

Additions & Corrections to the Agenda

Additional items to this Agenda are shown as (Added).

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Mr. Dave Gordon and Ms. Laura McDowell, Regional Municipality of York Environmental Services to address the Committee regarding the SM4RT Living Master Plan. p. 10
2. Presentation by the Director of Legislative Services – Voting Method Options & Summary of Public Input. (PowerPoint Presentation to be distributed at meeting) p. 29

Corporate Services - Joint Legislative Services & Information Technology Services Report 2013-43 dated November 29, 2013 regarding "Voting Method Options, 2014 Municipal Election".

The Commissioner of Corporate Services and the Director of Legislative Services recommend:

a) THAT Corporate Services - Joint Legislative Services & Information Technology Services Report 2013-43 dated November 29, 2013 regarding "Voting Method Options, 2014 Municipal Election" be received and the following recommendations be adopted:

i) THAT Council endorse Option 2, "Use of Internet Voting" as outlined in this report for use in the 2014 municipal election;

ii) AND THAT a by-law be brought forward for consideration by Council to authorize the use of alternative voting equipment and an alternative voting method in the 2014 municipal election in accordance with Section 42.1 (a) and (b) of the Municipal Elections Act, 1996;

iii) AND THAT the public be invited to comment on Joint Legislative Services & Information Technology Services Report 2013-43 in advance of the January 13, 2014 Committee of the Whole meeting and subsequent Council meeting where the report and authorizing by-law is considered.

Deputations

3. Ms. Caroline Grech, Government Relations Specialist, CAA to address the Committee regarding Distracted Driving. p. 56

Consent Items

4. Site Plan Review Committee Minutes of November 12, 2013. p. 57

The Site Plan Review Committee recommends:

a) THAT the Site Plan Review Committee Minutes of November 12, 2013 be received.

5. Item 1 of Site Plan Review Committee Minutes of November 12, 2013 - Application for Amendment to Site Plan Approval - 87 Mulock Drive. p. 60

The Site Plan Review Committee recommends:

a) THAT the application for Site Plan Approval to permit two additions on the north and west sides of the existing building having a total gross floor area of 576 square metres be approved in principle and referred to staff for processing subject to the following:

i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff;

ii) AND THAT Richard Wengle of Richard Wengle Architect Inc., 102 Avenue Road, Toronto, ON M5R 2H3 be notified of this decision;

iii) AND THAT Frank Serpa of Serpa Investments Corporation, 10414 Yonge Street, Richmond Hill, ON L3C 3C3 be notified of this decision.

6. Item 2 of Site Plan Review Committee Minutes of November 12, 2013 - Request for Exemption from Site Plan Approval - 380 Bayview Parkway. p. 61

The Site Plan Review Committee recommends:

i) THAT the request for an exemption from Site Plan Approval for the proposed Hydrogen Sulfide (H₂S) Reduction System at the Newmarket Pumping Station located on the subject lands be granted;

ii) AND THAT Davy Chan, Project Coordinator of the Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this decision.

7. Site Plan Review Committee Minutes of December 2, 2013. p. 62

The Site Plan Review Committee recommends:

a) THAT the Site Plan Review Committee Minutes of December 2, 2013 be received.

8. Item 1 of the Site Plan Review Committee Minutes of December 2, 2013 - Application for Site Plan Approval - 487 Queen Street - Brixton Commercial Realty Advisors Ltd. p. 65

The Site Plan Review Committee recommends:

a) THAT the application for Site Plan Approval to permit 16 stacked townhouse units together with a 21 space parking lot on the subject lands, be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff;

ii) AND THAT Brent Fleming of Brixton Commercial Realty Advisors Ltd., 10 Kingsborough Crescent, Toronto, ON M9R 2T9 be notified of this decision.

9. Item 2 of Site Plan Review Committee Minutes of December 2, 2013 - 497 Timothy Street - 1805619 Ontario Inc. p. 65

The Site Plan Review Committee recommends:

a) THAT the application for Site Plan Approval to permit a new restaurant having a gross floor area of 693.58 square metres on the subject lands, be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments to the applicant be addressed to the satisfaction of Town staff;

ii) AND THAT the applicant work with the Building Division to add fenestration to the north (rear) and west (Cedar Street) elevations of the building;

iii) AND THAT Angela Sciberras of Macaulay Shiomi Howson Ltd., 471 Timothy Street, Newmarket, ON L3Y 1P9 be notified of this decision.

10. Special Central York Fire Services - Joint Council Committee Minutes of November 5, 2013. p. 67

The Central York Fire Services - Joint Council Committee recommends:

THAT the Special Central York Fire Services - Joint Council Committee Minutes of November 5, 2013 be received.

11. Central York Fire Services - Joint Council Committee Minutes of November 5, 2013. p. 69

The Central York Fire Services - Joint Council Committee recommend:

THAT the Central York Fire Services - Joint Council Committee Minutes of November 5, 2013 be received.

12. Central York Fire Services - Joint Council Committee (Closed Session) Minutes of November 5, 2013. (Circulated in separate envelope)

Recommendation:

THAT the Central York Fire Services - Joint Council Committee (Closed Session) Minutes of November 5, 2013 be received.

13. Newmarket Public Library Board Minutes of October 23, 2013. p. 73

The Newmarket Public Library Board recommends:

THAT the Newmarket Public Library Board Minutes of October 23, 2013 be received.

14. Newmarket Environmental Advisory Committee Minutes of September 4, October 2 and November 6, 2013. p. 78

The Newmarket Environmental Advisory Committee recommends:

THAT the Newmarket Environmental Advisory Committee Minutes of September 4, October 2 and November 6, 2013 be received.

15. Newmarket Downtown Development Subcommittee Minutes of November 29, 2013. p. 90

The Newmarket Downtown Development Subcommittee Minutes of November 29, 2013 be received.

16. Inclusivity Advisory Committee Minutes of November 27, 2013. p. 93

The Inclusivity Advisory Committee recommends:

THAT the Inclusivity Advisory Committee Minutes of November 27, 2013 be received.

17. Item 3 of the Inclusivity Advisory Committee Minutes of November 27, 2013 regarding Amended Terms of Reference. p. 96

The Inclusivity Advisory Committee recommends to Council:

THAT the revised Inclusivity Advisory Committee Terms of Reference as attached be considered as the Terms of Reference for the 2014-2018 Inclusivity Advisory Committee.

18. Corporate Services Report - Financial Services 2014-02 dated December 5, 2013 regarding the 2014 Interim Tax Billing and By-law. p. 102

The Commissioner of Corporate Services and the Director of Financial Services recommend:

a) THAT Corporate Services Report - Financial Services 2014-02 dated December 5, 2013 regarding the 2014 Interim Tax Billing be received and the following recommendations be adopted:

i) THAT Council enact a by-law for the levy and collection of the 2014 Interim Tax Levy. (Attached hereto as Appendix A)

19. (Withdrawn) Corporate Services Report - Financial Services 2014-03 dated December 16, 2013 regarding Investment Activities and Returns - 4th Quarter Report.

The Commissioner of Corporate Services and the Director of Financial Services recommend:

a) THAT Corporate Services Report - Financial Services 2014-03 dated December 16, 2013 regarding Investment Activities and Returns - 4th Quarter Report be received for information purposes.

(Report to be distributed with addendum agenda)

20. (Revised) Development and Infrastructure Services Report - Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension. p. 107

Rev.
p.153

The Commissioner of Development and Infrastructure Services and the Director of Engineering Services recommend:

a) THAT Development and Infrastructure Services Report - Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension be received and the following recommendations be adopted:

i) THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside and Associates Limited for a period up to five (5) years (two years, with three one-year options) to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;

ii) AND THAT the Mayor and Town Clerk be authorized to execute the Professional services contract;

iii) AND THAT Mr. Dave Scomazzon, P.Eng. of R.J. Burnside and Associates Limited be notified of this action.

21. Development and Infrastructure Services Report - Engineering Services 2013-58 dated October 20, 2013 regarding Main Street - Prohibiting the Use of skateboards, roller blades and bicycles on the sidewalk. p. 112

The Commissioner of Development and Infrastructure Services and the Director of Engineering Services recommend:

a) THAT Development and Infrastructure Services Report - Engineering Services 2013-58 dated October 20, 2013 regarding Main Street - Prohibiting the Use of skateboards, roller blades and bicycles on the sidewalk be received and the following recommendation be adopted:

i) THAT this report be forwarded to the Main Street District Business Improvement Area Board of Management for their consideration and recommendations.

22. Development and Infrastructure Services Report - Planning and Building Services - Planning Report 2014-02 dated January 13, 2014. p. 116

The Commissioner of Development and Infrastructure Services and the Director of Planning and Building Services recommend:

a) THAT Development and Infrastructure Services - Planning and Building Services - Planning Report 2014-02 dated January 13, 2014 regarding the Review of Land Use Planning and Appeal System be received and the following recommendations be adopted:

i) THAT the planning recommendations and comments with respect to the Review of Land Use Planning and Appeal System as set out in Attachment 1 be endorsed;

ii) AND THAT staff be directed to provide the planning recommendations and comments contained in Attachment 1 to the Ministry of Municipal Affairs and Housing, with a copy to the Regional Municipality of York.

23. List of Outstanding Matters. p. 143

Recommendation:

THAT the list of Outstanding Matters be received.

Action Items

24. Corporate Services (Legal) Report 2013-14 dated December 12, 2013 regarding Update following the OMB Pre-Hearing with respect to Marianneville Developments Ltd. (Glenway) p. 148

The Commissioner of Corporate Services and the Director of Legal Services/Municipal Solicitor recommend:

a) THAT Corporate Services (Legal) Report 2013-14 dated December 12, 2013 regarding an Update following the OMB Pre-hearing on Tuesday, December 10, 2013 re: Marianneville appeals to the OMB be received for information, and the following recommendation be adopted:

i) THAT Council provide direction to staff regarding the request by OMB Chair Chee-Hing at the pre-hearing of December 10, 2013 that the parties consider participating in mediation facilitated by the OMB prior to the first phase of the hearing scheduled to begin on March 17, 2014.

Correspondence & Petitions

Reports by Regional Representatives

Notices of Motion

Motions

25. Councillor Kerwin:

p. 151

Whereas in September 2012 the provincial government cancelled the 70 year old Ontario Ranger Program (ORP), formerly known as the Ontario Junior Ranger Program;

AND WHEREAS when the government cancelled the Ontario Ranger Program it claimed the Stewardship Youth Ranger Program (SYP), an existing day program would deliver the same experience and would offer more jobs;

AND WHEREAS this day program does not offer the same quality of experience youth gained under the previous ORP in respect to knowledge of resource management and without the distractions of daily life;

AND WHEREAS since 2012, 278 Ontario Ranger jobs have been eliminated;

AND WHEREAS in previous years more than half of the Ontario Rangers were students from large urban centres. By contrast this year, the current day program is just not accessible to those students in those urban centres;

AND WHEREAS when the government cancelled the ORP, many youths lost an opportunity for a once-in-a-lifetime experience because the ORP only required enrolment in an Ontario high school and acceptance into the program was based on a postal code lottery system;

AND WHEREAS cancellation of the 70 year old ORP does a disservice to public services in Ontario to those who have come to admire and respect the natural beauty of our province;

AND WHEREAS Conservation Authorities encourage students to learn about the importance of conserving our shared natural environment and what they can do to make a positive impact;

AND WHEREAS the provincial government committed \$295 million dollars in the 2013 provincial budget for youth employment;

THEREFORE be it resolved that the Lake Simcoe Region Conservation Authority supports the Friends of the Ontario Ranger Program campaign to restore the Ontario Ranger Program in the 2014 provincial budget;

AND be it further resolved that the Lake Simcoe Region Conservation Authority shall send a letter to Premier Kathleen Wynne and the Minister of Natural Resources, David Oraziotti, urging their government to restore the Ontario Ranger Program for future generations of young people;

AND be it finally resolved that the Lake Simcoe Region Conservation Authority forward this resolution for support to the other 35 Conservation Authorities.

New Business

Closed Session

The Closed Session Agenda and Reports will be circulated under separate cover (Goldenrod).

(Proposed or pending acquisition or disposition of land by the municipality or local board). Joint Chief Administrative Officer and Commissioner of Development and Infrastructure Services Report (Closed Session) 2014-03 regarding a proposed acquisition of land.

