audited both internally (two (2) audits) and externally by SAI Global (January) and AET Consultants (September). The next external certification audit will be carried out in the spring of 2019.

Audit Non Conformances Identified	Town's Response
Improve document and record controls	PWS and Corporate Records Management staff continue to work together to develop an improved document and record control system for water and wastewater
Improve the process for addressing preventive and corrective actions identified through audits and inspections	Element 21 of the DWQMS has been reviewed and updated. Corrective actions are being reviewed and documented and action plans are being implemented for corrective actions
Reviewing the Operational Plan with staff on a more frequent basis	Staff are reviewing the Operational Plan on a frequency that meets the satisfaction of the auditor
Reviewing infrastructure needs annually	PWS and Engineering Services met in February, 2019 to review Infrastructure needs

All non-conformances are being addressed to the satisfaction of the auditor and Town continues to meet the requirements of the DWQMS

On November 6 2018, PWS staff completed the DWQMS Management Review. This review, conducted annually, evaluates the continuing suitability, adequacy and effectiveness of the Quality Management System. Members of staff who participated in this review included:

- Peter Noehammer, Commissioner, Development & Infrastructure Services
- Chris Kalimootoo, Director, Public Works Services

- Luigi Colangelo, Manager of Water/Wastewater
- Jeff Ellis, Supervisor of Water/Wastewater
- Pauline Pierce, Acting Compliance and Training Coordinator

Water and Wastewater Operator Training

The Town provides training and development for its certified water and wastewater operators. Training is provided by internal staff and external training providers, as well as continuous on the job training. The Province regulates operator training and Town operators are required to meet established training requirements in order to maintain certification.

In 2018, 100% of the Town's certified water and wastewater operators meet regulatory training requirements.

2018 MECP Drinking Water System Inspection

The Town of Newmarket's 2018 MECP Drinking Water System inspection, conducted August 22, 2018 resulted in a 90.95% inspection rating.

Based on inspection results, the Town reviewed and updated AWQI reporting and instrument calibration procedures and is developing processes for enhanced data collection. Training was provided to Operations staff related to any procedure changes by internal staff and external training providers. Any non-compliance identified through MECP inspections were addressed promptly in collaboration and with the acceptance of the MECP.

Inspection Non Compliance Identified by MECP	Town's Response
All required notifications of adverse water quality incidents were not immediately provided as per O. Reg. 170/03 16-6	The Town conducted a comprehensive review of its standard operating procedures for AWQI reporting. The Town provided training to operations staff and contractors working in the Town's DWS using internal staff and external training providers
For one adverse water quality incident a written notice of resolution was provided to the Ministry a day later than the prescribed seven (7) days.	The Town conducted a comprehensive review of its standard operating procedures for AWQI reporting. The Town provided training to operations staff and contractors working in the Town's DWS using internal staff and external training providers

Review and update the "Measurement and Recording Equipment Calibration" procedure	The standard operating procedure for "Measurement and Recording Equipment Calibration" was reviewed by the Town and includes industry best practices and recommendations provided by the MECP. Training was provided to staff on the revised procedure
Watermain break/repair records were not clear on which of the listed certified operators took chlorine residuals and at what time the residuals were taken	The Town's "Watermain Break Repair Report Form" was reviewed and updated using industry best practices and includes all information as outlined in the Watermain Disinfection Procedure and recommendations made by the MECP. Training was provided to staff on the revised procedure

Drinking Water System Licence and Permit

MECP issues the Town the following licence and permit to operate the DWS;

Municipal Drinking Water Licence (MDWL) number: 124-101

Drinking Water Works Permit (DWWP) number: 124-201

These documents outline detailed conditions and regulatory requirements in regard to the operation, maintenance, and monitoring of the drinking water system

In 2018, the Town complied with all conditions of its Municipal Drinking Water Licence and Drinking Water Works Permit.

2018 Water Consumption Data

From January 1 to December 31, 2018, the Town of Newmarket received a total of 8,768,108 m³ of water from York Region (supplier). This compares to 8,061,649 m³ from the previous year (an increase of approximately 8.76 %).

The table below shows a summary of water billing from York Region to the Town of Newmarket for the supply of water for 2018.

Description	Amount
Total water billed to the Town of Newmarket by York Region (m ³)	8,768,108
Total water sold to the consumers of the Town of Newmarket (m ³)	6,885,791
Total unbilled water (m ³)	1,882,317
Percentage water loss*	21.47%

*Please note: “the 21.47 percentage water loss” includes the following;

- Water used for flushing to maintain water quality (approximately 750,840 m³, 8.56%)
- Routine maintenance activities (approximately 29,060 m³, 0.33%)
- Watermain breaks (approximately 26,060 m³, 0.30%)
- Other Water Loss including water meter inaccuracies, system leakage, firefighting, theft, new watermain commissioning / testing (1,076,357 m³, 12.28%)

Town staff will be providing a report to Council in Quarter 2 2019 to provide details on system water loss including current challenges, planned activities and opportunities to manage water loss and non-revenue water within the Town’s drinking water system.

2018 Major Expenses Incurred

Section 11 of the Drinking Water Systems regulation requires water utility owners to “describe any major expenses incurred during the period covered by the report to install, repair or replace required equipment.”

In 2018, The Town of Newmarket spent approximately \$3,133,499 million installing, repairing, replacing and maintaining infrastructure used to deliver safe drinking water. Costs are funded through department budget approved annually by Council. Major expenses in 2018 included;

Drinking Water System Capital Improvements:	\$ 2,229,924
Watermain Maintenance:	\$ 337,340
Hydrant Maintenance:	\$ 90,000
Watermain Flushing/Swabbing Program:	\$ 476,235

2018 Newmarket Water Distribution System Annual Water Quality Summary Report

*Note: These numbers do not include cost for non-regular maintenance activities, uni-directional flushing (UDF), which will be described fully in the Quarter 2 2019 report to Council.

Conclusion

This report and all attachments included and the content on the Town's website newmarket.ca/waterwastewater, satisfies reporting requirements under the Act. Council is able to demonstrate due diligence required for decision making under the Standard of Care by reviewing and considering the information on the Town's drinking water systems contained in this report when exercising decision making authority.

The Town's drinking water system is subject to strict regulations implemented by the Province of Ontario to keep drinking water safe. Results from the 2018 reporting year continue to demonstrate the excellent performance of the Town's system.

Business Plan and Strategic Plan Linkages

The Community Strategic Plan for the Town of Newmarket articulates the goals of:

- Living well...focusing on health, safety, and the environment to promote activity and enrich lives
- Well-equipped and managed...implement policy and processes that reflect sound and accountable governance for fiscal responsibility, service excellence, and management of assets and services to meet operational demands

Consultation

Key stakeholders that contributed to the content of this report include:

- Public Works Services Management and Staff
- MECP
- York Region MOH

Human Resource Considerations

None required for the purpose of this report.

Budget Impact

The utility rate portion of the operating and capital budgets provide funding required to meet regulatory requirements under the SDWA.

Attachments

The attachments are as follows:

- 2018 Annual Water Quality Summary Report (Newmarket Water Distribution System)
- 2018 MECP Newmarket Distribution System Inspection Report
- 2018 DWQMS Management Review Minutes
- 2018 DWQMS External Audit Reports (Surveillance & On-site)

Approval

Jeff Ellis, ORO, Supervisor, Water/Wastewater
Public Works Services

Luigi Colangelo, C.Tech. CRS, Manager, Water/Wastewater
Public Works Services

Christopher Kalimootoo, B.A., P.Eng., MPA, PMP,
Director, Public Works Services

Peter Noehammer, P.Eng.,
Commissioner, Development & Infrastructure Services

Contact

For more information, contact Luigi Colangelo, Manager of Water/Wastewater, at 905-953-5300, ext. 2553, or by email at lcangelo@newmarket.ca.



Newmarket

Town of Newmarket 2018 Annual Water Quality Summary Report

Prepared by: Public Works Services, Town of Newmarket
Presented to Council: March 18, 2019

Table of Contents Summary Report

Background	3
Drinking Water System (DWS) Description	4
Legislation	5
Safe Drinking Water Act	5
Standard of Care, Section 19, <i>Safe Drinking Water Act, 2002</i>	6
Ontario Regulation 170/03: Drinking Water Systems Regulation	6
Ontario Regulation 128/04: Certification of Drinking-Water Operators.....	6
Drinking Water Quality Management Standard (DWQMS).....	7
Drinking Water System Licences and Permits.....	8
Drinking Water System Monitoring.....	8
Regulatory Compliance and MECP Inspections.....	9
Water Usage	12

Annual Report

System Information and Test Results.....	14
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Background

Purpose

The purpose of this Annual Water Quality Summary report is to provide information to residents and stakeholders of the Town of Newmarket, as well as to satisfy the regulatory requirements of the *Safe Drinking Water Act, 2002* including the Drinking Water Quality Management Standard (DWQMS), reports to Owner, and regulatory reporting required under Ontario Regulation (O. Reg.) 170/03. This report is a compilation of information that documents the means of ensuring the ongoing delivery of safe drinking water to the residents of the Town of Newmarket.

Scope

This Annual Water Quality Report includes information pertaining to the Town of Newmarket's Drinking Water System (DWS) from January 1, 2018 to December 31, 2018.

Provincial law requires we report this information to the following:

- The Drinking Water System Owners (Mayor and Council)
- Owner and Operating Authority Top Management (Commissioner, Development & Infrastructure Services; Director, Public Works Services; and Manager, Water/Wastewater Services)
- The Public

Report Requirements under the Ontario Safe Drinking Water Act, 2002

This report satisfies the requirements of the Ministry of the Environment, Conservation and Parks (MECP) *Safe Drinking Water Act, 2002 (SDWA)* and O. Reg. 170/03 as outlined below.

Section 11, Annual Reports that include:

- a brief description of the Drinking Water System
- a summary of the most recent water test results required under O. Reg. 170/03
- a summary of adverse test results and other issues reported to the Ministry including corrective actions taken
- a description of the major expenses incurred to install, repair, or replace required

equipment/infrastructure

- the locations where this report is made available for the public

Schedule 22 Summary Report that includes:

- a list of the requirements of the SDWA, the regulations, the system's approval, Drinking Water Works Permit (DWWP), Municipal Drinking Water Licence (MDWL), and any orders applicable for the system that were not met at any time during the period covered by the report
- for each requirement that was not met, the duration of the failure and the measures that were taken to correct the failure
- A summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows.

The Town of Newmarket 2018 Annual Water Quality Summary report satisfies the above regulatory reporting requirements.

Copies of Newmarket's 2018 Annual Water Quality Summary Report are available for viewing at:

- Robert N. Shelton Operations Centre (1275 Maple Hill Court)
- Newmarket Municipal Offices, Customer Service Counter (395 Mulock Drive)
- Online at newmarket.ca/waterwastewater

Drinking Water System Description

The Newmarket Water Distribution System is a Class I Distribution Subsystem. From January 1, 2018 to December 31, 2018, eighteen (18) water operators and staff were certified to operate/maintain the system.

The Town of Newmarket purchases water from York Region, which in turn purchases it through supply agreements from the City of Toronto and Peel Region. York Region also operates and maintains groundwater wells located in the Yonge Street Aquifer that service the Town of Newmarket. The integrated system includes Newmarket's local distribution watermains and York Region's transmission watermains, pumping stations, storage facilities and groundwater treatment facilities. Treated water from the Region supply network is monitored on-line, 24 hours per day by operators through the Regional SCADA

(System Control and Data Acquisition) system.

The Town and York Region operations staff works closely to deliver source to tap drinking water in the integrated and complex system.

The Region also publishes an Annual Water Quality Summary Report summarizing water quality for the preceding year that is available for viewing to the public. More information, as well as an electronic version of this report is found on their website at york.ca/drinkingwater.

The Town's Distribution System Infrastructure (including watermains, valves, hydrants, water services, and meters) services approximately 84,224 people within the Town of Newmarket.

The Newmarket DWS is comprised of approximately;

- 318 kilometers of distribution system watermain
- 4,035 mainline valves
- 2,358 municipally owned fire hydrants
- 26,407 metered water services

Water pressure is maintained throughout the distribution system ranging between approximately 40-100 psi.

Legislation

The following are the primary pieces of legislation that directly affect the operation of the Town of Newmarket's drinking water distribution system.

Safe Drinking Water Act, 2002

The *Safe Drinking Water Act, 2002* (SDWA) purpose is to protect human health through the control and regulation of drinking-water systems and drinking-water testing. The Act also has the benefit of gathering in one place all legislation and regulations relating to the treatment and distribution of drinking water.

Highlights of the Act address:

- Accreditation of operating authorities
- Municipal drinking water systems
- Drinking water testing
- Inspections, Compliance and Enforcement
- Standard of Care

Standard of Care, Section 19, Safe Drinking Water Act, 2002

Standard of Care defines the legal responsibility of the owner and operating authority of a municipal drinking water system. It requires that the owners and operating authorities exercise the level of care, diligence and skill with regard to a municipal drinking water system that a reasonably prudent person would be expected to exercise in a similar situation. Owners and operating authorities must exercise this due diligence honestly, competently and with integrity. Based on the definition of owner in the SDWA, the Town of Newmarket Council is considered the owner of the Town of Newmarket's drinking water distribution system.

Ontario Regulation 170/03: Drinking Water Systems Regulation

The Drinking Water Systems Regulation (O. Reg. 170/03) regulates municipal drinking water systems. This regulation stipulates treatment equipment usage, operational checks and sampling, chemical and microbiological testing requirements, reporting adverse test results, corrective actions, and reporting requirements. Compliance to O. Reg 170/03 is determined by system inspections conducted annually by Ministry of the Environment, Conservation and Parks (MECP) Inspectors.

Ontario Regulation 128/04: Certification of Drinking-Water Operators

The Water Operator Certification Program was initiated for drinking water operators in 1987 as a voluntary program. On May 14, 2004, O. Reg. 128/04 was issued, increasing the requirements for drinking water operators' certification. The regulation establishes ongoing training requirements that operators are required to meet to remain certified. O. Reg 128/04 provides direction on license requirements, overall responsible operator (ORO) and operator in charge (OIC) responsibilities, record keeping, and operations/maintenance manuals.



The Town meets the requirements of O. Reg 128/04 by maintaining and monitoring an operator training program, by assigning an overall responsible operator (ORO) and operator(s) in charge (OIC) of the drinking water system and establishing document and record control systems.

Drinking Water Quality Management Standard (DWQMS)

The purpose of the DWQMS is to assist owners and operating authorities in the effective management and operation of their drinking water system. The DWQMS outlines requirements for a Quality Management System (QMS) to ensure high quality drinking water. In the development of a QMS, the Operating Authority must create an Operational Plan; this document defines the QMS and will be subject to internal and external audits for accreditation. As referenced in the DWQMS, the QMS must be acknowledged by all those with active rolls in the water system, from front line staff to the highest level of management to Council.

Town Staff have developed and implemented a QMS specific to the Town of Newmarket. Certification was originally obtained on February 2009. Recertification was successfully achieved in 2013 and 2016. The next external certification audit will be carried out in the spring of 2019.



NEWMARKET WATER DISTRIBUTION SYSTEM QUALITY MANAGEMENT SYSTEM POLICY

The Town of Newmarket Water Distribution System is recognized by the Ministry of Environment & Climate Change (MOECC) as a Large Municipal Residential Drinking Water System.

The Town of Newmarket is committed to the consistent delivery of safe drinking water through compliance with applicable legislative and regulatory requirements.

The Town will strive to achieve this goal through the implementation, maintenance, and continuous improvement of the Drinking Water Quality Management System (DWQMS).

The Town commits to ensure open communication, both with the public, as well as staff concerning all policies, procedures and documentation pertaining to DWQMS.

The Quality Management Policy applies to all municipal management and staff, and is posted at the Operations Centre, Municipal Offices and on the Town's website.



Revised: June 12, 2018

**The Town continues to meet the
Quality Management System
requirements as required under
the SDWA**

Drinking Water System Licences and Permits

- Municipal Drinking Water Licence (MDWL) number: 124-101
- Drinking Water Works Permit (DWWP) number: 124-201

The MDWL and the DWWP describe system-specific requirements in addition to those included in provincial regulations related to water distribution systems. These documents outline detailed conditions and regulatory requirements in regard to the operation, maintenance, and monitoring of the system. Documents can be viewed at the Newmarket Operations Centre at 1275 Maple Hill Court.

In 2018, the Town complied with all conditions of its Municipal Drinking Water Licence (MDWL) and Drinking Water Works Permit (DWWP)

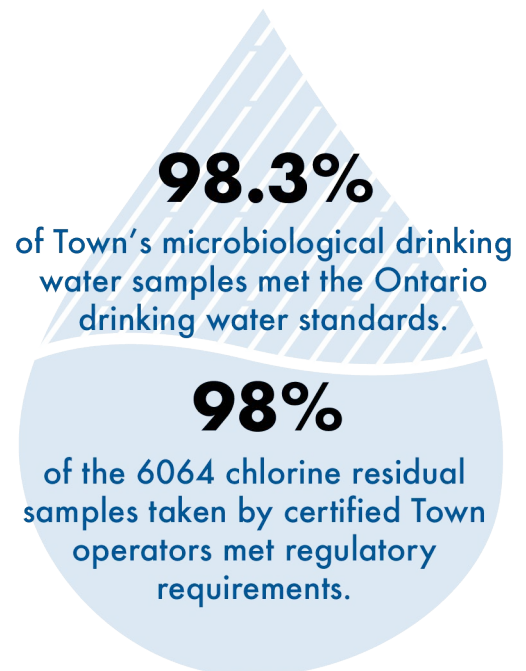
Drinking Water System Monitoring

Operators, certified by the Province of Ontario through the MECP, and employed by the Town of Newmarket, maintained and operated the Town's DWS in 2018. Some of the typical operational activities performed by staff include:

- Water quality sampling/monitoring
- System cleaning and flushing
- Infrastructure repair
- Locates of municipal infrastructure
- Valve exercising/inspections
- Fire hydrant maintenance/inspections
- Customer Service calls

In 2018, the Town maintained the DWS in a fit state of repair and followed best industry practices during the repair, inspection, and maintenance of the system.

Trained and certified operations staff closely monitors The Town's system through regulated water quality monitoring/sampling programs.



The Town's sampling program meets regulatory requirements. This ensures that the water the Town provides remains safe for residents.

All samples collected are analyzed in the field by trained operators or submitted to a provincially accredited laboratory for analysis. In 2018, the York-Durham Regional Environmental Laboratory, an accredited laboratory registered with the Canadian Association for Laboratory Certification Inc., located in Pickering, Ontario, was under contract with the Town for the third-party analysis of Town's drinking water samples.

The above lab analyzed 1363 water samples for bacteriological water quality in 2018 based on the Town's regulatory sampling plan.

From January 1, 2018 to December 31, 2018, the Operating Authority for the Newmarket DWS reported 147 Adverse Water Quality Incidents (AWQIs) to the MECP and the local Medical Officer of Health (York Region Public Health).

Of these:

- 124 were due to adverse (low) combined chlorine residual
- 22 for Total Coliform
- 1 E Coli

Operators immediately initiated corrective actions for all AWQIs as per requirements under O. Reg. 170/03, and all were resolved without incident.

In all cases, drinking water supplied to the community was confirmed safe and no further actions were directed by the MECP or York Region Public Health.

Regulatory Compliance and MECP Inspections

2018 Annual MECP Inspection Results

As the Operating Authority, the Town of Newmarket undergoes an annual inspection of the DWS and all associated practices by a Provincial Drinking Water Inspector/Officer from the MECP. The annual inspection ensures we comply with all applicable regulatory requirements. In 2018, The Town's inspection occurred on August 22 and data was reviewed for the period covering October 1, 2017 to August 11, 2018

The Town received a final inspection rating of 90.95%

Schedule 22 requires that all non-compliance with applicable legislation be discussed in the

Summary Report

Non-Compliance	MECP Observation	Action(s) Required	Town Response
<p>1. All required notifications of adverse water quality incidents were not immediately provided as per O. Reg. 170/03 16-6.</p>	<p>On November 9, 2017, an AWQI was reported for a low chlorine residual below the regulatory requirement of 0.05 mg/l free or 0.25 mg/l combined which occurred on November 7, 2017. Two samples were collected at the same source at the same time with two different devices while conducting advanced sampling. Corrective actions were taken at the time by flushing downstream to get adequate residual. The Town suspected the lower residual was inaccurate. The Ministry gave guidance on November 10, 2017, to have the equipment verified/calibrated. If it is determined the adverse result was an erroneous result, it can be detracted. The equipment was found to be working within specification. It was determined the error may have with the sample cell of the equipment that gave the higher reading having discolouration, scratched, condensation or some foreign debris on the actual cell lens of the unit. This AWQI was not reported immediately, as</p>	<p>The Town of Newmarket is to ensure that an immediate report, as described in section 16-6 of O. Reg 170/03, is given of adverse results of a drinking water test for the purpose of Section 18 of the Safe Drinking Water Act</p>	<p>The Town conducted a comprehensive review of its standard operating procedures for AWQI reporting. The Town provided training to operations staff and contractors working in the Town's DWS using internal staff and external training providers.</p> <p>The standard operating procedure for "Measurement and Recording Equipment Calibration" was reviewed by the Town and includes industry best practices and recommendations provided by the MECP. Training was provided to staff on the revised procedure.</p>

	required by O. Reg 170/03 Schedule 16-6		
2. For one AWQI a written notice of resolution was provided to the Ministry a day later than the prescribed seven (7) days.	The AWQI was resolved on November 28, 2017 and the notice of issue resolution was submitted on December 2, 2017. Under Section 16-9(1), of O. Reg 170/03: if an immediate report of a written notice is given under the same Schedule and the issue that gave rise to the notice is resolved, the owner of the drinking water system shall, within 7 days after the issue is resolved, give written notice summarizing the actions taken and the results achieved		The Town conducted a comprehensive review of its standard operating procedures for AWQI reporting. The Town provided training to operations staff and contractors working in the Town's DWS using internal staff and external training providers.
3. Watermain break/repair records were not clear on which of the listed certified operators took chlorine residuals and at what time the residuals were taken	The watermain break/repair records record the time the watermain was re-installed and the amount of time the watermain was flushed, but the exact time was not recorded and often another record would be made with the time the residual was taken.		The Town is reviewing all forms and moving to electronic forms for operator field access and enhanced data collection. The Town's "Watermain Break Repair Report Form" has been reviewed and updated using industry best practices and includes all information as outlined in the Watermain Disinfection Procedure and recommendations made by the MECP.

2018 Water Consumption Data

From January 1 to December 31, 2018, the Town of Newmarket received a total of 8,768,108 m³ of water from York Region (supplier). This compares to 8,061,649 m³ from the previous year (an increase of approximately 8.76 %).

The table below shows a summary of water billing from York Region to the Town of Newmarket for the supply of water for 2018.

Description	Amount
Total water billed to the Town of Newmarket by York Region (m ³)	8,768,108
Total water sold to the consumers of the Town of Newmarket (m ³)	6,885,791
Total unbilled water (m ³)	1,882,317
Percentage water loss*	21.47%

Please note: “ the 21.47 Percentage water loss” includes the following;

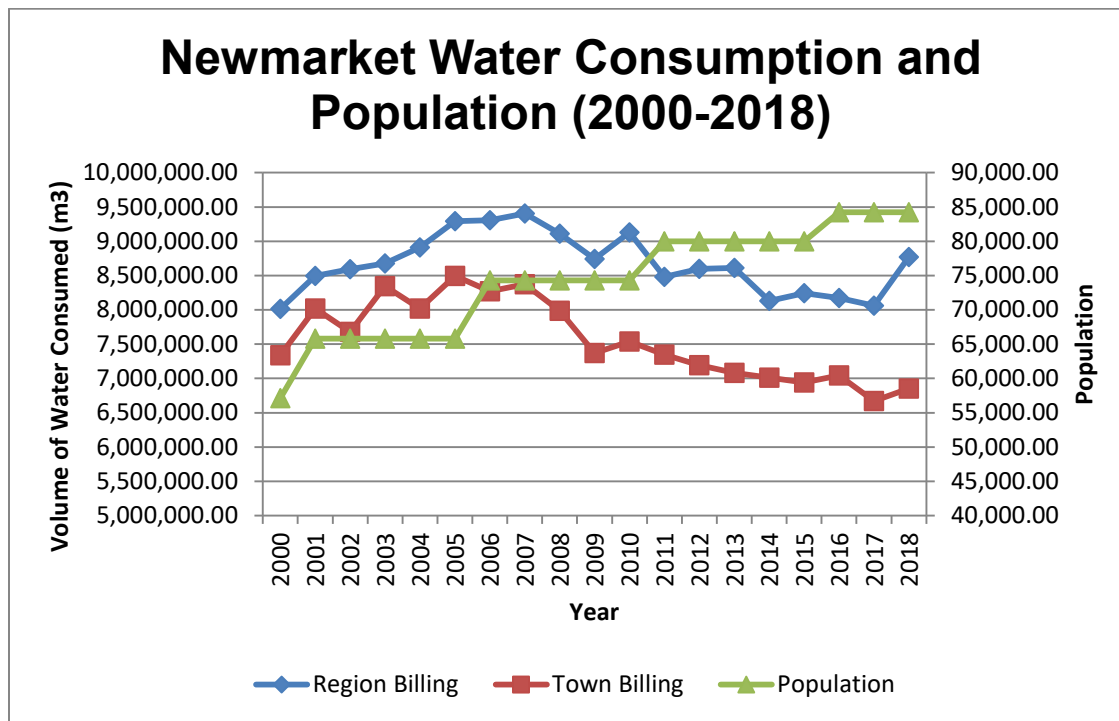
- Water used for flushing to maintain water quality (approximately 750,840 m³, 8.56%)
- Routine maintenance activities (approximately 29,060 m³, 0.33%)
- Watermain breaks (approximately 26,060 m³, 0.30%)
- Other Water Loss including water meter inaccuracies, system leakage, firefighting, theft, new watermain commissioning / testing (1,108,253 m³, 12.28%)

Annual Water Purchase / Billing Comparison 2009 to 2018

Year	Purchased volume from York Region (m ³)	Billed volume for Town of Newmarket (m ³)	% Difference – Purchase vs. Consumption* (non-revenue water)
2009	8,741,611	7,368,900	15.70%
2010	9,129,588	7,539,311	17.42%
2011	8,479,472	7,345,696	13.37%
2012	8,598,676	7,191,412	16.37%

2013	8,613,261	7,080,899	17.79%
2014	8,130,411	7,011,144	13.77%
2015	8,242,358	6,940,811	15.79%
2016	8,175,016	7,045,890	13.81%
2017	8,061,649	6,669,617	17.27%
2018	8,768,108	6,885,791	21.47%

Town of Newmarket – Annual Water Consumption (m³)



Although, Town population has increased, water use has decreased over time due to water conservation and efficiency efforts, changing water use habits and plumbing code requirements.



TOWN OF NEWMARKET DRINKING WATER SYSTEM ANNUAL REPORT

Drinking-Water System Number:	260003188
Drinking-Water System Name:	Town of Newmarket Water Distribution System
Drinking-Water System Owner:	The Corporation of the Town of Newmarket
Drinking-Water System Category:	Large Municipal Residential
Period being reported:	January 1, 2018 to December 31, 2018

<p><u>Complete if your Category is Large Municipal Residential or Small Municipal Residential</u></p> <p>Does your Drinking-Water System serve more than 10,000 people? Yes [X] No []</p> <p>Is your annual report available to the public at no charge on a web site on the Internet? Yes [X] No []</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	<p><u>Complete for all other Categories.</u></p> <p>Number of Designated Facilities served:</p> <p>Did you provide a copy of your annual report to all Designated Facilities you serve? Yes [] No []</p> <p>Number of Interested Authorities you report to:</p> <p>Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility? Yes [] No []</p>
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Note: For the following tables below, additional rows or columns may be added or an appendix may be attached to the report

List all Drinking-Water Systems (if any), which receive all of their drinking water from your system:

Drinking Water System Name	Drinking Water System Number



Ontario Drinking-Water Systems Regulation O. Reg. 170/03

Did you provide a copy of your annual report to all Drinking-Water System owners that are connected to you and to whom you provide all of its drinking water?

Yes ☐ No ☐

Indicate how you notified system users that your annual report is available, and is free of charge.

- ☒ Public access/notice via the web
 - ☒ Public access/notice via Government Office
 - ☐ Public access/notice via a newspaper
 - ☐ Public access/notice via Public Request
 - ☐ Public access/notice via a Public Library
 - ☐ Public access/notice via other method
-

Describe your Drinking-Water System

The Town of Newmarket purchases water from York Region, which in turn purchases it through supply agreements from the City of Toronto and Peel Region. York Region also operates and maintains groundwater wells located in the Yonge Street Aquifer that service the Town of Newmarket. The integrated system includes Newmarket's local distribution watermains and York Region's transmission watermains, pumping stations, storage facilities and groundwater treatment facilities. Treated water from the Region supply network is monitored on-line, 24 hours per day by operators through the Regional SCADA (System Control and Data Acquisition) system.

The Town's Distribution System Infrastructure (including watermains, valves, hydrants, water services, and meters) services approximately 84,224 people within the Town of Newmarket.

The Newmarket WDS is comprised of approximately;

- 318 kilometers of distribution system watermain
- 4,035 mainline valves
- 2,358 municipally owned fire hydrants
- 26,407 metered water services

Water pressure is maintained throughout the distribution system ranging between approximately 40-100 psi.

List all water treatment chemicals used over this reporting period

Water treatment is the responsibility of York Region. Chlorine is added to provide primary disinfection, and chloramine (addition of ammonia) provides a secondary



Ontario Drinking-Water Systems Regulation O. Reg. 170/03

residual in the distribution system. Sodium silicate is added to sequester naturally occurring iron and manganese in the groundwater source.

Were any significant expenses incurred to?

- ☒ Install required equipment
- ☒ Repair required equipment
- ☒ Replace required equipment

Please provide a brief description and a breakdown of monetary expenses incurred

Drinking Water System Capital Improvements:	\$ 2,229,924
Watermain Maintenance:	\$ 337,340
Hydrant Maintenance:	\$ 90,000
Watermain Unidirectional Flushing/Swabbing Program:	\$ 476,235

Provide details on the notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre

Incident Date	AWQI NO.	PARAMETER	RESULT (mg/L or P)	CORRECTIV E ACTION DATE	CORRECTIV E ACTIONS
3-Jan-18	138481	Combined Chlorine (LOW)	0.11mg/L	3-Jan-18	Flush and resample
4-Jan-18	138491	Total Coliform	P	4-Jan-18	Flush and resample
11-Jan-18	138532	Combined Chlorine (LOW)	0.23mg/L	11-Jan-18	Flush and resample
15-Jan-18	138586	Total Coliform	P	15-Jan-18	Flush and resample
17-Jan-18	138606	Total Coliform	p	17-Jan-18	Flush and resample
23-Jan-18	138622	Combined Chlorine (LOW)	0.19mg/L	23-Jan-18	Flush and resample
8-Mar-18	138687	Combined Chlorine (LOW)	0.19mg/L	8-Mar-18	Flush and resample
20-Feb-18	138761	Combined Chlorine (LOW)	0.16mg/L	20-Feb-18	Flush and resample
20-Feb-18	138781	Total Coliform	P	20-Feb-18	Flush and resample
6-Mar-18	138854	Combined Chlorine	0.22mg/L	6-Mar-18	Flush and



		(LOW)			resample
14-Mar-18	138907	Combined Chlorine (LOW)	0.22mg/L	14-Mar-18	Flush and resample
12-Mar-18	138908	Total Coliform	P	12-Mar-18	Flush and resample
6-Apr-18	139046	Combined Chlorine (LOW)	0.24mg/L	6-Apr-18	Flush and resample
17-Apr-18	139122	Combined Chlorine (LOW)	0.21mg/L	17-Apr-18	Flush and resample
30-Apr-18	139209	Total Coliform	P	30-Apr-18	Flush and resample
2-May-18	139213	Combined Chlorine (LOW)	0.24mg/L	2-May-18	Flush and resample
7-May-18	139264	Combined Chlorine (LOW)	0.10mg/L	7-May-18	Flush and resample
8-May-18	139272	Combined Chlorine (LOW)	0.20mg/L	8-May-18	Flush and resample
9-May-18	139288	Combined Chlorine (LOW)	0.11mg/L	9-May-18	Flush and resample
15-May-18	139321	Combined Chlorine (LOW)	0.13mg/L	15-May-18	Flush and resample
16-May-18	139348	Combined Chlorine (LOW)	0.09mg/L	16-May-18	Flush and resample
15-May-18	139367	Total Coliform	P	15-May-18	Flush and resample
1-Jun-18	139552	Combined Chlorine (LOW)	0.21mg/L	1-Jun-18	Flush and resample
30-May-18	139556	Total Coliform	P	30-May-18	Flush and resample
1-Jun-18	139569	Total Coliform	P	1-Jun-18	Flush and resample
2-Jun-18	139591	Total Coliform	P	2-Jun-18	Flush and resample
5-Jun-18	139623	Combined Chlorine (LOW)	0.22mg/L	5-Jun-18	Flush and resample
5-Jun-18	139649	Total Coliform	P	5-Jun-18	Flush and resample
6-Jun-18	139684	Total Coliform	P	6-Jun-18	Flush and resample
11-Jun-18	139713	Combined Chlorine (LOW)	0.22mg/L	11-Jun-18	Flush and resample
12-Jun-18	139754	Combined Chlorine (LOW)	0.20mg/L	12-Jun-18	Flush and resample
13-Jun-18	139768	Combined Chlorine (LOW)	0.19mg/L	13-Jun-18	Flush and resample

14-Jun-18	139793	Combined Chlorine (LOW)	0.21mg/L	14-Jun-18	Flush and resample
21-Jun-18	139965	Combined Chlorine (LOW)	0.05mg/L	21-Jun-18	Flush and resample
25-Jun-18	140014	Combined Chlorine (LOW)	0.22mg/L	25-Jun-18	Flush and resample
26-Jun-18	140053	Combined Chlorine (LOW)	0.05mg/L	26-Jun-18	Flush and resample
25-Jun-18	140057	Total Coliform	P	25-Jun-18	Flush and resample
27-Jun-18	140064	Combined Chlorine (LOW)	0.02mg/L	27-Jun-18	Flush and resample
28-Jun-18	140091	Combined Chlorine (LOW)	0.21mg/L	28-Jun-18	Flush and resample
29-Jun-18	140145	Combined Chlorine (LOW)	0.22mg/L	29-Jun-18	Flush and resample
3-Jul-18	140190	Combined Chlorine (LOW)	0.11mg/L	3-Jul-18	Flush and resample
4-Jul-18	140220	Combined Chlorine (LOW)	0.16mg/L	4-Jul-18	Flush and resample
3-Jul-18	140253	Total Coliform and E. Coli	P	3-Jul-18	Flush and resample
6-Jul-18	140284	Combined Chlorine (LOW)	0.10mg/L	6-Jul-18	Flush and resample
10-Jul-18	140396	Combined Chlorine (LOW)	0.07mg/L	10-Jul-18	Flush and resample
11-Jul-18	140415	Combined Chlorine (LOW)	0.06mg/L	11-Jul-18	Flush and resample
14-Jul-18	140601	Combined Chlorine (LOW)	0.07mg/L	14-Jul-18	Flush and resample
15-Jul-18	140603	Combined Chlorine (LOW)	0.07mg/L	15-Jul-18	Flush and resample
16-Jul-18	140670	Combined Chlorine (LOW)	0.17mg/L	16-Jul-18	Flush and resample
17-Jul-18	140676	Combined Chlorine (LOW)	0.15mg/L	17-Jul-18	Flush and resample
18-Jul-18	140750	Combined Chlorine (LOW)	0.08mg/L	18-Jul-18	Flush and resample
20-Jul-18	140848	Combined Chlorine (LOW)	0.03mg/L	20-Jul-18	Flush and resample
22-Jul-18	140890	Combined Chlorine (LOW)	0.12mg/L	22-Jul-18	Flush and resample
23-Jul-18	140903	Combined Chlorine (LOW)	0.23mg/L	23-Jul-18	Flush and resample
24-Jul-18	140931	Combined Chlorine	0.11mg/L	24-Jul-18	Flush and

		(LOW)			resample
30-Jul-18	141164	Combined Chlorine (LOW)	0.22mg/L	30-Jul-18	Flush and resample
31-Jul-18	141219	Combined Chlorine (LOW)	0.08mg/L	31-Jul-18	Flush and resample
1-Aug-18	141256	Combined Chlorine (LOW)	0.13mg/L	1-Aug-18	Flush and resample
2-Aug-18	141309	Combined Chlorine (LOW)	0.21mg/L	2-Aug-18	Flush and resample
3-Aug-18	141334	Combined Chlorine (LOW)	0.17mg/L	3-Aug-18	Flush and resample
4-Aug-18	141370	Combined Chlorine (LOW)	0.19mg/L	4-Aug-18	Flush and resample
5-Aug-18	141386	Combined Chlorine (LOW)	0.18mg/L	5-Aug-18	Flush and resample
6-Aug-18	141388	Combined Chlorine (LOW)	0.09mg/L	6-Aug-18	Flush and resample
7-Aug-18	141399	Combined Chlorine (LOW)	0.18mg/L	7-Aug-18	Flush and resample
8-Aug-18	141434	Combined Chlorine (LOW)	0.18mg/L	8-Aug-18	Flush and resample
9-Aug-18	141465	Combined Chlorine (LOW)	0.17mg/L	9-Aug-18	Flush and resample
10-Aug-18	141538	Combined Chlorine (LOW)	0.23mg/L	10-Aug-18	Flush and resample
14-Aug-18	141626	Combined Chlorine (LOW)	0.23mg/L	14-Aug-18	Flush and resample
15-Aug-18	141635	Combined Chlorine (LOW)	0.18mg/L	15-Aug-18	Flush and resample
17-Aug-18	141699	Combined Chlorine (LOW)	0.09mg/L	17-Aug-18	Flush and resample
20-Aug-18	141742	Combined Chlorine (LOW)	0.15mg/L	20-Aug-18	Flush and resample
22-Aug-18	141908	Combined Chlorine (LOW)	0.18mg/L	22-Aug-18	Flush and resample
24-Aug-18	142100	Combined Chlorine (LOW)	0.07mg/L	24-Aug-18	Flush and resample
27-Aug-18	142196	Combined Chlorine (LOW)	0.05mg/L	27-Aug-18	Flush and resample
30-Aug-18	142370	Combined Chlorine (LOW)	0.23mg/L	30-Aug-18	Flush and resample
4-Sep-18	142510	Combined Chlorine (LOW)	0.15mg/L	4-Sep-18	Flush and resample
10-Sep-18	142623	Combined Chlorine (LOW)	0.18mg/L	10-Sep-18	Flush and resample



11-Sep-18	142662	Combined Chlorine (LOW)	0.08mg/L	11-Sep-18	Flush and resample
13-Sep-18	142785	Combined Chlorine (LOW)	0.24mg/L	13-Sep-18	Flush and resample
11-Sep-18	142786	Total Coliform	P	11-Sep-18	Flush and resample
17-Sep-18	142874	Combined Chlorine (LOW)	0.15mg/L	17-Sep-18	Flush and resample
15-Sep-18	142878	Total Coliform	P	15-Sep-18	Flush and resample
18-Sep-18	142888	Combined Chlorine (LOW)	0.06mg/L	18-Sep-18	Flush and resample
19-Sep-18	142933	Combined Chlorine (LOW)	0.21mg/L	19-Sep-18	Flush and resample
20-Sep-18	142994	Combined Chlorine (LOW)	0.22mg/L	20-Sep-18	Flush and resample
21-Sep-18	143089	Combined Chlorine (LOW)	0.16mg/L	21-Sep-18	Flush and resample
22-Sep-18	143137	Combined Chlorine (LOW)	0.17mg/L	22-Sep-18	Flush and resample
21-Sep-18	143146	Total Coliform	P	21-Sep-18	Flush and resample
23-Sep-18	143151	Combined Chlorine (LOW)	0.23mg/L	23-Sep-18	Flush and resample
24-Sep-18	143159	Combined Chlorine (LOW)	0.09mg/L	24-Sep-18	Flush and resample
25-Sep-18	143183	Combined Chlorine (LOW)	0.19mg/L	25-Sep-18	Flush and resample
26-Sep-18	143219	Combined Chlorine (LOW)	0.02mg/L	26-Sep-18	Flush and resample
27-Sep-18	143238	Combined Chlorine (LOW)	0.04mg/L	27-Sep-18	Flush and resample
28-Sep-18	143266	Combined Chlorine (LOW)	0.20mg/L	28-Sep-18	Flush and resample
29-Sep-18	143286	Combined Chlorine (LOW)	0.07mg/L	29-Sep-18	Flush and resample
30-Sep-18	143288	Combined Chlorine (LOW)	0.08mg/L	30-Sep-18	Flush and resample
1-Oct-18	143294	Combined Chlorine (LOW)	0.21mg/L	1-Oct-18	Flush and resample
2-Oct-18	143304	Combined Chlorine (LOW)	0.12mg/L	2-Oct-18	Flush and resample
3-Oct-18	143346	Combined Chlorine (LOW)	0.05mg/L	3-Oct-18	Flush and resample
4-Oct-18	143371	Combined Chlorine	0.14mg/L	4-Oct-18	Flush and



		(LOW)			resample
5-Oct-18	143396	Combined Chlorine (LOW)	0.03mg/L	5-Oct-18	Flush and resample
6-Oct-18	143433	Combined Chlorine (LOW)	0.10mg/L	6-Oct-18	Flush and resample
7-Oct-18	143438	Combined Chlorine (LOW)	0.12mg/L	7-Oct-18	Flush and resample
8-Oct-18	143440	Combined Chlorine (LOW)	0.16mg/L	8-Oct-18	Flush and resample
9-Oct-18	143444	Combined Chlorine (LOW)	0.17mg/L	9-Oct-18	Flush and resample
13-Oct-18	143533	Combined Chlorine (LOW)	0.18mg/L	13-Oct-18	Flush and resample
14-Oct-18	143536	Combined Chlorine (LOW)	0.15mg/L	14-Oct-18	Flush and resample
15-Oct-18	143544	Combined Chlorine (LOW)	0.11mg/L	15-Oct-18	Flush and resample
16-Oct-18	143554	Combined Chlorine (LOW)	0.23mg/L	16-Oct-18	Flush and resample
18-Oct-18	143593	Combined Chlorine (LOW)	0.18mg/L	18-Oct-18	Flush and resample
19-Oct-18	143657	Combined Chlorine (LOW)	0.18mg/L	19-Oct-18	Flush and resample
22-Oct-18	143671	Combined Chlorine (LOW)	0.13mg/L	22-Oct-18	Flush and resample
23-Oct-18	143683	Combined Chlorine (LOW)	0.20mg/L	23-Oct-18	Flush and resample
24-Oct-18	143720	Combined Chlorine (LOW)	0.21mg/L	24-Oct-18	Flush and resample
17-Oct-18	143750	Combined Chlorine (LOW)	0.00mg/L	17-Oct-18	Flush and resample
25-Oct-18	143751	Combined Chlorine (LOW)	0.18mg/L	25-Oct-18	Flush and resample
28-Oct-18	143783	Combined Chlorine (LOW)	0.21mg/L	28-Oct-18	Flush and resample
30-Oct-18	143813	Combined Chlorine (LOW)	0.00mg/L	30-Oct-18	Flush and resample
1-Nov-18	143837	Combined Chlorine (LOW)	0.06mg/L	1-Nov-18	Flush and resample
5-Nov-18	143882	Combined Chlorine (LOW)	0.24mg/L	5-Nov-18	Flush and resample
6-Nov-18	143896	Combined Chlorine (LOW)	0.04mg/L	6-Nov-18	Flush and resample
5-Nov-18	143916	Total Coliform	P	5-Nov-18	Flush and resample

8-Nov-18	143931	Combined Chlorine (LOW)	0.07mg/L	8-Nov-18	Flush and resample
10-Nov-18	143993	Combined Chlorine (LOW)	0.07mg/L	10-Nov-18	Flush and resample
12-Nov-18	143997	Combined Chlorine (LOW)	0.13mg/L	12-Nov-18	Flush and resample
19-Nov-18	144118	Combined Chlorine (LOW)	0.20mg/L	19-Nov-18	Flush and resample
20-Nov-18	144121	Combined Chlorine (LOW)	0.22mg/L	20-Nov-18	Flush and resample
19-Nov-18	144139	Total Coliform	P	19-Nov-18	Flush and resample
22-Nov-18	144147	Combined Chlorine (LOW)	0.04mg/L	22-Nov-18	Flush and resample
20-Nov-18	144153	Total Coliform	P	20-Nov-18	Flush and resample
21-Nov-18	144157	Total Coliform	P	21-Nov-18	Flush and resample
21-Nov-18	144159	Total Coliform	P	21-Nov-18	Flush and resample
27-Nov-18	144186	Combined Chlorine (LOW)	0.14mg/L	27-Nov-18	Flush and resample
28-Nov-18	144189	Combined Chlorine (LOW)	0.06mg/L	28-Nov-18	Flush and resample
29-Nov-18	144197	Combined Chlorine (LOW)	0.20mg/L	29-Nov-18	Flush and resample
30-Nov-18	144202	Combined Chlorine (LOW)	0.22mg/L	30-Nov-18	Flush and resample
3-Dec-18	144223	Combined Chlorine (LOW)	0.10mg/L	3-Dec-18	Flush and resample
4-Dec-18	144233	Combined Chlorine (LOW)	0.13mg/L	4-Dec-18	Flush and resample
5-Dec-18	144244	Combined Chlorine (LOW)	0.14mg/L	5-Dec-18	Flush and resample
7-Dec-18	144269	Combined Chlorine (LOW)	0.12mg/L	7-Dec-18	Flush and resample
10-Dec-18	144282	Combined Chlorine (LOW)	0.06mg/L	10-Dec-18	Flush and resample
12-Dec-18	144296	Combined Chlorine (LOW)	0.17mg/L	12-Dec-18	Flush and resample
17-Dec-18	144328	Combined Chlorine (LOW)	0.16mg/L	17-Dec-18	Flush and resample
18-Dec-18	144334	Combined Chlorine (LOW)	0.21mg/L	18-Dec-18	Flush and resample
20-Dec-18	144365	Combined Chlorine	0.20mg/L	20-Dec-18	Flush and



		(LOW)			resample
28-Dec-18	144405	Combined Chlorine (LOW)	0.17mg/L	28-Dec-18	Flush and resample

Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.

	Number of Samples	Range of E.Coli Or Fecal Results (min #)-(max #)	Range of Total Coliform Results (min #)-(max #)	Number of HPC Samples	Range of HPC Results (min #)-(max #)
Raw	Not applicable				
Treated	Not applicable				
Distribution	1363	1 sample P	22 sample P	624	<1 – 2900 CFU/mL

Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.

	Number of Grab Samples	Range of Results (min #)-(max #)	Unit of Measure
Turbidity	Not applicable		
Chlorine	6064	0.00 – 3.61	mg/L
Fluoride (If the DWS provides fluoridation)	Not applicable		

***NOTE:** For continuous monitors use 8760 as the number of samples.*

Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.

Date of legal instrument issued	Parameter	Date Sampled	Result	Unit of Measure
Not applicable				

Summary of Inorganic parameters tested during this reporting period or the most recent sample results



Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Sodium	Jan – Dec 2018	14.5 - 23.4	mg/L	Yes
Nitrite	Jan – Dec 2018	<0.05 - 0.13	mg/L	No
Nitrate	Jan – Dec 2018	<0.50 - 0.61	mg/L	No
Fluoride	Jan – Dec 2018	0.2 - 0.58	mg/L	No

Summary of lead testing under Schedule 15.1 during this reporting period

Location Type	Number of Samples	Range of Lead Results (min#) – (max #)	Unit of Measure	Number of Exceedances
Plumbing	4	<0.0005	mg/l	None
Distribution	21	<0.0005 – 0.0008	mg/L	None

*NOTE: The Town of Newmarket has been granted Lead Regulatory Relief under Schedule D of the Municipal Drinking Water Licence.

Summary of Organic parameters sampled during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Trihalomethanes (NOTE: show latest annual average)	Jan – Dec 2018	16.7	ug/L	No
Haloacetic Acids (NOTE: show latest annual average)	Jan – Dec 2018	9.8	ug/L	No

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

Parameter	Result Value	Unit of Measure	Date of Sample
Not Applicable			

Audit Report

Upgrade Audit for

Corporation of the Town of Newmarket

1632548-02

Audited Address: 1275 Maple Hill Court, Newmarket, Ontario, CAN,
L3Y 9E8

Start Date: Jan 31, 2019 End Date: Jan 31, 2019

Type of audit
Surveillance System Audit

Issue Date: Jan 31, 2018

Revision Level: *Final*

Audit Report

BACKGROUND INFORMATION

SAI Global conducted an audit of Corporation of the Town of Newmarket beginning on Jan 31, 2019 and ending on Jan 31, 2019 to DRINKING WATER QUALITY MANAGEMENT STANDARD VERSION 2 - 2017.

The purpose of this audit report is to summarise the degree of compliance with relevant criteria, as defined on the cover page of this report, based on the evidence obtained during the audit of your organization. This audit report considers your organization's policies, objectives, and continual improvement processes. Comments may include how suitable the objectives selected by your organization appear to be in regard to maintaining customer satisfaction levels and providing other benefits with respect to policy and other external and internal needs. We may also comment regarding the measurable progress you have made in reaching these targets for improvement.

SAI Global audits are carried out within the requirements of SAI Global procedures that also reflect the requirements and guidance provided in the international standards relating to audit practice such as ISO/IEC 17021-1, ISO 19011 and other normative criteria. SAI Global Auditors are assigned to audits according to industry, standard or technical competencies appropriate to the organization being audited. Details of such experience and competency are maintained in our records.

In addition to the information contained in this audit report, SAI Global maintains files for each client. These files contain details of organization size and personnel as well as evidence collected during preliminary and subsequent audit activities (Documentation Review and Scope) relevant to the application for initial and continuing certification of your organization.

Please take care to advise us of any change that may affect the application/certification or may assist us to keep your contact information up to date, as required by SAI Global Terms and Conditions.

This report has been prepared by SAI Global Limited (SAI Global) in respect of a Client's application for assessment by SAI Global. The purpose of the report is to comment upon evidence of the Client's compliance with the standards or other criteria specified. The content of this report applies only to matters, which were evident to SAI Global at the time of the audit, based on sampling of evidence provided and within the audit scope. SAI Global does not warrant or otherwise comment upon the suitability of the contents of the report or the certificate for any particular purpose or use. SAI Global accepts no liability whatsoever for consequences to, or actions taken by, third parties as a result of or in reliance upon information contained in this report or certificate.

Please note that this report is subject to independent review and approval. Should changes to the outcomes of this report be necessary as a result of the review, a revised report will be issued and will supersede this report.

Standard:	DRINKING WATER QUALITY MANAGEMENT STANDARD VERSION 2 - 2017
Scope of Certification:	Distribution System
Drinking Water System Owner:	Town of Newmarket
Operating Authority:	Town of Newmarket
Owner:	Town of Newmarket
Population Services:	87000
Activities:	Distribution
Drinking Water Systems	Newmarket Water Distribution System (DWS 260003188)

Total audit duration:	Person(s): 1	Day(s): 0.75
Audit Team Member(s):	Team Leader	James Pang

Other Participants:

Audit Report

Definitions and action required with respect to audit findings

Major Non-conformance:

Based on objective evidence, the absence of, or a significant failure to implement and/or maintain conformance to requirements of the applicable standard. Such issues may raise significant doubt as to the capability of the management system to achieve its intended outputs (i.e. the absence of or failure to implement a complete Management System clause of the standard); or

A situation which would on the basis of available objective evidence, raise significant doubt as to the capability of the Management System to achieve the stated policy and objectives of the customer.

NOTE: The “applicable Standard” is the Standard which SAI Global are issuing certification against, and may be a Product Standard, a management system Standard, a food safety Standard or another set of documented criteria.

Action required: This category of findings requires SAI Global to issue a formal NCR; to receive and approve client's proposed correction and corrective action plans; and formally verify the effective implementation of planned activities. Correction and corrective action plan should be submitted to SAI Global prior to commencement of follow-up activities as required. Follow-up action by SAI Global must 'close out' the NCR or reduce it to a lesser category **within 90 days for initial certification and within 60 days for surveillance or re-certification audits, from the last day of the audit.**

If significant risk issues (e.g. safety, environmental, food safety, product legality/quality, etc.) are detected during an audit these shall be reported immediately to the Client and more immediate or instant correction shall be requested. If this is not agreed and cannot be resolved to the satisfaction of SAI Global, immediate suspension shall be recommended.

In the case of initial certification, failure to close out NCR within the time limits means that the Certification Audit may be repeated.

If significant risk issues (e.g. safety, environmental, food safety, product legality/quality, etc.) are detected during an audit these shall be reported immediately to the Client and more immediate or instant correction shall be requested. If this is not agreed and cannot be resolved to the satisfaction of SAI Global, immediate suspension shall be recommended.

In the case of an already certified client, failure to close out NCR within the time limits means that suspension proceedings may be instituted by SAI Global.

Follow-up activities incur additional charges.

Minor Non-conformance:

Represents either a management system weakness or minor issue that could lead to a major nonconformance if not addressed. Each minor NC should be considered for potential improvement and to further investigate any system weaknesses for possible inclusion in the corrective action program

Action required: This category of findings requires SAI Global to issue a formal NCR; to receive and approve client's proposed correction and corrective action plans; and formally verify the effective implementation of planned activities at the next scheduled audit.

Opportunity for Improvement:

A documented statement, which may identify areas for improvement however shall not make specific recommendation(s).

Action required: Client may develop and implement solutions in order to add value to operations and management systems. SAI Global is not required to follow-up on this category of audit finding.

Audit Report

Audit Type and Purpose**Surveillance Audit:**

A systems desktop audit in accordance with the systems audit procedure as it applies to Full Scope accreditation. The audit also included consideration of the results of the most recent audit undertaken in accordance with this Accreditation Protocol and any of the following that have occurred subsequent to that audit including but limited to;

- (a) the results of any audits undertaken in accordance with element 19 of the DWQMS V2;
- (b) historical responses taken to address corrective action requests made by an Accreditation Body;
- (c) the results of any management reviews undertaken in accordance with element 20 of the DWQMS V2; and,
- (d) any changes to the documentation and implementation of the QMS.

Audit Objectives

The objective of the audit was to determine whether the drinking water Quality Management System (QMS) of the subject system conforms to the requirements of the Ontario Ministry of the Environment & Climate Change (MOECC) Drinking Water Quality Management Standard (DWQMS V2).

The audit was also intended to gather the information necessary for SAI Global to assess whether accreditation can continue to be offered to the operating authority.

Audit Report

Audit Scope

The facilities and processes associated with the operating authority's QMS were objectively evaluated to obtain audit evidence and to determine a) whether the quality management activities and related results conform with DWQMS V2 requirements, and b) if they have been effectively implemented and/or maintained.

Audit Criteria:

- The Drinking Water Quality Management Standard Version 2
- Current QMS manuals, procedures and records implemented by the Operating Authority
- SAI Global Accreditation Program Handbook

Confidentiality and Documentation Requirements

The SAI Global stores their records and reports to ensure their preservation and confidentiality. Unless required by law, the SAI Global will not disclose audit records to a third party without prior written consent of the applicant. The only exception will be that the SAI Global will provide audit and corrective action reports to the Ontario Ministry of the Environment. For more information, please refer to the SAI Global Accreditation Program Handbook.

As part of the SAI Global Terms, it is necessary for you to notify SAI Global of any changes to your Quality Management System that you believe are significant enough to risk non-conformity with DWQMS V2: For more information, please refer to the SAI Global Accreditation Program Handbook.

Review of any changes

Changes to the Operating Authority since last audit include:

Audit Report

EXECUTIVE OVERVIEW

The results of this surveillance system audit indicate that the management system does not fully meet the requirements of the standard based on the area(s) of non-conformance identified during the audit and as documented in the attached Non-conformance Report(s). Failure to address the nonconformances within the 60 day timeframe may lead to suspension of certification.

Note that the actual NCRs once generated cannot be withdrawn. Therefore, this draft report will not include the actual NCR but the three NCRs form part of Part D of this report.

Audit Report

Recommendation

The results of this audit indicate that the management system does not fully meet the requirements of the standard based on the area(s) of non-conformance identified during the audit and as documented in the attached Non-conformance Report(s).

A recommendation to upgrade the certification of your DWQMS is on hold pending the receipt, review and acceptance of the corrective action taken.

Opportunities for Improvement:

The following opportunities for improvement have been identified.

- Element 6
 - An opportunity exists to include a description of any procedures that are in place to maintain disinfection residuals. Refencing the appropriate procedure within the Operational Plan that serves this purpose will also suffice. See requirement in Element 6 (a) iii A.
- Element 7
 - replace "every 12 months" with "at least once every calendar year"
 - An opportunity exists to fully address the requirement of 7 (a).
 - An opportunity exists to define how the management intends to assess the reliability and redundancy of the equipment within the distribution system to adequately address the risks identified.
- Element 9
 - Manager, Water /Wastewater Services shares the same responsibilities and authorities as the QMS rep. There exists an opportunity to clarify the matter.
 - Replace "every 12 months" with "every calendar year".
 - Clarify as to which positions are responsible to address element 9 (c), which is to undertake the management review, not just ensuring that management review is conducted.
- Element 12
 - this element is not about reporting to the owner, OA's personnel, suppliers and public. It is about communication between the top management and the owner, OA's personnel, suppliers and public. Consider rewording the section.
- Element 15
 - improvement is required with respect to how the management intends on keeping the summary of the infrastructure maintenance, rehabilitation and renewal programs current.
 - Replace "every 12 months" with "every calendar year".
 - Include a description with respect to how the management intends to monitor the effectiveness of the maintenance program.
- Element 19
 - correct the discrepancy between the QMS rep being the Water/Wastewater Compliance Coordinator and the Manager, Water / Wastewater.
 - Replace "every 12 months" with "every calendar year".
- Element 20
 - Replace "every 12 months" with "every calendar year"

It is suggested that the opportunities for improvement be considered by management to further enhance the Operating Authority's Quality Management System and performance.

Audit Report

Management System Documentation

The management systems operational plan(s) was reviewed and found to be in conformance with the requirements of the standard.

Management Review

Records of the most recent management review meetings were verified and found to meet the requirements of the standard. All inputs were reflected in the records and appear suitably managed as reflected by resulting actions and decisions.

Internal Audits

Internal audits are being conducted at planned intervals to ensure conformance to planned arrangements, the requirements of the standard and the established management system.

Corrective, Preventive Action & Continual Improvement Processes

The Operating Authority is not implementing an effective corrective and preventive action process for the continual improvement of the management system. Details are provided in NCR No.

Audit Report**Summary of Findings**

1. Quality Management System	Conforms
2. Quality Management System Policy	Conforms
3. Commitment and Endorsement	Conforms
4. Quality Management System Representative	Conforms
5. Document and Records Control	Conforms
6. Drinking-Water System	1 OFI
7. Risk Assessment	3 OFI
8. Risk Assessment Outcomes	Conforms
9. Organizational Structure, Roles, Responsibilities and Authorities	3 OFI
10. Competencies	Conforms
11. Personnel Coverage	Conforms
12. Communications	1 OFI
13. Essential Supplies and Services	Conforms
14. Review and Provision of Infrastructure	Minor NCR
15. Infrastructure Maintenance, Rehabilitation & Renewal	3 OFI
16. Sampling, Testing and Monitoring	Conforms
17. Measurement & Recording Equipment Calibration and Maintenance	Conforms
18. Emergency Management	Conforms
19. Internal Audits	2 OFI
20. Management Review	1 OFI
21. Continual Improvement	Major NCR
Major NCR #	Major non-conformity. The auditor has determined one of the following: (a) a required element of the DWQMS has not been incorporated into a QMS; (b) a systemic problem with a QMS is evidenced by two or more minor non-conformities; or (c) a minor non-conformity identified with a corrective action request has not been remedied.
Minor NCR #	Minor non-conformity. In the opinion of the auditor, part of a required element of the DWQMS has not been incorporated satisfactorily into a QMS.
OFI	Opportunity for improvement. Conforms to requirement, but there is an opportunity for improvement.
Conforms	Conforms to requirement.
NANC	Not applicable/Not Covered during this audit.
****	Additional comment added by auditor in the body of the report.

Audit Report

PART D. Audit Observations, Findings and Comments

DWQMS Reference:	1 Quality Management System
Client Reference:	Section 1 of the OP.
Details: All 21 elements were addressed in the Operational Plan (OP).	

DWQMS Reference:	2 Quality Management System Policy
Client Reference:	Section 2 of the OP.
Details: QMS Policy is adequate.	

DWQMS Reference:	3 Commitment and Endorsement
Client Reference:	Section 3, Appendix 3a of the OP.
Details: Signed by the Owner represented by the Mayor and CAO, and Operating Authority's represented by the Commissioner of Development & Infrastructure Services, Director of Public Works, and the Manager of Water / Wastewater Operations.	

DWQMS Reference:	4 Quality Management System Representative
Client Reference:	Section 4 of the OP.
Details: The Water/Wastewater Compliance Coordinator is the QMS Representative.	

DWQMS Reference:	5 Document and Record Control
Client Reference:	Section 5, Appendix 5a, 5b, 5c, 5d, 5e of the OP.
Details: Documentation is adequate.	

DWQMS Reference:	6 Drinking Water System
Client Reference:	Section 6 and Appendix 6a of the OP.
Details: OFI - An opportunity exists to include a description of any procedures that are in place to maintain disinfection residuals. Referencing the appropriate procedure within the Operational Plan that serves this purpose will also suffice. See requirement in Element 6 (a) iii A.	

DWQMS Reference	7 Risk Assessment
Client Reference:	Section 7 and Appendix 7a of the OP.
<p>Details:</p> <p>OFI - replace "every 12 months" with "at least once every calendar year"</p> <p>OFI – opportunity exists to fully address the requirement of 7 (a)</p> <p>OFI – opportunity exists to define how the management intends to assess the reliability and redundancy of the equipment within the distribution system to adequately address the risks identified</p>	

Audit Report

DWQMS Reference:	8 Risk Assessment Outcomes
Client Reference:	Section 8, Appendix 8a and 8b of the OP.
Details: Documentation is adequate.	

DWQMS Reference:	9 Organizational Structure, Roles, Responsibility and Authorities
Client Reference:	Section 9, Appendix 9a and 9b of the OP.
Details: OFI - Manager, Water /Wastewater Services shares the same responsibilities and authorities as the QMS rep. There exist an opportunity to clarify the matter. OFI - replace "every 12 months" with "every calendar year" OFI - clarify as to which positions are responsible to address element 9 (c), which is to undertake the management review, not just ensuring that management review is conducted.	

DWQMS Reference:	10 Competencies
Client Reference:	Section 10 and Appendix 10a of the OP.
Details: Documentation is adequate	

DWQMS Reference:	11 Personnel Coverage
Client Reference:	Section 11 and Appendix 11a & b of the OP.
Details: Documentation is adequate	

DWQMS Reference:	12 Communications
Client Reference:	Section 12 and Appendix 12a of the OP.
Details: OFI - this element is not about reporting to the owner, OA's personnel, suppliers and public. It is about communication between the top management and the owner, OA's personnel, suppliers and public. Consider rewording the section.	

DWQMS Reference:	13 Essential Supplies and Services
Client Reference:	Section 13 and Appendix 13a & b of the OP.
Details: Documentation is adequate	

DWQMS Reference:	14 Review and Provision of Infrastructure
Client Reference:	Section 14 and Appendix 14a of the OP.
Details: Minor NCR – the following requirements were not addressed; the risk assessment outcome documented under element 8, and to ensure that the adequacy of the infrastructure necessary to operate and maintain the Subject System is reviewed at least once every Calendar Year.	

Audit Report

DWQMS Reference:	15 Infrastructure Maintenance, Rehabilitation and Renewal
Client Reference:	Section 15 and Appendix 15a of the OP.
Details: OFI – improvement is required with respect to how the management intends on keeping the summary of the infrastructure maintenance, rehabilitation and renewal programs current OFI – replace “every 12 months” with “every calendar year” OFI – include a description with respect to how the management intends to monitor the effectiveness of the maintenance program	

DWQMS Reference:	16 Sampling, Testing and Monitoring
Client Reference:	Section 16, Appendix 16a, b and c of the OP.
Details: Documentation is adequate.	

DWQMS Reference:	17 Measurement and Recording Equipment Calibration and Maintenance
Client Reference:	Section 17, Appendix 17a and b of the OP.
Details: Documentation is adequate	

DWQMS Reference:	18 Emergency Management
Client Reference:	Section 18, Appendix 18a and b of the OP.
Details: Documentation for Emergency Management is adequate. Reviewed records of an emergency test held on December 13, 2018 – adequate.	

DWQMS Reference:	19 Internal Audits
Client Reference:	Section 19, Appendix 19a, b, c, d and e of the OP.
Details: OFI - correct the discrepancy between the QMS rep being the Water/Wastewater Compliance Coordinator and the Manager, Water / Wastewater. OFI - replace "every 12 months" with "every calendar year"	

DWQMS Reference:	20 Management Review
Client Reference:	Section 20, Appendix 20a, b and c of the OP.
Details: OFI - replace "every 12 months" with "every calendar year"	

DWQMS Reference:	21 Continual Improvement
Client Reference:	Section 21 of the OP.
Details: Major NCR – all three main requirements of this Element have not been addressed.	

Audit Report

Details regarding the personnel interviewed and objective evidence reviewed are maintained on file at SAI Global.

This report was prepared by:

JRHPang

James Pang

SAI Global Management Systems Auditor

The audit report is distributed as follows:

- SAI Global
- Operating Authority
- Owner
- MOECC

Notes

Copies of this report distributed outside the organization must include all pages.



2018 DWQMS Internal Audit
Town of Newmarket

2018 DWQMS Internal Audit

Town of Newmarket

Operating Authority & Owner:

Town of Newmarket

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Audit Date: September 19 & 20, 2018

Report Date: October 1, 2018

Project No. NEW_ECM1718_104



1.0 AUDIT SUMMARY

An on-site internal DWQMS audit of the Town of Newmarket Water Distribution System for the Town of Newmarket was conducted by AET Group Inc. ("AET") on September 19 & 20, 2018.

The audit included a review of available documents and records on the Town of Newmarket server, and in hard copy at the Town of Newmarket's Operations Center. It also included interviews with Operating Authority Staff operators to observe conformance with the Operational Plan.

There were two major non-conformances, two minor non-conformances, and six opportunities for improvement. These non-conformances must be addressed before the Quality Management System can be found to be in conformance with the standard. Please review Section 4 of this report for the full detail of each finding. The full checklist used to assess the conformance of the QMS is located in Appendix A.

Please note findings were split into five main categories including:

Major Non-Conformances: A major systemic breakdown of an element of the QMS or several minor non-conformances, which cumulatively indicate a larger problem within that element of the QMS.

Minor Non-Conformances: Elements for which there have been omissions from elements of the QMS. These discrepancies are not serious enough compromise the overall performance of that element of the QMS.

Opportunities for Improvement: All objective evidence about the element indicates conformance with the QMS, however there are discrepancies which, in the opinion of the auditor, do not currently constitute risk to the provision of safe drinking. However, if these elements are not addressed, they could develop into larger issues, which may result in non-conformances.

Comments: All objective evidence about the element indicates conformance with the QMS. Additional comments have been made about this element in the body of the report.

Conformance: All objective evidence collected at the time of the audit leads to the conclusion the Operating Authority follows the policies and procedures outlined by the QMS.

Audit Objectives

The objective of the audit was to determine whether the drinking water Quality Management System (QMS) for the Town of Newmarket conforms to the requirements of the Ontario Ministry of the Environment, Conservation and Parks Drinking Water Quality Management Standard (DWQMS).

Audit Scope

The facilities and processes associated with the Operating Authority's QMS were evaluated to obtain objective evidence and to determine whether the quality management activities and related results conform with DWQMS requirements, and if they have been effectively implemented.

Audit Criteria

The Drinking Water Quality Management Standard (February 2017)

Current QMS manuals, procedures and records implemented by the Town of Newmarket.

Audit Dates

The DWQMS internal audit was held on September 19 & 20, 2018.

Audit Team Members

Lead Auditor: Ryan Bournier, AET Group Inc.

2.0 SUMMARY OF FINDINGS

Requirement	Finding
1. Quality Management System	Mj
2. Quality Management System Policy	C
3. Commitment and Endorsement	C
4. Quality Management System Representative	C
5. Document and Records Control	Mj
6. Drinking-Water System	C
7. Risk Assessment	OFI
8. Risk Assessment Outcomes	OFI
9. Organizational Structure, Roles, Responsibilities and Authorities	C
10. Competencies	C
11. Personnel Coverage	C
12. Communications	Mn
13. Essential Supplies and Services	C
14. Review and Provision of Infrastructure	Mn
15. Infrastructure Maintenance, Rehabilitation & Renewal	C
16. Sampling, Testing and Monitoring	C
17. Measurement & Recording Equipment Calibration and Maintenance	OFI
18. Emergency Management	C
19. Internal Audits	OFI
20. Management Review	OFI
21. Continual Improvement	Mj & OFI
Mj	Major non-conformity. The auditor has determined one of the following: (a) a required element of the DWQMS has not been incorporated into a QMS; (b) a systemic problem with a QMS is evidenced by two or more minor non-conformities; or (c) a minor non-conformity identified in a corrective action request has not been remedied.
Mn	Minor non-conformity. In the opinion of the auditor, part of a required element of the DWQMS has not been incorporated satisfactorily into a QMS.
OFI	Opportunity for improvement. Conforms to requirement, but there is an opportunity for improvement.
C	Conforms to requirement. The element is operational, implemented and performed in accordance with the requirement.
N/A	Not applicable to this audit
*	Additional comment added by auditor in the body of the report.

3.0 FINDINGS/COMMENTS

3.1 Positive Comments

The following comments were noted on the QMS' conformance with the standard:

DWQMS Reference: **10 Competencies**

Requirement: The Operating Authority shall undertake activities to:

- a) meet and maintain competencies for personnel directly affecting drinking water quality and shall maintain records of these activities; and
- b) ensure that personnel are aware of the relevance of their duties and how they affect safe drinking water and shall maintain records of these activities.

Client Reference: Operational Plan Element 10 Competencies (Rev. 12 June 2018)

Results: **Comment**

Details: Records and interviews with selected staff members verified the training program is implemented and documented effectively according to the requirements of the Competencies procedure.

DWQMS Reference: **16 Sampling Testing & Monitoring**

Requirement: The Operational Plan shall document:

- a) a sampling, testing and monitoring procedure for process control and finished drinking water quality, including requirements for sampling, testing and monitoring at the conditions most challenging to the subject system;
- b) a description of any relevant sampling, testing or monitoring activities that take place upstream of the subject system; and
- c) a procedure that describes how sampling, testing and monitoring results are recorded and shared between the Operating Authority and the Owner, where applicable.

Client Reference:	DWQMS Operational Plan Element 16 – Sampling Testing & Monitoring (Rev: 12 June 2018)
Results:	Comment
Details:	Verified the sampling, testing, and monitoring program for chlorine residuals, microbiology, and lead was effective for the sampled records.

3.2 Non-conformances

Two major and two minor non-conformances were found at the time of the audit

DWQMS Reference:	5 Document and Record Control
Requirement:	<p>The Operational Plan shall document a procedure for document and records control that describes how:</p> <ul style="list-style-type: none"> a) documents required by the Quality Management System are: <ul style="list-style-type: none"> i) kept current, legible and readily identifiable; ii) retrievable; iii) stored, protected, retained and disposed of; and b) records required by the Quality Management System are: <ul style="list-style-type: none"> i) kept legible, and readily identifiable; ii) retrievable; iii) stored, protected, retained and disposed of.
Client Reference:	DWQMS Operational Plan Appendix 5(a) Document Control Procedure (Rev: 12 June 2018)
Results:	Major non-conformance
Details:	<p>Document and record control issues exist in the QMS, as follows:</p> <ul style="list-style-type: none"> • Inconsistencies within procedures (Element 4 & Element 19); • Current procedures were not documented (Element 12 & Element 21); • Document storage locations did not match the Master List of Documents and Records;

- No records were available for monthly verification of calibrations outlined in Element 17;
- Forms were not completed in full (Supplier evaluation, and Opportunity For Improvement Follow-up Report); and
- Emergency Management procedure (Element 18) is not followed for emergency testing. It is conducted annually, but the emergency test schedule, required by the procedure, is not generated or followed.

DWQMS Reference:**21 Continuous Improvement****Requirement:**

The Operating Authority shall strive to continually improve the effectiveness of its Quality Management System by implementing and conforming to the procedure.

Client Reference:

Element 21 Continual Improvement (Rev: 23 April 2018)

Results:**Major non-conformance****Details:**

There was no evidence found that Corrective Action Requests, Opportunity for Improvement Follow-up Reports, or actions taken to address non-conformities or opportunities for improvement from the 2017 Internal Audit were completed

DWQMS Reference:**12 Communications****Requirement:**

The Operational Plan shall document a procedure for communications that describes how the relevant aspects of the Quality Management System are communicated between Top Management and:

- b) Operating Authority Personnel,
- c) Suppliers that have been identified as essential under Plan (a) of Element 13 of this Standard

Client Reference:

Operational Plan; Element 12 Communications (Rev: 12 June 2018)

Results:**Minor Non-Conformance**

Details:	<p>Could find no evidence of several required aspects of communication:</p> <ul style="list-style-type: none"> • Tender documents with the QMS relevancy statement for suppliers was not provided at the time of the audit • A contact update letter was provided under this element, but it is not mentioned in the procedure. • No evidence was provided at the time of the audit to verify the Operational Plan has been reviewed by staff in the last three years. This review is required by Element 12 of the Operational Plan to raise awareness of the relevance of the QMS throughout the Operating Authority.
DWQMS Reference:	14 Review and Provision of Resources
Requirement:	<p>The Operational Plan shall document a procedure for reviewing the adequacy of the infrastructure necessary to operate and maintain the Subject System that:</p> <ul style="list-style-type: none"> b) Ensures that the adequacy of the infrastructure necessary to operate and maintain the Subject System is reviewed at least once every Calendar Year.
Client Reference:	DWQMS Operational Plan – Element 14 Review and Provision of Resources (Rev: 12 June 2018)
Results:	Minor non-conformance
Details:	No evidence was found at the time of the audit of an Infrastructure Review being conducted during the Management Review, as required by the procedure. A 5-year capital plan was provided at the time of the audit, but the procedure requires a 10-year Capital Plan be documented

3.3 Opportunities for Improvement

Six opportunities for improvement were found at the time of the audit.

DWQMS Reference:	3 Commitment and Endorsement
Requirement:	Top Management shall provide evidence of its commitment to an effective Quality Management System by: <ul style="list-style-type: none"> e) determining, obtaining or providing the resources needed to maintain and continually improve the Quality Management System.
Client Reference:	DWQMS Operational Plan: Element 3 Commitment and Endorsement (Rev: 12 June 2018)
Results:	Opportunity for Improvement
Details:	Ensure the new Compliance Coordinator is hired in a timely fashion to address the challenges with staff resources during the transition phase.
DWQMS Reference:	7 Risk Assessment
Requirement:	The Operating Authority shall perform a risk assessment consistent with the documented process.
Client Reference:	DWQMS Operational Plan – Element 7 Risk Assessment (Rev: 12 June 2018)
Results:	Opportunity for Improvement
Details:	Consider synchronizing the required frequency of your risk assessment with the standard. The date of your most recent risk assessment (December 5, 2017) exceeded one year since the previous risk assessment (November 21, 2016).
DWQMS Reference:	8 Risk Assessment Outcomes
Requirement:	The Operational Plan shall document: <ul style="list-style-type: none"> e) the identified critical control points and their respective critical control limits;
Client Reference:	DWQMS Operational Plan – Element 8 Risk Assessment Outcomes (Rev: 12 June 2018)

Results:	Opportunity for Improvement
Details:	Ensure that the comments column is provided on the RA table to provide rational for additional CCP.
DWQMS Reference:	17 Measurement and Recording Equipment Calibration and Maintenance
Requirement:	The Operational Plan shall document a procedure for the calibration and maintenance of measurement and recording equipment.
Client Reference:	DWQMS Operational Plan – Element 17 Measurement and Recording Equipment Calibration and Maintenance (Rev: 12 June 2018)
Results:	Opportunity for Improvement
Details:	Consider reviewing the frequency at which the calibration of devices is required. Once reviewed, ensure the required calibration frequency is followed.
DWQMS Reference:	20 Management Review
Requirement:	Top Management shall implement and conform to the procedure and shall: <ul style="list-style-type: none"> a) provide a record of any decisions and action items related to the management review including the personnel responsible for delivering the action items and the proposed timelines for their implementation, and
Client Reference:	DWQMS Operational Plan Element 20 Management Review (Rev: 12 June 2018)
Results:	Opportunity for Improvement
Details:	Timelines should be included along with action items and responsible personnel for deficiencies identified in the management review.