(Litigation including matters before administrative tribunals affecting the municipality) Joint Development and Infrastructure Services and Corporate Services Report 2014-01 dated January 6, 2014 regarding Glenway - Ontario Municipal Board.

(Advice that is subject to solicitor/client privilege including communications necessary for that purpose) Waste Collection Contract.

Public Hearing Matters

Addendum

1. Corporate Services Report - Financial Services 2014-03 dated December 16, 2013 regarding Investment Activities and Returns - 4th Quarter Report listed as Item 19 - (Withdrawn)
2. (Item 20 Replacement) Development and Infrastructure Services Report - p. 153 Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension.

The Commissioner of Development and Infrastructure Services and the Director of Engineering Services recommend:

a) THAT Development and Infrastructure Services Report - Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension be received and the following recommendations be adopted:

i) THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside and Associates Limited for a period up to five (5) years (two years, with three one-year options) to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;

ii) AND THAT the Mayor and Town Clerk be authorized to execute the Professional services contract;

iii) AND THAT Mr. Dave Scmazzon, P.Eng. of R.J. Burnside and Associates Limited be notified of this action.

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|----|--|--------|
| 3. | Site Plan Map - Site Plan Approval - 87 Mulock Drive (Related to Item 5) | p. 158 |
| 4. | Site Plan Map - Site Plan Approval - 380 Bayview Parkway (Related to Item 6) | p. 159 |
| 5. | Site Plan Map - Site Plan Approval - 487 Queen Street (Related to Item 8) | p. 160 |
| 6. | Site Plan Map - Site Plan Approval - 497 Timothy Street (Related to Item 9) | p. 161 |
| 7. | (Addendum 2) Memorandum dated January 10, 2014 regarding Voting Method Options, 2014 Municipal Election. | p. 162 |

Telephone Survey

Online Survey

Happy or Not Happy Report

E-mail from Chair of Accessibility Advisory Committee

- | | | |
|----|---|--------|
| 8. | (Addendum 3) Development and Infrastructure Services Report - Public Works Services ES 2014-05 dated January 13, 2014 regarding Garbage and Recycling Service Level Update. | p. 179 |
|----|---|--------|

The Commissioner of Development and Infrastructure Services and the Director of Public Works Services recommend:

a) THAT Development and Infrastructure Services Report - Public Works Services - ES 2014-05 dated January 13, 2014 regarding Garbage and Recycling Service Level Update be received and the following recommendations be adopted:

i) THAT staff continue to work with the Contractor (GFL) and the other municipal partners in good faith to resolve all issues and improve the Level of Service for collectible waste and;

ii) THAT staff review any costs, losses and remedies of the municipality as a result of the issues encountered with the Contractor, and that staff be authorized to pursue any appropriate legal remedies provided for in the GFL Contract to recover these losses.

Adjournment



Implementation of the SM4RT Living Solid Waste Master Plan

**Committee of the Whole
Town of Newmarket
January 13, 2014**

**Laura McDowell, York Region
Dave Gordon, York Region**

Three key aspects of the SM4RT Living Solid Waste Master Plan

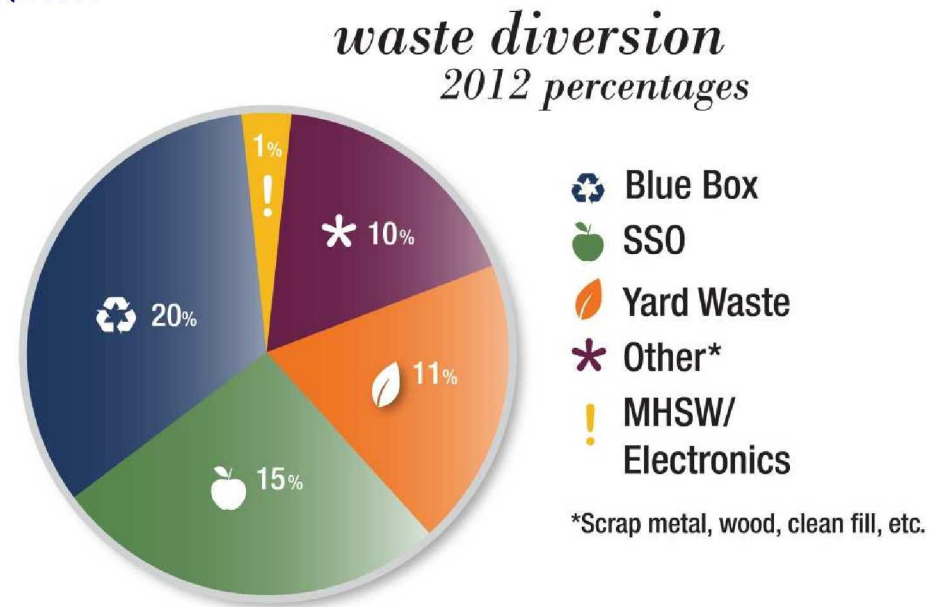
- q **Infra-stretching** through demand management achieved by waste reduction and public education
- q **Investment** in new capital with proposed expansion of Durham-York Energy Centre, SSO facility and CEC network
- q **Innovation** with partnership-based approach to deliver the SM4RT Living Plan



Where we are

- q Leaders in Ontario (2012)
 - q 57% WDO diversion (unverified)
 - q 82% diversion from landfill

- q Council endorsed 4Rs hierarchy
- q Inclusive blue box and green bin programs with high participation



Consistently ranking in the top of the WDO Large Urban category of diversion

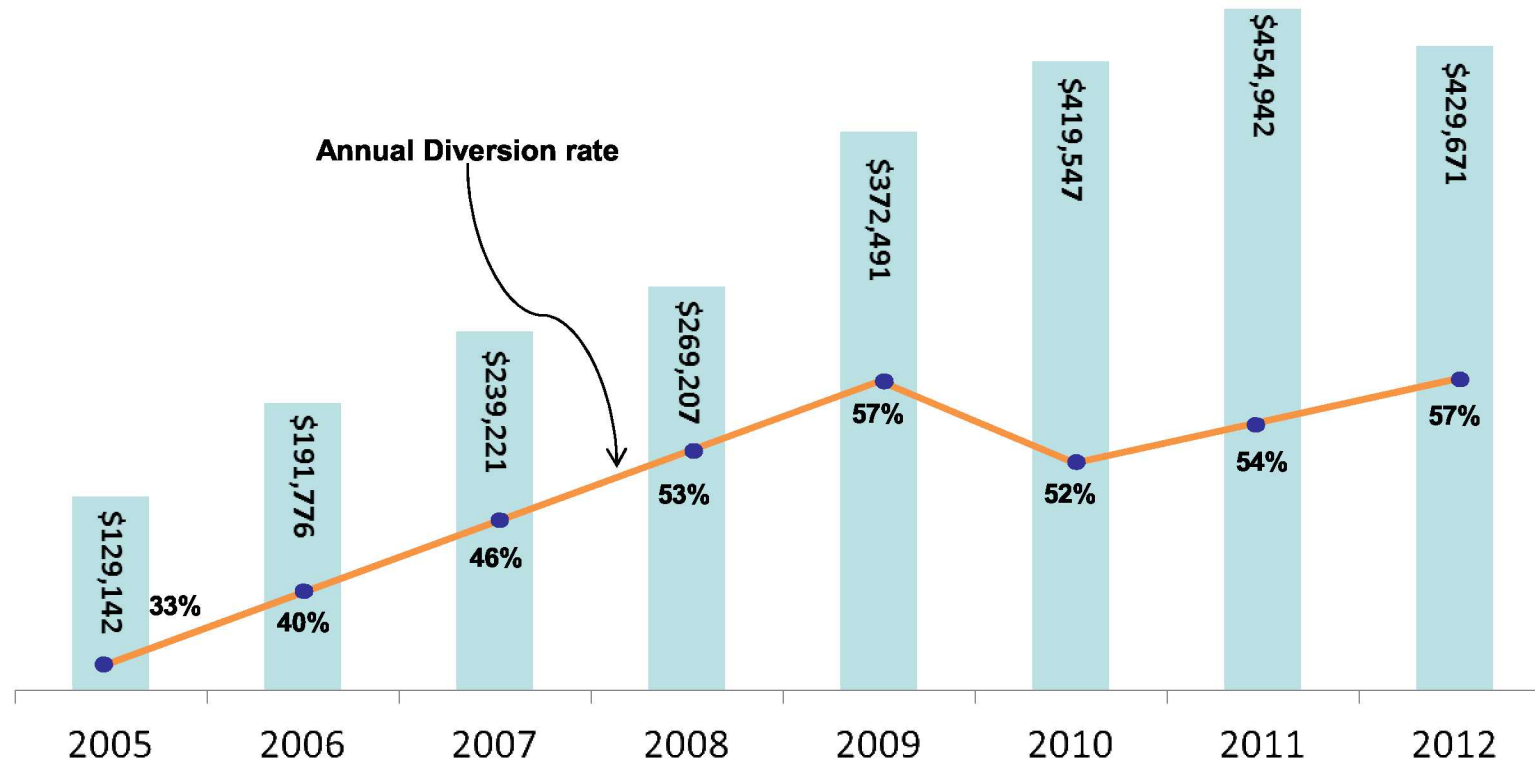
Where we want to go

- q Diversion has stalled in Ontario
- q Limited return on investment with additional diversion programs
- q Waste reduction focuses on cost avoidance through waste prevention



Measures of success in waste management at a tipping point - new Waste Reduction Act pending

Diminishing return on investment for additional diversion programs

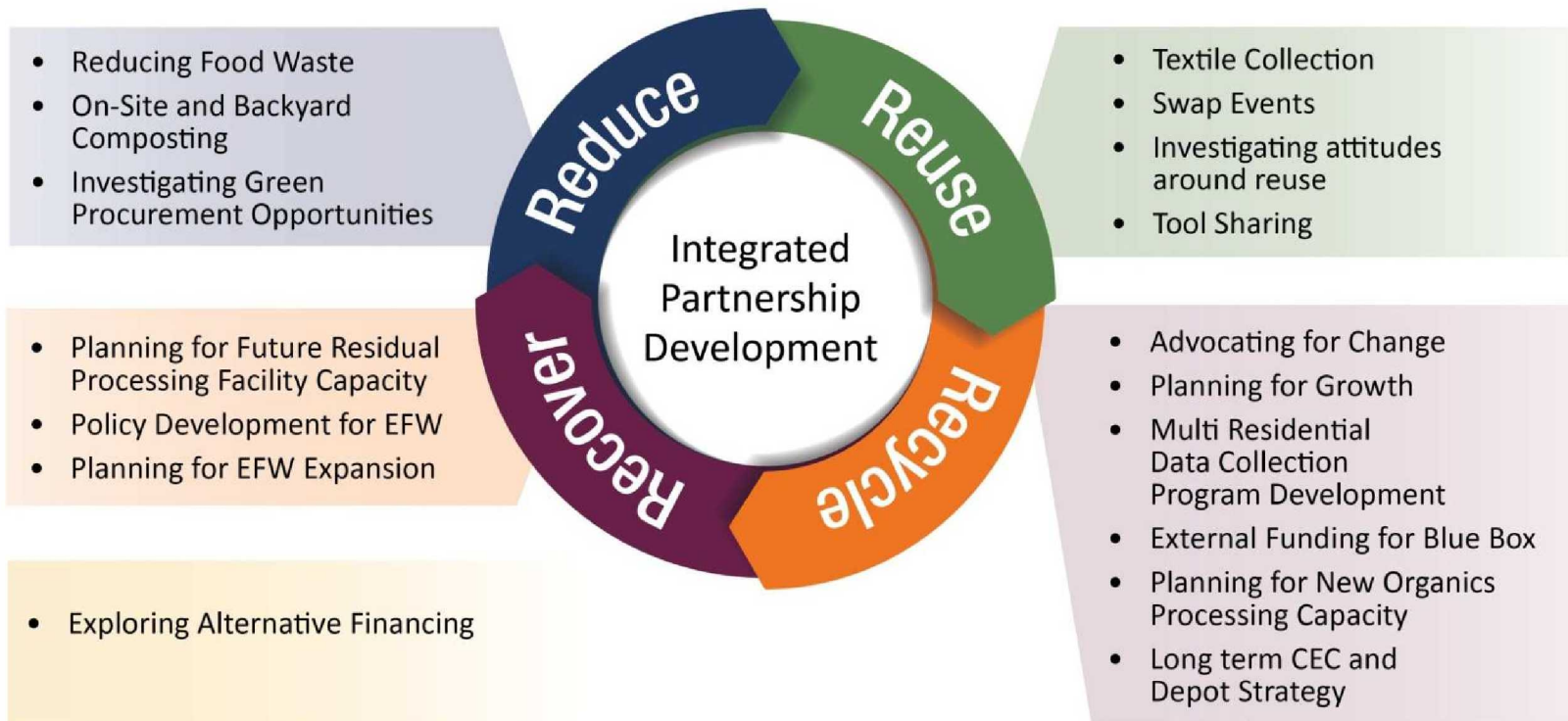


Cost per percent of diversion increased by \$300K over 8 years

Bending the curve to reduce waste generation



Priority initiatives to drive long-term performance



Implementation of priority initiatives in first five years projected to avoid up to \$62M in Regional and local net costs and reduce 166,000 tonnes of waste by 2031