DWQMS Reference:**21 Continuous Improvement****Requirement:**

The Operating Authority shall develop a procedure for tracking and measuring continual improvement of its Quality Management System by:

- b) documenting a process for identifying and implementing Preventive Actions to eliminate the occurrence of potential non-conformities in the Quality Management System that includes:
 - i) reviewing potential non-conformities that are identified to determine if preventive actions may be necessary,
 - ii) documenting the outcome of the review, including the action(s), if any, that will be taken to prevent a non-conformity from occurring, and
 - iii) reviewing the action(s) taken to prevent a non-conformity, verifying that they are implemented and are effective in preventing the occurrence of the non-conformity.

Client Reference:

Element 21 Continual Improvement (Rev: 23 April 2018)

Results:**Opportunity for Improvement****Details:**

Consider including Management Review Action Items when documenting your preventive action procedure.

4.0 CONCLUSIONS

This audit report presents an overview of DWQMS conformance findings, reflecting AET's best judgment using information reasonably available to the auditors at the time of AET's audit. AET has prepared this audit report using information understood to be factual and correct and shall not be responsible for conditions arising from information or facts that were concealed or not fully disclosed to AET during the period of time for which the work was being conducted.

This DWQMS audit report, which was derived from a sampling of document/record reviews, site observations and personnel interviews, aims to establish the current position of the Town of Newmarket with respect to conformance with the DWQMS Standard. While comments were made throughout the report, an in-depth inspection was not carried out.

Respectfully Submitted,

AET Group Inc.

Prepared by:



Ryan Bourner, B. Eng, Dip EMA, EP, TSRP
Environmental Technologist

APPENDIX A: INTERNAL AUDIT CHECKLIST

DWQMS STANDARD AUDIT

SURVEILLANCE ☐VERIFICATION ☐INTERNAL ☒

SYSTEM NAME: Newmarket Distribution System

OWNER: Town of Newmarket

OPERATING AUTHORITY: Town of Newmarket

DATE: September 19 & 20, 2018

AUDITOR: Ryan Bournier

SUBSYSTEMS: N/A

AUDIT SUMMARY RECORD

File No. NEW_ECM1718_104

(if applicable)

EL	DESCRIPTION	AD	OFI	Mn	Mj	NA	NC
	PLAN and DO Elements of the DWQMS						
1	Quality Management System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Quality Management System Policy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Commitment and Endorsement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	QMS Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Document and Records Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Drinking-Water System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Risk Assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Risk Assessment Outcomes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Organizational Structure, Roles, Responsibilities and Authorities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>						
10	Competencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Personnel Coverage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Communications	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Essential Supplies and Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Review and Provision of Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Infrastructure Maintenance, Rehabilitation and Renewal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16	Sampling, Testing and Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Measurement and Recording Equipment						
	Calibration and Maintenance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18	Emergency Management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CHECK Elements of the DWQMS						
19	Internal Audits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Management Review	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21	Continual Improvement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Minimum System Audit coverage Elements 3, 4, 7, 8 19, 20 & 21

Lead Auditor: Ryan Bourner

Date: September 19 & 20, 2018

Element 1 Quality Management System**PLAN**

The Operational Plan shall document a Quality Management System that meets the requirements of this Standard.

DO

The Operating Authority shall establish and maintain the Quality Management System in accordance with the requirements of this Standard and the policies and procedures documented in the Operational Plan.

FINDING:	<input type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input checked="" type="checkbox"/> MJ <input type="checkbox"/> NC
Standard:	Comment
	<i>The Quality Management System was found to have two major non-conformances (Element 5 & 21) and two minor non-conformances (Element 12 & 14).</i>

Element 2 Quality Management System Policy**PLAN**

The Operational Plan shall document a Quality Management System Policy that provides the foundation for the Quality Management System, and:

- a. is appropriate for the size and type of the subject system;
- b. includes a commitment to the maintenance and continual improvement of the Quality Management System;
- c. includes a commitment to the consumer to provide safe drinking water;
- d. includes a commitment to comply with applicable legislation and regulations; and is in a form that provides for ready communication to all Operating Authority personnel, the Owner and the public.

DO

The Operating Authority shall establish and maintain a Quality Management System that is consistent with the Policy.

FINDING:	<input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC
Standard:	Comments
	Policy statement includes commitments to b), c) & d) in an easy to distribute format. QMS Policy is in the Mapping Room, the Inventory Room and near the main stairwell by the entrance to the Operations Center.
REF	E2: (Quality Management Policy) 19 June 2018

Element 3 Commitment and Endorsement

PLAN

The Operational Plan shall contain a written endorsement of its contents by Top Management and the Owner.

DO

Top Management shall provide evidence of its commitment to an effective Quality Management System by:

- ensuring that a Quality Management System is in place that meets the requirements of this Standard;
- ensuring that the Operating Authority is aware of all
- applicable legislative and regulatory requirements;
- communicating the Quality Management System according to the procedure for communications; and
- determining, obtaining or providing the resources needed to maintain and continually improve the Quality Management System.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Commitment statement signed by Top Management (Commissioner, Development & Infrastructure Services; Manager, Water/Wastewater; and Director, Public Work Services) and Ownership (Mayor and CAO).</p> <p>Verified that the OA has provided the resources necessary to maintain the QMS.</p> <p>Top Management has displayed a definite commitment to continual improvement of the drinking water system through the studies to address the problems with system residuals.</p> <p>OFI: Ensure the new Compliance Coordinator is hired in a timely fashion to minimize the challenges with staff resources during the transition phase.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 4 QMS Representative**PLAN**

The Operational Plan shall identify a Quality Management System representative.

DO

Top Management shall appoint and authorize a Quality Management System representative who, irrespective of other responsibilities, shall:

- a. administer the Quality Management System by ensuring that processes and procedures needed for the Quality Management System are established and maintained;
- b. report to Top Management on the performance of the Quality Management System and any need for improvement;
- c. ensure that current versions of documents required by the
- d. Quality Management System are being used at all times;
- e. ensure that personnel are aware of all applicable legislative and regulatory requirements that pertain to their duties for the operation of the subject system; and promote awareness of the Quality Management System throughout the Operating Authority.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>QMS rep assigned to Manager – Water/Wastewater.</p> <p>Communication with Top management is addressed under Element.20 Management Review</p> <p>Communication of regulatory requirement and awareness of the QMS is addressed in Element 12 Communications.</p> <p>Currency of documentation is addressed in Element 5 Document and Record Control.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 5 Document and Records Control

PLAN

The Operational Plan shall document a procedure for document and records control that describes how:

- a. documents required by the Quality Management System are:
 - i. kept current, legible and readily identifiable;
 - ii. retrievable;
 - iii. stored, protected, retained and disposed of; and
- b. records required by the Quality Management System are:
 - i. kept legible, and readily identifiable;
 - ii. retrievable;
 - iii. stored, protected, retained and disposed of.

DO

The Operating Authority shall implement and conform to the procedure for document and records control and shall ensure that the Quality Management System documentation for the subject system includes:

- a. the Operational Plan and its associated processes and procedures;
- b. documents and records determined by the Operating Authority as being needed to ensure the effective planning, operation and control of its operations; and
- c. the results of internal and external audits and management reviews.

FINDING: <input type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input checked="" type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Documents and records are stored in hard copy and on the server. Verified that all documents have Title, Revision Date and Identifier on each document.</p> <p>Template records all have a date, title and record author field.</p> <p>Verified the following records were available in the location indicated on the Document/Record log: * Corporate Drive Dead End Flushing Form (link broken) * Equipment Calibration Records (Compliance Office) * AWQI Reports (Compliance Office) * COC Form (T shared drive) * Lab Test Results (Licensed laboratory) * Policies and Procedures Referenced in OP (T shared drive)</p> <p>Write-access is limited to QMS Rep, QMS Admin, and Supervisor of W/WW. Server back-up occurs nightly and is located at Town Hall.</p> <p>Verified the QMS admin goes through the QMS supervisor, with final approval.</p> <p>Documents are stored off the ground in the Compliance Office</p> <p>Mj - Many issues related to the currency and consistency within the operational plan are documented in the following OFI:</p> <p>OFI – Documents are currently stored in the compliance office, but document control table indicates other locations.</p> <p>OFI – Element 9 is not consistent with Element 4 in naming the QMS Rep.</p> <p>OFI- Element 19 lists that Internal Auditor training is not required (just recommended) but</p>

	<p>Appendix 19b indicates it is part of internal auditor qualification. Cannot determine if Jeff Ellis' lack of Internal Auditor Training is a non-conformance.</p> <p>OFI- Current procedure for addressing OFI/ Preventive actions have not been documented in the Operational Plan.</p> <p>OFI – Currently OA plans to discuss procedures and the QMS at Tailboard meetings, but these discussions are not mentioned in Element 12 under OA Communication.</p> <p>OFI - Date of evaluation for Corix Water Services was not complete on Supplier Evaluation form.</p> <p>OFI- Completion date and sign-off not provided for Opportunity for Improvement forms in response to External Audit.</p> <p>OFI- Emergency Management schedule is not used to generate ER testing schedule. It is currently done on an annual basis.</p> <p>OFI- Begin keeping records or monthly verifications of monitoring equipment by Water Operators.</p> <p>OFI – Include detail on discussion of all items listed on agenda in the Management Review meeting minutes</p> <p>OFI - OA had difficulty finding some documents and records on the Electronic Drive. Many different people have responsibility for filing their documents on the electronic filing system leading to difficult to find and access records. Also, some records had missing fields or were unavailable for review.</p>
REF:	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 6 Drinking-Water System

PLAN – The Operational Plan shall document, as applicable:

a) for the Subject System:

- i. the name of the Owner and Operating Authority,
- ii. if the system includes equipment that provides Primary Disinfection and/or Secondary Disinfection:
 - A. a description of the system including all applicable Treatment System processes and Distribution System components, ✓
 - B. a Treatment System process flow chart,
 - C. a description of the water source, including:
 - I. general characteristics of the raw water supply, ✓
 - II. common event-driven fluctuations, and ✓
 - III. any resulting operational challenges and threats. ✓
 - iii. if the system does not include equipment that provides Primary Disinfection or Secondary Disinfection:
 - A. a description of the system including all Distribution System components, and ✓
 - B. a description of any procedures that are in place to maintain disinfection residuals. ✓

b) if the Subject System is an Operational Subsystem, a summary description of the Municipal Residential Drinking Water System it is a part of including the name of the Operating Authority(ies) for the other Operational Subsystems.

c) if the Subject System is connected to one or more other Drinking Water Systems owned by different Owners, a summary description of those systems which:

- i. indicates whether the Subject System obtains water from or supplies water to those systems, ✓
- ii. names the Owner and Operating Authority(ies) of those systems, and ✓
- iii. identifies which, if any, of those systems that the Subject System obtains water from are relied upon to ensure the provision of safe drinking water. ✓

DO – The Operating Authority shall ensure that the description of the Drinking Water System is kept current.

FINDING:	<input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC
Standard:	Comments
	<p>DWS services approximately 84, 224. Distribution only. Water sourced from Region of York (mixed supply). Manages all treatment and pressure maintenance system. Water is chloraminated.</p> <p>To maintain residual: free Cl conversions, enhance sampling, additional maintenance, and additional analysis of performance metrics.</p> <p>Verified through Operator interviews and discussions with OA staff that there have been no substantial changes to the process.</p> <p>Verified activities to maintain residuals through the Maintenance Records review described in Element 15.</p> <p>OFI – Booster station is no longer online, but this is not outlined in the OP.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 7 Risk Assessment

PLAN – The Operational Plan shall document a risk assessment process that:

- a) Considers potential hazardous events and associated hazards, as identified in the Ministry of the Environment and Climate Change document titled Potential Hazardous Events for Municipal Residential Drinking Water Systems, dated February 2017 as it may be amended. A copy of this document is available at www.ontario.ca/drinkingwater. ✓
- b) identifies additional potential hazardous events and associated hazards, ✓
- c) assesses the risks associated with the occurrence of hazardous events, ✓
- d) ranks the hazardous events according to the associated risk, ✓
- e) identifies control measures to address the potential hazards and hazardous events, ✓
- f) identifies Critical Control Points, ✓
- g) identifies a method to verify, at least once every calendar year, the currency of the information and the validity of the assumptions used in the risk assessment, ✓
- h) ensures that the risks are assessed at least once every thirty-six months, and ✓
- i) considers the reliability and redundancy of equipment. ✓

DO – The Operating Authority shall perform a risk assessment consistent with the documented process.

FINDING: <input type="checkbox"/> CON <input checked="" type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>RA Team assigned by QMS Implementation Team</p> <p>RPN = Likelihood + Consequence + Detectability CCP are: *controllable *RPN ≥ 10 *Risks added or removed based on discussion at RA Review. Must be identified in the comment's column.</p> <p>Full review of RA completed 5-Dec-17, 21-Nov-16, as per the revision history of Element 8.</p> <p>Minutes were created for last RA assessment (5-Dec-17) with QMS Rep, QMS Admin, Jeff Ellis, and Pauline Pierce in attendance. Previous risk assessment performed 4-Aug-16</p> <p>OFI - Consider revisiting the frequency of review to ensure you meet the requirements of your procedure and the standard.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 8 Risk Assessment Outcomes

PLAN

The Operational Plan shall document:

- a. the identified potential hazardous event and associated hazards; ✓
- b. the assessed risks associated with the occurrence of hazardous events; ✓
- c. the ranked hazardous events; ✓
- d. the identified control measures to address the potential hazards and hazardous events; ✓
- e. the identified critical control points and their respective critical control limits; ✓
- f. procedures and/or processes to monitor the critical control limits; ✓
- g. procedures to be undertaken in response to deviations from the critical control limits; and ✓
- h. procedures for reporting and recording deviations from the critical control limits. ✓

DO

The Operating Authority shall implement and conform to the procedures.

FINDING:	<input type="checkbox"/> CON <input checked="" type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC
Standard:	Comments
	<p>Interviews with Operators identify they can identify the correct procedures and apply those procedures.</p> <p>Several risks without RPN > 10 are not included as CCP (controlability?). Others with RPN <10 are included but no comments provide the rationale.</p> <p>OFI - Ensure that the comments column is provided on the RA table to provide rational for additional CCP.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 9 Organizational Structure, Roles, Responsibilities and Authorities**PLAN**

The Operational Plan shall:

- a. describe the organizational
- b. structure of the Operating Authority, including respective roles, responsibilities and authorities;
- c. delineate corporate oversight roles, responsibilities and authorities in the case where the Operating Authority operates multiple subject systems;
- d. identify the person, persons or group of people within the management structure of the organization responsible for undertaking the Management Review;
- e. identify the person, persons or group of people having Top Management responsibilities required by this Standard, along with their responsibilities; and
- f. identify the Owner of the subject system.

DO

The Operating Authority shall keep current the description of the organizational structure, including respective roles, responsibilities and authorities, and shall communicate this information to Operating Authority personnel and the Owner.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
Additional Comments	<p>Lists the roles, responsibilities and authorities for Ownership, Top management (Commissioner D&IS; Director, PWS; Manager W/WW S), Supervisor W/WW, Compliance Coordinator (QMS Rep), and Operators, Water Quality Admin Assistant and the Water Quality Analyst</p> <p>Verified the roles and responsibilities of the following persons through interview; CAO, Commissioner of Development & Infrastructure Services, Director, Public Works Services, and Operators.</p> <p>Also verified that following roles and responsibilities through audit observation: WQ Admin Assistant, Manager of Water and Wastewater Services, and the Supervisor of Water and Wastewater.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 10 Competencies**PLAN**

The Operational Plan shall document competencies required for

- a. personnel performing duties directly affecting drinking water quality; ✓
- b. activities to develop and maintain competencies for personnel performing duties directly affecting drinking water quality; and ✓
- c. activities to ensure that personnel are aware of the relevance of their duties and how they affect safe drinking water. ✓

DO

The Operating Authority shall undertake activities to:

- a. meet and maintain competencies for personnel directly affecting drinking water quality and shall maintain records of these activities; and ✓
- b. ensure that personnel are aware of the relevance of their duties and how they affect safe drinking water, and shall maintain records of these activities. ✓

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Operators must provide evidence of Certificate (posted at Operations Centre) Verified Operator Certificates for Four Operators.</p> <p>Training reviewed annually, along with a performance review. Verified for Blair Saunders and Alex Begley (9-Apr-2018).</p> <p>Employee outcomes identify the Employee's desired training moving forward. Supervisor of W/WW keeps a summary on his desk and accommodates training desires where possible. Follow-up meeting is held after 6 months to discuss the status of these items.</p> <p>Verified through several tailgate meetings that SOPs are reviewed on an infrequent basis (17-May-18, 15-Feb-18, 16-Mar-18). See finding under Element 12.</p> <p>Currently transitioning the Compliance 365 software package to streamline record keeping for Training and Sample Results.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 11 Personal Coverage**PLAN**

The Operational Plan shall document a procedure to ensure that sufficient personnel meeting the identified competencies are available for duties that directly affect drinking water quality.

DO

The Operating Authority shall implement and conform to the procedures.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>M-F 7:30 – 4:00</p> <p>ORO – available at all times... Verified e-mail sent detailing ORO will be away and designating Manager – Water and Wastewater as ORO.</p> <p>On-call crews – at least one Class 1 Operator. Verified the On-call list was available for Summer 2018. The on-call list for Winter 2018 will be released shortly.</p> <p>Contractors and other municipalities can support.</p> <p>Verified Corex (also listed on ESS list), and TriSan (ESS list) are some of these contractors.</p> <p>Non-unionized workplace, so no labour shortages.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 12 Communications

PLAN – The Operational Plan shall document a procedure for communications that describes how the relevant aspects of the Quality Management System are communicated between Top Management and:

- a) the Owner,
- b) Operating Authority personnel,
- c) Suppliers that have been identified as essential under Plan (a) of Element 13 of this Standard, and
- d) the Public.

DO – The Operating Authority shall implement and conform to the procedure.

FINDING: <input type="checkbox"/> CON <input type="checkbox"/> OFI <input checked="" type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
Owner	Verified the MR Minutes were communicated to council Report 2018-13 (19-Mar-18). OP available on the server.
OA	<p>TM – Quarterly QMS meetings & monthly management meetings. Staff – Orientation session, OP review (every 3 yrs), and</p> <p>Daily tailgate meetings are conducted, but there is limited discussion of the QMS. (not listed in the OP, see finding under Element 5)</p> <p>Could find no evidence of the OP review at the time of the audit.</p>

	<p>Verified awareness of the QMS through contractor sign-off forms with QMS statement.</p> <p>Verified that Crowle and 26-Jun-2013 and WAMCo 26-Jun-2013, but no additional letters have been received.</p> <p>Verified the contact information was sent in 2013. No further update letters have been received since that date.</p> <p>Verified QMS Policy is available in the mapping room and on the website (accessed 20-Sep-2018)</p>
	<p>Could find no evidence of QMS statement provided in tender documents</p> <p>OFI- Consider documenting how the contact update letters are used within the procedure. (e.g. for verifying qualifications, and DWQMS update). Last returned contact information update letter was from 2013.</p>
REF	DWQMS Operational Plan; Element 12 Communication Issued: 6 May 2009 Rev: 12 June 2018

Element 13 Essential Supplies & Services**PLAN**

The Operational Plan shall:

- a. identify all supplies and services essential for the delivery of safe drinking water and shall state, for each supply or service, the means to ensure its procurement; and
- b. include a procedure by which the Operating Authority ensures the quality of essential supplies and services, in as much as they may affect drinking water quality.

DO

The Operating Authority shall implement and conform to the procedures.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
List	Contact list most recently updated 18-Jan-2018. Rentals, contractors, maintenance contractor, parts suppliers, lab equipment supplier and services, etc.
Quality	OA oversight & using reputable supplies. Contractors are overseen and reviewed by OA staff. Verification of review of Corix Water Services from (no date of evaluation, see findings under Element 5) . Evaluation form is completed for each vendor (about 20 or so). Two major suppliers. Built a rapport with supplies, and long established relationships.
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 14 Review & Provision of Resources

PLAN – The Operational Plan shall document a procedure for reviewing the adequacy of the infrastructure necessary to operate and maintain the Subject System that:

- a) Considers the outcomes of the risk assessment documented under Element 8, and
- b) Ensures that the adequacy of the infrastructure necessary to operate and maintain the Subject System is reviewed at least once every Calendar Year.

DO – The Operating Authority shall implement and conform to the procedure and communicate the findings of the review to the Owner.

FINDING: <input type="checkbox"/> CON <input type="checkbox"/> OFI <input checked="" type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Annual review by W/WW Sup, Manager of W/WW Ops, and Dir. Of PWS, during the management review.</p> <p>W/WW Supervisor indicates that feedback is provided on the 5 year capital plan through e-mail. Infrastructure committee meetings occur on monthly basis. Little evidence of discussion of the condition of infrastructure.</p> <p>Mn – Reviewed Management review. At that point there was no evidence of discussion of the 5 year capital plan as it relates to more current infrastructure needs.</p> <p>5 year project Construction Plan for Water Projects (Last updated 29-Jun-2018)</p> <p>Could provide no evidence the capital plan extends to the required 10 year projection.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 15 Infrastructure Maintenance, Rehabilitation and Renewal

PLAN – The Operational Plan shall document:

- a) a summary of the Operating Authority's infrastructure maintenance, rehabilitation and renewal programs for the Subject System, and
- b) a long term forecast of major infrastructure maintenance, rehabilitation and renewal activities.

DO – The Operating Authority shall:

- a) keep the summary of the infrastructure maintenance, rehabilitation and renewal programs current,
- b) ensure that the long term forecast is reviewed at least once every Calendar Year,
- c) communicate the programs to the Owner, and
- d) monitor the effectiveness of the maintenance program.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
Planned Activities	<p>Unidirectional Flushing- Yearly rotating Programs or as determined by monitoring.</p> <p>Dead End Flushing- Flushing schedule will be determined by monitoring.</p> <p>Hydrant Inspections-Yearly</p> <p>Valve Inspections-Year rotating program to ensure each valve has been operated over a 4 year period</p> <p>Verified the following dead ends met internal requirements for flushing 702 Hempen Crt (Once quarterly) and 114 Eden (twice quarterly) for the first three quarters of 2018.</p> <p>No evidence of valve inspections. Water Analyst indicates that valve inspections occur as part of the uni-directional flushing program and the swabbing program. See finding under Element 5.</p>
Long Term forecast	5 year project infrastructure plan provided (26-Jun-2018). See element 14.
Monitor effectiveness	Provided a spreadsheet with KPI (main breaks, CCTV inspection of watermain line) to monitor . Verified spreadsheet outlining Main breaks, and the mapping online with common locations of main breaks.
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 16 Sampling Testing & Monitoring

PLAN

The Operational Plan shall document:

- a sampling, testing and monitoring procedure for process control and finished drinking water quality, including requirements for sampling, testing and monitoring at the conditions most challenging to the subject system;
- a description of any relevant sampling, testing or monitoring activities that take place upstream of the subject system; and
- a procedure that describes how sampling, testing and monitoring results are recorded and shared between the Operating Authority and the Owner, where applicable.

DO

The Operating Authority shall implement and conform to the procedures.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
Sampling	<p>Chlorine Residuals – checked throughout week - 27 chlorine residual – (35-40 per day) Micor – 92 samples per month... Verified that 130 samples collected in July 2018 and 100 samples collected in November 2017 Lead – Reg Relief– 8 Distribution samples – Dec 15, 2017 to April 15, 2018- 9 distribution samples collect on 22-Mar-18 all BDL THM last sampled Jul 30, 2018. Verified Lead Regulator Relief in MDWL 124-10 (7-Mar-2018)</p> <p>Follow-up for adverse results was verified with 3 samples taken, one upstream, one at the sampling point and one downstream. The following adverse results were reviewed AWQ140190, and 138101.</p> <p>Data Reporting software called WaterTrax, shifting to compliance 365.</p>
Communication with Owner	Verified the Annual Summary was communicated to council through Information Report (2017-14, 26-Feb-18)
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 17 Measurement and Recording Equipment Calibration and Maintenance

PLAN

The Operational Plan shall document a procedure for the calibration and maintenance of measurement and recording equipment.

DO

The Operating Authority shall implement and conform to the procedures.

FINDING: <input type="checkbox"/> CON <input checked="" type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Verified calibrations for Two Colorimeters through calibration sticker and calibration forms from Hach (1-Nov-2017); PCS test (1-Jan-17) internally, and DR 2800 Spectrophotometer (1-Nov-17).</p> <p>Requires units are calibrated every 6 months by Qualified Contractor (test kits),</p>

	<p>however this calibration is overdue for the Colorimeters and the Spectrometers.</p> <p>pH/temp pens calibrated as needed by operators (monthly max). Monthly calibrations occur according to calibration records.</p> <p>OFI – Consider reviewing the frequency at which the calibration of devices is required. Last calibration of devices occurred in November 2017.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 18 Emergency Management

PLAN

The Operational Plan shall document a procedure to maintain a state of emergency preparedness that includes:

- a. a list of potential emergency situations or service interruptions; ✓
- b. processes for emergency response and recovery; ✓
- c. emergency response training and testing requirements; ✓
- d. Owner and Operating Authority responsibilities during emergency situations; ✓
- e. references to municipal emergency planning measures as appropriate; and ✓
- f. an emergency communication protocol and an up-to-date list of emergency contacts. ✓

DO

The Operating Authority shall implement and conform to the procedures.

FINDING: <input type="checkbox"/> CON <input checked="" type="checkbox"/> OFI MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
List	References RA Outcomes for a list of Emergency Events. Last updated 7-Dec-2017, as per revision history.
Procedures	Refers to SOPs for Emergency Procedures. Verified during audit that their procedures identify actions required and the communication procedure. Main Break (PWS-POL-002) and Low chlorine residual (PWS-POL-001A).
Communication	Verified through operator interviews that they understand and would follow the identified chain of command in the event of an emergency.
Training	<p>Actual emergency occurred after a watermain break near CN rail tracks. Called in On-call, and emergency contractor. Called appropriate authorities. E-mail provided with appropriate response measures listed, which was sent to staff members who were involved. There was no evidence of a debrief meeting provided at the time of the audit. Verified SOP review– Watermain Break Review on 2-Nov-17.</p> <p>Verified the Emergency Response and notification procedure was followed for AWQI 140190 & 138101.</p> <p>OFI - The SOPs are not reviewed at the indicated frequency. More pressing concerns such as maintenance. In the process of revising procedures, and will review when complete. Consider planning more frequent SOP reviews during tailboard talk meetings.</p>
Test	Desktop exercise or mock scenario as per ER Testing schedule. Contracted out to Team 1 Academy Inc. on October 16, 2017. Review of sanitary main failures.
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 19 Internal Audits

PLAN – The Operational Plan shall document a procedure for internal Audits that:

- a) evaluates conformity of the Quality Management System with the requirements of this Standard,
- b) identifies internal Audit criteria, frequency, scope, methodology and record-keeping requirements,
- c) considers previous internal and external Audit results, and
- d) describes how Quality Management System Corrective Actions are identified and initiated.

DO – The Operating Authority shall implement and conform to the procedure and shall ensure that internal Audits are conducted at least once every Calendar Year.

FINDING: <input checked="" type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Internal Auditor Qualifications include a requirement for Internal Auditor Training.</p> <p>Training provided for Pauline Pierce (Iss. 7-Mar-2015). No internal auditor training certificate provided for Jeff Ellis.</p> <p>Verified the internal audit was conducted in 2017 by Pauline Pearce, Alison Day, and Jeff Ellis (2-Aug-2017), and in 2018 by (Pauline Pierce, Blair Saunders, and Luigi Colangelo).</p> <p>Follow-up as CAR.</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 20 Management Review

PLAN

The Operational Plan shall document a procedure for management review that evaluates the continuing suitability, adequacy and effectiveness of the Quality Management System and that includes consideration of:

- a. incidents of regulatory non- compliance; ✓
- b. incidents of adverse drinking- water tests; ✓
- c. deviations from critical control point limits and response actions; ✓
- d. the efficacy of the risk assessment process; ✓
- e. internal and third-party audit results; ✓
- f. results of emergency response testing; ✓
- g. operational performance; ✓
- h. raw water supply and drinking water quality trends; ✓
- i. follow-up on action items from previous management reviews; ✓
- j. the status of management action items identified between reviews; ✓
- k. changes that could affect the QMS; ✓
- l. consumer feedback; ✓
- m. the resources needed to maintain the QMS; ✓
- n. the results of the infrastructure review; ✓
- o. Operational Plan currency, content and updates; and ✓
- p. staff suggestions. ✓

DO – Top Management shall implement and conform to the procedure and shall:

- a) ensure that a management review is conducted at least once every Calendar Year,
- b) consider the results of the management review and identify deficiencies and actions items to address the deficiencies,
- c) provide a record of any decisions and action items related to the management review including the personnel responsible for delivering the action items and the proposed timelines for their implementation, and
- d) report the results of the management review, the identified deficiencies, decisions and action items to the Owner

FINDING: <input type="checkbox"/> CON <input checked="" type="checkbox"/> OFI <input type="checkbox"/> MN <input type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Verified Management review too place 5-Dec-2017 with representative from Top Management (Director of Public Works), QMS Representative/Lead, Manager of Water/Wastewater, and Overall Responsible Operator (ORO)</p> <p>Summary report of all PLAN sub-elements verified through PP presentation.</p> <p>Verified action items and responsible person identified.</p> <p>OFI- Include timelines for action items on the Management Review meeting minutes.</p> <p>Also see Finding under Element 5 for Management Review meeting minutes.</p> <p>Verified the Minutes were communicated to council Report 2018-13 (19-Mar-18)</p>
REF	DWQMS Operational Plan Issued: 6 May 2009 Rev: 12 June 2018

Element 21 Continual Improvement

PLAN – The Operating Authority shall develop a procedure for tracking and measuring continual improvement of its Quality Management System by:

- a) reviewing and considering applicable best management practices, including any published by the Ministry of the Environment and Climate Change and available on www.ontario.ca/drinkingwater, at least once every thirty-six months;
- b) documenting a process for identification and management of Quality Management System Corrective Actions that includes:
 - i. investigating the cause(s) of an identified non-conformity,
 - ii. documenting the action(s) that will be taken to correct the non-conformity and prevent the non-conformity from re-occurring, and
 - iii. reviewing the action(s) taken to correct the non-conformity, verifying that they are implemented and are effective in correcting and preventing the re-occurrence of the non-conformity.
- c) documenting a process for identifying and implementing Preventive Actions to eliminate the occurrence of potential non-conformities in the Quality Management System that includes:
 - i. reviewing potential non-conformities that are identified to determine if preventive actions may be necessary,
 - ii. documenting the outcome of the review, including the action(s), if any, that will be taken to prevent a non-conformity from occurring, and
 - iii. reviewing the action(s) taken to prevent a non-conformity, verifying that they are implemented and are effective in preventing the occurrence of the non-conformity.

DO – The Operating Authority shall strive to continually improve the effectiveness of its Quality Management System by implementing and conforming to the procedure.

FINDING: <input type="checkbox"/> CON <input type="checkbox"/> OFI <input type="checkbox"/> MN <input checked="" type="checkbox"/> MJ <input type="checkbox"/> NC	
Standard:	Comments
	<p>Speak with counterparts at other municipalities, review of technical magazine (OWWA, AWWA, Optflow, etc.), review Ministry website regularly. Looking at a Continual Improvement policy.</p> <p>OFI/suggestions are addressed through OFI Follow-up Report, however this is not documented under El. 19 or El 21 of the OP. See finding under Element 5 Document and Record Control</p> <p>External Audit – Mn addressed as verified on the CAR report for Element 19. Under construction watermark removed. OFI Under element 3 was addressed by referencing the correct appendix (3a)</p> <p>However no CAR or OFI forms were available for 2017 Internal Audit. Mj under Element 2 was not addressed explicitly, but tailboard talks do occur which discuss the QMS but is not listed in Element 12 (see finding under Element 5). Mj under Element 17 - nothing done to address calibration during procedure reviews. OFI under Element 10 for training on the relevance of their duties to the QMS has not been addressed. OFI - Consider including MR review action items in the same manner as other continual improvement initiative.</p> <p>Verified Opportunity for Improvement Follow- up report was completed for El3 - Outlining Top</p>

	<p>Management, Ownership and ORO roles in the Corporate structure.</p> <p>Problems with the central zone for low Chlorine residuals due to water age. OA has begun to implement programs such as :</p> <p>free Cl conversions, enhanced sampling, additional maintenance, and additional analysis of performance metrics. Brought in a consulting engineer with a report on water age and how to splitting up pressure to reduce water age, and improve water quality.</p> <ul style="list-style-type: none">•
REF	Element 21 Continual Improvement Issued: 6 May 2009 Rev: 23 April 2018 Page 3 of 3

APPENDIX B: MEETING ATTENDANCE LIST



**TOWN OF NEWMARKET
INTERNAL DWQMS AUDIT**

Meeting Attendance List

FILE NO: NEW-ECM1718-104

Auditor: AET Group Inc.

Auditee: Town of Newmarket

Opening Meeting Date: 19-Sep-18 ~~19-Mar~~ Time Start: 8:00 AM Time End: 8:30 AM

Closing Meeting Date: 20-SEP-18 Time Start: 3:15 PM Time End: 4:16:30 PM

NAME	POSITION	INITIALS	
		OPENING	CLOSING
<u>Ryan Bourner</u>	<u>Lead Auditor</u>	<u>RB</u>	<u>RB</u>
<u>Pauline Pierce</u>	<u>Acting Compliance</u>	<u>PP</u>	<u>PP</u>
<u>JEFF FELLIS</u>	<u>W/WW SUPERVISOR ORO</u>	<u>JF</u>	<u>JF</u>
<u>LUIGI COLANGELO</u>	<u>MANAGER OF W/WW</u>	<u>LC</u>	<u>LC</u>

The auditee understands that the audit will only serve the purpose of conformance review to verify conformance with the DWQMS at that one-time sampling. Conformance will indicate that the requirements of the Standard were met on the particular audit day(s) and should not be construed by the auditee, or anyone else, to interpret that the auditee will function in conformance following the audit.

I was advised of the above by the Auditor: Luigi Colangelo

Lead Auditor:

Ryan Bourner
Signature

19-Sep-18
Date

Management Review Meeting Agenda
Tuesday 6th November 2018

	Comments	Action	Timeline
QMS POLICY			
	<ul style="list-style-type: none"> The Town of Newmarket is committed to consistent delivery of safe drinking water through compliance with applicable legislative and regulatory requirements The Town will strive to achieve this goal through the implementation, maintenance, and continuous improvement of the Drinking Water Quality Management System (DWQMS) The Town commits to ensure open communication, both with the public, as well as staff concerning all policies, procedures and documentation pertaining to DWQMS 		
1. Welcome	<p>Present: Luigi C., (Chair) Chris K., Jeff E., and Peter N., Pauline P. (Minutes)</p> <p>Meeting commenced at: 09:06</p>		
2. “2018 DWQMS Management Review”	<p>Discussion initiated on the Minutes from the Previous Management Review 2017.</p> <ul style="list-style-type: none"> Magna Tower being online is helping residuals. Results for emergency response training – council report for keeping two way radio in vehicles. Discussion followed about two way radios in new vehicles if they need to be installed. Management agreed they should be installed. Discussion around when Magna tower went off and came back on again. All Sample Stations have been refurbished and are basically all brand new. Suppliers list needs to go out yearly and ensure NSF certified parts. 		
3. Incidents of Regulatory Non-Compliance	<ul style="list-style-type: none"> Based on the external audit from SAI Global no non-conformances AET new internal auditor found 3 major non-conformance, 2 minor non-conformances and 5 OFI's. We need to state on tender documents the QMS relevancy statement. Chris K. needed clarification why this was needed. Luigi C. advised we are communicating our operational plan with contractors. Chris K. would like to see the wording. <p>Timeline – Chris K. to get back to Luigi C. with edits end of next week for wording to be included in future tenders at the end of the month.</p>	LC	

	Comments	Action	Timeline
	<ul style="list-style-type: none"> Document and record control –Luigi C. advised that this was in progress and meeting set up with Sarah Niezen to discuss corporate filing system. Chris K. went through the elements that were identified in the AET internal audit. Chris K. discussed the Essential Suppliers List and advised that procurement has their own essential suppliers list. For WWW that list should be the same as the procurement list. Luigi C. to work with procurement and make sure that the lists match up. Wording needs to be put in contracts. Timeline: Within 30 days of awarding of tender Jeff E. will ensure essential suppliers match ours. File structure for T:\ is currently being updated Update the documents & records control table. New SOP and form has been developed for equipment calibration. Procedure review will be tomorrow. Follow up reports – need to be done for management review as a checklist to identify that everything has been completed. All these action items have been started and attach documents as needed. Emergency management procedure – emergency testing schedule wording has been changed to annually in Operational Plan. Element 19 – Jeff Ellis does not need to be an internal auditor. Pauline P. to do up signature for Chris K. and Peter N. for OFI's for internal/external audit. Computer in map room will have link to document and records control table and click link so operators can access link. OFI's for Element 10 - Add language on DWQMS relevant to duties in Element 10 – what responsibilities do Luigi C., Jeff E, Lead Hands have and it needs to relate back to DWQMS. Jeff Ellis advised that SOP's should be put as monthly review. Element review should be bi-weekly. Action: Pauline P. to update the Outlook calendar and the agenda items in standard meetings. Asset management Element 14 – Bill Wilson is working on this under asset management. Bill W. has all the information on materials, age of pipe, history of breaks. Bill W. will come up with a condition assessment rating threshold and depending on the number this asset will be addressed or not. This will go through roads needs assessment. This will turn into the 5 year capital plan. Luigi C. to speak with Bill W. about this and where he is with it. Peter N. would like to see those numbers in order to get more funding. Peter N. can 	<p>LC/JE</p> <p>PP</p> <p>PP</p> <p>PP</p> <p>PP</p> <p>PP</p> <p>PP</p>	<p>Ongoing</p> <p>Ongoing</p> <p>December 2018</p> <p>December 2018</p>

	Comments	Action	Timeline
	<p>then show how we priorities water/sewer programme and how it works in conjunction with the roads department. Underground can drive road reconstruction. This process through asset management allows you to prioritise work.</p> <ul style="list-style-type: none"> We present our information to Engineering who presents to the Commissioner and multi-year budget done up. Once Bill W. is ready he can bring it to IMC meeting with Gord MacMillan and then Rachel Prudhomme can bring it to Chris K. and Peter N. Timeline: this needs to be added to the IMC agenda for deadline of August. Luigi C. to put it on the "To Do" List. MECP Inspection – one report was not resolved within allotted time of 7 days. – AWQI SOP's have been updated and staff have been trained on this. Water main break form – MECP wanted certain information on form which is now being worked on by InfoMax. Luigi C. will compile a letter to MECP advising that we addressed all non compliances. Pauline P. advised of meeting held with Sipo Ching of Compliance365 and how we are working on AWQI reporting through Compliance365 to simplify the process. Luigi C. spoke with Becky Hester, Acting Manager York Region Health Services about adverse reporting. She will be meeting with Luigi C., Jeff E., Blair S., and Pauline P. 	LC	
4. Incidents of Adverse Drinking Water Quality	<ul style="list-style-type: none"> Luigi C. advised that there was a high number of incidents when Brett Ealey-Borsa left it was 318. Pauline P. to do up a chart for AWQI reports for chlorine, TC, Ecoli – go back 10 years if we have information. 	PP	January 2019
5. Deviations from Critical Control Points (CCP) Limits and Response Actions	<ul style="list-style-type: none"> Luigi C. enquired from Jeff E. how many water main breaks this year. Jeff E. advised that there was about 22 this year. Critical Control Points relates to what we can handle – hydrants, valves, what we can isolate. Jeff E. enquired would you consider it a CCP what we experienced on Park Ave this year. Third party had some control on our system and did not sample correctly. We took control over Park Ave. All agreed. Jeff E. to provide Pauline P. with paragraph for annual report. 	JE	

	Comments	Action	Timeline
6. The Effectiveness of the Risk Assessment	<ul style="list-style-type: none"> Luigi C. advised that there was a complete risk assessment where we went through all possible risk scenarios. Chris K. would like to Claude Duval CYFS to have attend risk assessment. Claude does HIRA – takes risk and goes through a programme and gives a rating in our risk assessment. 	PP	
7. Internal and External Audit Results	See above.		
8. Results of Emergency Response Testing	<ul style="list-style-type: none"> Report not issued yet. Pauline P. to put in dates scheduled. Post Meeting Notes: Emergency Response Training was held on Friday 19 October and Thursday 1 November 2018. 		
9. Operational Performance	<ul style="list-style-type: none"> Working with Region and Stantec. Non revenue water – for 2018 need chart done up on it. 10 years if possible. Will be put in financial plan. Commissioners, directors and managers meet every two months to go over operational performance. Date, people that were there and any presentations done. Action - PP to work with LC dates and presentations and attendees Split with Region for pressure zones. Jeff E. advised what is holding us up is Region has Peel feed which requires maintenance and that feed will stop. The feed will come from Toronto and Aurora. We are on hold until this happens. Roy Huetl, Mike Rabeau, James Steele and Chris K. will be meeting to ensure we are on the same page. Roy H. and Chris K. will go to Peter N. and Erin Mahoney (Commissioner at York Region) with this. Swabbed in Glenway area. Corix are uni-directional flushing 	PP PP and LC	January 2019
10. Drinking Water Quality Trends	<ul style="list-style-type: none"> Wells came on in January. Water age issue. Refurbishment of sample stations. Tender will be going out for all of the contracts to provide parts. Luigi C. to let Pauline P. know when this will happen. 	LC	As soon as

	Comments	Action	Timeline
	<ul style="list-style-type: none"> Jeff E. advised that we will have DWQMS Training for 3rd party contactors. In order to work on our systems we need operators (Corix) to do course to reporting adverse. We provide training to competent worker. Any third party to work on our system – we need licences and training. 		contracts are issued
11. Follow-up on Action Items Identified Between Reviews	<ul style="list-style-type: none"> Suppliers list - NSF approved parts into contracts and essential suppliers. Meetings annually Provider on procurement list is noted as an essential/emergency supplier. Essential/emergency supplier needs contact information annually. 		
12. Changes that Could Affect the QMS	<ul style="list-style-type: none"> Luigi C. advised that there were a number of changes over the year. Updating SOP's and updating elements in DWQMS. All changes have to be communicated. WQ analyst, compliance and inspector needs to be documented. Working with the Region – east west split and pressure changes which need to be documented. 		
13. Level of Customer Satisfaction	<ul style="list-style-type: none"> Pauline P. to get a list from Blair S. of water quality complaints and get chart for customer complaints. Jeff E. advised after hours calls to be added – get data from DATS Pauline P. to obtain information from “Level of Customer Satisfaction” survey relating specifically to water which will be provided to Council on 5 December 2018. Pauline P. to contact Bonnie Munslow 6 December 2018 to obtain this information. 	PP PP	January 2019 6 December 2018
14. Consumer Feedback	<ul style="list-style-type: none"> See above level of customer satisfaction. 		
15. Resources Needed to Maintain the QMS	<ul style="list-style-type: none"> Compliance Analyst and Inspector. We have ½ a person for water meters. Luigi C. adding backflow prevention and fire hydrant testing to this position to equal one person for private side. Test private side for water quality yearly. 		

	Comments	Action	Timeline
16. Provision of Adequate Human and Financial Resources	<ul style="list-style-type: none"> Six year plan - Chris K. advised that once we get the condition assessment and tie it with roads needs study we can meet to include in financial plan. 		
17. Results of Infrastructure Review	<ul style="list-style-type: none"> Luigi C. advised that he has IMC meetings. Moving forward we will have a specific yearly meeting. Asset management with Bill W. status is ongoing Luigi C. advised that there will be meeting minutes for yearly meeting. 		
18. Operational Plan	<ul style="list-style-type: none"> Elements discussed. – Access for operators to operational plan. 		
19. Currency of Operational Plan, Content and Updates	<ul style="list-style-type: none"> Discussion how we will update the links in the documents and records control table for access for operators. Working on Continual Improvement procedure and Action Request Form (ARF). 		
20. List of Staff Suggestions	N/a		
21. Recommendations of Management Review	<ul style="list-style-type: none"> AET will be doing up council report on roles and responsibilities. Chris K. and Peter N. meeting new councillors today. Element 12 – note Commissioner and Director meeting 3 new council members and within their orientation there is discussion of DWQMS. December 12, 2018 – AET will be giving presentation on Standard of Care to all Council. 		

	Comments	Action	Timeline
22. Additional Items	n/a		
Next Meeting:	6 th November 2019		

Meeting concluded at 11:45 am

**Ministry of the Environment,
Conservation and Parks**
Central Region
York Durham District Office
230 Westney Road South, 5th Floor
Ajax ON L1S 7J5
Toll-Free : 1-800-376-4547
Telephone.: 905-427-5600
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**Ministère de l'Environnement, de la
Protection de la nature et des Parcs**
Région du Centre
Bureau de district de York Durham
230 route Westney sud, 5^e étage
Ajax ON L1S 7J5
Sans frais : 1-800-376-4547
Téléphone : 905 427-5600
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September 18th, 2018

The Town of Newmarket
1275 Maple Hill Ct.
Newmarket, ON, L3Y 9E8

Attention: Mr. Luigi Colangelo, Manager of Operations, Public Works

**RE: Newmarket Distribution System
Drinking Water Inspection Report**
File: SI YO NE MA 540A

Please find attached the Ministry of the Environment, Conservation and Parks inspection report for the above facility. The report details the findings of the inspection that began on June 15, 2018.

Please note that as of June 29, 2018 the Ministry of the Environment and Climate Change's name has changed to the Ministry of the Environment, Conservation and Parks. This name change will take some time to be reflected in ministry materials and systems.

The Appendix section of the inspection includes the Stakeholder Appendix A with links to key reference and guidance materials available on the Ministry of the Environment Conservation and Parks (MECP) website. Appendix B contains the inspection rating record.

In the inspection report, any "*Actions Required*" are linked to incidents of non-compliance with regulatory requirements contained within the Act, a regulation, or site-specific approvals, licenses, permits, orders or instructions. Such violations could result in the issuance of mandatory abatement instruments including Orders, tickets, penalties, or referrals to the ministry's Investigations and Enforcement Branch.

"*Recommended Actions*" convey information that the owner or operating authority should consider implementing in order to advance efforts already in place to address such issues as emergency preparedness, the availability of information to consumers, and conformance with existing and emerging industrial standards. Please note that items which appear as recommended actions do not, in themselves, constitute violations.

Please note, you will find in the report that bullets are shown in bold print and are the consistent and standard responses to the information gathered during the inspection. Statements shown in regular font provide additional site-specific details.

Section 19 of the Safe Drinking Water Act (Standard of Care) creates a number of obligations for individuals who exercise decision-making authority over municipal drinking water systems. Please be aware that the Ministry has encouraged such individuals, particularly municipal councillors, to take steps to be better informed about the drinking water systems over which they have decision-making authority. These steps could include asking for a copy of this inspection report and a review of its findings. Further information about Section 19 can be found in *"Taking Care of Your Drinking Water: A guide for members of municipal council"* found under "Resources" on the Drinking Water Ontario website at www.ontario.ca/drinkingwater.

I would like to thank the Town of Newmarket staff for the assistance afforded to me during this compliance assessment. If you have any questions or concerns please contact myself or Tessa Villeneuve, Water Compliance Supervisor (A), Central Region at 905-427-5630.

Yours truly,



Jennifer Moulton
Provincial Officer
Ministry of the Environment, Conservation and Parks
Drinking Water and Environmental Compliance Division
Central Region
Office: (905) 427-5618

cc:

Jeff Ellis, Supervisor Water and Wastewater, Town of Newmarket
Pauline Pierce, Compliance Coordinator-Water/Wastewater (A), Town of Newmarket
Ben Longstaff, Lake Simcoe Conservation Authority
Becky Hester, Manager of Health Protection, York Region Health Department
Tanya Fishenden, Admin Clerk, Safe Water Team, York Region Health Department
Tessa Villeneuve, Supervisor, York Durham District Office, MECP



Ministry of the Environment, Conservation and Parks

NEWMARKET DISTRIBUTION SYSTEM

Inspection Report

Site Number:	260003188
Inspection Number:	1-I6JAP
Date of Inspection:	Aug 22, 2018
Inspected By:	Jennifer Moulton





TABLE OF CONTENTS

1. Drinking Water System Owners Information
2. Drinking Water System Inspection Report

Appendix:

- A. Stakeholders Appendix
- B. Inspection Rating Record

OWNER INFORMATION:

Company Name:	NEWMARKET, THE CORPORATION OF THE TOWN OF		
Street Number:	395	Unit Identifier:	
Street Name:	MULOCK Dr		
City:	NEWMARKET		
Province:	ON	Postal Code:	L3Y 4X7

CONTACT INFORMATION

Type:	Manager	Name:	Luigi Colangelo
Phone:	(905) 953-5300 x2553	Fax:	(905) 953-5319
Email:	lcolangelo@newmarket.ca		
Title:	Manager Water/Wastewater		

Type:	Supervisor	Name:	Jeff Ellis
Phone:	(905) 953-5300 x2564	Fax:	(905) 953-5319
Email:	jellis@newmarket.ca		
Title:	Supervisor Water/Wastewater		

Type:	Coordinator	Name:	Pauline Pierce
Phone:	(905) 953-5300 x2563	Fax:	(905) 953-5319
Email:	ppierce@newmarket.ca		
Title:	Compliance Coordinator (A)		

INSPECTION DETAILS:

Site Name:	NEWMARKET DISTRIBUTION SYSTEM
Site Address:	1275 MAPLE HILL CRT NEWMARKET L3Y 9E8
County/District:	Newmarket
MECP District/Area Office:	York-Durham District
Health Unit:	YORK REGION HEALTH SERVICES DEPARTMENT
Conservation Authority:	
MNR Office:	
Category:	Large Municipal Residential
Site Number:	260003188
Inspection Type:	Announced
Inspection Number:	1-I6JAP
Date of Inspection:	Aug 22, 2018
Date of Previous Inspection:	Nov 03, 2017

COMPONENTS DESCRIPTION

Site (Name):	MOE DWS Mapping	Sub Type:	
Type:	DWS Mapping Point		

Site (Name):	Newmarket Distribution System
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Type: Other**Sub Type:****Comments:**

The Newmarket Distribution System is owned and operated by the Town of Newmarket (The Town) and serves approximately 84,000 residents. The System receives treated water from the York Drinking Water System - Newmarket, which is owned and operated by The Regional Municipality of York (The Region).

The Region is responsible for the supply, production, treatment, and storage of the water and the Town owns and operates the distribution system that delivers the water from the regional watermains to homes in Newmarket. The Town owns and maintains approximately 300 km of watermains, 3,000 mainline valves, 2,500 fire hydrants, 25 sampling stations and 25,900 metered water services.

The Newmarket Well Supply System, owned and operated by the Region, consists of five production wells that draw water from the Yonge St. Aquifer and six water storage facilities. Chloramination (adding chlorine and ammonia) is the disinfection process used for the Newmarket production wells. The Newmarket Well Supply System also receives treated water from the Queensville Water Supply System, the Aurora Well Supply System, and two pipelines that supply water from the Region of Peel and the City of Toronto.

INSPECTION SUMMARY:

Introduction

- The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period.

This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O. Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.

This report is based on an inspection of a "stand alone connected distribution system". This type of system receives treated water from a separately owned "donor" system. This report contains the elements required to assess key compliance and conformance issues associated with a "receiver" system. This report does not contain items associated with the inspection of the donor system, such as source waters, intakes/wells and treatment facilities.

This report is based on a "focused" inspection of the system. Although the inspection involved fewer activities than those normally undertaken in a detailed inspection, it contained critical elements required to assess key compliance issues. This system was chosen for a focused inspection because the system's performance met the ministry's criteria, most importantly that there were no deficiencies as identified in O. Reg. 172/03 over the past 3 years. The undertaking of a focused inspection at this drinking water system does not ensure that a similar type of inspection will be conducted at any point in the future.

This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

On August 22, 2018, Provincial Officer, Jennifer Moulton conducted an announced on-site inspection of the Newmarket Distribution System. Documents pertaining to the system were reviewed both on-site and off-site following the physical inspection.

Information and assistance with the inspection was provided by Town of Newmarket staff. Data was reviewed for the inspection period of October 1, 2017, to August 11, 2018.

The Newmarket Distribution System operates under Municipal Drinking Water Licence (MDWL) No. 124-101, issue No. 5, dated March 7, 2018, and Drinking Water Works Permit (DWWP) No. 124-201, issue No. 2, dated May 19, 2017.

For the purpose of this report, "the Town" refers to the Corporation of the Town of Newmarket and "the Ministry" refers to the Ontario Ministry of the Environment Conservation and Parks.

Treatment Processes

- The owner had ensured that all equipment was installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit.

Schedule A of the Drinking Water Works Permit (DWWP) No. 124-201, Issue Number 2, indicates that watermain in the distribution system comprise those set out in the 2016 Newmarket WDS document.

At the time of the inspection, the Permit was not required to be updated to include watermain that have been

Treatment Processes

added, modified, replaced, or extended as all watermain projects were conducted in accordance with Condition 3 of the Permit.

- **The owner/operating authority was in compliance with the requirement to prepare Form 1 documents as required by their Drinking Water Works Permit during the inspection period.**

Three Form 1 documents – Record of Watermains Authorized as Future Alteration were prepared for the Newmarket Distribution System during the inspection period. All three were for installation of new watermains.

Treatment Process Monitoring

- **The secondary disinfectant residual was measured as required for the distribution system.**

Ontario Regulation 170/03, Schedule 7-2 (3), requires the owner of a large municipal residential system that provides secondary disinfection, to take at least seven (7) distribution samples each week and test immediately for:

- a) Free chlorine residual, if the system provides chlorination and does not provide chloramination, or
- b) Combined chlorine residual, if the system provides chloramination.

Four (4) of the samples must be taken on one day of the week and three (3) of the samples are to be taken on a second day of the week, at least 48 hours after the last sample was taken.

The Newmarket Distribution System has experienced chlorine residual decay, particularly in the central zone. In response, a secondary disinfection sampling program that exceeds the requirements of O. Reg. 170/03 has been developed and implemented. Chlorine residual samples were collected and tested several days a week from multiple locations.

Distribution System

- **Existing parts of the distribution system that are taken out of service for inspection, repair or other activities that may lead to contamination, and all new parts of the distribution system that come in contact with drinking water, were disinfected in accordance with Schedule B, Condition 2.3 of the Drinking Water Works Permit, or an equivalent procedure (i.e. the Watermain Disinfection Procedure).**

In accordance with condition 2.3 of the Drinking Water Works Permit (DWWP) No. 124-201, "The Town of Newmarket Public Works and Environmental Department Maintenance Services Procedures" meet the Procedure for Disinfection of Drinking Water in Ontario and the applicable AWWA standards.

Watermain breaks are repaired under positive pressure and chlorine residuals are monitored to ensure adequate disinfection is maintained in the area of the watermain break. New watermains are installed as per the ministry's Watermain Disinfection Procedure.

Operations Manuals

- **The operations and maintenance manuals contained plans, drawings and process descriptions sufficient for the safe and efficient operation of the system.**

Up to date plans and drawings were available for review at the time of the inspection. The Town of Newmarket is using GIS (Geographic Information System) programming to capture and store information pertaining to the distribution system. The data is current and is available to view by operations staff.

- **The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.**

Operations Manuals

Condition 16.0 of Schedule B of the Municipal Drinking Water Licence (MDWL), No. 124-101, lists the items to be included in the operations and maintenance manual.

Logbooks

- **Logbooks were properly maintained and contained the required information.**
- **Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.**

Security

- **The owner had provided security measures to protect components of the drinking water system.**

The majority of the drinking water components are underground. Extra equipment is stored securely at the operations centre inside the building and within the fenced area. The building and fence are locked with intruder alarms after hours.

Certification and Training

- **The overall responsible operator had been designated for each subsystem.**
- **Operators in charge had been designated for all subsystems which comprised the drinking-water system.**

Water Quality Monitoring

- **All microbiological water quality monitoring requirements for distribution samples were being met.**

In accordance with section 10-2 of Schedule 10 of O. Reg. 170/03, the Town must collect at least eight distribution samples, plus one additional sample for every 1,000 people served by the system, every month with at least one sample taken each week, as per O. Reg. 170/03, Schedule 10-2. All samples are to be analyzed for E-coli (EC), total coliforms (TC) of which 25% of the required samples must also be tested for heterotrophic plate count (HPC).

For the current population served by this system, 92 samples are to be collected monthly and analysed for E-coli (EC), and total coliforms (TC). Sample data for this inspection period showed that the required number of samples was collected monthly.

- **All haloacetic acid water quality monitoring requirements prescribed by legislation are being conducted within the required frequency and at the required location.**

Haloacetic acids (HAA) monitoring is conducted at least once every calendar quarter within the drinking water system's distribution system, as required by section 13-6.1 of Schedule 13 of O. Reg. 170/03.

- **All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location.**

Trihalomethane (THM) monitoring is conducted every three months, as required by section 13-6(1) of Schedule 13 of O. Reg. 170/03.

- **All water quality monitoring requirements imposed by the Municipal Drinking Water Licence and Drinking Water Works Permit were being met.**

The Town was granted regulatory relief for lead sampling under MDWL No. 124-101, section 1 of Schedule D. In

Water Quality Monitoring

exchange of regulatory requirements under Schedule 15.1 of O. Reg. 170/03, the owner was required to collect eight (8) sampling points in the distribution system. For the inspection period, this was in effect for the December 15, 2017 to April 15, 2018 and June 15, 2018 to October 15, 2018 sampling periods. Lead sampling for the summer/fall 2018 was scheduled for after the inspection period

- **Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.**

The chain of custody forms, reviewed at the time of the inspection, confirmed that chlorine residual tests were conducted at the same time and same location the microbiological samples were taken.

Water Quality Assessment

- **Records did not show that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O.Reg. 169/03).**

During the inspection period, there were 23 occurrences where total coliforms were detected in the distribution system. These exceeded the values set out in Schedule 1 of O. Reg. 169/03. See below in report for the corrective actions taken.

Reporting & Corrective Actions

- **Corrective actions (as per Schedule 17) had been taken to address adverse conditions, including any other steps that were directed by the Medical Officer of Health.**

During the inspection review period, there were 95 adverse water quality incidents (AWQIs) reported, 75 of which were due to chlorine residuals dropping below the regulatory limit. The Town responded to each low chlorine incident by flushing the distribution system until residuals had been restored above the regulatory limit.

Twenty AWQIs were due to the presence of total coliforms in the distribution system. Resamples were collected in each incident until they met the Ontario Drinking Water Quality Standards (ODWQS).

- **All required notifications of adverse water quality incidents were not immediately provided as per O. Reg. 170/03 16-6.**

On November 9, 2017, an AWQI was reported for a low chlorine residual below the regulatory requirement of 0.05 mg/L free or 0.25 mg/L combined, which occurred on November 7, 2017. Two samples were collected at the same source at the same time with two different devices while conducting advanced sampling. Corrective actions were taken at the time by flushing downstream to get an adequate residual. The Town suspected the lower residual was inaccurate. The Ministry gave guidance on November 10, 2018, to have the equipment verified/calibrated. If it is determined that the adverse was an erroneous result, it can be retracted. The equipment was found to be working within specification. It was determined the error may have been with the sample cell of the equipment that gave the higher reading having discolouration, scratched, condensation or some foreign debris on the actual lens of the unit. This AWQI was not reported immediately, as required by O. Reg. 170/03 Schedule 16-6.

- **All changes to the system registration information were provided within ten (10) days of the change.**

Other Inspection Findings

- **The following instance(s) of non-compliance were also noted during the inspection:**

1. For one Adverse Water Quality Incident (AWQI), during this inspection period, a written notice of issue resolution was provided to the Ministry a day later than the prescribed seven (7) days. The AWQI was resolved on November 28, 2017 and the notice of issue resolution was submitted on December 6, 2017. Under Section 16-9(1), of the Drinking Water Systems Regulation, O. Reg 170/03: if an immediate report of a written notice is given under the

Other Inspection Findings

same Schedule and the issue that gave rise to the notice is resolved, the owner of the drinking water system shall, within 7 days after the issue is resolved, give a written notice summarizing the action taken and the results achieved to, (a) the medical officer of health, by delivering the written notice to the office of the medical officer of health; and (b) the Ministry, by delivering the written notice to the Ministry's Spills Action Centre.

2. Watermain break/repair records are not clear on which of the listed certified operators took chlorine residuals and at what time the residuals were taken. Often another record would be made with the time the residual was taken. The watermain break/repair records record the time the watermain was re-instated and the amount of time the watermain was flushed, but the exact time was not recorded. The Town is in the process of digitizing their watermain break/repair forms and indicated these forms will ensure the record will contain the required information. As per Schedule 6-10 of O. Reg. 170/03, the owner and operating authority is to ensure that, for every sample required by Schedule 7, a record is made of the following information:

- the date and time the sample was taken
- the name of the person who conducted the test
- the results of the test

- **The following issues were also noted during the inspection:**

1. At the time of the inspection, two 5 Litre chlorine solution containers were seen on a shelf in the garage. Floor drains were seen in the garage that leads to a stormwater management pond. The undersigned officer was advised that normally these would be kept in the flammable storage unit which provides secondary containment.

2. Although the Town has an extensive chlorine monitoring program, it was noted that total chlorine residuals over 2.20 mg/L were not being measured in the "High Range" mode for the HACH pocket colorimeters. Therefore, the results being recorded were not accurate.

Refer to Summary of Best Practice Issues and Recommendations for further recommendations.

NON-COMPLIANCE WITH REGULATORY REQUIREMENTS AND ACTIONS REQUIRED

This section provides a summary of all non-compliance with regulatory requirements identified during the inspection period, as well as actions required to address these issues. Further details pertaining to these items can be found in the body of the inspection report.

1. All required notifications of adverse water quality incidents were not immediately provided as per O. Reg. 170/03 16-6.

On November 9, 2017, an AWQI was reported for a low chlorine residual below the regulatory requirement of 0.05 mg/L free or 0.25 mg/L combined, which occurred on November 7, 2017. Two samples were collected at the same source at the same time with two different devices while conducting advanced sampling. Corrective actions were taken at the time by flushing downstream to get an adequate residual. The Town suspected the lower residual was inaccurate. The Ministry gave guidance on November 10, 2018, to have the equipment verified/calibrated. If it is determined that the adverse was an erroneous result, it can be retracted. The equipment was found to be working within specification. It was determined the error may have been with the sample cell of the equipment that gave the higher reading having discolouration, scratched, condensation or some foreign debris on the actual lens of the unit. This AWQI was not reported immediately, as required by O. Reg. 170/03 Schedule 16-6.

Action(s) Required:

The Town of Newmarket is to ensure that an immediate report, as described in section 16-6 of O. Reg. 170/03, is given of adverse results of a drinking water test for the purpose of section 18 of the Safe Drinking Water Act.

The Town is currently conducting a comprehensive review of all their procedures. The AWQI procedure is being reviewed and a more streamline approach to reporting and resolving AWQIs will be implemented in order to avoid a reoccurrence. The Town will also be providing training to staff both internally and externally.

1. By no later than September 28, 2018, the owner/operator shall submit an action plan to the undersigned officer detailing how they will prevent future non-compliances with section 16-6, of O. Reg. 170/03.

2. It is also recommended that the Town update their "Measurement and Recording Equipment Calibration Procedure" to include checking the sample cells for discolouration, scratches etc. while checking the accuracy of their hand held colorimeters with the secondary standards.

2. The following instance(s) of non-compliance were also noted during the inspection:

1. For one Adverse Water Quality Incident (AWQI), during this inspection period, a written notice of issue resolution was provided to the Ministry a day later than the prescribed seven (7) days. The AWQI was resolved on November 28, 2017 and the notice of issue resolution was submitted on December 6, 2017. Under Section 16-9(1), of the Drinking Water Systems Regulation, O. Reg 170/03: if an immediate report of a written notice is given under the same Schedule and the issue that gave rise to the notice is resolved, the owner of the drinking water system shall, within 7 days after the issue is resolved, give a written notice summarizing the action taken and the results achieved to, (a) the medical officer of health, by delivering the written notice to the office of the medical officer of health; and (b) the Ministry, by delivering the written notice to the Ministry's Spills Action Centre.

2. Watermain break/repair records are not clear on which of the listed certified operators took chlorine residuals and at what time the residuals were taken. Often another record would be made with the time the residual was taken. The watermain break/repair records record the time the watermain was re-instated and the amount of time the watermain was flushed, but the exact time was not recorded. The Town is in the process of digitizing their watermain break/repair forms and indicated these forms will ensure the record will contain the required information. As per Schedule 6-10 of O. Reg. 170/03, the owner and operating authority is to ensure that, for every sample

required by Schedule 7, a record is made of the following information:

- the date and time the sample was taken
- the name of the person who conducted the test
- the results of the test

Action(s) Required:

1. The Town is currently conducting a comprehensive review of all their procedures. The AWQI procedure is being reviewed and a more streamline approach to reporting and resolving AWQIs will be implemented in order to avoid a reoccurrence. The Town will also be providing training to staff both internally and externally.

By no later than September 28, 2018, The Town of Newmarket is to submit an action plan to the undersigned Provincial Officer, which states details of additional actions being taken to ensure compliance with Schedule 16-9 (1) of O. Reg. 170/03.

2. The Town of Newmarket shall ensure that for every sample taken under Schedule 7 (Operational Checks) of O. Reg. 170/03, a record is made of the date and time the sample was taken, the name of the person who conducted the test, the result of the test, and the location where the sample was taken, as required by Schedule 6-10 or O. Reg. 170/03.

The Town is in the process of reviewing forms and making them accessible to operators through mobile applications. The Town plans to include the required information.

It is recommended that all chlorine residual records are checked for completeness including the date, time, location; result and name of sampler in accordance with section 6-10 of Schedule 6 of O. Reg. 170/03.

SUMMARY OF RECOMMENDATIONS AND BEST PRACTICE ISSUES

This section provides a summary of all recommendations and best practice issues identified during the inspection period. Details pertaining to these items can be found in the body of the inspection report. In the interest of continuous improvement in the interim, it is recommended that owners and operators develop an awareness of the following issues and consider measures to address them.

1. The following issues were also noted during the inspection:

1. At the time of the inspection, two 5 Litre chlorine solution containers were seen on a shelf in the garage. Floor drains were seen in the garage that leads to a stormwater management pond. The undersigned officer was advised that normally these would be kept in the flammable storage unit which provides secondary containment.
2. Although the Town has an extensive chlorine monitoring program, it was noted that total chlorine residuals over 2.20 mg/L were not being measured in the "High Range" mode for the HACH pocket colorimeters. Therefore, the results being recorded were not accurate.

Recommendation:

1. It is recommended that the Town of Newmarket explore options to provide secondary containment for the chlorine solution containers within their garage. One way to achieve this would be to place the chlorine solution containers into a larger empty container/bin. This is to ensure any chlorine solution leaks will be contained.
2. It is recommended that the Town of Newmarket develop a procedure for measuring chlorine residuals in the "High Range" mode and to provide training to their operators and contractors on how to use their pocket colorimeters to receive accurate results.



SIGNATURES

Inspected By:

Jennifer Moulton

Signature: (Provincial Officer)

A handwritten signature in cursive script, appearing to read "Jennifer Moulton".

Reviewed & Approved By:

Tessa Villeneuve

Signature: (Supervisor)

A handwritten signature in cursive script, appearing to read "T. Villeneuve".

Review & Approval Date:

A handwritten date in cursive script, appearing to read "Sept. 18 / 18".

Note: This inspection does not in any way suggest that there is or has been compliance with applicable legislation and regulations as they apply or may apply to this facility. It is, and remains, the responsibility of the owner and/or operating authority to ensure compliance with all applicable legislative and regulatory requirements.



APPENDIX A

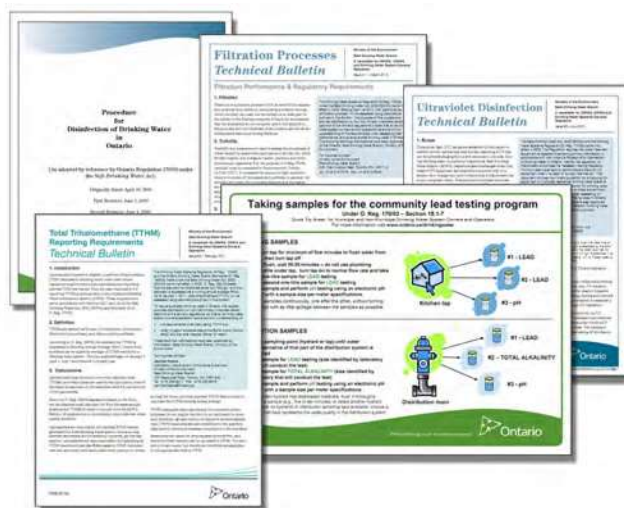
STAKEHOLDER APPENDIX

Key Reference and Guidance Material for Municipal Residential Drinking Water Systems

Many useful materials are available to help you operate your drinking water system. Below is a list of key materials owners and operators of municipal residential drinking water systems frequently use.

To access these materials online click on their titles in the table below or use your web browser to search for their titles. Contact the Public Information Centre if you need assistance or have questions at 1-800-565-4923/416-325-4000 or picemail.moe@ontario.ca.

For more information on Ontario's drinking water visit www.ontario.ca/drinkingwater and email drinking.water@ontario.ca to subscribe to drinking water news.



PUBLICATION TITLE	PUBLICATION NUMBER
Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils	7889e01
FORMS: Drinking Water System Profile Information, Laboratory Services Notification, Adverse Test Result Notification Form	7419e, 5387e, 4444e
Procedure for Disinfection of Drinking Water in Ontario	4448e01
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids	7152e
Total Trihalomethane (TTHM) Reporting Requirements Technical Bulletin (February 2011)	8215e
Filtration Processes Technical Bulletin	7467
Ultraviolet Disinfection Technical Bulletin	7685
Guide for Applying for Drinking Water Works Permit Amendments, Licence Amendments, Licence Renewals and New System Applications	7014e01
Certification Guide for Operators and Water Quality Analysts	
Guide to Drinking Water Operator Training Requirements	9802e
Taking Samples for the Community Lead Testing Program	6560e01
Community Sampling and Testing for Lead: Standard and Reduced Sampling and Eligibility for Exemption	7423e
Guide: Requesting Regulatory Relief from Lead Sampling Requirements	6610
Drinking Water System Contact List	7128e
Technical Support Document for Ontario Drinking Water Quality Standards	4449e01

ontario.ca/drinkingwater

Principaux guides et documents de référence sur les réseaux résidentiels municipaux d'eau potable

De nombreux documents utiles peuvent vous aider à exploiter votre réseau d'eau potable. Vous trouverez ci-après une liste de documents que les propriétaires et exploitants de réseaux résidentiels municipaux d'eau potable utilisent fréquemment.

Pour accéder à ces documents en ligne, cliquez sur leur titre dans le tableau ci-dessous ou faites une recherche à l'aide de votre navigateur Web. Communiquez avec le Centre d'information au public au 1 800 565-4923 ou au 416 325-4000, ou encore à picemail.moe@ontario.ca si vous avez des questions ou besoin d'aide.



Pour plus de renseignements sur l'eau potable en Ontario, consultez le site www.ontario.ca/eaupotable ou envoyez un courriel à drinking.water@ontario.ca pour suivre l'information sur l'eau potable.

TITRE DE LA PUBLICATION	NUMÉRO DE PUBLICATION
Prendre soin de votre eau potable – Un guide destiné aux membres des conseils municipaux	7889f01
Renseignements sur le profil du réseau d'eau potable, Avis de demande de services de laboratoire, Formulaire de communication de résultats d'analyse insatisfaisants et du règlement des problèmes	7419f, 5387f, 4444f
Marche à suivre pour désinfecter l'eau potable en Ontario	4448f01
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids (en anglais seulement)	7152e
Total Trihalomethane (TTHM) Reporting Requirements: Technical Bulletin (février 2011) (en anglais seulement)	8215e
Filtration Processes Technical Bulletin (en anglais seulement)	7467
Ultraviolet Disinfection Technical Bulletin (en anglais seulement)	7685
Guide de présentation d'une demande de modification du permis d'aménagement de station de production d'eau potable, de modification du permis de réseau municipal d'eau potable, de renouvellement du permis de réseau municipal d'eau potable et de permis pour un nouveau réseau	7014f01
Guide sur l'accréditation des exploitants de réseaux d'eau potable et des analystes de la qualité de l'eau de réseaux d'eau potable	
Guide sur les exigences relatives à la formation des exploitants de réseaux d'eau potable	9802f
Prélèvement d'échantillons dans le cadre du programme d'analyse de la teneur en plomb de l'eau dans les collectivités	6560f01
Échantillonnage et analyse du plomb dans les collectivités : échantillonnage normalisé ou réduit et admissibilité à l'exemption	7423f
Guide: Requesting Regulatory Relief from Lead Sampling Requirements (en anglais seulement)	6610
Liste des personnes-ressources du réseau d'eau potable	7128f
Document d'aide technique pour les normes, directives et objectifs associés à la qualité de l'eau potable en Ontario	4449f01

ontario.ca/eaupotable



APPENDIX B

INSPECTION RATING RECORD

Ministry of the Environment - Inspection Summary Rating Record (Reporting Year - 2018-2019)

DWS Name: NEWMARKET DISTRIBUTION SYSTEM
DWS Number: 260003188
DWS Owner: Newmarket, The Corporation Of The Town Of
Municipal Location: Newmarket

Regulation: O.REG 170/03

Category: Large Municipal Residential System

Type Of Inspection: Adhoc

Inspection Date: August 22, 2018

Ministry Office: York-Durham District

Maximum Question Rating: 232

Inspection Module	Non-Compliance Rating
Treatment Processes	0 / 18
Distribution System	0 / 21
Operations Manuals	0 / 28
Logbooks	0 / 18
Certification and Training	0 / 14
Water Quality Monitoring	0 / 63
Reporting & Corrective Actions	21 / 49
Other Inspection Findings	0 / 0
Treatment Process Monitoring	0 / 21
TOTAL	21 / 232

Inspection Risk Rating 9.05%

FINAL INSPECTION RATING: 90.95%

Ministry of the Environment - Detailed Inspection Rating Record (Reporting Year - 2018-2019)

DWS Name: NEWMARKET DISTRIBUTION SYSTEM
DWS Number: 260003188
DWS Owner: Newmarket, The Corporation Of The Town Of
Municipal Location: Newmarket

Regulation: O.REG 170/03
Category: Large Municipal Residential System
Type Of Inspection: Adhoc
Inspection Date: August 22, 2018
Ministry Office: York-Durham District

Non-compliant Question(s)	Question Rating
Other Inspection Findings	
In the event that an issue of non-compliance outside the scope of this inspection protocol is identified, a "No" response may be used if further actions are deemed necessary (and approved by the DW Supervisor) to facilitate compliance.	0
Reporting & Corrective Actions	
Were all required verbal notifications of adverse water quality incidents immediately provided as per O. Reg. 170/03 16-6?	21
TOTAL QUESTION RATING	21

Maximum Question Rating: 232

Inspection Risk Rating	9.05%
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FINAL INSPECTION RATING:	90.95%
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Legislative Services
Michael de Rond
905-726-4771
clerks@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

March 4, 2019

Delivered by email
regional.clerk@york.ca

Christopher Raynor, Regional Clerk
The Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Raynor:

Re: Town of Aurora Council Resolution of February 26, 2019
Re: Motion (b) Mayor Mrakas; Re: Cannabis Public Use By-law

Please be advised that this matter was considered by Council at its meeting held on February 26, 2019, and in this regard Council adopted the following resolution:

Whereas, as of October 17, 2018, the sale and recreational use of cannabis is now legal in Canada; and

Whereas the Provincial government has enacted legislation that "...aligns the laws surrounding the consumption of cannabis with the *Smoke-Free Ontario Act*"; and

Whereas, as cannabis use will fall under the same regulations as the *Smoke-Free Ontario Act, 2017*, it will therefore be prohibited to consume cannabis within 20 metres of a children's playground, publicly-owned sport field or sport surface, such as a basketball court, baseball field, soccer pitch, ice rink, splash pad or beach volleyball court; and it is illegal to smoke or hold lighted tobacco or cannabis on public or private school property as well as in any common areas of condos, apartment buildings, or college and university residences; and

Whereas, as per recent amendments to the *Municipal Act, 2001*, municipalities can pass by-laws respecting the smoking and vaping of cannabis that are more restrictive than the rules under the *Smoke-Free Ontario Act, 2017*; and

Re: Town of Aurora Motion (b) Cannabis Public Use By-law
March 4, 2019
Page 2 of 2

Whereas residents are concerned about the use of cannabis in public spaces; and

Whereas there is a lack of understanding as to what is or is not permitted regarding the use of cannabis in public spaces; and

Whereas consistency and clarity of regulation of use of cannabis in public spaces across municipalities in York Region is in the public interest;

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora request York Region to work with Regional municipalities to create a Regional public cannabis usage by-law that addresses and reflects community concerns regarding use of cannabis in public spaces; and**
- 2. Be It Further Resolved That, upon approval of said by-law, staff be directed to create a cannabis education/resource guide and awareness campaign, to ensure residents and businesses are aware of the regulations as they speak to the use of cannabis in public spaces; and**
- 3. Be It Further Resolved That this motion be sent to all York Region municipalities for their endorsement.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond

Town Clerk

The Corporation of the Town of Aurora

MdR/lb

Copy: All York Region Municipalities



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Construction Vibration Issues Staff Report

Report Number: 2019-29

Department(s): Planning and Building Services

Author(s): D. Ruggle, Senior Planner Community Planning

Meeting Date: March 18, 2019

Recommendations

1. That the report entitled Construction Vibration issues dated march 18, 2019 be received; and,
2. That staff require vibration impact assessments as part of a complete application for development proposals; and
3. That Council endorse the proposed notice and complaint process identified in this report.
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

Impact of vibrations emanating from construction sites in or adjacent to residential areas has been identified as an issue that needs addressing. Staff have reviewed vibration standards locally and internationally and are recommending a maximum vibration limit be put in place to mitigate the impact of excessive vibrations on nearby structures when vibrations are anticipated from a construction site.