Best practices for waste reduction

Best practices for waste reduction

UK WRAP REDUCTION PROGRAM
2008 to 2011

8.3 million tonnes



vs 7.2 million tonnes



*UK household food waste has fallen
by 1.1 million tonnes over three years*

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY



Around 31.75 million tonnes
of food waste was generated
in the U.S. in 2010 and
30.80 tonnes of that
was **thrown away**

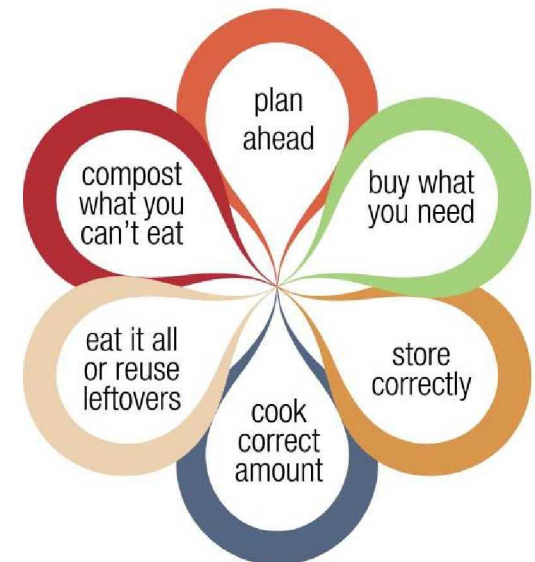
*Wasted food means wasted money
for businesses and residences.*

*Food waste reduction strategy based on best practices with conservative targets and
practical approach*

How We Are Going to Get There

- Comprehensive evaluation identified impacts of each initiative from Phase 1 and Phase 2 research
- Practical application of initiatives
 - Understanding barriers to participation
 - Working with community and industry partners
- Conservative projections set based on program success in other jurisdictions
 - Use of pilots and opportunities to recalibrate

*How to
reduce food waste*



On-going monitoring of results with first Plan update in 2019 and every four years following to align with term of Council

Extended Producer Responsibility

- q Strong desire for reduced packaging and products that can be easily recycled expressed by residents during SM4RT Living Solid Waste Master Plan public consultation
- q Proposed Waste Reduction Act (Bill 91) places emphasis on extended producer responsibility for the blue box and other designated wastes
- q Municipalities currently engaged with Producers and waste industry on changing roles and responsibilities under proposed Waste Reduction Act

“Ontario producers and product stewards know that if they fail to address the environmental impacts of their products, they risk eroding consumer confidence and market share.”

Stewardship Ontario letter to Minister Bradley September 2013



Shifts costs for end-of-life management from tax base to producers encourages design for environment

Local Municipal partners integral in development and delivery



- Mandatory Material Separation By-law
- Unlimited Clear Bags for Residue
- Expanded Textile/Carpet Diversion Program
- Zero Waste for Schools Program
- Establish Retail Bag Policy for Markham
- Enhanced Promotion & Education
- Reuse Depot for Renovation Materials
- Curbside Electronics and Battery Collection Ban
- Establish Spring & Fall clean-up days
- Expanded Fall Leaf/Yard Waste Collection



- Food waste campaign ads on collection vehicles
- Investigating adoption of waste management development standards
- Curbside 'swap' events and data collection
- Increase use and production of community gardens
- Zero waste in school programs
- Textile/electronics collection in apartment buildings



- Development standards for waste management
- Three-stream collection at parks and public events
- Electronics collection in apartment buildings
- Recycling bins at community mailboxes
- Tracking and audits in apartment buildings



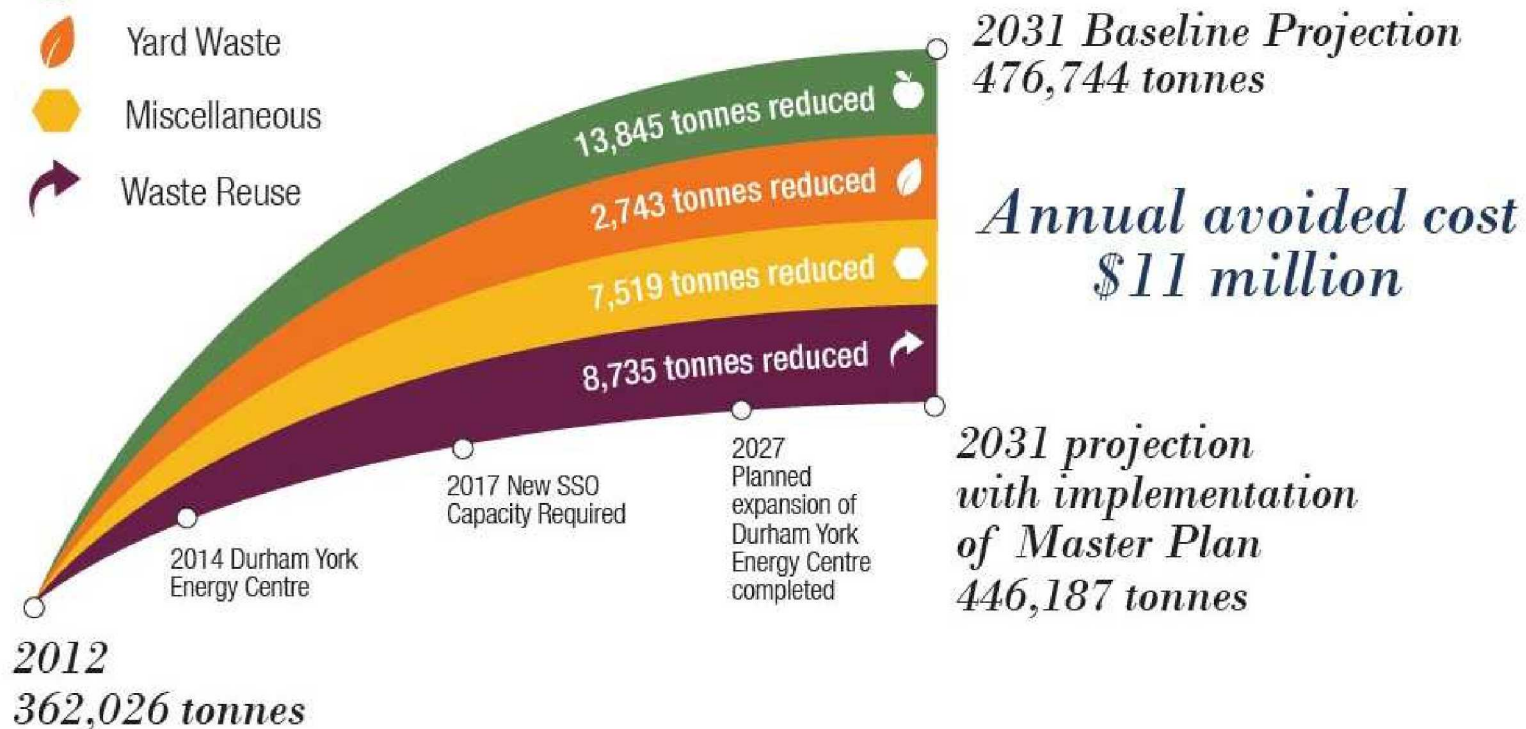
- Supporting composting pilots at community gardens
- Waste electronics collection in apartment buildings
- Textile collection in apartment buildings with charitable partners

*Projected overall impact of
first five years of implementation*

Annual reduction achieved by 2031

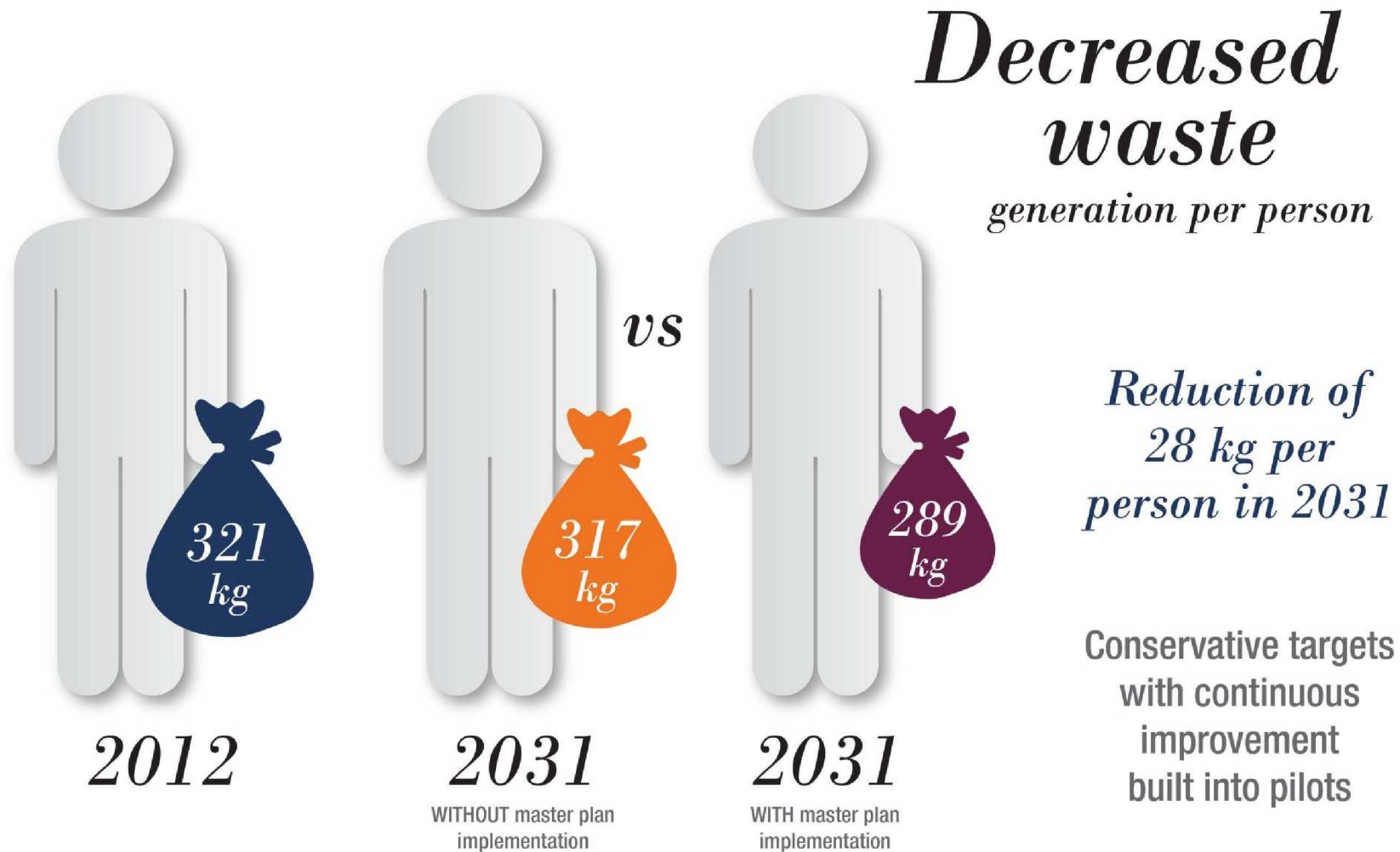
reductions by tonne:

-  SSO
-  Yard Waste
-  Miscellaneous
-  Waste Reuse



Opportunity to recalibrate Master Plan based on results realized

Waste generation per capita reduced in longer term



First five years of implementation reduces waste and avoids costs



\$8.5 million

*investment (2014 to 2031)
yields avoided costs of up
to \$62 million by 2031*

- q Implementation of Master Plan projected to yield \$11M annual avoided costs in 2031 based on system costs as of July 2013
- q Operating and Capital investments required for 2014 already include 2014 outlook approved as part of 2013 budget
- q Staff resources per 2013 budget forecasts four new staff between 2014 and 2018 to maximize implementation and drive reduction

*Master Plan implementation has no impact on 2014 Budget
Outlook as approved through 2013 Budget process*

First five years of implementation reduces cost per household over long term



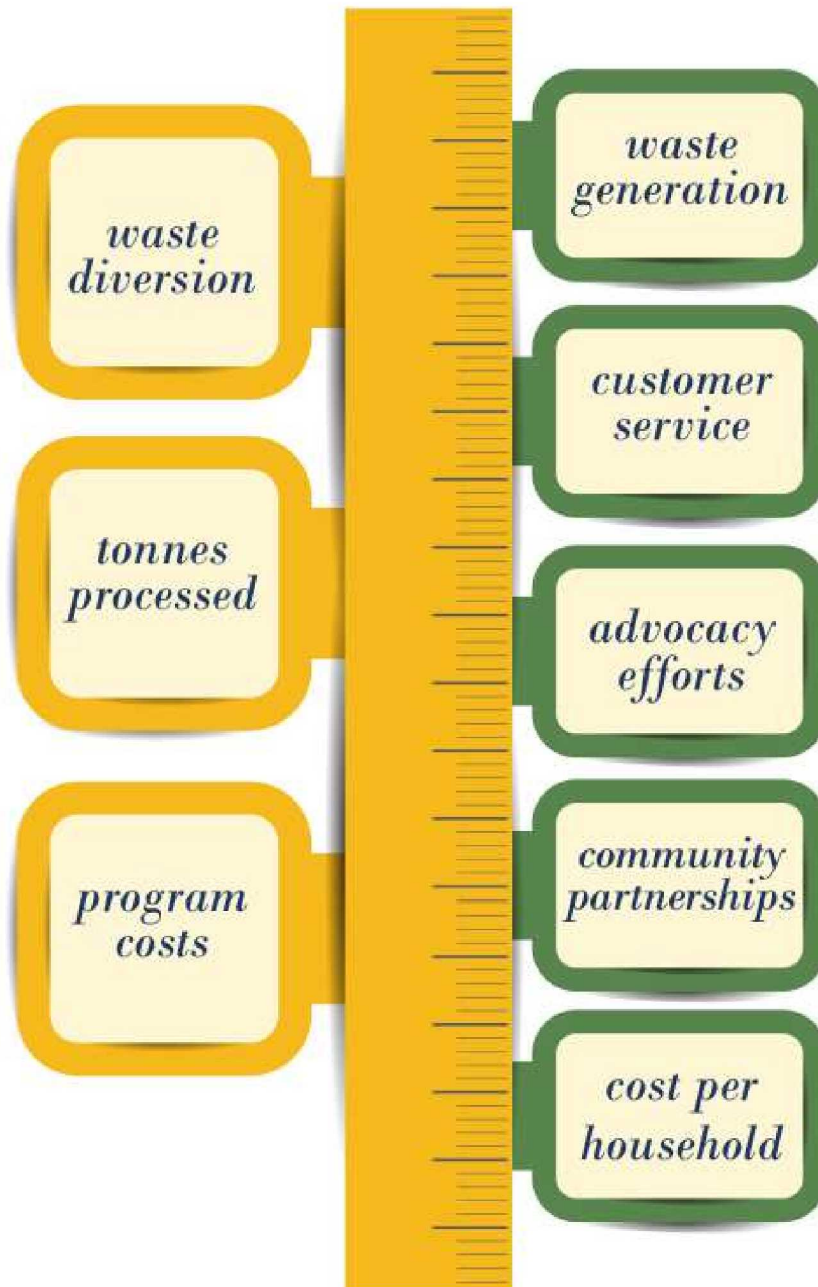
*Avoided cost
per household*

*Estimated avoided costs
of approximately \$22
per household in 2031*

Decrease in waste generation
by approximately 9% and an
increase of just over 1%
in diversion out to 2031

* Based on systems costs as of July 2013

Monitoring actual achievements along the way

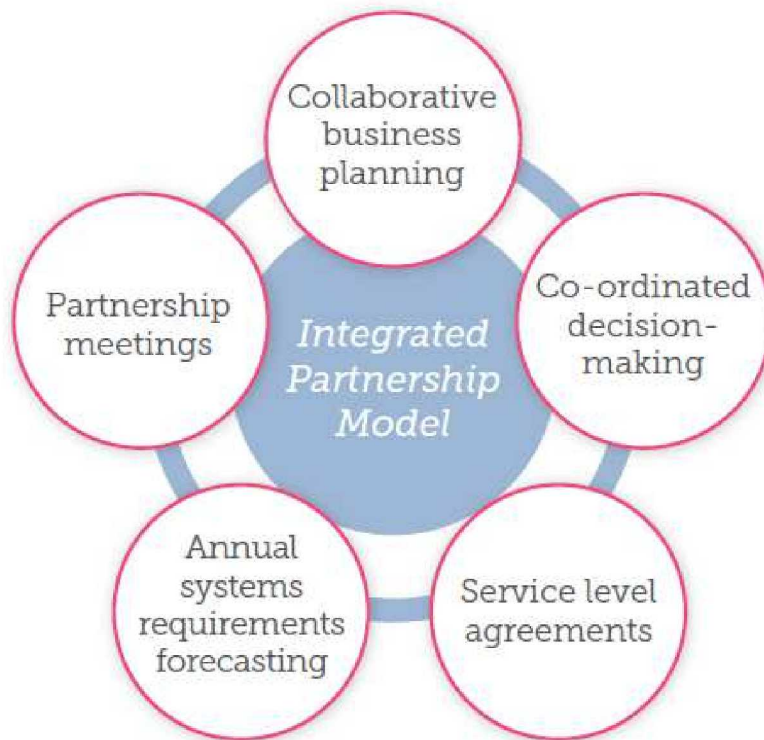


Setting new measures of success



Going beyond waste diversion to better measure program success and value to community

Partnership-focused delivery



- q Integrated partnership
 - q Coordinated decision-making
 - q Maintaining local autonomy
 - q Tailoring programs/pilots to suit local community needs and interests
 - q Data sharing
 - q Sharing of ideas, information and experience

Delivery reflects a “one taxpayer” approach for provision of seamless, cost-effective integrated waste management services.

2014 Priority Initiatives

- q Food Waste Campaign development
- q Composting pilots
- q Bindicator update to promote reuse
- q Research feasibility of Alternative Financing
- q Development standards and incentives
- q Planning for future processing capacity
- q Advocacy on Extended Producer Responsibility and sustainable packaging
- q Pilot best practices for waste management in Regional facilities

Next steps

- q Local Municipal Council presentations in Q4 2013
- q Public launch Q1 2014
- q Continue development and roll out of Implementation Plan



TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
Info@newmarket.ca
905.895.5193

November 29, 2013

**CORPORATE SERVICES – JOINT LEGISLATIVE SERVICES & INFORMATION TECHNOLOGY
SERVICES – 2013-43**

TO: Committee of the Whole
SUBJECT: Voting Method Options, 2014 Municipal Election
ORIGIN: Director, Legislative Services/Town Clerk & Director, Information Technology

RECOMMENDATIONS

THAT Corporate Services – Joint Legislative Services & Information Technology Services Report 2013-43 dated November 29, 2013 regarding “Voting Method Options, 2014 Municipal Election” be received and the following recommendations be considered at the January 13, 2014 Committee of the Whole meeting:

1. THAT Council endorse Option 2, “Use of Internet Voting” as outlined in this report for use in the 2014 municipal election;
2. AND THAT a by-law be brought forward for consideration by Council to authorize the use of alternative voting equipment and an alternative voting method in the 2014 municipal election accordance with Section 42 1 (a) and (b) of the *Municipal Elections Act, 1996*;
3. AND THAT the public be invited to comment on Joint Legislative Services & Information Technology Services Report 2013-43 in advance of the January 13, 2014 Committee of the Whole meeting and subsequent Council meeting where the report and authorizing by-law is considered.

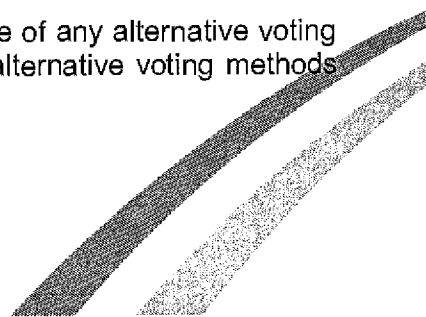
COMMENTS

Purpose

The report recommends a voting method to be used in the October 27, 2014 municipal election to be considered at the January 13, 2014 Committee of the Whole meeting to allow Members of Council and the public the opportunity to consider the recommendations in the report, and forward any questions or concerns to staff in advance of discussion by Council.

Background

The *Municipal Elections Act, 2006* (the Act) requires Council to authorize the use of any alternative voting equipment (such as optical scan vote tabulators, touch screen tabulators) and alternative voting methods (such as vote by mail, telephone voting or internet voting).



The Act specifically requires Council approval of any alternative voting equipment, alternative voting method, special and advance voting opportunities. Council must pass a by-law authorizing any alternative voting equipment and/or alternative voting method by June 1, 2014.

The Clerk is charged with administering the election process and for providing for any procedure which in his or her opinion is necessary or desirable for conducting the election and where the Act does not already provide for a procedure. These procedures include any requirements related to identification, authentication, security, integrity and validation of results. June 1, 2014 is also the date by which the Clerk is required to establish written procedures regarding any alternative voting equipment or method.

Voting Method Options

It is recommended that Council make a determination as soon as possible to ensure adequate time for staff to prepare procedures and process requirements and to educate voters and candidates about the voting process.

The report outlines two voting method options, either of which may be implemented in the October 27, 2014 municipal election within the current election budget of \$300,000 and other applicable budgets. The following criteria were established in determining the selection of voting method options.

- Voting method complies with the requirements of the Act, related legislation such as the *Accessibility for Ontarians with Disabilities Act* and case law;
- Voting method demonstrates the court's principles often referred to when evaluating matters relative to the Act:
 - o Secrecy/confidentiality of votes cast;
 - o Fairness, non-bias;
 - o Accessibility;
 - o Integrity;
 - o Certainty of the vote result;
 - o Voters and candidates treated fairly and consistently; and,
 - o Majority vote governs, valid votes counted and invalid votes rejected where reasonably possible;
- Voting method can be implemented within available budget, staff and other resources;
- Voting method has been successfully deployed in binding Ontario municipal elections;
- Voting method can be readily understood and adopted by voters following a period of public education; and,
- Voting method continues to rely on the Act's principles of voter and candidate trust, responsibilities of voters and candidates and corresponding penalties and enforcement tools for offences.

Independent of staff's review and recommendations, at their September 30, 2013 meeting, Council specifically requested that internet voting be assessed for implementation in the 2014 municipal election and that the Accessibility Advisory Committee be consulted with respect to internet voting. At their October 15, 2013 meeting, the Accessibility Advisory Committee passed a motion with regard to internet voting (attached as Appendix C).

To assist Council with its decision, Appendix A outlines considerations for each voting option.

Other voting method options (e.g., vote by telephone, vote by mail, combination of voting methods such as internet and optical scan vote tabulators or internet and telephone voting) were not the focus of this report nor recommended at this time as an option for consideration. A subsequent report will be brought forward to Council regarding advanced and special voting (i.e., reduced hour voting for senior's residences, long term care facilities and voters in hospitals) based on Council's voting method direction. The report will also

request Council's authorization of a by-law to provide election information in languages other than English and French if required, as passed in previous elections.

Option 1 – Use of Optical Scan Vote Tabulators

Where tested and programmed correctly, optical scan vote tabulators are able to accurately and efficiently read, interpret and count properly marked paper ballots. Optical scan vote tabulators are typically programmed to accept, read and tabulate marked ballots according to the procedures established by the Clerk.

Vote tabulators are often used in voting places or at a central location where marked ballots are transported to for tabulation. Tabulators have been used by many jurisdictions for a number of years, including Newmarket.

A survey of 415 of 444 municipalities in Ontario was conducted by the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) following the 2010 municipal election. Of the 180 municipalities that responded, 46 deploy an optical scan vote tabulator in voting places and 9 in a central location where all marked ballots are tabulated.

Should Council select Option 1, a similar arrangement of voting places be established on voting day in line with what was arranged for in the 2010 municipal election (with the potential requirement for 2-3 additional voting places to account for growth, subject to the availability of accessible voting places). Each voting place will use at least one optical scan vote tabulator and be staffed with up to approximately 15 temporary election officials with various responsibilities. Advanced and special voting opportunities will be identified and recommended in a separate report to Council.

Leading up to the election, a program of public education will be implemented to advise voters and candidates about key dates, voter qualifications and identification requirements, where and how to vote, opportunities for advance, proxy and special voting, where accessible voting options are located and the like. The program will take advantage of existing and new media and find creative opportunities to inform and engage voters and candidates.

Opportunities for process improvements and service enhancements will be explored, including an easy to navigate voter information application for smart phones, use of an electronic voters list to allow for more efficient voter processing and improvements to accessibility in consultation with the Accessibility Advisory Committee.

After the close of voting on voting day, unofficial voting results will be telephoned or otherwise transmitted to the municipal office (and confirmed later through the upload of data from the optical scan vote tabulators). Unofficial election results will be streamed live through the Town's website as results are made available from each voting place and from advance and special voting. Once the Clerk has reviewed results relative to the requirements of the Act, official election results will be announced and the necessary steps will be taken to transition to the new Council.

Section 60 of the Act requires that a re-count be conducted in the same manner in which the election was held, and recent case law has upheld this provision. In the event of a recount in Option 1, the Clerk would provide for a procedure to re-tabulate marked ballots.

Option 2 – Use of Internet Voting

According to research undertaken as part of the Shared Digital Infrastructure initiative, 100% of households in the Town of Newmarket have access to the internet and in a 2011 survey undertaken by the Town, 89%

of respondents indicated that they have access to the internet. Background information on internet voting is attached as Appendix B.

In staff's view, internet voting proposed in Option 2 (set out below) supports the following:

- The principles and requirements of the *Municipal Elections Act, 1996*;
- Enhanced convenience to voters by providing another voting method option;
- Changing demographics and lifestyles;
- Accessibility and independence for persons with disabilities;
- A new, virtually-engaged electorate; and,
- The Town's leadership in electronic service delivery.

Option 2 proposes that internet voting be made available as soon as possible after the Clerk's certification of nomination (e.g., Wednesday, September 17) through to voting day, October 27, 2014. This allows for 41 days of continuous voting.

Option 2 also proposes that a number of in-person voting opportunities be established during the advance voting period, for special voting purposes (such as seniors residences, long term care facilities and the hospital) and on voting day in each Ward (at least one in each Ward). The in-person voting option would involve the use of the same internet voting platform and voting choices would be made on a touch screen tablet or laptop. Establishing in-person voting provides choice and in-person assistance, and supports voters who do not have regular access to or comfort with using the internet at home or work.

Persons in special voting places will also use touch screen tablet devices to indicate their choices. Research has shown that touch choice devices are a more accessible tool than using a pen or pencil, particularly for persons who experience difficulty with motor skill and arm/hand coordination.

While possible to offer another voting method for in-person (such as the use of paper ballots and vote tabulators), managing parallel voting methods is not the preference of staff, from both a coordination and budget perspective.

To allow for concurrent remote and in-person voting, a web-based electronic voters list allowing for live strike-off would be required in voting places to ensure that the voter's list is automatically updated. The application supporting a web-based electronic voters list is already in use by the Town and accommodated within the election budget. Laptop and/or tablet devices required form a part of the Town's existing asset replacement strategy and present no additional costs to election budget. A preliminary technical assessment of voting places used in the 2010 municipal election demonstrates dependable internet service. In addition to assessing technical capacity in each voting place, accessibility, parking, room layout and convenience will also be assessed.

There will be an estimated 60,000 eligible voters in the 2014 municipal election. Using an estimated turnout of 40% (or 24,000 voters) for planning purposes, staff have made a conservative assumption of 30% remote voters (or 7,200) and 70% (or 16,800) in-person voters. Staff anticipate that following a period of public education, more than 30% of participating voters will vote remotely. To ensure the voting process is smooth and voters can be efficiently processed, staff feel that a conservative assumption of participation by remote voters for planning purposes is preferred.

Like Option 1, leading up to the election, a program of public education will be implemented to advise voters and candidates about key dates, voter qualifications and identification requirements, where and how to vote, opportunities for advance and special voting, accessible voting options and the like. The program will take advantage of existing and new media and find creative opportunities to inform and engage voters and candidates.

Like the provisions outlined in Option 1, opportunities for process improvements and service enhancements will be explored, including an easy to navigate voter information application for smart phones, use of an electronic voters list to allow for more efficient voter processing and improvements to accessibility in consultation with the Accessibility Advisory Committee.

After the close of voting on voting day, unofficial results will be downloaded from the secure results server through an established authorization protocol, including results from advance and special voting opportunities. The unofficial election results will be made available live through the Town's website. Once the Clerk has reviewed results relative to the requirements of the Act, official election results will be announced.

Section 60 of the Act requires that a re-count be conducted in the same manner in which the election was held, and recent case law has upheld this provision. In the event of a recount in Option 2, the Clerk would provide for a procedure to re-generate internet votes. A government election recount of ballots cast by internet voting has not occurred in Canada to staff's knowledge. Staff are aware of a recount of 127,000 of the 240,000 ballots cast by internet voting in the election of the Assembly of French Citizens Abroad (Assemblée des Français de l'Étranger), a French government institution representing French citizens abroad on the French Senate. The recount procedure resulted in identical results without mismatches.

Next Steps

The recommendations in this report will be formally considered at the January 13, 2014 Committee of the Whole meeting. The public will be invited to provide their comments on the recommendations in advance of the January 13, 2014 Committee of the Whole meeting where the recommendations and authorizing by-law are considered.

Following direction from Council on the preferred Option in the form of an authorizing by-law, staff will review and determine purchasing options. The City of Markham has released a Request for Proposals (RFP) for internet, telephone and optical scan vote tabulator solutions for the 2014 municipal election. The RFP includes a "piggy back" clause whereby the Town can consider and (if deemed appropriate) award a contract to same firm(s) awarded by the City of Markham. Town staff have reviewed and agree to the RFP's general, functional, security, auditing, privacy, client support and other requirements with regard to internet voting. Alternatively, staff could issue its own RFP for an internet voting solution or vote tabulators. Staff will also consider any other arrangement provided for in the Town's purchasing protocols, including sole source award to a previously contracted service provider. In 2010, the Town awarded a contract for tabulator equipment to Dominion Voting. Dominion Voting has agreed to honour its 2010 pricing in 2014.

Staff would then initiate the necessary steps to develop and deliver a program of public education and engagement.

As noted, the Clerk would then develop election method procedures by June 1, 2014.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

A review of vote method options supports the Town's strategic directions of a well-equipped, managed and respected municipality by ensuring service excellence and promoting engagement in civic affairs.

CONSULTATION

Municipal clerks in the GTA and Dr. Nicole Goodman, Assistant Professor McMaster University were consulted in the preparation of this report. The Accessibility Advisory Committee was consulted with

respect to their input on internet voting. Internally, the Communications and Purchasing departments were consulted.

HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations associated with this report.

BUDGET IMPACT

The total election budget for 2014 is \$300,000; the same amount approved for the 2010 election. In the 2010 election, approximately \$278,000 was spent. A draft budget for 2014 for Option 1 and 2 is outlined as follows:

Option 1		Comments	Option 2		Comments
Tabulator equipment	\$64,000	Based on 2010 arrangements & market survey, subject to confirmation	Internet voting platform	\$150,000	(~\$2.50/elector), based on market survey, subject to confirmation
Ballots	\$32,000	Opportunity for cooperative purchasing allowing for cost savings	Security audit	\$12,000	Opportunity for cooperative purchasing allowing for cost savings
Communications	\$15,000		Communications	\$20,000	Accounts for additional communications required in transitioning to Internet voting
Voter notification & postage	\$40,000	Opportunity for cooperative purchasing for the voter notification allowing for costs savings	Voter notification & postage	\$40,000	Opportunity for cooperative purchasing for voter notification allowing for cost savings
Staff support	\$85,000	Assumes: - 7 days of advance voting - 17 voting places on voting day: - 2 voting places in Wards 2, 3, 4 & 5, 3 voting places in Wards 1, 6 & 7 - Location of voting places TBC	Staff support	\$55,000	Assumes: - 41 days continuous remote internet voting - Number of advance voting days TBC - Number of voting places on voting day TBC - Location of voting places TBC - Possible to reduce staff costs given staff will be assigned to support voting places
Stationery, supplies & miscellaneous	\$50,000		Stationery, supplies & miscellaneous	\$10,000	Includes stationery, supplies & miscellaneous
Approximate Total	\$290,000		Approximate Total	\$290,000	

Computer hardware (laptops, tablets and related equipment) will be required to facilitate an electronic voter's list (Option 1 advance voting and Option 2 advance voting and voting day) and in-person online voting (Option 2 voting day). Any new computer hardware purchased for the election will be funded from

the 2014 IT Capital Budget and is part of the Town's annual equipment replacement program. Following the election, computer hardware will be redeployed elsewhere in the Town. Therefore, any new computer hardware purchases will not have an impact on the election budget.

Should the RFP for the internet voting platform result in costs which cannot be accommodated within the draft budget, staff will report back.

CONTACT

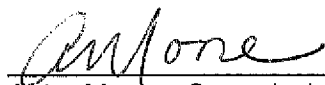
For more information on this report, contact Andrew Brouwer, Director of Legislative Services/Town Clerk at abrouwer@newmarket.ca or 905-477-7000, ext. 2211.



Andrew Brouwer, Director of Legislative Services/Town Clerk



Susan Chase, Director, Information Technology



Anita Moore, Commissioner of Corporate Services

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
Security of voting method	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Established model - Perception among some that a “supervised” voting environment offers fewer risks than internet voting - Relatively few occurrences of issues or concerns with process in Newmarket <p><u>Cons</u></p> <ul style="list-style-type: none"> - Although infrequent, unintended human errors can occur resulting in errors (e.g., incorrectly programmed tabulators, incorrectly processed electors, unreported errors, etc.) - Procedures must be put in place to ensure the proper management and secure transfer of ballots, voters’ lists, forms and tabulators from the voting place to the municipal office to ensure there is not tampering, theft or loss - Despite testing, technical or other performance issues with tabulation equipment can occur. Newmarket has had good experiences with mitigating technical issues associated with tabulation equipment 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Security of system (hosted environment, web application, voting process and device) carefully planned and risks/threats identified and mitigated to the greatest extent possible (see Appendix B) - Voter must register to vote online first, prior to voting which provides for security and integrity of the vote - Two-factor (minimum), two step process reduces opportunity for impersonation of remote internet voter - Third party firm hired to review security and integrity of internet voting platform - Reduces human error issues, potential for tampering, loss or stealing secure information - Option for in-person voting in a “supervised” environment <p><u>Cons</u></p> <ul style="list-style-type: none"> - “Unsupervised” voting has been perceived by some as being more risky than a “supervised” voting environment - Refer to Appendix B for detailed account of typical additional security and integrity considerations - Process to vote remotely may be perceived as cumbersome, given that

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
		<ul style="list-style-type: none"> - the voter must register to vote online first, prior to voting - Additional efforts in communicating will be required to ensure voters understand security of internet voting process and to ensure their voting device is protected - Unplanned online threats are a reality with any website - Requires new procedures to be developed
<p>Authentication of voter</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Established model, voters generally accustomed to presenting acceptable identification to election officials to receive a ballot <p><u>Cons</u></p> <ul style="list-style-type: none"> - Authentication of voter occurs in a public setting between a voter and an election official who has been hired on a temporary basis with basic training. Despite training and oversight, errors in understanding and communicating authentication requirements do occur 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Authentication process convenient for voter (i.e., may be done remotely) - Voters have control over their own credentials - Town staff involved in authenticating voters are more responsible and experienced than election officials hired on a temporary basis with basic training - Voters who feel more comfortable exchanging credentials and authenticating themselves in person have that option <p><u>Cons</u></p> <ul style="list-style-type: none"> - Process to vote remotely may be perceived as cumbersome, given that the voter must register to vote online first, prior to voting - Additional efforts in communicating will be required to ensure voters