It is recommended that a process be put in place to ensure the issue of vibration is addressed early in the planning process and that the identified notice and complaint handling process be endorsed.

Purpose

The purpose of this report is to respond to Council's direction for staff to provide recommendations and approaches to address the issues identified to protect neighbouring sites from the effects of vibrations from adjacent construction projects and to recommend notice requirements and a complaint handling process.

Background

The Town has received concerns and complaints related to vibrations as a result of nearby construction activities.

Council at their March 26, 2018 meeting made the following recommendations:

1. That the deputation by Stuart Hoffman regarding vibration control in regards to construction activity be received and referred to staff for review and report; and,
2. That staff be directed to provide recommendations and approaches to address the issues identified to protect neighbouring sites from the effects of vibrations from adjacent construction projects; and,
3. That the report should include, but not be limited to, potential by-law changes including the requirement of pre-condition surveys, effective monitoring and data reporting, resident notification and a process for complaint handling in all site plan approvals.

Discussion

The Town's geotechnical consulting engineer, Soil Eng., has provided information related to construction vibrations to assist staff in addressing the issue.

Construction activities such as soil compacting, excavations, moving heavy machinery, etc., can cause ground borne vibrations and where these activities are undertaken near existing developed areas, they can physically be felt by people and minimal movement of structures can occur. If these vibrations reach a significant level, structural damage may occur on neighbouring buildings.

Construction induced ground vibrations causes movement in the particles within the ground and it is measured by the velocity of those particles (Peak Particle Velocity (PPV) in millimeters per second (mm/sec)). The impact of vibration on individuals is subjective and will vary with each person as there are many factors that can influence human tolerance. Because of this, it is difficult to define what would be considered a nuisance. In most cases, construction vibration does not cause structural damage, but

still causes discomfort and inconvenience to residents neighbouring the construction site, even when the vibration level is below prohibited levels.

Vibration in the range of about 0.6 to 1 mm/sec will be felt by most people, and objects inside a house may be disturbed, particularly loose objects such as framed pictures on walls, cabinet doors, chairs, tables and glass in the windows. While this may have nearby residents concerned about potential damage to their property, and complaints may be filed, this level is below the level that could cause structural damage to buildings.

The City of Toronto studied the issue of construction vibrations in 2007 noting that the impact of vibrations on buildings as follows:

The predominant concern related to the impacts of vibrations on buildings are related to cosmetic cracking. The construction techniques on the interior walls of older buildings used wood support covered in thick plaster. Modern construction used drywall with paint or wallpaper. The likelihood for cosmetic cracking in older buildings is greater than modern buildings.

They also note that structures made from masonry or concrete would only crack by vibrations consistent with a blast or earthquake.

The city of Toronto report indicates that: *the research conducted for Toronto Building on construction related vibration in the City of Toronto concluded that the establishment of precise or universal criteria that define vibration thresholds is difficult. Doing so would depend on a myriad of factors related to the nature of vibrations including the source, geologic characteristics, and sensitivity of people near the source, among others. There are site specific characteristics that are likely to be unknown prior to consideration of individual sites. As a result specific criteria for construction vibrations would be an estimate of many factors.*

To prevent unnecessary disputes between developers and residents, an assessment can be undertaken prior to construction activities to determine a “zone of vibration Influence” based on the various construction activities required. This will identify the area surrounding the site that may be subject to vibrations. This study will identify the number of existing structures that need to be surveyed by way of a pre-construction inspection for existing flaws such as foundation cracks, drywall cracks, etc. before construction begins and/or identify the number of houses, if any, that require vibration monitoring during construction.

Vibration monitoring provides a record of the ground vibration induced by construction equipment and encourages contractors to stay below a set limit in order to mitigate the potential for damage. Informing the property owners around a construction site about the construction activities would also be of value.

Updated Process

Currently, with applications for development, a geotechnical report is required which assesses the soil profile and ground water information for the proposed site. To ensure that vibration issues are addressed at the early planning stages of a proposed development, as part of the pre consultation process, staff will confirm with property owners and their consultants the requirement for the geotechnical report to include a section on vibration impacts and proposed mitigation techniques. Staff will also include this requirement in future draft plan conditions of approval.

There will be a requirement that the Geotechnical Engineer will review and comment on the need for pre-condition surveys and vibration monitoring during construction. In the event proposed construction activities include deep foundations, impact pile driver, drilling caissons, soil compaction, large scale earth works (using heavy machinery like bulldozers, loaders, excavators and scrapers) and other construction activities that have the potential to cause vibration, the report will include a minimum zone of vibration influence of 30 metres of the site's property line, identifying all properties within this zone. Where vibrations are expected on neighbouring properties, all properties within the zone will be contacted by the developer requesting the owner permit a pre-construction survey to be done. Residents within the zone of influence will also be provided notice prior to any activities occurring that may cause vibrations. The report will also identify any at risk structures within the zone of influence that may be more susceptible to vibration issues such as homes with stone rubble foundations and/or plaster and lath wall finishes. The report will make recommendations on whether or not vibration monitoring is required/recommended based on the review of these structures.

Maximum vibration limits

As noted in the above discussion, a rate of 0.6 to 1.0 mm/sec can be felt by most people, however is too low to cause damage to buildings. While there is no standard ground vibration limit in Canada, it is generally accepted internationally that ground vibrations should not exceed 5mm/sec. There is no precise level at which damage begins to occur. The damage level depends on the type, condition, and age of the structure, the soil conditions, and the frequency of the vibration, however, the below recommend vibration limits represents an accepted standard that should provide the desired protection.

Staff are recommending the Town set the maximum vibration limits consistent with the international standard of 5mm/sec. for a typical wood framed structure with drywall finish which would be considered a Type 2 structure in the below chart. An older home with stone rubble foundations and plaster and lathe wall finishes would be considered a Type 3 structure which has a lower tolerance to vibration. Staff recommend a 3 mm/sec. limit for these types of structures. At these rates, vibrations are unlikely to cause cosmetic cracking in drywall, plaster and unreinforced masonry. The required vibration review will discuss the soil characteristics within the zone of influence to determine if the lower limit is necessary for any site specific development.

Type of Structure	Vibration limit at the foundation
1. Dwelling with concrete foundations, wood framed, drywall finish or equivalent	5 mm/sec
2. Structures that are particularly sensitivity to vibrations due to their age or construction technique	3 mm/sec

In an effort to reduce complaints, staff will require the developer to provide notice to the community prior to conducting activities that cause vibrations. Coupled with a pre-conditions survey, homeowners should be adequately informed of the potential impacts and the process to have issues addressed.

Notice and Complaint Handling Process

Similar to the City of Toronto, staff are proposing the following process regarding providing notice to residents and handling vibration complaints:

At least one week prior to the commencement of construction activity that may cause vibrations, the applicant will notify the ward Councillor, staff and owners and occupants of properties within the zone of influence of the scheduled construction activity.

The notice will include:

- An explanation of the proposed construction activity and its potential to produce vibrations
- The statement of the levels of construction vibration that are prohibited
- The address of the construction site where the construction activity will occur
- The date and time that the work will occur
- The name, address, telephone number and other contact information through which the person affected by vibrations may contact the applicant and the person carrying out the construction activity for the applicant
- Contact information for Nonmarket staff assigned to the project.

In the event the applicant receives a complaint or is otherwise notified of a complaint about vibrations from the construction activity, at the direction of the Town, the applicant shall cause the professional engineer monitoring the project to immediately perform vibration measurement at the complainant's location during activities representative of the offending operation and to provide to the complainant and to the Town staff assigned to the project a copy of the measurement results including an interpretation by the professional engineer of the possible impacts such construction vibrations might have on the building or structure of the complainant; and

In the event that the measurements at the complainant's location exceed the limits set out by the Town, all construction activity generating the vibrations shall immediately cease and not resume until mitigation measures are implanted to reduce the vibration levels so that they are below the limits set out by the Town.

Municipal Review

Over the course of the review, staff contacted numerous municipalities to determine how they deal with vibration issues from construction activities in their communities.

Of the responses, it appears few municipalities (with the exception of the City of Toronto) have standard requirements for vibration considerations and only require review when a development proposal is in proximity to a rail line.

Conclusion

To address the issues of impact of construction vibration on properties in proximity to development, staff are recommending that a process be put in place for new development proposals which requires a report from a qualified professional identifying a zone of vibration influence and recommending a course of action to ensure existing residents in the vicinity of the activity are adequately protected through the use of notices, pre-construction surveying and monitoring.

Business Plan and Strategic Plan Linkages

Creating new policy as it relates to mitigating impact of vibration from construction activities on neighboring communities supports the Town Vision by developing process that assist in protecting communities from adverse development impacts.

Consultation

N/A

Human Resource Considerations

N/A

Budget Impact

There is no direct budget impact as a result of this report.

Attachments

None

Approval

Commissioner, Development & Infrastructure Services

Director of Planning & Building Services

Director of Engineering Services

Contact

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at druggle@newmarket.ca



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Community Improvement Plan Partnerships Staff Report

Report Number: 2019-26

Department(s): Planning and Building Services

Author(s): Ted Horton, Planner

Meeting Date: March 4, 2019

Recommendations

1. That the report entitled Community Improvement Plan Partnerships dated March 4, 2019 be received;
2. That staff be directed to begin the process to amend the Official Plan substantially as presented in Attachment 1 to authorize the Town to participate in Community Improvement Plans implemented by the Regional Municipality of York and to bring such an amendment to a statutory public meeting as required by the *Planning Act*;
3. That following the public meeting, that comments from the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

Amendments to the *Planning Act* in 2006 enabled upper-tier municipalities to implement Community Improvement Plans, and to allow lower-tier municipalities such as Newmarket to partner and participate in them. In order to do so, the Town is required to add a policy to its Official Plan stating that the Town may choose to do so. Any budget requirements caused by the Town's participation in a Regional Community Improvement Plan still require the standard Council approvals process in addition to the process proposed herein to amend the Official Plan. This report proposes adding the required

Official Plan policy in order to provide Council with the option to employ such partnerships with the Region.

Purpose

The purpose of this report is to initiate the Official Plan Amendment process to add a policy to the Town's Official Plan to allow the Town to partner and participate in any Community Improvement Plan ("CIP") adopted by the Regional Municipality of York ("the Region"). As is discussed below, this policy is required in order for Council to be able to authorize the Town to partner on such programs. The Region does not currently have any CIPs in place but is working toward creating one to encourage affordable rental housing.

Implementing this policy in the Official Plan would not oblige the Town to participate in any CIP. Rather, adding this policy would allow Council the option to participate in a Regional CIP if one is implemented, adding another tool for the Town to be able to employ to encourage investment and improvement in the community.

Background

The *Planning Act* has long provided for the ability for municipalities to adopt Community Improvement Plans ("CIP"s). CIPs allow municipal councils to determine that improvement within a designated community improvement project area is desirable because of "age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason", as set out in subsection 28(1) of the *Planning Act*.

CIPs provide additional tools for municipalities to develop policies and programs such as acquiring and selling land, rehabilitating or constructing buildings, providing grants or loans, and other activities based on their own local needs and opportunities to bring about change and growth.

Project areas range from specific properties to streets, neighbourhoods and entire communities, while program coverage can span a wide spectrum of municipal objectives including, but not limited to:

- Municipally Driven Programs
 - infrastructure works
 - municipal property acquisition, land assembly and sale of lands
 - municipal facilities construction and rehabilitation
 - public space, parks and recreation works
 - signage, streetscape and landscaping improvements
- Incentive-Based Programs (grant, loan and property tax assistance)
 - preservation and reuse of heritage and industrial buildings
 - brownfields environmental assessment, remediation and redevelopment

- commercial building façade improvements
- downtown/core area and waterfront revitalization
- project feasibility studies
- space conversion for residential and commercial uses
- structural improvements to buildings (e.g., building upgrades)
- property tax assistance for remediation purposes

In 2006 the *Planning and Conservation Land Statute Law Amendment Act* came into force which made amendments to the *Planning Act*. This included the addition of the power for upper-tier municipalities to employ Community Improvement Plans for certain prescribed matters as laid out in O. Reg. 550/06, which includes:

1. Infrastructure that is within the upper-tier municipality's jurisdiction.
2. Land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed-use development and redevelopment.
3. Affordable housing.

The amendment also added the ability and for lower- and upper-tier municipalities to participate in the programs of one another's Community Improvement Plans. In order to participate in the programs of the other tier's Community Improvement Plans, the *Planning Act* requires that the Official Plan of the municipality contain policies related to such participation. The York Region Official Plan ("YROP") contains such a policy, reading:

8.3.6 To use the Community Improvement provisions of the *Planning Act* to implement the policies of this Plan. In doing so, the Region may:

- a.** designate any part of the Region as a Community Improvement Project Area;
- b.** enact a Regional Community Improvement Plan that utilizes incentive programs including making grants or loans within the Community Improvement Plan Area either to registered property owners or to local municipalities; and,
- c. participate in a Community Improvement Plan of a local municipality.** [*emphasis added*]

The proposed amendment to the Town's Official Plan would add a comparable policy that would allow the Town to partner and participate in any Regional CIP.

No Regional CIP is in place at this time. However, as was discussed in Report 2018-61, the Region is in the process of such a CIP to encourage mid-range affordable rental housing development.

Proposed Regional CIP

Regional Council has recently endorsed the “Draft Rental Housing Incentives Guideline and Community Improvement Plan”. This draft guideline and plan proposes to offer incentives as part of an effort to encourage private purpose-built rental housing supply for mid-range income households. This would assist in the creation of rental units that are greater in price than affordable units (which are restricted to 125% of average market rent) and support the creation of mid-range income units (at 175% of average market rent, or less), which targets households who earn incomes in the fifth and sixth decile (see image below).

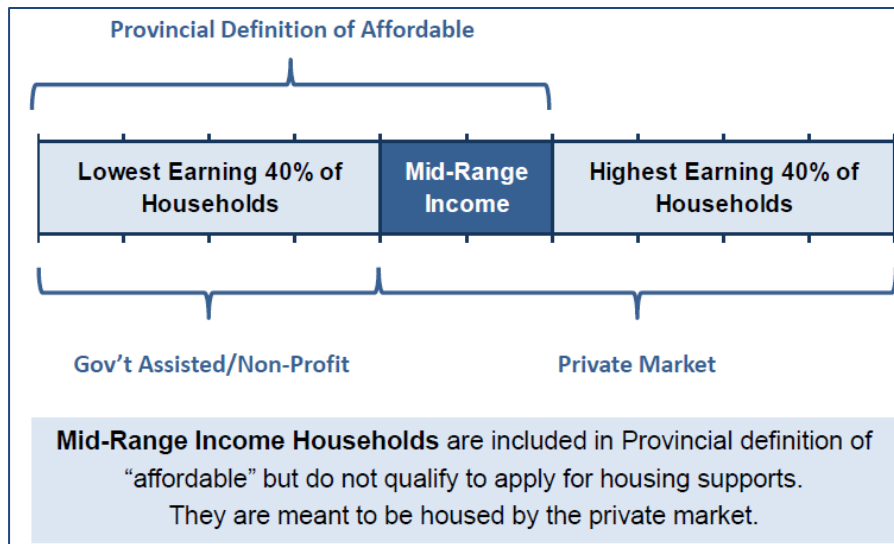


Figure 1: Mid-range income range (Source: York Region)

The Draft Rental Housing Incentives Guideline and Community Improvement Plan has not yet been approved by Regional Council, and may be amended before approval or may not be approved. If the Draft Guideline is not approved, there will remain no current Regional CIP in which the Town can participate. However, by adding the proposed policy the Town will be able to decide whether to participate in any future Region CIP that may be implemented.

The new draft Regional guideline and plan, if approved by Regional Council, would provide for a 48-month deferral of Regional development application fees (in addition to the 36-month DC deferral for purpose-built high-density rental buildings), as well as a Tax Increment Equivalent Grant (TIEG) for the Regional portion of property taxes for up to 5 years.

A TIEG is an annual grant equal to all or a portion of the property tax increase (increment) following the completion of a project that has resulted in an increase in the assessed value of the property. In effect, the increase in property tax that occurs due to the increased value of the development is phased in over a period of time as the municipality “grants back” a diminishing portion of the increase each year. The Guideline

incorporates a five year TIEG with a grant for 80 per cent of the tax increment in year one, reduced by 20 per cent a year to full taxes paid in year five.

A TIEG can only be implemented through the use of a Community Improvement Plan (CIP). CIPs are authorized under Section 28 of the *Planning Act* and provide for a broad ability for municipalities to provide grants or loans in conformity with the policies of the Plan. To date the Town has adopted a CIP for the Main Street area, but has no CIP that would enable grants in any other part of Newmarket. Regional Council has directed Region staff to implement a CIP that would enable the provision of the incentives of the “Draft Rental Housing Incentives Guideline and Community Improvement Plan”, namely the TIEG.

The Draft Rental Housing Incentives Guideline and Community Improvement Plan is proposed to extend across the entire area that is designated as the Urban Area in the YROP, which includes all of the Town of Newmarket. This enables the Region to provide the rental incentives within the Guideline anywhere in the CIP area. However, the policies of the Guideline are such that they will prioritize development in Centres & Corridors such as Yonge Street and Davis Drive, and require the support and incentives of the respective lower-tier municipality. In this way, the CIP will only be provided to projects that receive Town support. The requirements for developments to access the incentives of the proposed Regional CIP are that the development:

- Be affordable to the mid-range income group (maximum 175% of average market rent).
- Be developed, marketed and maintained as a rental property for a minimum of 20 years.
- Have Local Municipal support including similar or better incentives.
- Include open pro forma work shared with Regional staff.
- Demonstrate that attempts have been made to access senior government incentives.

The proposed Regional CIP would require the approval of each development’s incentives by both local and regional municipalities on a case-by-case basis, save for if either Council were to establish a budget and delegate authority to staff to administer the program without the need for approval of individual projects. The proposed amendment to the Official Plan would enable the Town to partner with the Region on incentives through this CIP, although would not oblige the Town to do so.

The proposed amendment to the Official Plan would enable the Town to participate in any future Regional CIP, and not only the currently-proposed Draft Rental Housing Incentives Guideline.

Historic Downtown CIP

The Town currently has one CIP located in the historic downtown area, centred on Main Street South and extending from Davis Drive to Water Street. This CIP provides assistance in the form of grants and loans for:

- Project feasibility studies
- Façade improvement & restoration
- Interior renovation & improvement
- Business signs
- Redevelopment & rehabilitation of buildings
- Development charges
- Planning & building fees
- Parking requirements
- Parkland dedication payments

Adopting the proposed amendment to the Official Plan will not affect the existing Historic Downtown CIP. If an eligible development were proposed and approved by Council within the existing Historic Downtown CIP area, it would be possible for the Town and the Region to employ the incentives of both CIPs for the same project.

Discussion

The *Planning Act* requires that a decision of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the policy statements issued under subsection (1) of the *Act*, and shall conform with provincial plans in effect on that date, or shall not conflict with them. The policy statement is the Provincial Policy Statement 2014 (the “PPS”). The provincial plans comprise the Growth Plan for the Greater Golden Horseshoe 2017 (the “Growth Plan”), the Oak Ridges Moraine Conservation Plan 2017 (the “Oak Ridges Plan”), the Greenbelt Plan 2017 (the “Greenbelt Plan”), and the Niagara Escarpment Plan 2017.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for the citizens of Ontario.

Planning decisions shall be consistent with the Provincial Policy Statement (PPS). The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The policies of the PPS support improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies set out how healthy, liveable and safe communities are to be sustained. This includes promoting efficient development and land use patterns which sustain financial well-being of the Province and municipalities over the long term and accommodating an appropriate range and mix of residential, employment, recreation, parks and open space and other uses to meet long term goals.

The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The proposed amendment is an addition of a policy to enable Council to partner with the Regional Municipality of York on any Regional Community Improvement Plans. The proposed policy enables the use of a power provided for in the *Planning Act* – the exercise of which power would then be bound by the limits of the *Act* and the requirements that planning decisions including CIPs be consistent with the PPS.

Growth Plan

The Growth Plan directs growth to built-up areas designated within municipal official plans. The Growth Plan contains policies directing that municipalities create complete communities, reduce the dependence on private automobile through mixed-use and transit-supportive development; provide for high quality public spaces; support transit, walking, and cycling; implement minimum affordable housing targets in accordance with the PPS; and achieve an appropriate transition of built form to adjacent uses.

The proposed amendment to the Official Plan does not change the land-use permissions in Newmarket. Rather, it simply enables Council to employ a tool available under the *Planning Act* – the use of which is required to be employed making decisions which conform to the provisions of the Growth Plan.

York Region Official Plan

Decisions with respect to planning matters are required to conform to the York Region Official Plan (YROP). The proposed policy closely matches a similar policy with the YROP and allows the Town to partner with the Region in CIPs that the Region may adopt.

Conclusion

The proposed Official Plan Amendment should be provided for public consultation as required by the *Planning Act* including a statutory public meeting. Following this consultation staff will return with a report or by-law and recommendation to Council.

Business Plan and Strategic Plan Linkages

Economic Development & Jobs – Creating vibrant and livable corridors along Davis Drive and Yonge Street by supporting opportunities for partnerships and with other levels of government.

Efficiency & Financial Management – Taking advantage of opportunities for funding to achieve Town goals of development.

Consultation

This report was provided for review to partners at the Regional Municipality of York. Subject to Council's approval of the recommendations of this report, the proposed Official Plan Amendment will be circulated through the standard notice process for Official Plan amendments.

Human Resource Considerations

None.

Budget Impact

No budget impacts are anticipated related to this report. The future budget impact of any participation in a CIP, should Council adopt the proposed amendment, would be discussed in the report(s) applicable to that development.

Attachments

Attachment 1 – Proposed Official Plan Amendment

Approval

Ted Horton, Planner

Richard Nethery, Director, Planning and Building Services

Peter Noehammer, Commissioner, Development and Infrastructure Services

Contact

Ted Horton, Planner – thorton@newmarket.ca

AMENDMENT NO. 23
TO THE
TOWN OF NEWMARKET
OFFICIAL PLAN

AMENDMENT NO. 23**TO THE****NEWMARKET****OFFICIAL PLAN****CONTENTS****PAGE****PART A: THE PREAMBLE**

- | | |
|------------------------------------|--------|
| 1. Purpose of the Amendment | Page 1 |
| 2. Location | Page 1 |
| 3. Basis | Page 1 |

PART B: THE AMENDMENT

- | | |
|--------------------------|--------|
| 1. Policies | Page 1 |
| 2. Implementation | Page 2 |

PART A – THE PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this amendment is to enable the Town to participate in Community Improvement Plans in partnership with the Regional Municipality of York.

2. LOCATION

As a general policy of the Official Plan, this amendment applies to the entire Town of Newmarket.

3. BASIS OF THE AMENDMENT

The *Planning Act* has long provided for the ability for municipalities to adopt Community Improvement Plans. Community Improvement Plans allow municipal councils to determine that improvement within a designated community improvement project area is desirable because of “age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”, as set out in subsection 28(1) of the *Planning Act*. Community Improvement Plans provide additional tools for municipalities to develop policies and programs such as acquiring and selling land, rehabilitating or constructing buildings, providing grants or loans, and other activities based on their own local needs and opportunities to bring about change and growth.

In 2006 the *Planning and Conservation Land Statute Law Amendment Act* came into force which made amendments to the *Planning Act*. This included the addition of the power for upper-tier municipalities to employ Community Improvement Plans for certain prescribed matters. The amendment also added the ability and for lower- and upper-tier municipalities to participate in the programs of one another’s Community Improvement Plans through making grants and loans to one another. In order to participate in the programs of the other tier’s Community Improvement Plans, the *Planning Act* requires that the Official Plan of the municipality contain policies related to such participation. This amendment adds such a policy to the Town’s Official Plan, which then permits Newmarket Council with the option to participate in any Regional Community Improvement Plan.

PART B – THE AMENDMENT

All of this part of the document entitled “Part B – The Amendment”, consisting of the following text, constitutes Amendment No. 23 to the Newmarket Official Plan.

1. POLICIES

The Newmarket Official Plan is hereby amended as follows:

Section 13.4 Implementation is amended to add subsection g) to read “participation in Community Improvement Plans of the Regional Municipality of York”.

2. IMPLEMENTATION

This Amendment to the Official Plan will be implemented as follows:

a) Participation in Regional Community Improvement Plans

The Council of the Town of Newmarket will determine whether to participate in Community Improvement Plans adopted by the Regional Municipality of York. Grants and loans made through such programs will be on such terms as to security and otherwise as the Council considers appropriate.



Town of Newmarket
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1015-1029 Davis Drive Application Staff Report

Report Number: 2019-25

Department(s): Planning and Building Services

Author(s): Ted Horton, Planner

Meeting Date: March 18, 2019

Recommendations

1. That the report entitled 1015-1029 Davis Drive Application dated March 18, 2019 be received;
2. That the application be referred to a statutory public meeting as required by the *Planning Act*;
3. That following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and
4. That Ryan Guetter, Weston Consulting, of 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8 be notified of this action.
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

The Town has received an application to amend the Official Plan and Zoning By-law 2010-40 to permit the redevelopment of the lands known municipally as 1015-1029 Davis Drive from the current three single detached dwellings to twenty-three townhouse dwellings. This report summarizes initial feedback on the application and recommends that the application be referred to a public meeting as required under the Planning Act.

This report provides (1) the context of the site, (2) the details of the proposal, (3) a discussion of the relevant planning policies and how the application addresses them, and (4) an outline of initial review comments.

Purpose

This report serves to inform Committee of the Whole of the application for zoning by-law amendment for 1015-1029 Davis Drive (hereafter referred to as the subject lands) under Section 34 of the Planning Act. This report provides the initial comments from staff from the Town and its development review partners. The recommendations of the report, if adopted, would direct staff to organize a statutory public meeting as required by the Planning Act.

Background

Context

The subject lands are currently occupied by three single-detached dwellings. The lands are located on Davis Drive at the corner of Hamilton Drive, and are three parcels of land of the five that abut Davis Drive between Belfry Drive and Hamilton Drive, part of a plan of subdivision approved in 1952 (see Figure 1 of the subject lots indicated below).

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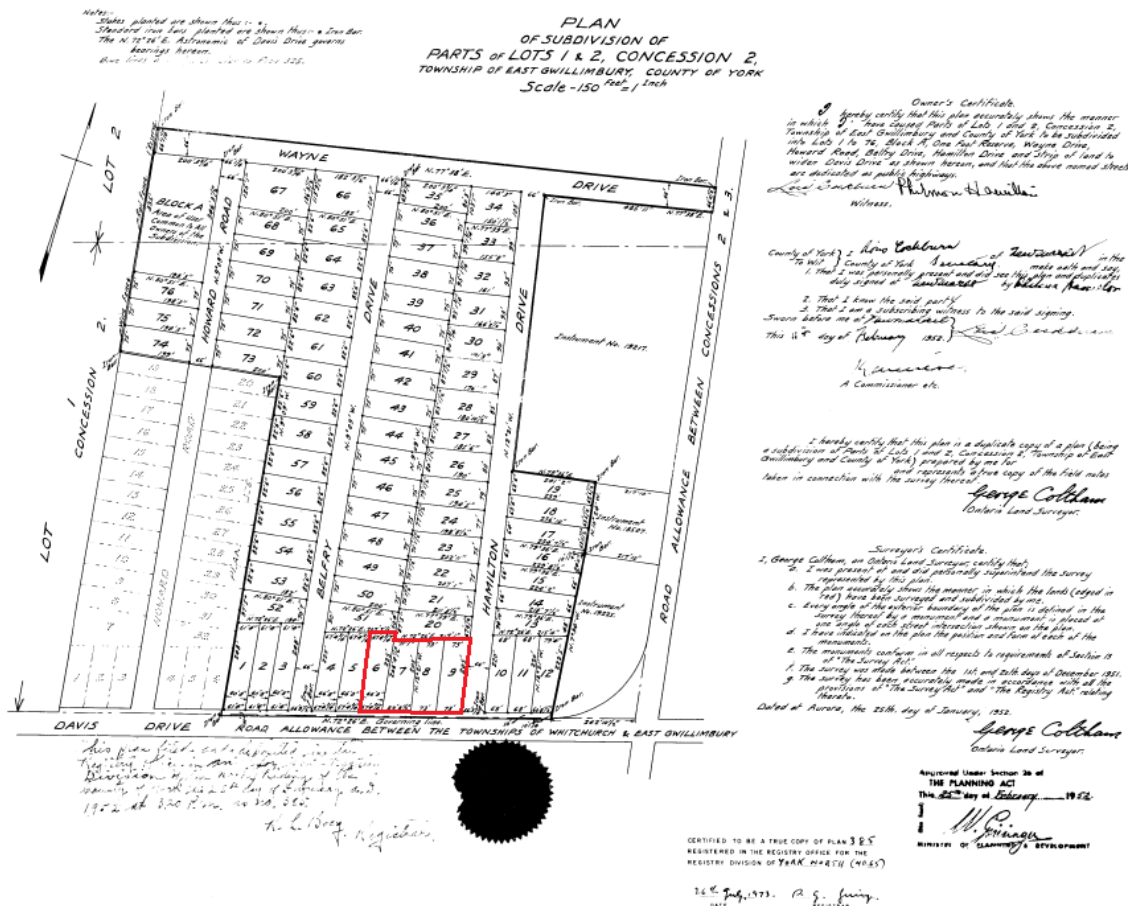


Figure 1: Plan of Subdivision for the subject lands

The subject lands are approximately 0.56 hectares (1.38 acres) in size, with a frontage on Davis Drive of 90.32 metres. The surrounding context is as follows, and is illustrated in Figure 2 as provided by the applicant:

1. North: Single detached dwellings fronting onto Belfry Drive and Hamilton Drive
2. East: Single detached dwellings fronting onto Hamilton Drive and a commercial plaza at the corner of Leslie Street and Davis Drive
3. South: Single detached residential dwellings whose rear fences face Davis Drive
4. West: Single detached dwellings fronting onto Davis Drive

Farther west on Davis Drive is the six-storey Hamilton Place seniors' apartment, and farther east a range of commercial uses and the 404 Town Centre commercial plaza.



Figure 2: Subject Lands Context

The subject lands are currently zoned Single Detached Residential 18 Metre Zone (R1-C) by Zoning By-law 2010-40, as amended, and designated Stable Residential in the Town of Newmarket Official Plan (2006).

Proposal

This section of the report will present a general outline of the proposal from the applicant, including information related to built form, open space, transportation, and tenure. The conformity of the proposal with Town policies will not be provided in this section, but rather is laid out in the following Discussion section.

Built form

The applicant is seeking to amend the Official Plan to add townhouse units on a private road as a permitted use on the subject lands. More, the applicant is seeking to amend Zoning By-law 2010-40 to permit twenty-three townhouse units in six blocks with an internal road connecting to Hamilton Drive and no vehicular access onto Davis Drive. Each block is proposed to be three stories in height, with a flat roof including a rooftop terrace for each unit. More detailed statistics related to the proposed development are available in the table below.

The general built form for each building is similar in design; each townhouse features an integral garage (built into the face of the structure) with both an internal access through the garage and exterior stairs rising to the second storey. Grey brick is proposed as the principal façade material with accents of metal panels that are white or appear to be wood.

Each townhouse rises to approximately 13 metres in height, and includes a rooftop terrace accessed through a room that also functions as a mechanical penthouse. The rear of each townhouse unit features large windows that are flush with the mail wall and a second-storey balcony. One townhouse unit is proposed to be built as an accessible barrier-free unit.

The overall proposed site plan can be seen below in Figure 3.

Project Statistics	
	1015-1029 Davis Drive
Storeys	3
Gross floor area (m²)	5,807.9 m ²
Density (Floor Space Index)	1.21
Coverage	41.6%
Total number of townhouse units	23
Amenity Area	114.9m ²
Average unit size	289.7m ²
Parking Spaces	44 resident 3 visitor
Barrier-free parking spaces	1 visitor
Bicycle parking spaces	44

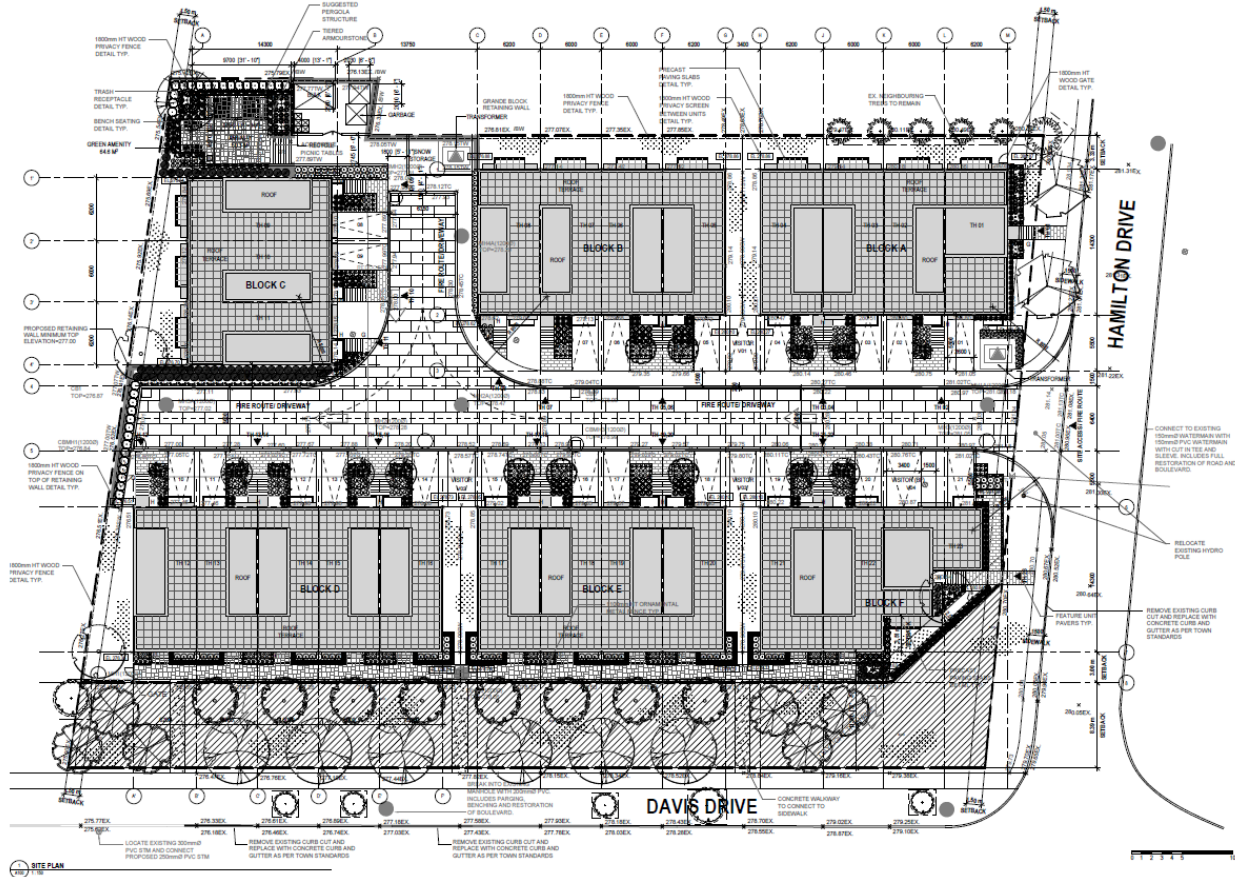


Figure 3: Proposed phasing and development blocks

Open Space

Each of the units along the north and east blocks is proposed to have a rear yard of between 2 and 4 metres in depth. The townhouse units along the south blocks would have a small landscaped area in the interior of the site adjacent to their driveway and a small front step fronting onto Davis Drive.

The proposed development also includes a small shared outdoor amenity area. The proposal includes one amenity area at the northwest corner of the subject lands comprised of a pair of seating areas surrounded by landscaping and privacy fencing.

Transportation

The proposed development is oriented around a 6 metre wide private laneway that runs east-west across the site with a northerly T-turn around. The road features a pedestrian connection through the site along the northerly edge of the internal road.