Consideration	Option 1	Option 2
		<p>understand authentication process</p> <ul style="list-style-type: none"> - Requires new procedures addressing protocols for issuance of misplaced PINs, forgotten passwords and responses to unique questions; deceased or persons who have moved; and management of undeliverable mail and email
Voters' list management	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Established model, voters, election officials and candidates generally familiar with list management procedure <p><u>Cons</u></p> <ul style="list-style-type: none"> - Reduced span of control of voters' lists by Clerk on voting day - Election officials use paper voters' lists on voting day which may be more easily misplaced, stolen or copied. Election official training emphasizes importance of voters' list management - Candidates and scrutineers can occasionally view the voters' lists to determine who has voted, but this cannot interrupt the voting process. Despite communication on this rule, interruptions continue to occur - Human errors in managing the voters' lists can occur despite training, resulting in inaccurate voting records 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Option 2 uses a secure, web-based electronic voters' list which provides live updates as each voter votes, whether remotely or in person, enhancing the span of control and security of the voters' lists by the Clerk - Bar code scanners can be used in combination with electronic voters' list to quickly locate and process voters - An electronic voters' list is able to quickly generate a report of persons (by Ward, poll, etc.) having voted for candidates and their scrutineers in Excel format (as often as Clerk determines; on voting day, this is typically every 3 hours). This generally reduces requirement for candidates to appoint scrutineers, provides a more practical tool for candidates and reduces interruption of voting process by candidates or their scrutineers - Although human error still possible,

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
		<p>use of electronic voters' lists supports more accurate and complete voting records</p> <p><u>Cons</u></p> <ul style="list-style-type: none"> - Requires additional planning and testing to ensure internet and power connections can support use of electronic voters' list - Requires installation of various hardware and cabling, including laptops and tablets - Requires new training and procedures for election officials and candidates
Tabulation & reporting of results	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Established model, procedures and process understood by staff, candidates and public - Relatively few occurrences of issues or concerns with tabulator equipment have occurred in Newmarket - Given relatively few voting places and tabulators, unofficial results have been available by 8:45-9 p.m. - Effective system to stream unofficial results Town's website and at the municipal office <p><u>Cons</u></p> <ul style="list-style-type: none"> - Although not the experience in Newmarket, discrepancies can occur in the unofficial transmission of results, particularly if telephoned from voting place 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Total results should be available shortly after 8 p.m. - Closed nature of system, minimal human involvement greatly reduces opportunity for errors in tabulation and reporting - Not dependent on return of memory drives from voting places to verify unofficial results, allows for more efficient unofficial results reporting - Similar unofficial results streaming system available - Coordination of equipment, forms and supplies reduced with fewer voting places

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
	<ul style="list-style-type: none"> - Human errors may occur in the completion of ballot account and results forms - Errors may also occur as a result of a tabulator programming error. Careful attention to testing and verifying tabulators is required in advance of use - Coordination of tabulators/tabulator memory drives, sealed ballots, forms and supplies are delivered to the election office which can be time consuming. A procedure must be put in place for the secure transfer of materials. To date, Newmarket has effectively managed such coordination - Power failures may occur (in the tabulator or in the voting place itself), intermittently or over a longer period of time (during advance voting period and/or on voting day). If widespread, alternative voting arrangements may need to be established (for example, re-directing voters to another voting place on voting day or extending the opportunity to vote beyond voting day). Arrangements would be made to advise voters of alternative voting opportunities 	<p><u>Cons</u></p> <ul style="list-style-type: none"> - New process for staff, voters, candidates - New procedures for tabulation and reporting will need to be developed - Any error in tabulating or reporting results would likely be a result of the voting platform performance itself. Careful attention to testing and verifying system performance is required in advance of use. Third party internet security firm will assist to ensure that the system's source code and infrastructure are robust and perform according to design - Power and internet connection failures may occur (during the advance voting period and/or on voting day). If widespread, alternative voting arrangements may need to be established (for example, extending the opportunity to vote beyond voting day). Arrangements would be made to advise voters of alternative voting opportunities - Redundancies for loss of internet connection planned for in in-person voting places

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
Accessibility for persons with disabilities	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Established model, voters familiar with process - In-person support available from election officials who have been provided basic training in customer service support for persons with disabilities - Supportive voting equipment available in limited number of voting places, typically only during advance voting period - Special voting options available for seniors, long term care residents, hospital patients <p><u>Cons</u></p> <ul style="list-style-type: none"> - Process does not provide for a completely private, independent means of voting, particularly on voting day - Supportive voting equipment may be helpful, but may not accommodate unique needs of individual voter's disability - Tools to cast ballot (paper, pen) can be challenging for persons with a motor skill coordination disability 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Web sites built on WC3 Standard and Web 2.0 as required by the <i>Accessibility for Ontarians with Disabilities Act</i> making the voting experience more accessible, especially for persons with disabilities - Web sites may be read using an individual's preferred software at their work or home environment, enhancing potential for privacy and independence - Remote internet voting does not rely on coordinating transportation - Option for support at voting places available from election officials who have been provided basic training in customer service support for persons with disabilities - Tablets used to cast ballot improve voting experience for persons with a motor skills coordination disability - Special voting options available for seniors, long term care residents, hospital patients <p><u>Cons</u></p> <ul style="list-style-type: none"> - No system can completely address the unique needs of individual voter's disability

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
Candidate considerations	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Established model, familiar to candidates and their scrutineers - Candidates invited to attend testing of tabulators and procedures are shared with candidates to understand process <p><u>Cons</u></p> <ul style="list-style-type: none"> - Candidates may find it challenging to coordinate appointment of scrutineers in voting places (particularly Mayoral or Regional Councillor candidates) 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Candidates invited to attend testing of internet voting platform and procedures are shared with candidates to understand process - Third party review of security of voting platform shared with candidates and public for transparency - A convenient option may be well received by voters as candidates campaign - Effectively eliminates need to coordinate proxy votes - Fewer scrutineers required by candidate, particularly Mayoral or Regional Councillor candidates - Candidates will receive list of persons having voted in a regular and convenient format, assisting with campaign coordination <p><u>Cons</u></p> <ul style="list-style-type: none"> - Change in nature of candidate and scrutineer involvement may be perceived negatively - Communication and education of candidates required to understand how system performs
Communication & public education	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Established model, ease/familiarity with communications deliverables - Can repurpose some existing communications depending on 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - New mode of voting generates public interest - Will generate more public interest/awareness because it is an

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
	<p>content (banners, graphics, templates, Town Page ads) which will keep costs down/require fewer resources</p> <ul style="list-style-type: none"> - Less information overall to communicate to public – more straightforward messaging - Direct and easy to understand key messages – less confusion among residents - Opportunity to explore new communications and public education tactics, including mobile application to guide voters when, where and how to vote <p><u>Cons</u></p> <ul style="list-style-type: none"> - Established process does not necessarily generate renewed interest or attention to key dates and activities - Won't generate as much media interest or buzz or interest from a variety of different demographics/residents - More difficult to reach those who don't work traditional 9 to 5 jobs – restricted options = limited messaging - Existing materials could be dated or irrelevant – would need to revise regardless 	<p>interesting and new model for voting – could get more “pick-up” from regional media before, during and after the election</p> <ul style="list-style-type: none"> - Good messaging around promoting Newmarket as a digital leader in innovation; good messaging around it being a “greener” alternative - Convenience option appealing to people who don't typically have the time or resources to physically go somewhere and vote (including those with longer commute times, parents requiring child care, elderly, persons working or living abroad temporarily, persons with disabilities) - Potential to generate more interest in municipal elections - Opportunity to create fresh communications materials and messaging, generating interest - Opportunity to explore new communications and public education tactics, including mobile application to guide voters when, where and how to vote <p><u>Cons</u></p> <ul style="list-style-type: none"> - Perception about risks must be managed through a robust communications and public education plan. Need to address real and unfounded issues in an open manner

Consideration	Option 1	Option 2
		<ul style="list-style-type: none"> - Additional communication and public education efforts required to ensure voters and candidates understand when, where are how to vote online, frequently asked questions, demographic-based tactics - There will be the need to produce new communications materials - More technical training needed for election staff and volunteers – public education needed for them as well - Public education component will be more detailed and complex to roll out - Potential for negative feedback as a result of a change in process in the media and on social media before, during and after the election
<p>Corrupt practices (e.g., coercion, impersonation, stealing or tampering with voter information letters, ballots, voters' lists and voting equipment, vote buying)</p>	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Communications and public education efforts will include information about corrupt practices - Some perceive that a supervised voting environment reduces coercion <p><u>Cons</u></p> <ul style="list-style-type: none"> - Despite training and oversight, ballots, voters' lists and voting equipment may be tampered with, stolen or misplaced. To staff's knowledge, there have been no occurrences of such corrupt practices - Coercion may still be present in a "supervised" voting environment 	<p><u>Pros</u></p> <ul style="list-style-type: none"> - Communications and public education efforts will include information about corrupt practices - Centrally controlled, secure-access based system involves fewer human errors and opportunities to compromise the security of election records (e.g., voters' list, vote records) - Voting website can include a requirement to acknowledge a declaration of acknowledgement of corrupt practices - No evidence of voter information letters having been stolen in other municipalities having offered internet

Appendix A – Considerations – Option 1 & 2

Consideration	Option 1	Option 2
	<ul style="list-style-type: none">- Corrupt practices possible with any voting method. Any claims will be reported to the Police for an investigation	<p>voting. However, envelope can include a statement advising of criminal offence associated with stealing or tampering with mail</p> <ul style="list-style-type: none">- In-person voting option available for persons who feel more comfortable doing so in a supervised environment <p><u>Cons</u></p> <ul style="list-style-type: none">- Perception that “unsupervised” (remote internet) voting may facilitate coercion- Corrupt practices possible with any voting method. Any claims will be reported to the Police for an investigation

Appendix B – Background on Internet Voting

Purpose

Appendix B is intended to summarize available background research and the experience of municipalities having successfully deployed internet voting, in particular with regard to commonly identified themes. Reports and studies referenced in Appendix B are available through the Clerk.

Introduction

Internet voting is gaining popularity for use by many electoral jurisdictions in Canada and around the world. Internet voting may be used as the sole means to vote throughout an election, or together with other methods of voting, such as in-person voting at a voting place using the internet voting platform on a laptop, desktop or touch screen computer or paper ballots using an optical scan vote tabulator. Some municipalities use internet voting during the advance voting period only, and deploy another voting method on voting day. Others deploy internet voting and telephone voting, which are typically based on the same back end tabulation platform.

A number of private information technology firms offer an internet voting platform solution to various government jurisdictions, member and shareholder based organizations such as political parties, unions, non-profit organizations and publicly traded firms. Given the infrequent nature of elections, very few government jurisdictions have invested in resources to develop their own internet voting platform, although both Elections Ontario and Elections Canada have taken an interest in identifying firms for this purpose. The government of Estonia is one exception, which has created and deployed an integrated platform for the secure online transaction of a variety of government services, including voting.

According to research prepared by McMaster University Assistant Professor Nicole Goodman, internationally, jurisdictions have chosen to deploy internet voting to support the objectives of: increasing voter turnout; creating or expanding upon a leadership role in e-government; and enhancing accessibility and convenience. To a lesser extent, the same research shows internet voting has been deployed to support the objectives of enhancing citizen-centred service, increasing youth voter turnout and providing for an accurate and efficient vote counting system.

In Ontario, statistics indicate that the use of internet voting by municipalities has grown from 12 in 2003 (representing 255,837 eligible voters), to 20 municipalities in 2006 (representing 397,537 eligible voters) and 44 in 2010 (representing 783,887 eligible voters). Larger Canadian municipalities having used internet voting include the cities of Burlington (2010), Halifax (2008, 2012), and Markham (2003, 2006, 2010). Municipalities of a similar or larger size to the Town of Newmarket having approved internet voting for use in the 2014 municipal election include the Town of Ajax and the cities of Cambridge, Guelph, and Sudbury.

Appendix B – Background on Internet Voting

Commonly identified advantages

- Provides a convenient channel to vote remotely from home, work or elsewhere;
- Provides voting options for persons who may find it difficult to attend a voting place, including students, vacationers and business travellers;
- Supports an independent and private option to vote by persons with disabilities;
- Supports a “green” option where less paper and fuel emissions are generated;
- Advances goals related to e-government leadership and community technology advancement;
- Supports the potential for increased voter turnout or voter engagement among a broader spectrum of voters; and,
- Provides for an accurate and fast system of vote tabulation.

Commonly identified disadvantages

- Perception of security and process concerns;
- Change in traditional nature of electoral participation by voter and candidate;
- Accommodation for persons with limited or no internet access or who have challenges using technology;
- Additional efforts required to inform and educate public about transition to internet voting; and,
- Costs, particularly when internet voting is offered with another election method.

Participation

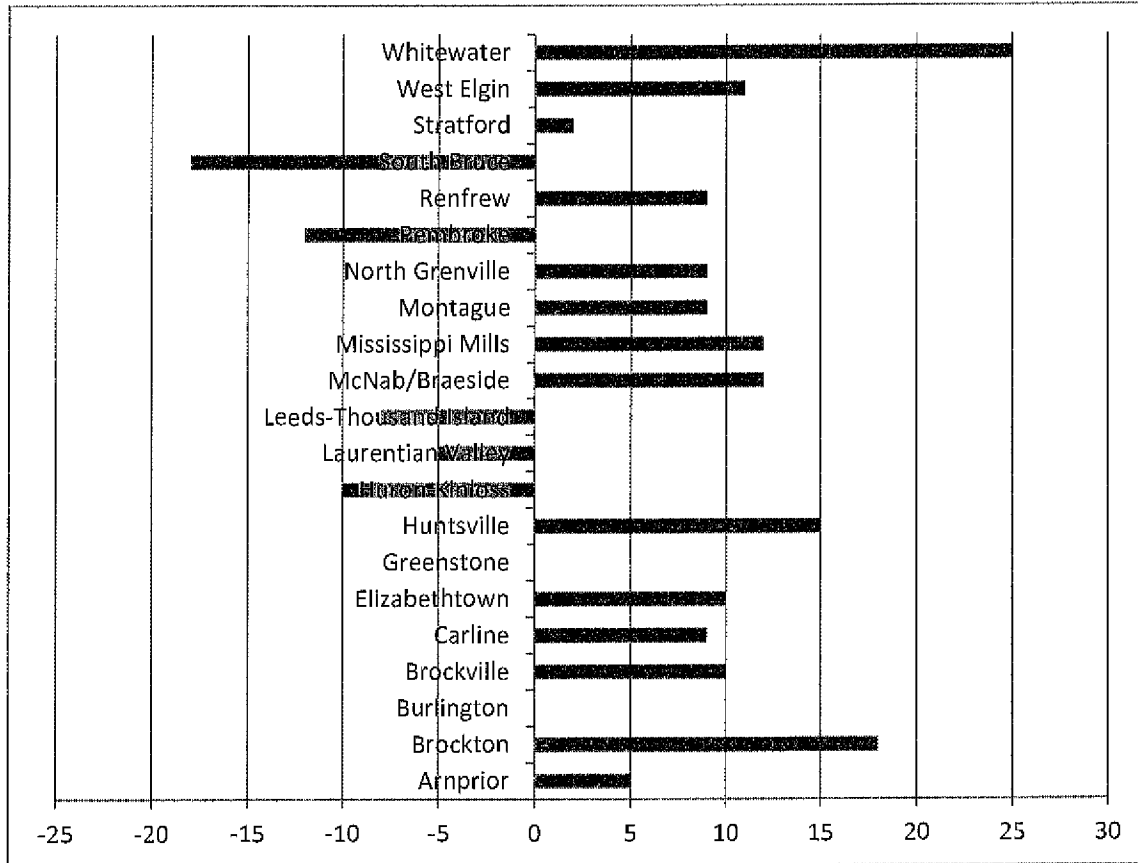
Canadian research on the demographics of those participating in internet voting for municipal elections is limited, but available research demonstrates internet voting users to be of the same or similar age demographic as previous elections using other voting methods (generally, persons in their 40s, 50s and 60s). To some extent, the research appears to mitigate concerns that middle age or older persons are less tech savvy and more likely to experience difficulty using internet voting.

Staff understand that historically, participation among youth in municipal elections is low, often attributed to the perception by youth that municipal government is less relevant or impactful to their life than other orders of government accountable for social welfare, education and human rights. At the same time, a 2011 survey by Elections Canada demonstrated that 57% of non-voters would have voted had it been possible to do so over the internet, a statistic that increased to 67% for non-voters between the ages of 18 to 24. More jurisdictions would be required to offer internet voting in order to validate actual voter behavior.

Professor Goodman is leading an internet voting research initiative involving 14 Ontario municipalities (at the time of publishing this report) which includes an optional survey to be completed by internet voting participants. This research will assist in better understanding participation in internet voting among Ontario municipalities.

Voter turnout

Professor Goodman's research includes the following % change in voter turnout between 2006 and 2010 among Ontario municipalities having deployed internet voting for the first time in 2010:



The City of Markham has a longer history with regard to the deployment of internet voting in Canada. When the City first introduced internet voting in 2003, there was a 300% increase in voter turnout; a 43% increase in 2006 and no change in turnout in 2010 (noting that internet voting in the City of Markham has been made available during advance voting only). Although there appears to be positive voter turnout trend among municipalities having deployed internet voting for the first time, staff understand that voter turnout is difficult to predict and may be more likely to be linked to factors such as current issues and the nature of the races than a particular voting method.

Security & integrity

Concerns have been expressed about various fraudulent activities that may attempt to compromise the security or integrity of internet voting platform such as Distributed Denial of Service attacks (DDoS), Trojan horses, viruses and website spoofing. While legitimate to raise such concerns, best practices have emerged among municipalities

Appendix B – Background on Internet Voting

and other jurisdictions to protect the internet voting platform from attempts to compromise its security and integrity.

A plan to address or mitigate concerns on a technical or process level should be established from multiple security perspectives, including (in summary):

- Security of the hosting environment:
 - o Standards of security are established to ensure controlled access to the hosting environment, including security personnel, controlled and role-based access and criminal background checks.
 - o Network infrastructure is protected through managed and monitored firewalls.
 - o Environmental hazards are addressed, including redundant power and cooling; smoke/fire detection and suppression as well as special building construction features.
 - o A “Tier III” or “Tier IV” data facility has been identified as a best practice among municipalities.
- Security of the web application:
 - o An arms-length web application security consultant is engaged to:
 - Perform a vulnerability assessment on the external IP address of the web server hosting the internet voting application;
 - Perform a web application security audit of the online voting application; and,
 - Perform penetration testing to exploit select vulnerabilities discovered.
- Voting process security:
 - o Establish an acceptable means of identifying and authenticating voters in an “unsupervised” remote internet based election. In Canada, a “two-step” and at least two-factor authentication process is common, particularly among larger municipalities. Variations on the process and credentials required can vary, depending on the nature of a particular vendor’s system and the requirements of the municipality.
 - o In a one-step process, typically, a secure voting URL is shared with the voter through the voter notification letter and after providing the required credentials (including a unique PIN provided to the voter and personal identifier credential such as a birthdate) the voter accesses their internet ballot.

Appendix B – Background on Internet Voting

- In a two-step process, typically, the voter registers their intent to vote online before being provided with a secure voting URL. Through the voter notification letter, the voter is provided with a unique PIN which is used together with a person identifier credential (such as a birthdate) and/or an uploaded piece of acceptable identification to register. The voter may also be required to create their own password or response to a unique question when registering. If registration is successful, the voter is mailed or sent an encrypted email with a second PIN which is used together with the password or response to a unique question created in the registration step to access their internet ballot through a secure voting URL.
- Where the online voting platform is used in a “supervised” context such as at a voting place, generally fewer credentials are required to verify and provide access to the voter.
- Procedures are established by the Clerk with regard to the issuance of misplaced PINs, forgotten passwords and responses to unique questions; deceased or persons who have moved; and management of undeliverable mail and email. Municipalities having undertaken internet voting have developed best practice procedures which support the principles of the *Municipal Elections Act, 1996*.
- It is the responsibility of the Clerk to assess and establish voting process security procedures, including identifying and authenticating voters.
- An internet voting platform is required to accommodate the ability to perform and verify the following:
 - Attest the correct assignment of the vote to the proper candidate;
 - Attest the fact that the vote was counted;
 - Attest the fact that the voter can only vote once;
 - Ensure the vote cannot be tracked to the voter;
 - Ensure the secure transfer of data;
 - Ensure data is not stored on a client computer; and
 - Provide a process based audit trail.
- Voting device security:
 - Any device accessing the internet may be susceptible to online threats (e.g., viruses, Trojan horses, spyware, phishing attempts and other attacks) where steps are not taken to protect the device through anti-virus software.
 - Like other secure online transactions, an internet voting platform must be able to demonstrate cryptography and identify verification.

Appendix B – Background on Internet Voting

- It is recognized that there is greater control of online threats with devices deployed by the municipality (i.e., online voting using municipal tablets or laptops in a supervised environment).
- In an internet election, the voter is accountable for ensuring the device they use to cast their ballot has incorporated current anti-virus software. Through a program of public education prior to registration, the public is informed about how to access such software and take reasonable steps to mitigate online threats.

The Request for Proposals (RFP) document should identify a detailed set of general, functional, security, auditing, privacy, client support and other standards and requirements. An inter-disciplinary/inter-departmental team is typically assigned to evaluate and select an appropriate vendor. Proper testing and auditing throughout the various implementation phases also serves to protect the internet voting platform from external threats.

Although there have been documented cases of malicious attempts designed to compromise an internet voting platform, there have been no incidents of a controverted election. Internet voting results from all Canadian electoral jurisdictions have been final and binding. There are three commonly referred to incidents where the robustness of internet voting has been called into question:

- *2010 Washington, DC Election.* Prior to the 2010 Washington, DC elections the public was invited to test the rigor of the internet voting platform. Through weaknesses in the internet voting platform's source code, a professor and graduate students from the University of Michigan were successful in penetrating and compromising the election servers, resulting in cancellation of the internet voting option for the 2010 Washington, D.C. Election. Since this occurrence, private firms have created more robust source code and platform security frameworks and jurisdictions have also adopted a best practice of employing third party security audit firms to provide an independent analysis of the internet voting platform including its source code to ensure current threats are protected.
- *2010 Township of Arnprior, ON Municipal Election.* Here, the internet voting platform froze for 57 minutes near the end of voting day. The glitch was attributed to a system add-on that allowed candidates to monitor their progress in real time, creating a system capacity issue. The occurrence was not a breach of security and voting was extended for another hour the following day to compensate for the lost time (similar response to a power failure or emergency in a voting place). System capacity should have been identified earlier in the planning process for the election, which could have avoided the circumstance.
- *2012 NDP Leadership Election.* A distributed denial of service attack occurred on the voting website for the 2012 NDP Leadership Election, slowing down the ability to cast a ballot online, but not compromising the security of the internet

voting platform itself. An audit performed by Price Waterhouse Cooper indicated that no ballots had been altered, subtracted or added. Such a malicious attack has been attributed to the attention garnered to this particular election. A November, 2012 internet voting issues guide commissioned by the City of Edmonton, Centre for Public Involvement and University of Alberta indicated that *“every jurisdiction is unique and must individually assess its own contextual factors and whether the necessary conditions are present to ensure the successful deployment of an internet voting system”*.

Dr. Henry Kim, Associate Professor of Information Systems and Management Science at York University prepared a comprehensive risk assessment of various voting methods for the City of Markham prior to the 2006 municipal election and literature review on evolving security threats to internet voting prior to the 2010 election. The risk assessment identified that a traditional “supervised” voting method in a voting place presented fewer risks than remote internet voting; however, not considerably higher and considerably less risky than vote by mail. The literature review revealed that there were no unaccounted security threats to internet voting prior to the 2010 municipal election.