The subject lands are located along Davis Drive, which features a range of transit options, as illustrated in the figure below and including:

- VIVA Yellow

- 100 metres from site – Rapidway service every 15 minutes along Davis Drive
- 50 Queensway
 - 100 metres from site – Local service Georgina to Newmarket GO Bus Terminal
- 55 Davis Drive
 - 100 metres from site – Local service along Davis Drive
- 521 Newmarket Community Bus
 - 100 metres from site – Route designed for seniors and people with disabilities to link to seniors' residences, medical facilities, community centres and shopping areas
- 56 Gorham/Eagle
 - 200 metres from site – Local service Leslie Street, Harry Walker Parkway, Gorham Street, and Eagle Street to Newmarket GO Bus Terminal
- 57 Mulock
 - 200 metres from site – 404 Town Centre along Mulock Drive to Bathurst Street and Newmarket GO Bus Terminal

The subject lands are also located a bus ride from regional transit options, including:

- Newmarket GO Train Station (10 minute bus ride)
 - Connections southbound on Barrie GO line to Union Station and northbound to Barrie Allendale
- Newmarket GO Bus Terminal (13 minute bus ride)
 - Connections to VIVA Blue serving Yonge Street, GO Buses to Union Station and Yorkdale

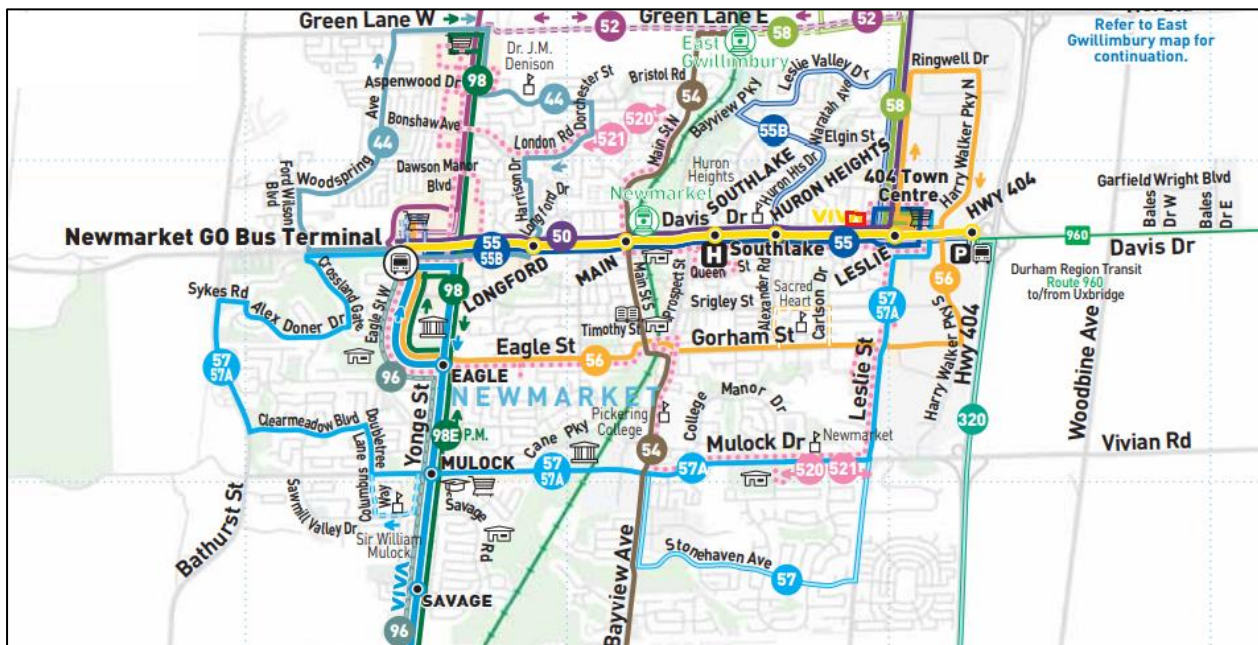


Figure 4: York Region Transit map

The proposed development includes 44 parking spaces for residents and four visitor parking spaces, of which one is barrier-free.

Tenure

The applicant has indicated in their Planning Justification report that the intended tenure for Phase 1 is to divide the townhouse units as Parcels of Tied Land (POTLs) with the internal road privately owned as a common element condominium. This is similar in format to other developments that Council has considered including 260 Eagle Street and 955-995 Mulock Drive (Gordon Circle).

The effect of this is that the road is the undivided shared property of the townhouses that abut the street. This avoids the need for the Town to assume the ownership and maintenance of the road and the services therein, but then instead places that cost and obligation onto the property owners on the street. This varies from if the same number of townhouses were built on a traditional public street, in which case the Town would assume that long-term responsibility.

Affordable Housing

The applicant has indicated in their Planning Justification report that the proposed built form of three-bedroom townhouses will accommodate families at a more affordable scale than the predominating built form of single detached housing in the surrounding area. No specific price points for the sale of units has been proposed.

Discussion

The Planning Act requires that a decision of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the policy statements issued under subsection (1) of the Act, and shall conform with provincial plans in effect on that date, or shall not conflict with them. The policy statement is the Provincial Policy Statement 2014 (the “PPS”). The provincial plans comprise the Growth Plan for the Greater Golden Horseshoe 2017 (the “Growth Plan”), the Oak Ridges Moraine Conservation Plan 2017 (the “Oak Ridges Plan”), the Greenbelt Plan 2017 (the “Greenbelt Plan”), and the Niagara Escarpment Plan 2017.

Applicable policies and how they are addressed by this application are discussed below. In certain sections comments from staff regarding how the application might be improved to better align with these policies is presented, beginning principally in the section discussing the Town’s Official Plan.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the PPS sets the policy foundation for regulating the development

and use of land. It also supports the provincial goal to enhance the quality of life for the citizens of Ontario.

Planning decisions shall be consistent with the Provincial Policy Statement. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

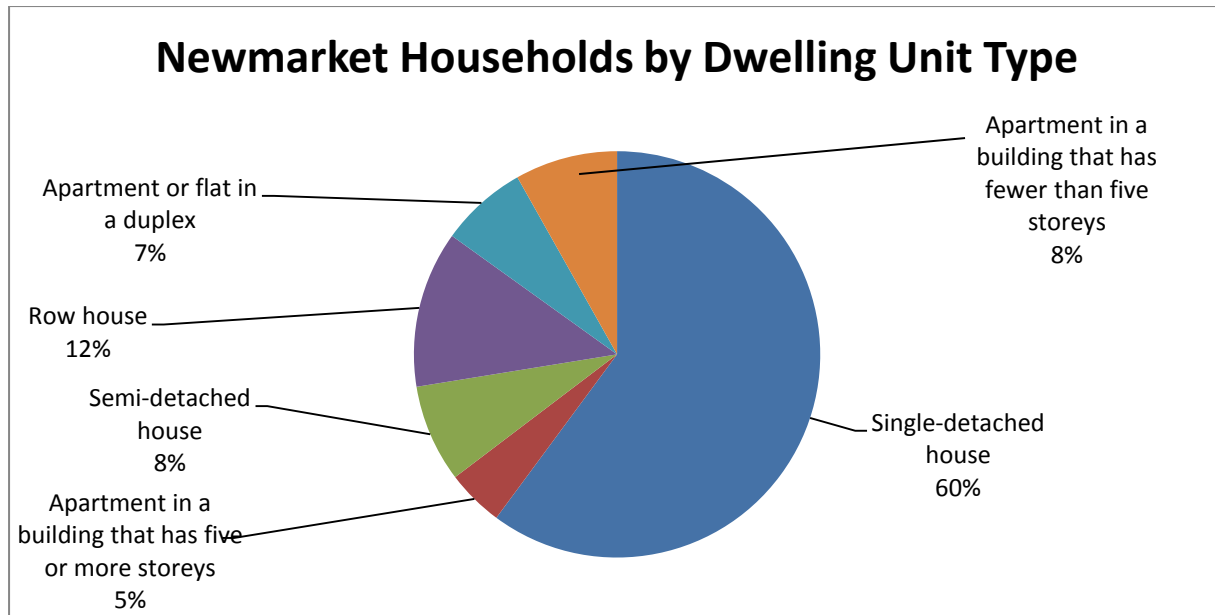
The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The policies set out how healthy, liveable and safe communities are to be sustained. This includes promoting efficient development and land use patterns which sustain financial well-being of the Province and municipalities over the long term and accommodating an appropriate range and mix of residential, employment, recreation, park and open space and other uses to meet long term goals.

The PPS supports and promotes intensification in designated growth areas taking advantage of existing and planned infrastructure. The PPS also supports providing an 'appropriate range and mix of housing', including:

- establishing affordable housing targets;
- permitting and facilitating all forms of housing, residential intensification, and redevelopment;
- directing new housing development to where appropriate infrastructure exists to support them;
- promoting densities of housing that efficiently use land and resources; and
- minimizing the cost of housing through compact built forms.

A healthy housing stock provides a mix of housing types for residents of diverse means, family compositions, and stages of life. An unbalanced housing market that predominantly supplies one form of housing to the exclusion of others is inherently poorer at accomplishing this aim, as it lacks the flexibility of a range of types of housing that can accommodate the diverse needs of different families. Newmarket's housing stock includes a range of types, but is predominantly single detached homes (see chart below).



Increased stock of townhouse dwelling units, where appropriately sited and designed, assists in increasing the diversity of housing stock in Newmarket. Such developments can provide an increased housing density of a built form that is more compact, affordable than the predominant single detached built form.

Growth Plan

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) directs growth to built-up areas designated within municipal official plans. The Growth Plan contains policies directing that municipalities create complete communities, reduce the dependence on private automobile through mixed-use and transit-supportive development; provide for high quality public spaces; support transit, walking, and cycling; implement minimum affordable housing targets in accordance with the PPS; and achieve an appropriate transition of built form to adjacent uses.

The Growth Plan emphasizes optimizing the use of existing urban land to avoid development of greenfield lands, and to capture the benefits of density to support a greater mix of land uses, reducing the need for long commutes, and to support improvements to public transit. To that end, the Growth Plan directs that the vast majority of growth will occur in settlement areas such as the Town of Newmarket, and in locations with higher-order transit such as the frequent Bus Rapid Transit (BRT) service on Davis Drive.

The Growth Plan requires that development be planned to achieve minimum density targets of residents and jobs for major transit station areas on priority transit corridors served by Bus Rapid Transit (BRT) such as the Viva BRT on Davis Drive. The Region and the Town have not yet amended their respective Official Plans to implement these policies and delineate the specific areas of application for these policies; however due to the presence of the frequent Viva BRT in proximity to this location the planning

principles of supporting transit growth through intensification close to Viva stops such as this are still relevant and applicable.

The Growth Plan further directs municipalities to provide for high quality public spaces that support transit, walking, and cycling. This is achieved in a range of ways, both through the development of on-site open space amenities and through the provision of public space through parkland. As has been discussed above, this proposal includes one small shared amenity area and proposed to contribute to the development of open space through contributions of cash-in-lieu of parkland as is required by the Parkland Dedication By-law.

The Growth Plan also directs the implementation of minimum affordable housing targets. These are discussed in greater detail in the Official Plan subsection of this Discussion section as the targets are adopted in Newmarket through the Official Plan. Decisions with respect to planning matters are required to conform to the provisions of the Growth Plan.

York Region

As with all planning matters in the Town of Newmarket, and most particularly those affecting lands on roads under the jurisdiction of the Regional Municipality of York, it is important to align policies and decisions of the Town and the Region. To that end, this application should be considered in light of both the York Region Official Plan (YROP) and the Yonge-Davis Streetscape Master Plan (YDSMP).

York Region Official Plan

The York Region Official Plan (YROP) has policies that relate to this application in several ways. First, the YROP designates the subject lands as part of the “Urban Area”, which is the primary area for accommodating growth. A minimum of 40% of all residential development in York Region is to occur within the built-up area which includes the subject lands. This application supports the achievement of this target.

Second, the subject lands are located on Davis Drive which is under the jurisdiction of the Regional Municipality of York and the YROP identifies the road as having a planned width of street of up to 43 metres. If Council approves the application and it proceeds to site plan approval, the applicant will be required to convey land to the Region across the frontage of the site to achieve this increased street width.

Third, the application generally supports the YROP policies related to intensification. The application supports the YROP policy of permitting a mix and range of housing types, lot sizes, unit sizes, functions, tenures, and levels of affordability. Based on its location on Davis Drive, the application supports the YROP targets of locating 50 percent of residents within 200 metres of a transit stop, and 90 percent of residents within 500 metres of a transit stop.

Yonge-Davis Streetscape Master Plan

The Regional Municipality of York and the Town have adopted the Yonge-Davis Streetscape Master Plan (YDSMP), which will guide streetscape development along these key arterial roads and assist in strengthening the mobility, accessibility, and livability of Newmarket. The YDSMP describes Davis Drive East from Patterson Street to Highway 404 (where the subject lands are located) as follows:



PHASE 3 REPORT: STREETScape MASTER PLAN

YONGE STREET & DAVIS DRIVE STREETScape MASTER PLAN

Davis Drive East, bound by Patterson Street on the west and Highway 404 on the east, has a varied and inconsistent street character with one section heavily dominated by a commercial strip plaza development and medical facilities in the east. A majority of the streetscape is dominated by residential rear lots. The section of Davis Drive has continuous sidewalks provided along both sides for the entire length as well as an existing bicycle facilities (on-road shared) for a majority of length.

Although sidewalks and cycling facilities currently exist, there is a lack of amenities resulting in a poor pedestrian environment and a cluttered public realm. In addition, there are frequent driveways, particularly along the north side of Davis Drive, interrupting both traffic and pedestrian flow. This section of Davis Drive transitions into to the vivaNext rapidway near Patterson Street.

Key existing characteristics of Davis Drive East include:

- Varied street character with a mix of commercial as well as low density residential;
- Above ground utilities visible;
- Utility poles are dominant in the streetscape;
- Significant grade changes near Leslie Street and Davis Drive on southeast quadrant.

The YDSMP seeks to improve the streetscape along these corridors, and in the Davis Drive East area to improve pedestrian and cyclist accessibility, enhance street tree plantings, and bring increased activity and vibrancy to the street through a cohesive design.

To ensure transportation connectivity, improve the potential for redevelopment of the westerly adjacent lots, and minimize the need for driveway accesses onto Davis Drive, Planning staff from the Regional Municipality of York have requested that the development be required to plan for the inclusion of a future vehicle and pedestrian

connection to the adjacent westerly properties (1005 Davis Drive and 11 Belfry Drive) at such time as they may redevelop.

Planning staff from the Regional Municipality of York have reviewed the application and have no objection to the proposed Official Plan Amendment and Zoning By-law Amendment, subject to the requested future connection discussed above.

Town of Newmarket Official Plan

The subject lands are within lands encompassed by the Town's 2006 Official Plan. The Official Plan refines and implements the policies of the Regional and Provincial policies within Newmarket.

The Town's Official Plan is based on objectives of protecting natural and cultural heritage, encouraging sustainable growth and transportation, supporting economic development, revitalizing the downtown, intensifying the urban centres, and promoting a healthy community.

Use

The subject lands are designated "Stable Residential". To the east lands are designated as "Commercial". The subject lands are indicated in the excerpt from Schedule A of the Official Plan below in Figure 4.

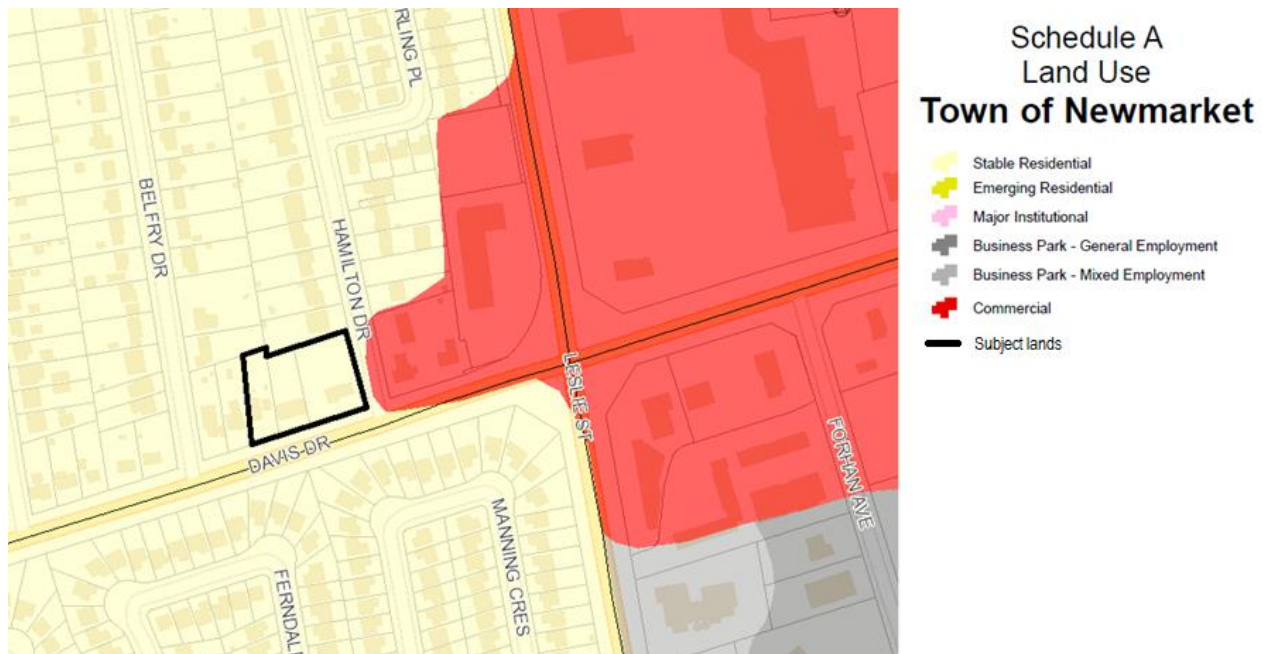


Figure 5: Schedule A of the Official Plan

Stable residential areas have a mix of housing forms including rowhouses, townhouses, duplexes, fourplexes, apartments, and other multi-unit buildings. The Official Plan generally directs the highest forms of intensification to the urban centres such as Yonge

Street and Davis Drive, and directs that where intensification occurs in stable residential areas that compatibility and character are protected.

While townhouse dwellings are a denser dwelling type than the abutting single family dwellings to the north and west, in principle townhouse dwellings are not incompatible with single-detached residential neighbours. The Town's practice has often historically been that new development adjacent to existing development should be of a similar built form. However, throughout Newmarket and in new development areas there are residential built forms that differ in form, size, height, and density that are adjacent to one another. The application seeks to amend to Official Plan to allow townhouse units on a private road as a permitted use on the subject lands.

As the Town continues to consider development applications that are increasingly infill and intensification, consideration must be given to a finer grain of analysis of built form compatibility than simply dwelling type and instead consider variables of height, mass, architectural style, orientation, and landscaping. This is particularly the case as the areas that were designated as Emerging Residential in the 2006 Official Plan approach full build-out and demand for redevelopment grows.

Affordable Housing

This section will present an overview of housing affordability in Newmarket and how this application addresses housing affordability policies. The applicant has indicated in their Planning Justification report that the proposed built form of three-bedroom townhouses will accommodate families at a more affordable scale than the predominating built form of single detached housing in the surrounding area. No specific price points for the sale of units has been proposed.

The Town's Official Plan indicates that a minimum of 25% of new housing units outside of the Yonge & Davis Provincial Urban Growth Centre shall be affordable to low and moderate income households. While this 25% is not intended to be achieved on each individual application, but rather within the Official Plan area as a whole, Council should consider how these targets will be achieved if development applications proceed without supplying any affordable units. Any development that is approved without any affordable units renders the challenge of meeting this target greater.

Units are deemed to be affordable if they are rented or sold at a price that meets the Region's annual thresholds. Ownership thresholds are set at the maximum price that households in the sixth decile of income distribution can afford to pay. For 2017 the maximum sale price for an ownership-tenure dwelling unit to be considered affordable is \$478,400 regardless of unit type or size. These thresholds can be seen in the figure from the 2017 York Region Housing Solutions Progress Report below.



Figure 6: York Region Household Income Distribution and Affordable Ownership Thresholds

To date, the Town has had limited success in achieving affordable housing units. Data from York Region shows that in 2017, 6% of new ownership-tenure households met the affordable price thresholds.

In summary of the aspects of the application related to affordable housing, the applicant has proposed no affordable housing units, although they advance the argument that increasing housing supply and particularly increasing the supply of townhouse dwelling units will provide housing options that are comparatively affordable among the single detached dwellings that are most common in Newmarket.

Urban design

The Official Plan includes policies that emphasize that high-quality urban design is a requirement to create a livable, attractive community. The Official Plan seeks to create an attractive, accessible, comfortable, safe and healthy built environment by requiring that all developments focus on six key design principles:

- Design in context with the natural and built environments;
- Connectivity;
- Pedestrian Amenities;
- Usable Common areas;
- Safety; and,
- Visual Quality and Aesthetics.

The policies of the Official Plan are less detailed than those of the Urban Centres Secondary Plan, which provides specific guidance related to materials, transitions in building height, window and entrance locations, servicing and utility integration, streetscape design, and other matters. Conversely, the Official Plan directs that development respect the six principles listed above, but does not prescribe specific elements such as maximum angular plane to lower-density areas or particular limits on shadow impact. Notwithstanding the lack of these policies, staff continue to review applications against general urban design principles and have provided comments to the

applicant that seek to refine the application before providing a recommendation to Council.

Transportation

The integration of land use and transportation planning is a critical element of the Official Plan and of good planning. The transportation policies of the Official Plan encourage a shift away from single occupant vehicles in favor of more active, efficient, and sustainable transportation modes. The Official Plan policies prioritize the use of public transit and active transportation.

The Official Plan provides policies related to intensification surrounding rapid transit. While this has been most concretely implemented in the Urban Centres Secondary Plan, these principles are applicable where improved transit exists outside of that area, such as the Viva Yellow station in proximity to this site. Section 1.3.4 of the Official Plan states that:

The development of the rapid transit system on Yonge Street and Davis Drive in Newmarket and York Region is strongly supported by this Plan. Land use changes around potential station areas will be planned for in order to provide the necessary support to make such a transit system viable.

It is important when reviewing development applications that they not be considered without looking to the future potential of surrounding properties; integrated and forward-looking planning assists in achieving opportunities that are lost when properties are considered in isolation. To that end, staff from Planning Services and from the Region have requested that the application be revised to ensure that if the westerly properties should redevelop in the future that the internal road can be extended to connect and provide an east-west connection between Hamilton Drive and Belfry Drive. This supports the Official Plan policies (Section 12.2.2) of enhancing connectivity consolidating vehicle accesses, and follows similar planning principles to the fine-grid street network proposed in the Urban Centres Secondary Plan by creating a more permeable street network that balances transportation demands.

The proposed development includes 44 parking spaces for residents and four visitor parking spaces, of which one is barrier-free. The visitor parking spaces are proposed in an atypical location, being in the boulevard between the townhouses and the internal road. Staff have provided comments to the applicant that the location of the visitor parking does not meet the Town's expectations of design due to the unlikelihood of the spaces being maintained for visitors when their design affords and suggests that they are private. Similarly, staff have noted to the applicant that the two townhouse units (units 8 and 11) whose driveways are of insufficient length to host a vehicle without encroaching onto the sidewalk or the internal road are not acceptable.

Parkland and Open Space

Parkland Dedication in accordance with Parkland Dedication By-law 2017-56 is required. The by-law requires certain minimum amounts of dedication of land and provides for a calculation of cash in lieu of remaining requirements. The proposed application, if approved, will be required to provide cash in lieu of parkland to assist the Town in funding the acquisition and improvement of parks and park facilities.

Each of the units along the north and east blocks is proposed to have a rear yard of between 2 and 4 metres in depth. The townhouse units along the south block would have a small landscaped area in the interior of the site adjacent to their driveway and a small porch fronting onto Davis Drive.

The proposed development also includes a small shared outdoor amenity area. The proposal includes one amenity area at the northwest corner of the subject lands comprised of a pair of seating areas surrounded by landscaping and privacy fencing. The proposed amenity area is separated from the rest of the site by the waste storage area, a snow storage area, and a hydro transformer. Staff have provided comments to the applicant that the isolated location of the waste storage area undermines its usefulness, and that placing the amenity area behind the waste storage and hydro transformer leaves it isolated and unobserved. Changes to the design of this area are recommended to better support the Official Plan policies of usable common areas and safety.

Conclusion

Staff continue to review the application and have provided comments to the applicant. Certain responses and revisions are required to the application, some of which may be addressed through revisions before a recommendation is brought to Council and certain other comments may be addressed at the site plan application stage if Council should deem to approve the application.

The application is sufficiently advanced that it should be presented at a statutory public meeting as required under the Planning Act. Following that meeting, staff will continue to work with the applicant to address comments from the Town and other review partners before bringing a recommendation to Council at a later date.

Comments

Staff routinely circulate zoning by-law amendment applications to the public and the Town's review partners. Many of the comments provided are outlined in the Discussion section above. Additional comments from several review partners are provided below for greater context.

York Region

Staff from the Regional Municipality of York have provided comments on the application, and note that the application generally conforms to the York Region Official Plan. They have provided comments on the proposal, which general address:

- The requirement to convey lands along the Davis Drive frontage to the Region to achieve the planned width of the right-of-way
- Ensuring potential of future vehicular and pedestrian connection to the westerly properties
- Servicing allocation is required from the Town

Comments from York Region will be addressed through the appropriate planning tools.

Engineering Services

Staff from the Engineering Services have provided comments on the application and requested a response from the applicant before a decision is rendered on the proposal. These comments general address:

- Site layout – Ensuring that the waste area is functionally laid out and that access to rear yards is not blocked by electrical infrastructure
- Stormwater management – Revisions are required to address Town requirements for Low Impact Development (LID) and the additional stormwater criteria of the Wayne and Waratah Stormwater Study
- Environmental – A Phase Two Environmental Site Assessment should be conducted a condition of lifting any future holding provisions in the zoning by-law, if approved

Comments from Engineering Services will be addressed through the appropriate planning tools.

Town Arborist

The Town's Consulting Arborist, Urban Forest Innovations Inc., has reviewed the application and provided comments.

If Council deems to approve the application, staff will ensure compliance with the Tree Preservation, Protection, Replacement, and Enhancement Policy through the future site plan application.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the application in accordance with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), the Greenbelt Plan, the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 under the *Conservation Authorities Act*.

The LSRCA is satisfied that, from a watershed management perspective, that the application is consistent with the applicable policies. Consequently, the LSRCA has no objection to the application. They further note that more detailed comments will be provided at the site plan application stage in order to ensure compliance with applicable policies related to stormwater management and hydrogeology.

Other Review Partners

- Building Services has reviewed the application indicated that compliance with the Ontario Building Code will be ensured at the time of building permit application
- Central York Fire Services has reviewed the application indicated no objection
- Canada Post has been advised of the application and they have noted their requirements to ensure orderly mail delivery to the development in the event that Council approves the application
- The Southlake Regional Health Centre has been advised of the application and they have noted the ongoing need for capital investment and public support to meet the needs of the region's growing population
- Enbridge Gas has been advised of the application and they have noted no objection
- Rogers Communications has been advised of the application and they have noted no comment

Conclusion

This application should be referred to a public meeting as required under the Planning Act. Following this meeting, staff will continue to work with the Town's review partners and the applicant to address provided comments. Staff have provided comments to the applicant and will seek responses or revisions to the plans before returning to Council with a recommendation report or a by-law, as required, for Council's decision.

Business Plan and Strategic Plan Linkages

Living Well

- Growth management strategies

Well Balanced

- Meeting the needs of all life-cycle stages

Well-equipped & managed

- Efficient management of capital assets and municipal services to meet existing and future operational demands
- Varied housing types, affordability and densities

Well planned & connected

- Long-term strategy matched with a short-term action plan

- Improving interconnectivity and interaction amongst neighbours and neighbourhoods

Consultation

The zoning by-law amendment application has been provided to the Town's review partners per standard practice. Notice has been provided to surrounding residents, persons and bodies as required by Ontario Regulation 545/06 of the Planning Act.

The recommendations of this report refer the applications to the statutory public meeting as required by the Planning Act.

Human Resource Considerations

None.

Budget Impact

The appropriate planning application fees have been received for the Official Plan application and zoning bylaw amendment application. The Town will also receive revenue from development charges and assessment revenue with the development of this proposal in the event the applications are approved.

Attachments

- Location Map
- Proposed Site Plan

Approval

Ted Horton, Planner

Richard Nethery, Director, Planning and Building Services

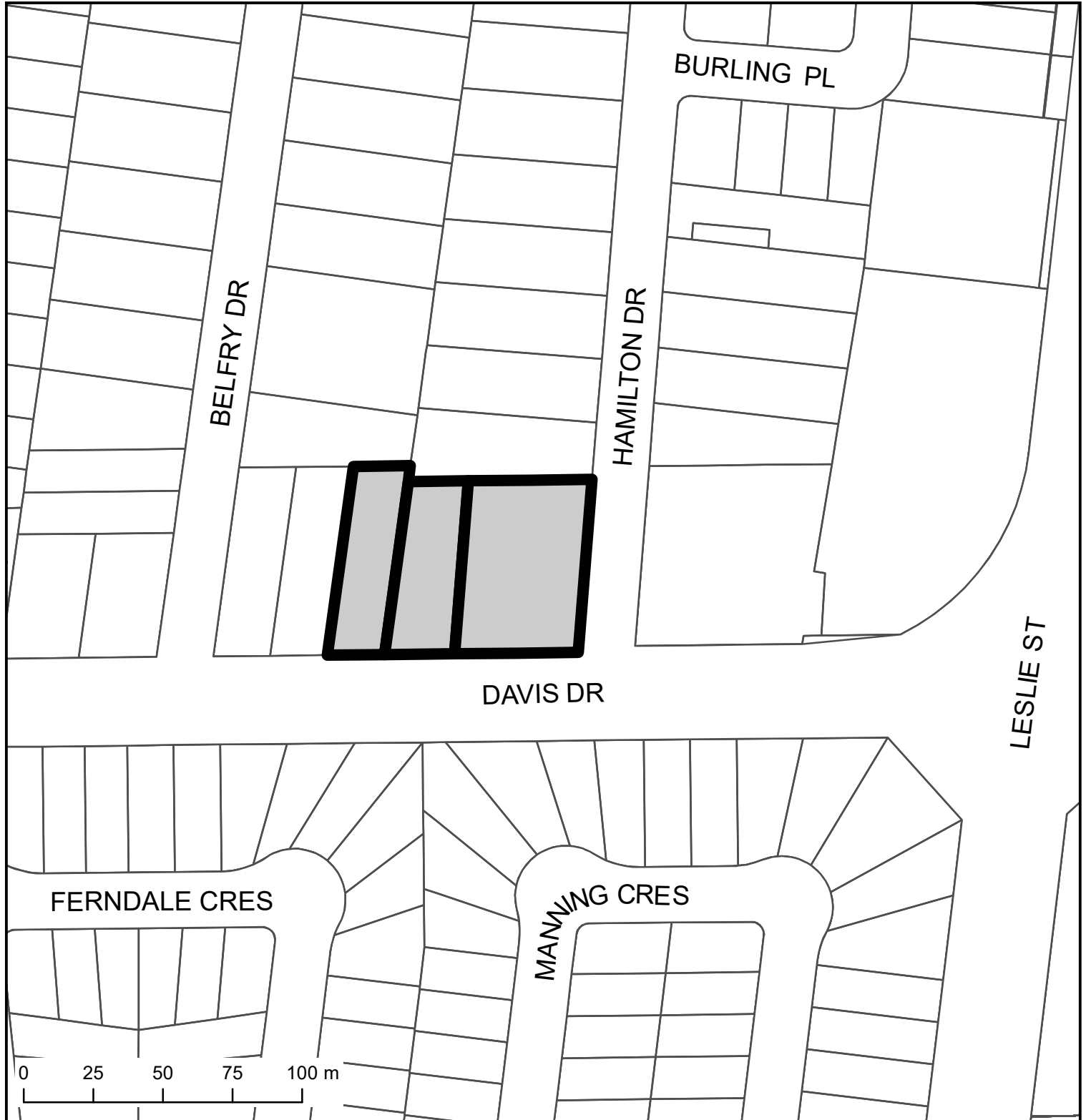
Peter Noehammer, Commissioner, Development and Infrastructure Services

Contact

Ted Horton, Planner – thorton@newmarket.ca

LOCATION MAP

1015, 1025, 1029 Davis Drive



 Subject Lands



TOWN OF NEWMARKET PLANNING DEPARTMENT

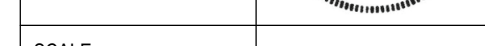




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2025 RELEASE DATE	2025 RELEASE DATE
SHEET NAME	

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PROJECT NO.	SHEET NO.
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Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Oracle Licensing – Non-Competitive Acquisition Staff Report

Report Number: 2019-31

Department(s): Information Technology, Procurement

Author(s): Mary-Anne Wigmore

Meeting Date: March 18, 2019

Recommendations

1. That the report entitled Oracle Licenses – Non-Competitive Acquisition dated March 3, 2019 be received; and,
2. That a non-competitive acquisition for Oracle Licences and Annual Support and Maintenance to Oracle Canada, ULC for a period of five (5) years, commencing in 2019, for an estimated amount of \$1,200,000.00 be approved; and,
3. That the non-competitive provisions of the Procurement Bylaw, specifically Section 13.6, Subsection (iii), as well as the Limited Tendering provisions of the applicable trade treaties, as described below, be considered in support of this acquisition; and,
4. That the Director, Information Technology Services and the Manager, Procurement Services be authorized to execute all required documentation; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

To seek approval of a non-competitive acquisition for Oracle Licenses and Annual Support and Maintenance, to Oracle Canada, ULC for a period of five (5) years, commencing in year 2019 to year 2024 and for a total estimated amount of \$1,200,000.00 in accordance with the provisions of the Procurement Bylaw, Section 13.6, Subsection (iii) where compatibility with an existing product, equipment, facility or service is a paramount consideration and the provisions of the Canadian Free Trade Agreement (CFTA), Article 513, Paragraph (1), Section (b), Subsection (v) to ensure

compatibility with existing goods, or to maintain specialized goods that must be maintained by the manufacturer of those good or its representative. As well as the provisions of the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), Article 19.12, Paragraph (1) Section (c), Subsection (i) whereby additional deliveries by the original supplier of goods or services that were not included in the initial procurement if a change of supplier for such additional goods or services cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installation procured under the initial procurement.

Background

The Town has historically acquired Oracle licensing, support & maintenance to support the Town's business and technology needs from Oracle Canada, ULC for the Town's database management software solution which has been in place at the Town for over twenty (20) years. The Town has also historically acquired Oracle licensing, support and maintenance for the Town's Enterprise Resource Planning (ERP) solution being JDEdwards, which has been in place for over sixteen (16) years, and which underwent a formal procurement process and awarded under Council report number 2001-31. The Oracle tools and products are also an integral part of the Information Technology (IT) Department's suite of administrative tools that enable effective delivery of services.

In 2018 the Town also acquired a Tax solution by way of Single Source Contract and approved by Council dated April 30, 2018. The solution also requires Oracle licensing, support and maintenance.

As the above legacy solutions are at this time not intended to be replaced in the near future and the continued acquisition of Oracle license, support and maintenance is required by the Corporation in the everyday operation and maintenance of these solutions, formal approval is sought by way of this report.

Estimated Cost Summary:

Program or Type of Licence	1 Year Estimated Cost	5 Year Estimated	Description
Dev&Enterprise	\$19,045.74	\$95,228.70	Support/Maintenance for Oracle database licenses
Enterprise(3)	\$28,434.75	\$142,173.75	Support/Maintenance for Oracle database licenses
Standard	\$4,331.71	\$21,658.55	Support/Maintenance for Oracle database licenses
JDEdwards	\$94,333.41	\$471,667.05	Support/Maintenance for JDEdwards licenses

Enterprise	\$24,473.46	\$122,367.30	Support/Maintenance for Oracle database licenses
Total Annual	\$170,619.07	\$853,095.35	
Program Fee for TXM Solution		\$111,243.00	Purchase of Oracle Licenses for new Tax Billing Software (License & Support not included here but included as part of Enterprise and Standard above)
		\$964,335.35	
Contingency		\$235,664.65	Annual increases, additional licenses
Total Estimated Spend		\$ 1,200,000.00	

Discussion

While the consideration of a competitive acquisition is always of most importance, in the case of this acquisition, no reasonable alternative or substitute exists without a complete overhaul of the Town's solutions, which would need substantial consideration and planning before doing so, the Oracle suite of solutions is integral to the everyday operation of the Town's present business solutions.

Conclusion

Staff are confident that the justification to proceed with a non-competitive acquisition for Oracle licences, support and maintenance with Oracle Canada, ULC is sound and in line with the single and sole source provisions of the Procurement By-Law as well as the applicable trade treaties, being the Canadian Free Trade Agreement (CFTA) and the Canada-European Union Comprehensive and Economic Trade Agreement (CETA).

Business Plan and Strategic Plan Linkages

Well Equipped and Managed: Provide efficient, effective and environmentally sound maintenance services to an appropriate level that achieves Council and/or Provincially mandated services levels, which meet public health and safety requirements and enhances quality of life while ensuring that system capital assets retain their value and are managed and funded according to sustainable, lifecycle based principles and practices.

Consultation

Procurement Services and Information Technology have been consulted on this report.

Human Resource Considerations

All project work will be managed by Oracle Canada, ULC and the Town's Information Technology staff. No additional human resources are required.

Budget Impact

Sufficient funds have been allocated for this project, as follows;

Annual Costs of \$170,619, plus annual increases, is covered in IT's base budget under the software account, 13621.4482. The one-time implementation cost of \$111,240 is covered under IT's Capital program for software purchases. Funding for additional licenses may require budget approval.

Attachments

1. Town Council Electronic Extract – Date: June 24, 2002
2. Award of Single Source Contract Staff Report 2018-07

Approval

Lisa Lyons, Acting Commissioner, Corporate Services

Esther Armchuk, Acting Chief Administrative Officer

Contact

Mary-Anne Wigmore, Director, IT, 2307



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395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Procurement Services, IT & Financial Services 2018-07 Award of Single Source Contract Staff Report

Report Number: 2018-07

Department(s): Procurement, IT & Financial Services

Author(s): Sharon Jones, Grace Marsh, Mary-Anne Wigmore

Meeting Date: April 19, 2018

Recommendations

1. That the report entitled Procurement Services, IT & Financial Services 2018-07, regarding the awarding of a single source contract for property tax software, known as Tax Manager (TXM) be received; and,
2. That Council approve a single source/partnership process to award a contract for a new property tax system to the Corporation of the City of Mississauga, on terms satisfactory to the Treasurer, the Manager of Procurement Services and the A/Director of IT.

Executive Summary

See Below

Purpose

Council approval of a single source/partnership to purchase a new property tax system. A budget for this purchase was previously approved.

Background

Staff has reviewed the functionality and support services of the current property tax system (Vailtech).

The current system has been in use since approximately 1992 and unfortunately, over the years, enhancement has not kept up with updated legislative requirements, or new technology that could improve both the taxpayer and staff experience. Some of the key shortcomings of the Vailtech system are:

1. Not legislatively compliant with the current Municipal Act and its regulations in many areas.
2. Technology designed in the 1990's has not been updated, for example, it is not a web-based application.
3. There is no option to allow taxpayer interaction in the future.
4. There are very few useful reports and no taxpayer communication tools available.
5. The support services of Vailtech have declined to the point where internal IT resources are being stretched to fill in the gaps.

The Supervisor of Property Tax & Assessment and the Application Systems Specialist from IT reviewed a number of other systems available on the open market and visited other municipalities to view and evaluate available property tax systems on the open market. The following steps were taken:

- Software survey was initiated through various professional organizations.
- Visits were made to other municipalities to view their systems and functionality.
- Discussions were undertaken over the telephone and in person with staff from other municipalities for their opinions.
- Systems reviewed included Open Tax (Amanda), Vadim I-City, Diamond Property Tax, MuniSoft Property Tax and Tax Manager (TXM).

The results of the review are summarized as follows:

- Size of the municipality – some of the available systems were designed for much smaller municipalities and would not be appropriate for Newmarket.
- User experience – staff colleagues were quite open about the shortcomings of some of these systems such as, manual entry on a daily basis, no connection to financial systems, large amounts of up front manual data entry to get started.
- Cost – for-profit companies offer all of the systems with the exception of TXM and the average costs were higher than TXM estimates.

- Legislative compliance – some of the other systems were similar to Vailtech in terms of their current ability to meet changing legislative requirements, generally by relying heavily on the municipal users to interpret legislative requirements, which can vary. The providers do not have property tax experts on staff.
- Future enhancements – none of the other systems offer the option of moving to a web based taxpayer interface with the property tax and assessment data.

Finance and IT agreed to recommend TXM as the best solution for the Town of Newmarket based on the following conclusions:

- The City of Mississauga operates and markets the system on a not for profit basis, looking only for cost recovery in their fees. They approach the process as a partnership rather than a vendor/customer relationship. The software industry is a very competitive environment in which companies may only exist for a limited time, or where staff turnover may be high leading to gaps in knowledge and a reduction in support. By utilizing software developed by municipalities-for municipalities the likelihood of these issues occurring is substantially mitigated.
- The City of Mississauga developed the Tax Manager (TXM) system in-house with the collaboration of financial and property tax staff from various municipalities. The cities of Markham, Brampton and the Town of Richmond Hill assisted in the development and continue to use it today. In addition, the City of Pickering single sourced and purchased the system and converted from Vailtech, providing a good road map for Newmarket's conversion.
- TXM includes all of the functionality to bill property taxes, change the levies when required for assessment appeals, tax rebate or reduction applications, manage collections effectively and manage the assessment values under up to date legislative requirements.
- The City of Mississauga as the vendor has both the staff and more importantly, the expertise to quickly interpret and understand legislative changes as they occur in the future, and as a lower tier municipality fully understands our strategic priorities in terms of community engagement.
- For the future, TXM has the ability to integrate with a web portal where taxpayers will be able to access and manage many functions relating to property tax and assessment directly with a secure password.

Discussion

Process to Date

During 2017, multiple discussions took place between Newmarket's then Manager of Procurement, Legal Services, Finance and IT. The result was the content for a Master Services Agreement was agreed upon and is ready for execution should Council approve this recommendation. During those discussions, Newmarket agreed to work with Mississauga in a "Discovery Process" to determine if Newmarket is a fit for TXM.

The discovery process took place during January and February with the following results:

- Some minor changes to business processes will be made;
- No major issues with data were discovered, however some hardware upgrades will be required;
- The term of the agreement will be three years, with optional annual renewals after that;
- We will work towards implementation on October 1, 2019 and be fully functional for the 2020 tax year. The discontinuation of the current system would be timed to take full advantage of cost reduction on the existing service provider's contract

Procurement Assessment

The Manager, Procurement Services has reviewed the "TXM Tax Manager – FINAL - Discovery Report" dated April 5, 2018 and all other previous supporting documentation, and is satisfied that the Single Source purchase of the TXM Tax Manager software supplied by the City of Mississauga aligns with section 13.6, subsection v. of the Procurement By-law:

"Where the contractor possesses the unique and singularly available capability to meet the requirements, such as, skills related to and/or existing knowledge of the nature of the service"

Single Source purchases shall be required to comply with the contract requirements of Section 15 Contract Execution and Section 16 Contractor Performance of the Procurement By-law.

Conclusion

Should Council approve this report, staff will move ahead with an implementation plan that will target October 1, 2019.

Business Plan and Strategic Plan Linkages

This report links to Newmarket's key strategic directions in being Well Managed through fiscal responsibility.

Consultation

In addition to the external research completed, there has been extensive consultation between Finance, IT, Legal Services and Procurement through the process.

Human Resource Considerations

Staffing levels would remain the same following implementation; however there is an expectation that once the system is fully implemented there will be a reduction in the staff time required for administrative tasks with the current system for both IT and Finance, providing an opportunity to enhance our service to the public.

Budget Impact

Operating Budget (Current and Future)

The 2017 capital budget included \$300,000 and an annual allowance of \$46,000 in the operating budget. Any additional costs will be captured in the 2019 budget process


Capital Budget

Approval for a new tax software system was included in the 2017 capital budget, should the amount exceed the figure previously approved, a request for additional funding will be made as part of the 2019 budget process.

Attachments

None

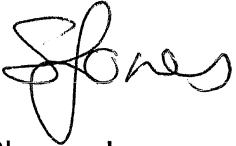
Approval



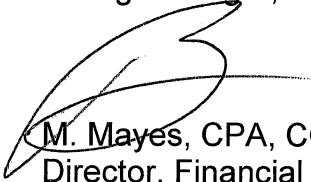
Grace Marsh, CMRP, CMM III
Supervisor, Property Tax & Assessment



Mary-Anne Wigmore
A/Director, Information Technology



Sharon Jones
Acting Manager, Procurement Services



M. Mayes, CPA, CGA
Director, Financial Services/Treasurer



E. Armchuk, B.A. (Hons.) LL.B., DPA
Commissioner, Corporate Services

Contact

For more information on this report, contact:

Grace Marsh, Supervisor, Property Tax & Assessment X 2143, gmarsh@newmarket.ca
Mary-Anne Wigmore, A/Director, IT X 2307, mwigmore@newmarket.ca
Sharon Jones, Acting Manager, Procurement Services X 2354, sjones@newmarket.ca

Moffatt, Anne

To: Dixon, Bob
Cc: Georgeff, Lynn; Chase, Susan
Subject: Council Extract - June 24, 2002 Item 38 Finance and Corporate Services Report 2002-31
Financial Information System and Related Technologies

File: 4.5.1

Town Council Electronic Extract - Date: June 24, 2002

**38. COMMITTEE OF THE WHOLE - JUNE 17, 2002 - ITEM 32
FINANCE AND CORPORATE SERVICES REPORT 2002-31
A FINANCIAL INFORMATION SYSTEM AND RELATED TECHNOLOGIES**

THAT Finance and Corporate Services Report 2002-31 dated June 11, 2002 and Corporate Services Report 2002-31a regarding a Financial Information System and Related Technologies be adopted, as follows:

- 1. THAT subject to a satisfactory negotiated Agreement, the Town purchase a Corporate and Financial Software solution from J.D. Edwards Canada Ltd.;**
- 2. AND THAT the project of implementing the required modules be phased in over a two-year period with implementation of Phase I targeted for January 1, 2003.**
- 3. THAT the financing of this project be as per the 2002 Budget with the balance of the financing of the project be a loan from the reserve fund and such loan be paid back over a five (5) year period at the rate of interest equivalent to the prime rate of interest at the Town's Bank.**
- 4. THAT a Project Manager be contracted to assist with the implementation of this project.**

File: 4.5.1



TOWN OF NEWMARKET

Robert K. Dixon, CMA, AMCT
Director of Finance / Treasurer
bdixon@town.newmarket.on.ca

CORPORATE SERVICES		
INCOMING MAIL	REF'D. TO	COPY TO
JUN 12 2002		

June 11, 2002

FINANCE AND CORPORATE SERVICES REPORT 2002-31

TO: Mayor Tom Taylor and Members of Council
 Committee of the Whole

SUBJECT: Financial Information System (FIS) and Related Technologies

ORIGIN: Director of Finance/Treasurer/Manager of IT

RECOMMENDATIONS:

THAT Finance and Corporate Services Report 2002-31 dated June 11, 2002 regarding a Financial Information System and Related Technologies be adopted, as follows:

1. **THAT subject to a satisfactory negotiated Agreement, the Town purchase a Corporate and Financial Software solution from J.D. Edwards Canada Ltd.;**
2. **AND THAT the project of implementing the required modules be phased in over a two-year period with implementation of Phase I targeted for January 1, 2003;**
3. **THAT the financing of this project be as per the 2002 Budget with additional funding from the growth fund.**

COMMENTS:

The Finance Department has been using a software product from Cayenta (formerly SFG) since 1988 for its General Accounting, Payroll, Accounts Payable, Accounts Receivable, and Financial Reporting functions. This product has become quite outdated as Cayenta has not provided regular upgrades – it is not yet even windows based. Finance staff have believed for some time that we need to upgrade our financial software in order to provide improved financial services to Council, staff and customers.

Also, Cayenta has advised that they will not continue to support our current product after June 30, 2003 but they are offering an upgraded product.

In late 2001, Finance staff participated in the preparation and issuance of a joint RFP with the Town of Whitchurch-Stouffville, the Town of Aurora, the Township of King, and the Town of Innisfil (Township of Essa joined this group later) for a Financial Information System. At the same time, Finance staff were asked to consider not just a Finance solution but a "Corporate" solution, one that would include some form of Maintenance Management System and/or Asset Management System.

A total of seven (7) responses to the RFP were received and the group met to review and discuss these responses to determine what vendor presentations should be viewed. The group agreed to a short list of two vendors, being CompuPower Systems Ltd. and Vadim Computer Management Group. We, the Town of Newmarket, insisted on a third vendor being included for a presentation, being J.D. Edwards Canada Ltd. The Town of Aurora, after the first two presentations were seen, added Vailtech Inc. to the presentation list.

In late March and April 2002, Finance staff and members of our IT area, along with the other municipalities, attended the presentations from these four (4) vendors. For a proper comparison of these products, we also invited our current supplier, Cayenta, to make a presentation of their "new" upgraded product (for Newmarket staff only). Our Manager of IT also arranged a presentation from Oracle for our staff only.

A summary of the products demonstrated is:

Cayenta, Incorporated:

The "new" product as demonstrated by Cayenta was extremely disappointing as all they really have done is take the current product and add a window. The functionality of the product is still very limited and it was obvious to all of us that it would not meet the needs of our staff in Finance never mind being a Corporate solution.

The cost for this upgrade was quoted as \$160,914.50 plus travel and living expenses (staff may be coming from Burnaby, B.C.), for an estimated total of around \$200,000. In addition, Cayenta does not have a proper budgeting tool but have suggested to us that they have an agreement with an American firm that has a product that can be integrated with their system. The cost for this budgeting tool was quoted (verbally) at \$150,000 U.S. There would also be some other costs incurred. Since the new Cayenta product is on the Oracle database, there would be a cost for Oracle licences of about \$10,000 and implementation costs of the upgrade are estimated at \$50-75,000.

Therefore, for an investment of about \$500,000-550,000 plus a cost for a Purchasing module, we would have an improved budgeting tool and a windows environment for the other financial products with a limited increase in functionality, but no solution for the Town's other corporate requirements such as an Asset Management System. We will

be able to create more reports but as for business use functions, nothing really changes.

CompuPower and Vadim:

Staff were not overly impressed with the presentations from these two firms. Their property tax software products are not as well developed as our current product. Although the financials in both cases looked better than our current product, neither one of them were a significant improvement.

Also, both products use a database known as SQL and our IT staff have indicated that the direction the Town is going is to an Oracle database that is more stable and more technically advanced.

Oracle:

Oracle offers a financial package but, unfortunately, the presentation was very poorly done and apparently Oracle actually presented the wrong product to us. Needless to say we were not impressed.

Vailtech Inc.

We are currently using the Vailtech property tax product which is considered in the municipal market to be one of the better property tax solutions available. Vailtech does offer a slate of financial software products, except for a budgeting tool for which they are prepared to develop in cooperation with a municipality.

We have considered ranking Vailtech as number two on our list; however, their product line is very limited and we do not see a long-term solution with them. They also do not have any form of an Asset Management System. We would probably be issuing another RFP in 3-5 years as the needs of the Town as a whole will not be met with their solution.

J.D. Edwards:

It was apparent from the presentation from J.D. Edwards that their solution is far ahead of any of the others. It is a Corporate solution not just a Financial solution; it will allow all departments to use the one shared and common database. Its products are fully integrated and it is a complete end-to-end solution that will be a solid foundation for future growth.

Summary of Evaluations:

Enclosed is Schedule "A" that outlines our evaluation of the products presented to us and why we feel J.D. Edwards has to be considered the Corporate solution.

Schedule "B" is our evaluation of the products as to how they would meet the requirements set out in the LMIH report. Again, J.D. Edwards is far ahead of the others.

J.D. Edwards – Additional Information:

According to the J.D. Edwards brochure, they believe collaboration is the next wave of business.

"When you collaborate, you share critical information, processes, and workflows with your citizens, employees, suppliers, and vendors, as well as other government entities. When your systems can't talk to other systems, you can't effectively collaborate. It's as simple as that."

Besides the usual financial software modules, J.D. Edwards has solutions for Procurement (Purchasing), Fixed Assets, Job Cost/Project Management, Inventory, Human Resources and Enterprise Asset Management. This firm is the only one that has the integrated solutions to the recommendations contained in the L.M.I.H. Report such as adopting an Activity Based Costing philosophy and methodology, acceleration of an Asset Management Program, acceleration of an Inventory tracking system, etc. J.D. Edwards do not have a Property Tax product but do have a link with the Vailtech product that is currently being used by our tax staff.

The J.D. Edwards product is known as an Enterprise Resource Planning (ERP) solution. There are many drivers encouraging municipalities to consider implementing an Enterprise Resource Planning (ERP) solution. An effective solution will integrate business functions across the organization through a single entity, being the ERP. Municipal restructuring and downloading has forced municipalities to review and change their business processes to do more for less, while still improving on the overall level of customer service provided. ERP's can provide the room for an organization to grow. They provide access to relevant and important data to many different workgroups, not just the originators or custodians of the information. ERP's can integrate the different data modules in a meaningful and value-added way. Municipalities need to have a means for effective asset management to ensure effective service delivery and then to report on this service delivery through performance measurements.

By providing access to integrated data sources, a municipality should see benefits such as operational effectiveness, integrated processes and improved planning that should result in financial payback or a return on the investment. Besides, our customers, the residents and business clients, expect their local government to operate as effectively

and efficiently as possible. We are expected to be a "smart" business, utilizing the technology and tools available to us to streamline our business and service delivery, thereby reducing the overall tax burden.

An enterprise system is one that is used by the corporation rather than just addressing a specific business unit or function. An enterprise system can be defined as a set of applications, data and business processes for the organization. There are different types of enterprise solutions, the most common are financial, geographic or spatial, electronic services and customer service. Enterprise solutions provide many benefits due to the wide reaching nature of the systems. These benefits include:

- Accessibility
- Flexibility
- Visibility
- Scalability

An effective enterprise solution can integrate business functions across the organization. Consider the budgeting task. Every department requires access to appropriate data, the need to prepare the data in the way that best suits their business function, then deliver the data back in a format to be consolidated.

Risks:

1. Any system that crosses all departmental boundaries becomes complex and cumbersome simply due to the different business areas involved in the project.
2. The business processes that are well entrenched likely need to be changed.
3. The need to have key decision-making staff available for duration of project implementation.
4. Acceptance of the changes – effective management and understanding of the value to the organization as a whole.
5. Commitment of staff, especially senior/executive level acceptance of learning curve and initial costs.
6. More complex technical environment.
7. Need to manage project "scope creep." Projects of this size tend to have functionality added during implementation causing costs and risks to increase.

Benefits:

1. Provides a foundation for providing "one-stop service" for customers.
2. Provides necessary information easily to whoever requires it, at the time it is required.
3. Standardizes processes.
4. Enabler for E-Commerce and E-Government.
5. Improves accountability.

-
6. Knowledge sharing.
 7. Provides a framework for growth.
 8. Enables the organization to become more customer-centric.

Key elements of success:

- ✓ Senior management leadership and commitment
- ✓ Willingness to pursue change
- ✓ Committed resources from the business areas
- ✓ Participants with a strong business knowledge
- ✓ Focus on major business processes and their management
- ✓ Minimizing automated interfaces
- ✓ Acknowledgment that implementation depends on extensive change management
- ✓ Acceptance of the requirement for process re-design as opposed to system modifications
- ✓ Training, training and training

An ERP solution cannot solve all the problems of an organization's data accessibility. It can, however, enable a municipality to become more customer-centric. By having important data integrated and accessible through different channels, staff are able to better serve customers and assess this service. ERP implementations can provide a framework for growth. The products are built to be enhanced and to be expanded. By having data and information accessible through a single entity, a readiness is created for the future of service delivery including portals and E-commerce.

Summary:

To properly implement the J.D. Edwards solution will require a significant investment of staff time. As part of the LMIH recommendations, the former IT Steering Committee is being re-established and overseeing this project could be one of its first responsibilities. This Steering Committee would set project goals and objectives, approve project strategy and monitor the project's progress.

J.D. Edwards and the Town Auditors both have recommended that the Town provide a full time Project Manager. This Project Manager would be responsible for the scheduling and implementation of what will be established as Phase I of the project. It will be necessary to backfill this person's regular position as the project is expected to take six (6) months with a target implementation of Phase I being January 1, 2003. Other staff will also have to be involved such as the Manager of Purchasing, the Supervisor of Payroll, the Senior Financial Analyst, and other Finance staff as well as IT staff for anywhere from 20% to 50% of their time and other backfilling may be necessary.

The entire project will be implemented in a phased manner, with Phase I starting in 2002 and implementation for January 1, 2003 and with Phases 2 and 3 starting in 2003 with implementation to be determined, as follows:

- Phase 1 - General Accounting, Accounts Payable, Accounts Receivable, Financial Reporting, Procurement (Purchasing), Inventory Management, Payroll
- Phase 2 - Budgeting, Job Costing, Fixed Assets, Work Orders, Equipment Plant Maintenance, Human Resources (subject to H.R. evaluation) (NOTE: J.D. Edwards has recommended that the Human Resources project be moved to Phase I in order to leverage synergies with the Payroll implementation and realize some implementation costs savings.)
- Phase 3 - Enterprise Asset Management (subject to PWES evaluation)

The cost to purchase the J.D. Edwards solution is considerably more than we anticipated; however, when compared to the costs to upgrade our current product with Cayenta to receive a much inferior solution, the cost is not unreasonable. We have estimated the cost for Phase 1 to be \$703,367 plus \$70,000 for new hardware, plus staff back-filling costs (\$25-\$50,000), plus a contingency of 10% for a total of \$880,000. The cost for Phase 2 is estimated to be \$225,000 and for Phase 3, the estimate is \$175,000. The Budget for Phase 1 is only \$250,000 and for Phases 2 and 3 is only \$135,000 for a total of \$385,000. It is suggested that since some of the products to be received from J.D. Edwards are not replacement products but are new to the Corporation, such as Purchasing and Asset Management, the balance of the funding be from the growth fund (lot levies).

BUDGET IMPACT:

This project exceeds the budget by a significant amount. However, if the Town is to develop a solution for today and tomorrow, it has to be prepared to invest in a product such as offered by J.D. Edwards.



Director of Finance/Treasurer



Director of Corporate Services

RKD:pm
attachment

copy: Councillor Ray Snow, Finance Liaison
Jim Carey, MBA, CMA, Deputy Treasurer
Chris Cruttwell, Supervisor of Accounting
Mike Mayes, Senior Financial Analyst
Susan Chase, Manager of IT

SCHEDULE "A"

Requirements from RFP	J.D. Edwards	Vailtech	Cayenta/SFG	CompuPower	Vadim
			Did not respond to RFP		
General – 12	12	12	?	12	12
Accounts payable - 27	27	25	?	27	26
General ledger – 27	27	26	?	25	24
Budget – 19	19	0	?	18	19
Cash receipt/ general receivables – 14	13	14	?	14	14
Payroll/human resources – 10	10	10	?	10	10
Accounts receivable - 18	18	18	?	18	18
Total - 127	126	105	?	114	115
Modules not required by Newmarket					
Taxation - 75	0	71	?	65	67
Water/sewer billing – 33	31	30	?	32	31

Selection criteria added during the process	J.D. Edwards	Vailtech	Cayenta/SFG	CompuPower	Vadim
Clients	Vaughan, Ajax, Guelph, London, Samia	King Township	Richmond Hill, Markham, Oakville	Orangeville, Orillia, Parry Sound	Simcoe County, Kingston
Nearest office	Don Mills	Ottawa	Burnaby BC	Paris ON	Sault Ste. Marie
Database	Oracle	Oracle	Oracle	Microsoft SQL	Microsoft SQL
Modules:					
--Purchasing	Yes	Yes	Yes	Yes	Yes
--Budget	Yes	No	No	Yes	Yes
--Asset management	Yes	No	No	Yes	Yes
--Inventory	Yes	No	No	Yes	Yes
--Human resources	Yes	Yes	No	Yes	Yes
E-government capability	Yes	No	Yes	Yes	Yes
Integration of component modules	Excellent	Limited	Limited	Very good	Good
Interface with our existing software	With Class, Vailtech and Cityview	With Class	With Vailtech	With Class and Vailtech	With Class and Vailtech
Timely access to information	Excellent	Good	Poor	Very good	Good
Reporting capabilities	Excellent	Very good	Poor	Adequate	Good
Data import/export	Very easy	Poor	Requires a separate tool	Adequate	Adequate

Selection criteria added during the process	J.D. Edwards	Vailtech	Cayenta/SFG	CompuPower	Vadim
Software partnerships	Requires a tax program	Requires a budgeting module	Requires a budgeting module	Uses Microsoft Great Plains and Excel	Requires Crystal Reports and a Magic Licence
Program structure	"Off the shelf" product but is very customizable	Requires customization	Update of existing program	Almost an "off the shelf" product	Requires customization
Support	24/7	Adequate	Bad experience	24/7	12 hours/day
Presentation	Good	Good	Poor	Good	Poor
Municipal knowledge	Good	Adequate	Adequate	Excellent	Poor
Overall impression	Far superior to the other products	Their commitment to the future is not clear	Same functionality with a new window	Has some questionable marketing practices	Probably the choice for smaller towns

Cost	J.D. Edwards	Vailtech	Cayenta/SFG	CompuPower	Vadim
Software	\$175,777	\$78,000	\$425,000	\$200,050	\$174,000
Equipment					\$7,500
Installation	\$527,590	\$158,000	\$75,000	\$63,100	\$159,200
Total investment	\$703,367	\$228,000	\$500,000	\$263,150	\$335,700
Annual fees	\$39,550	\$23,460	\$41,232	\$8,475	\$29,160

For price comparison purposes, similar packages are being compared – financial, budgeting, accounts payable and receivable, purchasing, excluding taxation, water/sewer billing, and asset management – with the following exceptions:

- Cayenta/SFG pricing does not include a purchasing module. One is available but the cost is not known.
- J.D. Edwards pricing does not include conversion costs.
- Vailtech conversion costs have been estimated.
- Cayenta/SFG is our current system and does not require conversion.
- CompuPower and Vadim have conversions costs included in their pricing

SCHEDULE "B"

LMIH recommendations	J.D. Edwards	Vailtech	Cayenta/SFG	CompuPower	Vadim
IM19ii - assist HR in monitoring to ensure annual staff performance reviews	Yes	Yes	No	No	No
CS1vi - support a centralized Customer Service Centre	Yes	No	No	Yes	No
CS4ii - Performance Management Program	Yes	Yes	No	No	No
I17i - Activity Based Costing (ABC)	Yes	No	No	No	No
I19i - Maintenance Management System	Yes	No	No	Yes	Yes
I21i - Asset Management Program	Yes	No	No	Yes	Yes
I21ii - inventory tracking system	Yes	No	No	Yes	Yes
CS3vi - Oracle database	Yes	Yes	Yes	No	No

LMIH recommendations	J.D. Edwards	Vailtech	Cayenta/SFG	CompuPower	Vadim
SS7i - Shared information	One database	Limited	Limited	One database	Limited
CS3v - Cityview implementation	Interfaces				
I5ii - fleet maintenance	Yes	No	No	No	No
SS8i - computerized purchasing system	Yes	Yes	Yes	Yes	Yes
SS8ii - computerized inventory system	Yes	No	No	Yes	Yes
CS1i - support a centralized payment/purchase function	Yes	No	No	Yes	No
CS5viii - all town applications/forms in electronic format	Can interface with program				

The meeting of the Appointment Committee was held on Thursday, January 17, 2019 in the Holland River Room, 395 Mulock Drive, Newmarket.

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh, Vice-Chair
Councillor Twinney, Chair

Staff Present: K. Saini, Acting Director of Legislative Services/Town Clerk,
Recording Secretary

The meeting was called to order at 3:30 PM.

Selection of Chair and Vice-Chair of the Appointment Committee

Moved by: Mayor Taylor
Seconded by: Deputy Mayor & Regional Councillor Vegh

1. That Councillor Twinney be appointed as the Chair of the Appointment Committee for the 2018-2022 term of Council; and,
2. That Deputy Mayor & Regional Councillor Vegh be appointed as the Vice-Chair of the Appointment Committee for the 2018-2022 term of Council.

Carried

Additions & Corrections to the Agenda

None.

Declarations of Pecuniary Interest

None.

Deputations

None.

Approval of Minutes

1. Appointment Committee Meeting Minutes of May 22, 2018

Moved by: Mayor Taylor
 Seconded by: Deputy Mayor & Regional Councillor Vegh

1. That the Appointment Committee Meeting Minutes of May 22, 2018 be approved.

Carried

2. Appointment Committee (Closed Session) Meeting Minutes of May 22, 2018

Moved by: Mayor Taylor
 Seconded by: Deputy Mayor & Regional Councillor Vegh

1. That the Appointment Committee (Closed Session) Meeting Minutes of May 22, 2018 be approved.

Carried

Items for Discussion

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

Moved by: Mayor Taylor
 Seconded by: Deputy Mayor & Regional Councillor Vegh

1. That Council appoint the following individuals to the Main Street District Business Improvement Area Board of Management:

Rob Clark
 Allan Cockburn
 Thomas Hempen
 Debbie Hill
 Mark Iacovetta
 Jennifer McLachlan
 Omar Saer
 Ken Sparks

Carried

Closed Session

Councillor Twinney advised that there was no requirement for a closed session.

Adjournment

Moved by: Mayor Taylor
Seconded by: Deputy Mayor & Regional Councillor Vegh

1. That the Appointment Committee meeting adjourn at 3:33 PM.

Carried

Date

Councillor Twinney, Chair



Central York Fire Services

Minutes

Joint Council Committee

Date: Tuesday, January 22, 2019

Time: 10:00 AM

Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Mrakas, Town of Aurora
Councillor Gallo, Town of Aurora
Deputy Mayor & Regional Councillor Vegh, Town of Newmarket
Councillor Broome, Town of Newmarket
Councillor Gilliland, Town of Aurora
Councillor Bisanz, Town of Newmarket

Staff Present: E. Armchuk, Acting Chief Administrative Officer, Town of Newmarket
D. Nadorozny, Chief Administrative Officer, Town of Aurora
I. Laing, Fire Chief, Central York Fire Services
R. Comeau, Deputy Chief, Central York Fire Services
R. Volpe, Deputy Chief, Central York Fire Services
C. Duval, Assistant Deputy Chief, Central York Fire Services
M. Mayes, Director of Financial Services/Treasurer, Town of Newmarket
D. Schellenberg, Manager of Finance & Accounting, Town of Newmarket
J. Gaertner, Acting Director of Finance – Treasurer, Town of Aurora
L. Georgeff, Director of Human Resources, Town of Newmarket
A. Walkom, Legislative Coordinator, Town of Newmarket

1. Additions & Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Presentations

3.1 Joint Council Committee Member Orientation

Chief Laing provided an introduction to the presentation and introduced Deputy Chief Comeau, Deputy Chief Volpe, and Assistant Deputy Chief Duval to the Committee Members.

Deputy Chief Comeau provided an overview of the CYFS projects which are currently underway.

Deputy Chief Volpe provided an overview of CYFS capital projects and the various Fire Stations.

Chief Laing provided an overview of the CYFS consolidated fire services agreement including the cost sharing, primary response area and staffing model.

4. Deputations

None.

5. Approval of Minutes

5.1 Central York Fire Services – Joint Council Committee Meeting Minutes of September 4, 2018

Moved by: Councillor Bisanz

Seconded by: Councillor Gilliland

1. That the Central York Fire Services - Joint Council Committee Meeting Minutes of September 4, 2018 be approved.

Carried

6. Items

6.1 Appointment of Chair and Vice-Chair

Moved by: Councillor Bisanz

Seconded by: Councillor Gilliland

1. That Mayor Mrakas be appointed as Chair of the Central York Fire Services - Joint Council Committee.

Carried

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Gallo

1. That Councillor Bisanz be appointed as Vice-Chair of the Central York Fire Services - Joint Council Committee.

Carried

6.2 2019 Calendar

Moved by: Councillor Broome

Seconded by: Councillor Gilliland

1. That the Joint Council Committee approve the following meeting schedule for 2019:
 - March 5, 2019
 - May 7, 2019
 - July 2, 2019
 - September 3, 2019
 - November 5, 2019

Carried

6.3 CYFS Budget Report - Third Quarter 2018

Moved by: Councillor Gallo

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the report entitled CYFS Preliminary Budget Report - Third Quarter dated January 22, 2019 be received for information purposes.

Carried**6.4 Fire Stations Information Report**

Moved by: Councillor Bisanz

Seconded by: Councillor Gilliland

1. That the Central York Fire Services Information Report dated January 22, 2019 be received for information purposes.

Carried**6.5 Fleet Information Report**

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Bisanz

1. That Central York Fire Services Report dated January 22, 2019 titled Fleet Information Report be received for information purposes.

Carried**7. New Business**

None.

8. Closed Session (if required)

None.

9. Adjournment

Moved by: Councillor Gilliland

Seconded by: Councillor Gallo

1. That the meeting adjourn at 10:39 AM.

Carried

Mayor Mrakas, Chair

Date



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Tuesday, September 18, 2018
 Time: 7:30 PM
 Location: Community Centre - Hall #2
 200 Doug Duncan Drive
 Newmarket, ON L3Y 3Y9

Members Present: Glenn Wilson, Chair
 Councillor Kwapis
 Elizabeth Buslovich
 Olga Paiva
 Carmina Pereira
 Jackie Playter
 Sigfried Wall

Members Absent: Anne Martin
 Peter Mertens
 Rory Rodrigo

Staff Present: C. Kallio, Economic Development Officer
 K. Saini, Deputy Town Clerk
 A. Walkom, Council Committee Coordinator

1. Additions and Corrections to the Agenda

The following addition to the agenda was requested:

1. Deputation from St. Andrew's Church Community Ambassador

Moved by: Carmina Pereira

Seconded by: Elizabeth Buslovich

1. That the addition to the agenda be approved.

Carried

2. Declarations of Pecuniary Interest

None.

3. Presentations & Recognitions

None.

4. Deputations

4.1 St. Andrew's Church Community Ambassador

Allen Kirkpatrick, Community Ambassador for St. Andrew's Church provided a deputation. He advised of the Church's activities in the community and involvement in upcoming events such as Rebel Heartland.

Moved by: Carmina Pereira

Seconded by: Sigfried Wall

1. That the deputation by Allen Kirkpatrick regarding St. Andrew's Church be received.

Carried

5. Approval of Minutes

5.1 Main Street District Business Improvement Area Board of Management Meeting Minutes of July 24, 2018

Moved by: Jackie Playter

Seconded by: Elizabeth Buslovich

1. That the Main Street District Business Improvement Area Board of Management Minutes of July 24, 2018 be approved.

Carried

6. Items

6.1 BIA Board Election 2018

The Economic Development Officer provided an overview of the Annual General Meeting for 2018 and the election for the new term of the Board membership.

The Deputy Town Clerk provided an update on the 2018 BIA Board election and reviewed the voting procedures. The Board asked questions of clarification regarding election processes.

The Board discussed the proposed date for the 2018 Annual General Meeting. November 13, 2018 and November 20, 2018 were proposed as potential dates. Glenn Wilson advised he would poll Board members for their preferred date.

6.2 Annual General Meeting 2018

This item was discussed under Item 6.1.

6.3 Discussion - P3 Parking Lot

Glenn Wilson provided an overview of the parking issue during the Canada Day event. He advised that some parking lots were used for other purposes, leading to a shortage of parking spaces in the downtown.

6.4 Street Events Update

Carmina Pereira provided an update on upcoming events including the Halloween event to be held on Main St. Sunday, October 28, 2018 from 11:00 AM to 1:00 PM.

Moved by: Jackie Playter

Seconded by: Elizabeth Buslovich

1. That the street events update be received.

Carried

6.5 Financial Update

The Economic Development Officer provided an update on the 2018 budget to date. He provided clarification on some of the items included in the budget and the way in which items are displayed in the budget.

Moved by: Olga Paiva

Seconded by: Sigfried Wall

1. That the financial update be received.

Carried

6.6 NDDC Update

There was no update on this item.

6.7 Staff Update

The Economic Development Officer advised of a public art unveiling event to be held November 5, 2018.

The Council Committee Coordinator advised of an Election Open House to be held September 19, 2018 from 7:00 PM to 9:00 PM at the Municipal Offices.

The Economic Development Officer advised of the recent announcement of the retirement of Town of Newmarket CAO Bob Shelton.

Moved by: Olga Paiva

Seconded by: Elizabeth Buslovich

1. That the staff update be received.

Carried

7. New Business

7.1 2018 Expenditures

The Board discussed the expenditures related to planned events for the remainder of 2018.

Moved by: Elizabeth Buslovich

Seconded by: Olga Paiva

1. That the Main Street District Business Improvement Area Board of Management approve an increase in the budgeted amount for the Candlelight Parade from \$3,000 to \$4,000.

Carried

Moved by: Elizabeth Buslovich

Seconded by: Sigfried Wall

1. That the Main Street District Business Improvement Area Board of Management approve an increase in the budgeted amount for the Christmas Party from \$1,000 to \$1,500.

Carried

Moved by: Sigfried Wall

Seconded by: Olga Paiva

1. That the Main Street District Business Improvement Area Board of Management request the Town of Newmarket produce a cheque for \$4,300 for the Candlelight Parade.

Carried

8. Closed Session (if required)

None.

9. Adjournment

Moved by: Olga Paiva

Seconded by: Councillor Kwapis

1. That the meeting adjourn at 9:04 PM.

Carried

Glenn Wilson, Chair

Date



438 Park Avenue
Newmarket, Ontario L3Y 1W1

Email: npl@newmarketpl.ca

Website: newmarketpl.ca

Phone: 905-953-5110

Newmarket Public Library Board

Regular Board Meeting Minutes

Wednesday, November 21, 2018
Newmarket Public Library Board Room

Present: Joan Stonehocker, Chair
Tara Brown, Vice Chair
Kelly Broome
Venkatesh Rajaraman
Tom Vegh

Absent: Darcy McNeill
Jane Twinney

Staff Present: Todd Kyle, CEO
Linda Peppiatt, Deputy CEO
Lianne Bond, Administrative Coordinator

The Chair called the meeting to order at 5:50 pm

Adoption of Agenda Items

1. Adoption of the Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of the Consent Agenda Items

The Chair asked if there were any additions to the agenda.

Motion 18.11.315

Moved by Tara Brown

Seconded by Venkatesh Rajaraman

That Agenda items 1) to 3) be adopted as presented.

Carried

Declarations

None were declared.

Consent Agenda Items:

4. Adoption of the Regular Board Meeting Minutes for Wednesday, October 10, 2018
5. Strategic Operations Report for October, 2018
6. Monthly Bank Transfer

Motion 18.11.316

Moved by Tom Vegh

Seconded by Tara Brown

That Consent Agenda items 4) to 6) be received and approved as presented.

Carried

Reports

There were no reports

Business Arising

7. Carpet Replacement

A report on completing the remainder of the carpet replacement project was reviewed by the Library Board.

Motion 18.11.317

Moved by Tara Brown

Seconded by Kelly Broome

That the Library Board approve the completion of the carpet replacement project using the funds identified in the report.

Carried

8. Library Board Action List

The Library Board reviewed the Action list.

Motion 18.11.318

Moved by Venkatesh Rajaraman

Seconded by Tom Vegh

That the Library Board receive the Action List as presented.

Carried

New Business

There was no new business

Closed Session

Motion 18.11.319

Moved by Tom Vegh

Seconded by Tara Brown

That the Library Board move in to a Closed Session at 6:10 pm for the purpose of discussing Labour Relation matters.

Carried

Motion 18.11.320

Moved by Venkatesh Rajaraman

Seconded by Kelly Broome

That the Library Board move out of Closed Session at 6:14 pm.

Carried

Motion arising from the Closed Session meeting.

Motion 18.11.321

Moved by Tom Vegh

Seconded by Tara Brown

That the Library Board receive the report on 2019 economic adjustments for non-union employees.

Carried

Dates of Future Meetings

The next Regular Library Board meeting is scheduled for Wednesday, December 19, 2018 at 5:30 pm in the Library Board room. A reception for Board members will follow.

Adjournment

Motion 18.11.322

Moved by Venkatesh Rajaraman

Seconded by Tara Brown

That there being no further business the meeting adjourn at 6:22 pm.

Carried

Joan Stonehocker, Chair

Todd Kyle, Secretary/Treasurer



438 Park Avenue
Newmarket, Ontario L3Y 1W1

Email: npl@newmarketpl.ca

Website: newmarketpl.ca

Phone: 905-953-5110

Newmarket Public Library Board

Regular Board Meeting Minutes

Wednesday, December 19, 2018
Newmarket Public Library Board Room

Present: Joan Stonehocker, Chair
Tara Brown, Vice Chair
Kelly Broome
Darcy McNeill
Venkatesh Rajaraman
Jane Twinney
Tom Vegh

Staff Present: Todd Kyle, CEO
Linda Peppiatt, Deputy CEO
Lianne Bond, Administrative Coordinator

The Chair called the meeting to order at 5:40 pm

Adoption of Agenda Items

1. Adoption of the Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of the Consent Agenda Items

The Chair asked if there were any additions to the agenda.

Motion 18.12.323

Moved by Venkatesh Rajaraman

Seconded by Kelly Broome

That Agenda items 1) to 3) be adopted as presented.

Carried

Declarations

None were declared.

Consent Agenda Items:

4. Adoption of the Regular Board Meeting Minutes for Wednesday, November 21, 2018
5. Adoption of the Closed Session Meeting Minutes for Wednesday, November 21, 2018
6. Strategic Operations Report for November, 2018
7. Monthly Bank Transfer

Motion 18.12.324

Moved by Kelly Broome

Seconded by Tara Brown

That Consent Agenda items 4) to 7) be received and approved as presented.

Carried

Reports

There were no reports

Business Arising

8. Library Board Action List

The Library Board reviewed the Action list.

Motion 18.12.325

Moved by Darcy McNeill

Seconded by Venkatesh Rajaraman

That the Library Board receive the Action List as presented.

Carried

Dates of Future Meetings

The next Regular Library Board meeting is scheduled for Wednesday, January 16, 2019 at 5:30 pm in the Library Board room.

Adjournment

Motion 18.12.326

Moved by Jane Twinney

Seconded by Tara Brown

That there being no further business the meeting adjourn at 6:00 pm.

Carried

Joan Stonehocker, Chair

Todd Kyle, Secretary/Treasurer



Town of Newmarket

Minutes

Site Plan Review Committee

Date: Monday, March 4, 2019
 Time: 2:00 PM
 Location: Council Chambers
 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 Broome
 Councillor Bisanz

Members Absent: Councillor Kwapis

Staff Present: E. Armchuk, Acting Chief Administrative Officer
 P. Noehammer, Commissioner of Development & Infrastructure Services
 L. Traviss, Senior Planner - Development
 T. Horton, Planner
 D. Potter, Chief Building Official
 A. Walkom, Legislative Coordinator

Guests: Joanne Barnett, Marianneville Developments Limited
 Richard Zelinka, Zelinka Priamo Ltd.

The Site Plan Review Committee was called to order at 2:00 PM.
 Mayor Taylor in the Chair.

1. Additions & Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Presentations

3.1 Site Plan Approval Process

The Planner provided a presentation which outlined the Site Plan Approval process.

Moved by: Councillor Morrison

Seconded by: Councillor Simon

1. That the presentation regarding the Site Plan Approval Process be received.

Carried

4. Deputations

None.

5. Items

5.1 Selection of Chair and Vice-Chair of the Site Plan Review Committee

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Woodhouse

1. That the Chair and Vice-Chair of the Site Plan Review Committee be assigned on a rotating basis; and,
2. That staff be directed to prepare a rotating Chair and Vice-Chair schedule which divides the Council term into eight segments.

Carried

5.2 Application For Site Plan Approval Block 120, Plan 65M-4587 – Ward 7 (South Of Davis Drive, West Of Crossland Gate & Hydro Corridor) Our File No.: D11-NP-18-21 Marianneville Developments Limited

Richard Zelinka of Zelinka Priamo Ltd and Joanne Barnett of Marianneville Developments Limited provided a presentation on this application.

Moved by: Councillor Bisanz

Seconded by: Councillor Simon

1. That the presentation regarding application for Site Plan Approval for File Number D-11-NP-18-21 be received; and,
2. That staff be directed to continue the technical review of the application to ensure conformity with the Zoning By-law, Official Plan, and all other applicable policies; and,
3. That the staff comments as provided in the "Notes to Committee" dated March 4, 2019 be addressed to the satisfaction of staff; and,
4. That staff be directed to ensure full consideration is given to all comments provided by Committee, including exploration of all opportunities for visitor parking; and,
5. That Joanne Barnett, Marianneville Developments Limited, 3-26 Lesmill Road, Toronto ON M3B 2T5 be notified of this action; and,
6. That Kerigan Kelly, Groundswell Urban Planners Inc., 95 Mural Street, Suite 402, Richmond Hill ON L4B 3G2 be notified of this action.

Carried

6. Adjournment

Moved by: Councillor Simon

Seconded by: Councillor Morrison

1. That the meeting be adjourned at 3:40 PM.

Carried

Mayor John Taylor, Chair

Date



Town of Newmarket

Outstanding Matters List (2018 – 2022 term of Council)

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
To Be Determined				
1.	Meeting Date: (1) Council – December 14, 2015 (2) Council – January 18, 2016 – Item 35 Subject: 2015-44 – Proposed Trail from Yonge Street to Rita's Avenue	Recommendation: (1) 1. That staff provide alternate trail options for this area at a lower cost. (2) 1. That Item 35 of the Council Minutes of December 14, 2015 being Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be reconsidered; and, (2) 2. That staff provide alternate trail options for this area at a lower cost, including the option of extending the trail through George Luesby Park along Clearmeadow Boulevard to Yonge Street and further connecting the trail from Flanagan Court/Rita's Avenue to the George Luesby Park Trail; and, (2) 3. That staff also include in the report the option of installing lighting along the George Luesby Park Trail. Responsible Department: ➤ Planning and Building Services ➤ Engineering Services	Q3 2019	Deferred subsequent to VivaNext construction

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
2019				
2.	Meeting Date: Council – June 7, 2016 – Item 35 Subject: Federal Infrastructure Funding	Recommendation: 1. That staff provide Council with a prioritized list of infrastructure projects currently not funded through Development Charges, the Asset Replacement Fund or Other Reserve Funds for implementation between 2018 to 2025 that augment existing priorities, strategies and master plans or leverage grant funding for initiatives that achieve our Corporate Vision of a 'Community Well Beyond the Ordinary' Responsible Departments: ➤ Strategic Initiatives	2019	Awaiting next phase of funding announcements
3.	Meeting Date: Committee of the Whole – April 9, 2018 Subject: Council Remuneration	Recommendations: 1. That CAO/Human Resources Report 2018-05 be received; and, 2. That Council direct staff not to “gross up” or increase Council pay in 2019, at the time of the removal of the 1/3 tax free provision, which will result in a take home pay cut for all Members of Council; and, 3. That Council refer the consultant and staff report to the new term of Council to be considered along with updated information at that time and to allow for phasing of any further adjustments to occur if necessary; and, 4. That staff be authorized and directed to do all things necessary to give effect to this resolution. Responsible Department: ➤ Office of the CAO/Human Resources	2019 TBD	

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
Q1, 2019				
4.	Meeting Date: Committee of the Whole – February 27, 2017 Subject: Report 2017-05 – Tree Removal, Protection Policies and Regulations	Recommendation: <ol style="list-style-type: none"> That Council direct staff to update the existing Tree Preservation, Protection, Replacement and Enhancement Policy. (completed) That Council direct staff to prepare and bring to a future meeting a by-law regulating and protecting significant trees on private property; and, That Council direct staff to prepare and bring to a future Council meeting a by-law protecting trees on municipal property. (completed) Responsible Department: <ul style="list-style-type: none"> ➤ Planning and Building Services 	Q2, 2019	
5.	Meeting Date: Council – December 5, 2016 Subject: Report 2016-25 – 178, 170, 184, 188, 190 and 194 Main Street s	Recommendation: <ol style="list-style-type: none"> That in 120 days, staff be directed to bring back an amendment to the Heritage Conservation District Plan and By-law for consideration of Council that would outline the criteria which would need to be met by applicants in order to be considered for approval for a fourth storey set back from the street by a minimum of 15 (fifteen) feet. <ul style="list-style-type: none"> ➤ Planning and Building Services 	Q2, 2019	

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
6.	<p>Meeting Date: Committee of the Whole – May 8, 2017</p> <p>Subject: Information Document for Residents Related to Construction Sites</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Council approve the following motion in principle: 2. That staff be directed to prepare an information document that can be provided to residents in the vicinity of new construction sites, the purpose of which is to advise and to communicate to the residents, the various activities, potential impacts and expected timelines associated with each phase of construction, from site clearing through to house construction; and, 3. That developers, through their consulting engineers, be required to ensure that residents, and the relevant Ward Councillor, in adjacent areas receive advance written notice of construction events to take place, so that they can be better informed and prepared for any disruption that may occur as a result; and, 4. That the aforementioned motions be referred to staff for a report back including options and resource requirements. <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Planning & Building Services 	Q2, 2019	Awaiting outcome of vibration report.

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
7.	<p>Meeting date: Committee of the Whole – September 25, 2017</p> <p>Committee of the Whole – October 16, 2017</p> <p>Subject Development and Infrastructure Services Report – Engineering Services 2017-32- Town Wide Traffic Mitigation Strategy – 2017</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That Development and Infrastructure Services Report – Engineering Services 2017-32, dated October 2, 2017, entitled “Town-wide Traffic Mitigation Strategy 2017 - Timing” be received and the following recommendations be adopted: <ol style="list-style-type: none"> a. That the final report be brought back to Council by early Quarter 3 2018; and, b. That staff continue to expedite the process to provide the report sooner, if possible; and, c. That all current road safety, speed management and traffic calming programs that are currently underway, and are in accordance with the principles set out in “Appendix A” (draft strategy) from Development and Infrastructure Services Report ES 2017-29 (Town-wide Traffic Mitigation Strategy 2017), continue as planned throughout the consultation period and until the final strategy document is approved by Council, at which time the programs will be reviewed to plan their conformance with the new approved strategy. <p>Responsible Department ➤ Engineering Services</p>	Q1, 2019	Information report to be distributed prior to end of March 2019.
8.	<p>Meeting Date: Committee of the Whole – March 19, 2018</p> <p>Subject: Vibration Control and construction activity (deputation)</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That the deputation by Stuart Hoffman regarding vibration control in regards to construction activity be received and referred to staff for review and report; and, 2. That staff be directed to provide recommendations and approaches to address the issues identified to protect neighbouring sites from the effects of vibrations from adjacent construction projects; and, 3. That the report should include, but not be limited to, potential by-law changes including the requirement of pre-condition surveys, effective monitoring and data reporting, resident notification and a process for complaint handling in all site plan approvals. <p>Responsible Departments: ➤ Planning and Building Services & Engineering Services</p>	Q1, 2019	On March 18, 2019 CoW Agenda

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
9.	Meeting Date: Committee of the Whole - April 30, 2018 Subject: Heritage Designations – York Region Administrative Building and Newmarket Canal System	Recommendation: 1. The Senior Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report: a. That the Heritage Newmarket Advisory Committee propose to the Region of York that the Administration Centre building be designated, due to its noted architect; and, b. That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system. Responsible Department: ➤ Planning and Building Services	Q2, 2019	
10.	Meeting Date: Committee of the Whole – March 19, 2018 Subject: Cats at large (deputation)	Recommendation: 1. That the presentation by Sharon King Todd regarding cats at large be received and referred to staff Responsible Department: ➤ Legislative Services	Q1, 2019	To be considered as part of Council's Regulatory Review Workshop on March 25, 2019.
11.	Meeting Date: Committee of the Whole – January 14, 2019 Subject: Clothing Donation Bins	Recommendation: 3. That the licensing of Clothing Donation Bins be referred to the Regulatory Review Workshop Responsible Department: ➤ Legislative Services	Q1, 2019	To be considered as part of Council's Regulatory Review Workshop on March 25, 2019.
12.	Meeting Date: Committee of the Whole - February 26, 2018 Subject: Newmarket Public Library Study Implementation	Recommendations: 1. That staff, in conjunction with the Newmarket Public Library CEO, be authorized to implement the recommendations in accordance with the presentations made at the January 30, 2018 Joint Council and Newmarket Library Board Workshop provided implementation is in line with current and future approved operating budgets; and, 2. That Council refer the further consideration and direction with respect to library facility needs study to the 2018 – 2022 Council Strategic Priority setting process. Responsible Department: ➤ Community Services/Newmarket Public Library	Q1/Q2, 2019	

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
Q2, 2019				
13.	Meeting Date: Committee of the Whole – January 14, 2019 Subject: Deputation: Traffic Signage on Wayne Drive	Recommendation: That staff be directed to contact the Principal of the Glen Cedar Public School regarding a drop-off area at the school; and, That staff report back to Council with information on a drop-off area. Responsible Departments: Engineering Services	Q2, 2019	
14.	Meeting Date: Committee of the Whole – August 28 – Motion Subject: Item 3 of Accessibility Advisory Committee Meeting Minutes of March 23 re: Accessibility in the downtown area	Recommendation: That the Operational Leadership Team recommends that the follow recommendation be referred to staff for review and report: 1. That The Accessibility Advisory committee recommends to Council that Council consider ways to make as many entrances to Main Street buildings as accessible as possible. Responsible Departments: ➤ Legislative Services (lead), Planning and Building Services, Engineering Services & Legal Services	Q2, 2019	Information Report to be provided. Joint Meeting to be scheduled with Business Improvement Area and Newmarket Accessibility Advisory Committee
15.	Meeting Date: Committee of the Whole - September, 25, 2017 Subject: Report 2017-16 Vacant Building Report – Window Wrap Program	Recommendation: 1. That Corporate Services – Legislative Services Report 2017-16 dated September 14, 2017 entitled “Vacant Buildings/Storefronts” be received; and, 2. That staff be directed to report back on Option 2, a Window Wrap program. Responsible Departments: ➤ Legislative Services/Economic Development	Q2, 2019	

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
16.	Meeting Date: Committee of the Whole - June 11, 2018 Subject: Intensification in Stable Residential Neighbourhoods	Recommendation: 1. That the report entitled Development And Infrastructure Services/Planning & Building Services Report 2018-37 dated June 11, 2018 be received; and, 2. That staff be authorized to issue a Request for Proposals for the Official Plan and Zoning By-law amendments as described in this report; and, 3. That early budget approval be granted to allow for the initiation of the Official Plan and Zoning By-law amendments to address intensification in stable residential areas, to be financed as set out in this report. 4. That staff bring back an interim control by-law to the August 27, 2018 Committee of the Whole meeting for consideration. (completed) Responsible Department: ➤ Planning and Building Services	Complete	Results of intensification study are expected in Q4 2019 or Q1 2020
17.	Meeting Date: Special Committee of the Whole - January 30, 2017 Subject: Internet Voting and Ranked Ballots	Recommendation: 1. That staff report back on Internet Voting and Ranked Ballots in 2019 immediately following the 2018 Municipal Election. Responsible Departments: ➤ Legislative Services	Q2, 2019	Special Committee of the Whole May 13, 2019

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
18.	<p>Meeting date: Committee of the Whole – March 19, 2018</p> <p>Subject: 500 Water Street Parking Information Report 2018-11 (Cachet Parking Lot)</p>	<p>1. That Engineering Services report 2018-11 dated March 8, 2018 entitled “500 Water Street Parking (Cachet Parking Lot Expansion) be referred to the Community Centre Lands Task Force; and,</p> <p>2. That the Community Centre Lands Task Force be directed to immediately reengage in the exploration of all options, including cost and timelines, for enhanced parking in the downtown area, including but not limited to new spaces and temporary structured parking; and,</p> <p>3. That the Community Centre Lands Task Force work form the basis of a report back to Council, to be brought forward in Q1/Q2, 2019.</p> <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Engineering Services/ Community Centre Lands Task Force 	Q2, 2019	

	Originating Meeting Date and Subject	Recommendation and Responsible Department	Target Quarter / Timeframe	Staff Comments
19.	<p>Meeting Date: (1) Committee of the Whole – February 27, 2017</p> <p>(2) Committee of the Whole - November 6, 2017</p> <p>(3) Committee of the Whole – April 9, 2018 (Temporary Parking Exemption Report)</p> <p>Subject: Residential Parking</p>	<p>Recommendation: (1) 1. That staff prepare a report on options and opportunities to address residential on street and off street parking challenges. Specifically, the report should consider the impact that changing economics and demographics have on housing occupancy and ways in which the Town of Newmarket can better balance reasonable parking needs with streetscape aesthetics, active transportation objectives and effective by-laws enforcement.</p> <p>(2) 1. That Development and Infrastructure Services Engineering Services and Planning and Building Services - Report 2017-45 dated November 6th, 2017 regarding Residential Parking Review be received and the following recommendations be adopted:</p> <ul style="list-style-type: none"> a. That staff be directed to include in the 2018 budget a provision for contracting a planning and engineering consultant to undertake a review of parking matters discussed in this report; and, b. That, subject to budget approval, staff be directed to undertake a review of the Parking By-law and report back to Committee of the Whole with recommendations on improvements to parking matters discussed in this report. c. That staff be directed to organize a Council Workshop to present options based on Council's comments and feedback received at the November 6, 2017 Committee of the Whole meeting and that staff receive Council direction regarding the scope, scale and expected deliverables of a parking review prior to moving forward with issuing a Request for Proposal. <p>(3) Recommendation 5: That the Temporary Parking Exemption Program be implemented as a pilot project and reviewed as part of the overall residential parking review scheduled for Q1/Q2, 2019</p> <p>Responsible Department: ➤ Planning and Building Services / Legislative Services</p>	Q2, 2019	CW scheduled for June 10, 2019

Q3, 2019				
20.	Meeting Date: Committee of the Whole - April 30, 2018 Subject: Asset Replacement Fund Strategy	Recommendation: 1. That the Asset Replacement Fund Strategy be referred to staff for further information and be brought back to Council for consideration at a later date. Responsible Departments: ➤ Financial Services	Q3, 2019	
21.	Meeting Date: Committee of the Whole – January 14, 2019 Subject: Residents of Knapton Drive – Woodland Hills (stop signs - deputation)	Recommendations: 1. That the deputation be received and referred to staff. Responsible Department: ➤ Transportation Services	Q3, 2019	
2020				
22.	Meeting Date: Council – June 26, 2017- Item 10 Subject: Application for Official Plan Amendment and Zoning By-law Amendment – 260 Eagle Street	Recommendation: 1. That traffic impacts be monitored post construction. Responsible Departments: ➤ Engineering Services	Development is estimated to not be completed before 2020	



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Proposed Regulations for Smoking By-law Staff Report

Report Number: 2019-33

Department(s): Legislative Services

Author(s): Kiran Saini, Acting Director of Legislative Services/Town Clerk

Meeting Date: March 18, 2019

Recommendations

1. That the report entitled Proposed Regulations for Smoking By-law dated March 18, 2019 be received; and,
2. That Council select one of the three Options outlined within this report; and,
3. That Staff be directed to conduct community consultation for a period of no less than 30 days on Council's proposed regulations for smoking in the Town of Newmarket; and,
4. That Staff be directed to report back with proposed amendments to the Town's Smoking By-law after the community consultation period has ended; and,
5. That Council repeal Odour By-law 2002-111; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

This report is being provided following Council direction to Staff to prepare recommended by-laws for smoking and vaping cannabis in the Town of Newmarket. Staff are seeking Council direction with respect to the types of regulations Council wishes to see within the community, and to further direct staff to engage in community consultation on such regulations. The report details three options available to Council: 1) a prohibitive regime which would effectively prohibit smoking or vaping anywhere except for inside a private home or on the municipal boulevard; 2) alignment with the

current restrictions contained in the Smoke-Free Ontario Act (“SFOA”); and, 3) alignment with the Smoke-Free Ontario Act with additional restrictions.

Purpose

The purpose of this report is to seek Council direction on the regulations and restrictions in the Town’s Smoking By-law.

Background

On January 15, 2019, Council directed staff to “prepare amendments or new by-laws as required and return with recommendations as to how the smoking and vaping of cannabis in public places should be regulated in Newmarket by March/April 2019.”¹

Further to this direction, Town Staff have been participating in a York Regional Working Group comprised of staff from all 10 municipalities. The goal of this Group is to establish “template” definitions and provisions for a by-law for all local Council’s considerations. The template is being developed with the understanding that each municipality is unique and may wish to impose different levels of restrictions within that community.

This report provides Newmarket Council with preliminary information to inform their direction and feedback to staff on the regulations Council wishes to see in Town.

Staff have received a legal opinion that engaging in public consultation prior to adopting regulations on smoking and vaping in the community would strengthen the validity of the Town’s By-law. Such community engagement would also provide support and rationale for the municipality in the event of a legal challenge launched against the By-law.

Current By-laws - Smoking, Odour & Parks

The Town’s current Smoking By-law prohibits smoking in Town-owned buildings, vehicles, and smoking while using Town-owned equipment.

Newmarket’s Odour By-law is not an effective enforcement tool as over the years it has proven to be very challenging to enforce and to prosecute. The provisions within this By-law are fairly broad and subjective, and therefore, it is recommended that Odour By-law 2002-111 be repealed (**Attachment 1**).

The Parks By-law currently prohibits smoking tobacco anywhere within the boundaries of Sunnyhill Park, within a 20 metre radius surrounding the edge of all municipal sports surfaces, play structures, and the entrance or exit of a park.

¹ Special Council Meeting. January 15, 2019. [Item 4.2.3](#) Recreational Cannabis Report, T. Horton.

Discussion

The following three Options have been provided to Council for consideration. These Options are intended to develop and set a community threshold for smoking and vaping different substances in Newmarket.

Option 1 - Restricting cannabis use to only within a private dwelling

This Option uses the authority of the Municipal Act (“Act”) to adopt such prohibitory by-laws. Subsection 115(1) of the Act authorizes municipalities to prohibit or regulate the smoking of tobacco or cannabis in public places and workplaces.

Further, subsection 128(1) of the Act permits municipalities to take proactive steps to prevent a nuisance before it arises, and subsection 128(2) states that as long as the prohibitions put in place by the municipal council are arrived at in good faith, it is not subject to review by any court. This suggests that prior to adopting such prohibitory by-laws, council should be engaging in public consultation, seek out reports and other information that would substantiate why the specific nuisance needs to be regulated.

While the municipality has the authority to limit consumption to within a dwelling, it is subject to the following concerns:

1. Demonstration that there is a legitimate public health and safety issue if consumption is **not** regulated to within a private dwelling; and,
2. Practical enforcement issues such as resources and entry into dwelling (i.e., search and seizure authority).

Benefit

- Subject to individual compliance, the odour of smoked cannabis (often described as a skunk-like or otherwise offensive smell) would be, for the most part, confined to individual homes. The only exception is that the municipality cannot regulate cannabis consumption on a highway, and this includes the municipal boulevard (i.e., smoking or vaping on sidewalks cannot be prohibited).

Drawbacks

- Enforcement of such restrictive provisions would be challenging, requiring Town staff to seek to enter non-dwelling places where cannabis is smoked, such as backyards, apartment balconies, and privately-owned outdoor amenity areas. Given the short-term duration it takes to smoke and commit an offence, under this approach and the near-total area of Newmarket where smoking would be prohibited, the Town does not have the resources to effectively enforce such restrictions.
- Is not aligned with the use of tobacco in the Province (a product that is similar in how it is consumed). Over the last two decades, public health agencies have been advocating for tobacco consumption to be in open unenclosed areas instead of enclosed spaces.

- Would overlap with restrictions in the Smoke-Free Ontario Act that already prohibits smoking cannabis in workplaces, school, near playgrounds, and other areas where children are commonly present. This could lead to confusion over enforcement, and the public understanding where they could smoke or vape a product.
- It does not align with the view that cannabis is a product that can be legally purchased and consumed in Canada.
- By restricting use to inside a dwelling, it is effectively exposing other individuals inside that dwelling to second-hand smoke or vapours.
- The Town does **not** have the authority to restrict cannabis use on highways, which includes municipal boulevards (see “Other Considerations” within this report).
- Is not an easily understood restriction, which limits the likelihood of voluntarily compliance. As the public can legally smoke on the sidewalk and boulevard but such a by-law would prohibit smoking in a privately-owned yard, porch, patio, or parking lot, it would be challenging for intuitive understanding of where the restrictions are in place.

Option 2 - Alignment with the Smoke-Free Ontario Act (“SFOA”)

Smoking regulations have been in place in Ontario since the 1990’s. The current legislation, the Smoke-Free Ontario Act (“SFOA”), governs smoking and vaping in the Province. Since there are public health agencies who already conduct education on tobacco and cannabis consumption in Ontario, the Town could leverage the educational resources already in place by the province.

Restrictions within the SFOA

The SFOA **does not** differentiate between medical or recreational cannabis. Therefore any references below to smoking or vaping are in relation to any type of cannabis or tobacco. The SFOA came into effect in December 2017, and has fairly restrictive provisions within the Act itself, and if a municipality has a by-law that regulates smoking in that community, between the SFOA and that by-law, the more restrictive provisions apply.

The following information regarding SFOA regulations was obtained from the Province’s website.

1. Restaurant and bar patios

Individuals are not permitted to smoke or vape on a patio of any bar or restaurant, including the public areas within 9 metres of the patio.

2. Vehicles and boats

Drivers and their passengers cannot smoke tobacco or vape anything in a car or other motor vehicle (boats, snow mobiles, etc.) if anyone inside is age **15 years or younger**.

No one in a motor vehicle (including motorized snow vehicles such as snowmobiles) or boat that is being driven, or is at risk of being put into motion, can consume cannabis in any manner (smoking, vaping, eating). There are exceptions, including for:

- a passenger who is a medical cannabis user and consumes edible medical cannabis (smoking or vaping is not permitted).
- certain residential vehicles and boats, specifically a motor vehicle that has permanent sleeping accommodations and permanent cooking facilities, is parked somewhere that is not a highway, road or driveway, and is being used as a residence.
- a boat that has permanent sleeping accommodations and permanent cooking and sanitary facilities (other than a boat used to carry passengers for hire), is anchored or secured to a dock or land, and is being used as a residence.

3. Child care facilities and related places

Individuals are not permitted to smoke or vape anywhere on the entire premise of any child care centre or place that provides an early years program/service.

Further to this, homes that are established as home child care centres must be smoke-free and vape-free at all times, even if the children are not present. This includes any outdoor spaces that the children use.

4. Schools

Individuals are not permitted to smoke or vape in any public or private schools indoor space, outdoor grounds (includes playgrounds and sports fields), or public areas within 20 metres of the school's grounds.

5. Playgrounds and publicly owned sports areas

Individuals are not permitted to smoke or vape on children's playgrounds or public areas within 20 metres of children's playgrounds. Smoking or vaping is not permitted in publicly owned sporting areas, their viewing areas, and public areas within 20 metres of these places.

This means that smoking or vaping is not permitted on or within 20 metres of any Town-owned playgrounds such as exist in many of the Town's parks. More, it is prohibited to or smoke or vape on or within 20 metres of any sports areas such as the fields of Ray Twinney Recreation Complex.

6. Reserved outdoor seating venues

Individuals are not permitted to smoke or vape in the seating area of outdoor sports arena or entertainments venues. This prohibits smoking on or within 20 metres of the sports or seating area for any field for soccer, football, basketball, tennis, baseball, skating, and other sports. This is in addition to other restrictions that outright prohibit

smoking inside of any enclosed public space which would encompass all municipal recreation buildings.

7. Community recreational facilities

Smoking or vaping is not permitted on the outdoor grounds of a community recreational facility and any public areas within 20 metres of its grounds. A community recreational facility is an enclosed public place that offers athletic and recreational programs to the community and is owned by the Town. An example of this type of facility would be the Magna Centre.

8. Enclosed workplaces

Smoking or vaping in an enclosed workplace is not permitted, even when the workplace is closed. This prohibits smoking or vaping in any Town structure or vehicle that an employee works in or visits.

9. Enclosed public places

Individuals are not permitted to smoke or vape in an enclosed public place. Examples of these spaces would be inside the Municipal Offices or the Operations Centre.

10. Sheltered areas

Smoking or vaping in an outdoor shelter that has more than two walls and a roof if the public or employees are invited to use it (for example, a bus shelter) is not permitted.

11. Smoking and vaping where health and/or long-term care service is being provided

Individuals are not permitted to smoke or vape within 9 metres of any entrance or exit of a public, private hospital, psychiatric facility, long-term care home or independent health facility.

Smoking or vaping on any **outdoor** grounds of a hospital or psychiatric facility is prohibited.

Smoking or vaping is prohibited in residential care facilities, which includes:

- long-term care homes
- retirement homes that provide care; and,
- provincially-funded supportive housing residences

Some residential care facilities may choose to operate a controlled area for residents to smoke or vape. In these situations, these facilities must adhere to prescribed regulations for how to maintain and operate these areas.

12. Common indoor areas

Smoking or vaping is prohibited in **any common indoor areas** of condos, apartment buildings or college and university residences. Examples of indoor common areas include:

- elevators
- stairwells
- hallways
- parking garages
- laundry facilities
- lobbies
- exercise areas
- party or entertainment rooms

13. Second-hand smoke or vapour in rental units

Unless an individual has signed an agreement or lease or is living in a condominium with by-laws that say otherwise, that person is allowed to smoke or vape in their private home.

14. Hotels, motels and inns

The only places guests may smoke or vape in hotels, motels and inns is in fully enclosed guest rooms that the management has designated for smoking and/or vaping.

Smoking or vaping is not allowed on or around playgrounds at hotels, motels and inns.

Enforcement of SFOA provisions

Currently, only York Region Public Health Inspectors can enforce the provisions of the SFOA in the Town of Newmarket. Should Council provide direction to amend the Town's Smoking By-law to align with the SFOA, Town By-law Enforcement Staff would be given the authority to enforce the same smoking and vaping provisions. While updating the By-law would allow for greater enforcement powers; it is also likely that there may be an impact on existing staff resources. Following any amendments to the By-law being adopted, staff will monitor and assess the impact of the amendments, and if required, suggest recommendations to address the impact on resources.

Benefits

- These restrictions are universal across Ontario, which provides for consistent application and understanding between all municipalities. This increases understanding by members of the public and the likelihood of voluntarily compliance with the restrictions.

- Given the extensive smoking and vaping prohibitions, public education on smoking tobacco has been ongoing, which means that individuals are likely getting accustomed to the restrictions in place.
- Signage in many of these places where smoking or vaping is prohibited have already been erected, which adds another component of ongoing public education.

Drawback

- The community may wish to seek additional regulations above and beyond what the SFOA already provides for.

Option 3 - Alignment with the Smoke-Free Ontario Act, with additional exceptions

The Option would adopt all the same regulations as with Option 2, with potential further restrictions imposed.

1. Riverwalk Commons

As discussed above, the SFOA prohibits smoking on children's playgrounds and within 20 metres of them. This includes splash pads, and prohibits smoking within 20 metres of the splash pad. The SFOA does not clearly define the boundaries of the "playground", and as such it is unclear whether the edge of the splash pad or the edge of the property on which it is located if the point from which the distance radius is measured.

Given the significant number of events and festivals within the Riverwalk Commons area, and because the overall Riverwalk Commons area is a popular attraction used by young children in the summer months, Council may wish to consider designating:

- a) The area as no smoking and/or vaping in its entirety (the area that encompasses the black outlined portion of the map in **Attachment 2**, with some exceptions); or,
- b) A smoking area to allow for tobacco and cannabis consumers to do so in a specific area (area to be determined).

Areas within Riverwalk Commons that are already "no smoking/vaping" in accordance with the SFOA

As depicted in **Attachment 2**, there are certain areas within the Riverwalk Commons area that are already deemed as "no smoking/vaping" in accordance with the SFOA. The yellow areas identify a recreation facility or a playground, and smoking/vaping is prohibited on the grounds of those areas, and any public areas within a 20 metre radius of those restricted grounds.

The pink areas have been identified as the restaurants with patios in the Riverwalk Commons vicinity. Smoking and vaping is not permitted on restaurant or bar patios and any public area that is within 9 metres of that patio.

Note: Public areas includes any part of the sidewalk/road that falls within that 20 or 9 metre radius identified above.

Sidewalks and parking lots in the Riverwalk Commons

Attachment 2 shows which parking lots are included as part of the official Riverwalk Commons area; the southern lots adjacent to Doug Duncan Drive would qualify as part of Riverwalk Commons. However, it is important to note that, the Town does **not** have the authority to regulate smoking on municipal boulevards. This means that should Council wish to prohibit smoking and vaping in the entire Riverwalk Commons area, the Town does not have the authority to regulate smoking or vaping on the roads and sidewalks that have been identified as dark grey and white in **Attachment 2**.

Special events in the Riverwalk Commons

Many special events are held in the Riverwalk Commons, and there are also many regularly scheduled events such as the Farmer's Market. Should Council adopt a by-law that prohibits or restricts tobacco or cannabis use in Riverwalk Commons, the event organizers would need to abide by any such regulations. However, the by-law could not restrict or prohibit smoking on sidewalks or on the roadway, unless that portion of the sidewalk/roadway falls into one of the "no smoking" areas already covered by the SFOA.

2. Town-owned Parks and Trails

Council may wish to impose additional restrictions in municipally-owned parks and trails in recognition that there are varying age groups that use these outdoor spaces, and that smoking or vaping cannabis has a skunk-like odour that individuals may consider as offensive. Accordingly, Council may wish to seek public consultation on developing smoking and vaping restrictions across all Town-owned parks and trails.

It is important to note that enforcement on public parks and trails would present a number of challenges, such as: safety of staff (e.g., the person smoking is located 100 metres into a wooded lot), limited resources to respond to these complaints in a reactive manner (i.e., enforcement staff are not proactively walking around in parks or on trails).

The Town's Parks By-law, currently prohibits smoking in Sunnyhill Park due to its proximity to and use by residents of the Southlake Residential Care Village. The Parks By-law also prohibits smoking within 20 metres of any municipal sports surface, play area, or municipal facility. This largely mirrors existing restrictions in the SFOA.

3. Town-owned facilities that are not community recreational facilities

As the interior of all Town-owned buildings are workplaces and enclosed public places, smoking or vaping is already prohibited in these buildings. However, the SFOA only applies a minimum distance prohibition on smoking or vaping within 20 metres of the building or the outdoor grounds of any community recreational facility, and not from municipal buildings generally. Thus, Council may wish to adopt no smoking or vaping regulations at Newmarket-owned facilities that do not qualify as community recreational facilities in order to prohibit smoking and vaping on exterior grounds of the properties.

Table 1 below illustrates which Town-owned facilities are classified as community recreational facilities for the purposes of the SFOA

Facility Name	Community Recreational Facility Note: If yes, then smoking/vaping within 20 metres of the outdoor grounds is already prohibited by the SFOA.
Art Ferguson Clubhouse*	No*
Central York Fire Services Station 4-1	No
Central York Fire Services Station 4-2	No
Elman W. Campbell Museum	No
Global Pet Food Dog Park	No
Gorman Outdoor Pool	Yes
Hollingsworth Arena	Yes
Magna Centre	Yes
Mulock Estate	No
Municipal Offices	No
Newmarket Community Centre & Lions Hall	No
Newmarket Public Library	No
Newmarket Youth Centre & Sk8 Park	Yes
Old Town Hall	No
Ray Twinney Recreation Complex	Yes
Robert N. Shelton Operations Centre	No
Seniors' Meeting Place	No
Stickwood Walker Farmhouse	No

* **Note:** There is a playground located approximately 4 metres from Art Ferguson Clubhouse, which means smoking and vaping is already prohibited within a 20 metre radius of the playground.

For the facilities identified as “no” in the second column, Council may wish to designate the outdoor grounds of the facility as an area where smoking or vaping are prohibited. Council could restrict smoking and vaping of the outdoor grounds of these facilities within a certain distance from the buildings (e.g., 9 metres or 20 metres) or could prohibit smoking on the grounds of Town facilities generally (i.e, no smoking or vaping on the entire property).

Other Considerations

Medical Cannabis

The Town is currently consulting with external legal counsel on its authority to restrict medical cannabis beyond the SFOA, and with York Region from a prosecution standpoint. At the time this report was written, this matter was not yet resolved; however, it is anticipated that municipal authority will be determined by the time staff prepare a draft by-law for Council’s consideration.

Municipal Boulevards/Sidewalks

Subsection 115(3) of the Municipal Act does not permit the Town to restrict smoking of tobacco or cannabis on a **highway**. Based on a legal opinion, “highway” includes municipal boulevards; therefore, the Town cannot regulate smoking or vaping tobacco or cannabis on municipal boulevards, and this includes sidewalks.

Designated Smoking Areas

The Town’s current Smoking By-law authorizes certain property owners to establish “smoking areas”. This provision can be further expanded to permit all private property owners to establish designated smoking areas, provided that it is in compliance with the SFOA, and it would allow commercial property owners to effectively provide an area for individuals to legally smoke tobacco or cannabis.

Other Substances

Council also has the opportunity to review how smoking and vaping of substances other than tobacco or cannabis should be regulated within the Town. Other substances may be herbal products that are smoked or vaped for either recreational or medicinal reasons. Before undertaking any regulations to restrict or prohibit smoking or vaping of substances other than tobacco or cannabis, Council should direct staff to undertake public consultation, and develop a policy rationale as to why these regulations for these substances should be enacted.

Alignment of tobacco and cannabis regulations

Given the similar public health effects of second-hand smoke and the importance of consistency for a by-law that is well understood and enforceable, it is important to align restrictions between tobacco and cannabis smoking and vaping. Aligning where a

person can smoke or vape a substance (whether it is cannabis, tobacco, or another substance) in Town would assist with:

- Educating the public;
- The likelihood of achieving compliance (because all substance users are being regulated the same); and,
- Enforcement.

Number of complaints received by the Town regarding cannabis

Last year, the Town received 3 cannabis-related complaints from residents. These complaints were in relation to individuals who were allegedly smoking cannabis on private property. It is anticipated, however, that with the warmer months ahead, the number of complaints may increase.

Conclusion

Next Steps

1. Subject to Council direction on which option to pursue, conduct community consultation in March/April;
2. Present amendments to Smoking By-law to future Council meeting in April/May; and finally,
3. Conduct community education on enacted By-law.

Business Plan and Strategic Plan Linkages

This report aligns with the Town's vision of being Well-Equipped & Managed, and Well-Planned & Connected.

Consultation

An internal working group of staff from Planning, Building, Finance, Public Works, Legal, Legislative Services, Customer Service, Economic Development, and Communications was consulted on this report.

Additionally, staff have been participating in a York Region Working Group consisting of staff from all 10 York Region municipalities, and as part of this Working Group staff have solicited external legal opinions with matters respecting a municipality's authority to limit cannabis consumption in private and public spaces.

Human Resource Considerations

None.

Budget Impact

Should Council adopt no smoking or vaping anywhere within Town-owned parks, additional signage would need to be ordered and installed. Based on a preliminary estimate, it is anticipated that the cost of signage hardware would be approximately \$28,000 for the parks alone. Should Council wish to adopt additional restrictions in Town, it would cost approximately \$100 per sign.

Attachments

Attachment 1 - Repeal Odour By-law

Attachment 2 - Map of Riverwalk Commons Area

Approval

Lisa Lyons, Acting Commissioner of Corporate Services

Corporate Services Commission

Contact

For more information, please contact Kiran Saini, Acting Director of Legislative Services/Town Clerk at ksaini@newmarket.ca



Corporation of the Town of Newmarket

By-law 2019-XX

A By-law to repeal Odour By-law 2002-111.

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That Odour By-law 2002-111 be repealed in its entirety.

Enacted this 25th day of March, 2019.

John Taylor, Mayor

Kiran Saini, Acting Town Clerk