Concerns have been raised that internet voting presents the potential for impersonation, coercion, vote buying and other corrupt practices associated with an “unsupervised” voting. Some have also suggested that internet voting does not fully support the principles of the *Municipal Elections Act, 1996* (the Act) in a circumstance where voters are not fully supervised.

Section 89 of the *Municipal Elections Act, 1996* clearly identifies the responsibilities of the individual voter, such as ensuring that one is entitled to vote prior to doing so, as well as ensuring that one does not vote more times than allowable. Some have expressed concern that an unsupervised form of voting like internet voting facilitates the potentiality of those offences, but others have stated that unsupervised voting emphasizes the accountability of individual voters inherent in the Act. Moreover, the Act is based on the democratic principles of voter and candidate trust. Trust in voters is evident in the very few instances of voter impersonation, coercion, vote buying and other corrupt practices in Canadian elections. The majority of municipal election law offences have involved municipal election candidates.

Where there is evidence of impersonation, coercion, vote buying or other corrupt practices, as in any other method of voting, the Clerk will contact the Police and take other such actions necessary in accordance with the law.

Municipalities having implemented internet voting adopt a community education plan where voters become aware of their duties, options to participate and channels to identify questions and concerns including those related to impersonation, coercion, vote buying or other corrupt practices, as well as steps required to protect their own devices from online threats.

Appendix B – Background on Internet Voting

The balance of risk and access/convenience afforded by internet voting is evident in a quote in a report entitled “Comparative Assessment of Electronic Voting” written for Elections Canada by the Strategic Knowledge Cluster Canada-Europe Transatlantic Dialogue:

“Careful examination of the literature on internet voting as well as the pilot experiences of many jurisdictions suggests that both the extremely optimistic and pessimistic position about the effect of internet voting are overstated. Internet voting will not act as a panacea for the social causes responsible for electoral disengagement, nor will it remedy negative attitudes toward political entities. It will, however, increase voting opportunities for electors and make casting a vote more accessible. On the other side internet voting will not erode democracy or result in vote buying and election fraud any more than does the existing system”.

The November, 2012 internet voting issues guide commissioned by the City of Edmonton, Centre for Public Involvement and University of Alberta reflected on risks related to internet voting:

“Of all the types of internet voting, remote internet voting offers the least amount of control for election officials. Generally less control implies greater security risks, but it does not have to denote an unacceptable increase in these risks. The testing of electronic voting worldwide and its use in binding elections has shown that the greatest technical difficulties have been with voting machines in voting stations or kiosks, and not all of these used the internet”. The voting machines referred to in this quote speak to issues related to vote tabulators.

Satisfaction with internet voting

The Association of Municipal Managers, Clerks and Treasurers of Ontario undertook a comprehensive survey on municipal election practices and experiences following the 2010 municipal election. Of the 30 municipalities having used internet voting, 70% noted they were extremely satisfied; 26% noted they were very satisfied; and 4% noted they were satisfied. No municipalities responded with negative experiences.

Community adaptation

Like any service with wide impact on the public, it is important for a municipality to develop a community adaptation plan, which includes communication tactics, procedures and support to transition the community to internet voting.

Municipalities having implemented internet voting have included such measures as:

- Communications tactics including web and mobile web content; ongoing notices in local newspapers and publications; an instructional video; public service announcements around key dates, requirements and activities; and theme based collateral such as pens and magnets.

Appendix B – Background on Internet Voting

- Outreach and education for key stakeholders, including candidates and their scrutineers, seniors, Accessibility Advisory Committee and support organizations for persons with disabilities.
- Online, telephone and in-person voter support, provided through the Customer Service Centre, including weekend and evening hours leading up to and including election period.

Appendix C**ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 5
INTERNET VOTING**

The Deputy Clerk provided a verbal update regarding the planning for the 2014 Municipal Election and the option of using internet voting. The Committee indicated that while this would increase accessibility to those who aren't able to attend voting locations it should not preclude offering paper ballots at voting locations. There was discussion around the accessibility of the voting locations and large print ballots during the last election.

**Moved by Councillor Twinney
Seconded by Diane Bladek-Willet**

The Newmarket Accessibility Advisory Committee recommends to Council:

THAT the Newmarket Accessibility Advisory Committee supports the addition of Internet voting to the current model.

CARRIED

Request for Deputation

Request for deputation and/or any written submissions and background information for consideration by either Council or Committee of the Whole must be submitted to the Legislative Service's Department by the following deadline:

For Council – by 12 noon on the Wednesday immediately prior to the requested meeting.

For Committee of the Whole (for items not on the agenda) – by 12 noon on the Wednesday twelve days prior to the requested meeting.

PLEASE PRINT

COUNCIL/COMMITTEE DATE: Monday January 13th, 2014

AGENDA ITEM NO. _____ SUBJECT: CAA Distracted Driving campaign

NAME: Caroline Grech, government relations specialist

ADDRESS: 60 Commerce Valley Drive, Thornhill Ontario
Street Address

Town/City Postal Code

PHONE: HOME: _____ BUSINESS: _____

FAX NO.: _____ E-MAIL ADDRESS: _____

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable)

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

CAA has been working to educate both elected officials and the general public on the dangers of distracted driving

Through our MISSING campaign, I just want to speak to a pledge we are asking people to sign to pledge they will no longer drive

Distracted

Council Chambers, 395 Mulock Drive
Tuesday, November 12, 2013 at 2:00 p.m.

The meeting of Site Plan Review Committee was held on Tuesday, November 12, 2013 at 2:00 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members

Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Twinney

Members

Absent: Councillor Di Muccio
Councillor Sponga
Councillor Vegh

Staff: Rob Prentice, Commissioner, Development & Infrastructure Services
Rick Nethery, Director of Planning & Building Services
Dave Potter, Chief Building Official
Linda Traviss, Senior Planner – Development
Meghan White, Planner
Kym Pelham, Committee Secretary

Accessibility

Advisory

Committee: No members were present

The meeting was called to order at 2:05 p.m. No conflicts of interest were declared.

Councillor Twinney in the Chair.

1. **APPLICATION FOR AMENDMENT TO SITE PLAN APPROVAL
87 MULOCK DRIVE - WARD 5
(NORTH SIDE OF MULOCK DRIVE, EAST OF YONGE STREET)
OUR FILE NO.: D11-NP1323
OWNER: SERPA INVESTMENTS CORPORATION (BMW)**
-

Application for Amendment to Site Plan Approval to permit two additions on the north and west sides of the existing building having a total gross floor area of 576m².

Richard Wengle and Jorge Malueiro of Richard Wengle Architect Inc. and Frank Serpa of Serpa Investments Corporation, were present to address Committee.

Susan Gage of 495 Cody Crescent, was present to address Committee.

The Site Plan Review Committee recommends:

1. **THAT the application for Site Plan Approval to permit two additions on the north and west sides of the existing building having a total gross floor area of 576m² be approved in principle and referred to staff for processing, subject to the following;**
 - a. **THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff.**
 2. **AND THAT Richard Wengle of Richard Wengle Architect Inc., 102 Avenue Road, TORONTO, ON M5R 2H3, be notified of this decision;**
 3. **AND THAT Frank Serpa of Serpa Investments Corporation, 10414 Yonge Street, RICHMOND HILL, ON L4C 3C3, be notified of this decision.**
2. **REQUEST FOR EXEMPTION FROM SITE PLAN APPROVAL
380 BAYVIEW PARKWAY
(WEST SIDE OF BAYVIEW PARKWAY, NORTH OF ELGIN STREET)
OWNER: THE REGIONAL MUNICIPALITY OF YORK**
-

The Regional Municipality of York requested an exemption from Site Plan Approval for the proposed Hydrogen Sulfide (H₂S) Reduction System at the Newmarket Pumping Station located on the subject lands.

Davy Chan, Project Coordinator of The Regional Municipality of York, was present to address Committee.

1. **THAT the request for an exemption from Site Plan Approval for the proposed Hydrogen Sulfide (H₂S) Reduction System at the Newmarket Pumping Station located on the subject lands be granted;**

2. **AND THAT Davy Chan, Project Coordinator of The Regional Municipality of York, 17250 Yonge Street, NEWMARKET, ON L3Y 6Z1, be notified of this decision.**

The meeting adjourned at approximately 2:44 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on December 2, 2013.

Dated

Director of Planning & Building Services

**APPLICATION FOR AMENDMENT TO SITE PLAN APPROVAL
87 MULOCK DRIVE - WARD 5
(NORTH SIDE OF MULOCK DRIVE, EAST OF YONGE STREET)
OUR FILE NO.: D11-NP1323
OWNER: SERPA INVESTMENTS CORPORATION (BMW)**

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**REQUEST FOR EXEMPTION FROM SITE PLAN APPROVAL
380 BAYVIEW PARKWAY
(WEST SIDE OF BAYVIEW PARKWAY, NORTH OF ELGIN STREET)
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Davy Chan, Project Coordinator of The Regional Municipality of York was present to address Committee.

1. **THAT the request for an exemption from Site Plan Approval for the proposed Hydrogen Sulfide (H₂S) Reduction System at the Newmarket Pumping Station located on the subject lands be granted;**
2. **AND THAT Davy Chan, Project Coordinator of The Regional Municipality of York, 17250 Yonge Street NEWMARKET, ON L3Y 6Z1 be notified of this decision.**

The meeting of Site Plan Review Committee was held on Monday, December 2, 2013 at 2:00 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members

Present: Mayor Van Bynen
 Regional Councillor Taylor
 Councillor Di Muccio (left at 2:29 p.m.)
 Councillor Emanuel
 Councillor Hempen
 Councillor Kerwin
 Councillor Sponga
 Councillor Twinney
 Councillor Vegh

Staff: Rob Prentice, Commissioner, Development & Infrastructure Services
 Rick Nethery, Director of Planning & Building Services
 Dave Potter, Chief Building Official
 Linda Traviss, Senior Planner – Development
 Meghan White, Planner
 Kym Pelham, Committee Secretary

Accessibility
Advisory

Committee: No members were present

The meeting was called to order at 2:02p.m. No conflicts of interest were declared.

Councillor Twinney in the Chair.

1. **APPLICATION FOR SITE PLAN APPROVAL
487 QUEEN STREET
(EAST OF MAIN STREET, SOUTH OF DAVIS DRIVE)
OUR FILE NO.: D11-NP1326
OWNER: BRIXTON COMMERCIAL REALTY ADVISORS LTD.**
-

Application for Site Plan Approval to permit 16 stacked townhouse units together with a 21 space parking lot on the subject lands. The existing structure is proposed to be demolished.

Brent Fleming of Brixton Commercial Realty Advisors Ltd. was present to address Committee.

The Site Plan Review Committee recommends:

1. **THAT the application for Site Plan Approval to permit 16 stacked townhouse units together with a 21 space parking lot on the subject lands, be approved in principle and referred to staff for processing, subject to the following;**
 - a. **THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff.**
2. **AND THAT Brent Fleming of Brixton Commercial Realty Advisors Ltd., 10 Kingsborough Crescent, TORONTO, ON M9R 2T9, be notified of this decision.**

2. **APPLICATION FOR SITE PLAN APPROVAL
497 TIMOTHY STREET
(EAST OF MAIN STREET, NORTH OF WATER STREET)
OUR FILE NO.: D11-NP1325
OWNER: 1805619 ONTARIO INC. (Eugene & Marco Iacovetta)**
-

Application for Site Plan Approval to permit a new restaurant having a gross floor area of 693.58m² on the subject lands.

Angela Sciberras of Macaulay Shiomi Howson Ltd, was present to address Committee.

1. **THAT the application for Site Plan Approval to permit a new restaurant having a gross floor area of 693.58m² on the subject lands, be approved in principle and referred to staff for processing, subject to the following;**
 - a. **THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff.**

- b. THAT the applicant work with the Building Division to add fenestration to the north (rear) and west (Cedar Street) elevations of the building.

2. AND THAT Angela Sciberras of Macualay Shiomi Hawson Ltd., 471 Timothy Street, NEWMARKET, ON L3Y 1P9, be notified of this decision.

The meeting adjourned at approximately 2:40 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on January 20, 2014.

Dec 3/13
Dated


Director of Planning & Building Services

**APPLICATION FOR SITE PLAN APPROVAL
487 QUEEN STREET
(EAST OF MAIN STREET, SOUTH OF DAVIS DRIVE)
OUR FILE NO.: D11-NP1326
OWNER: BRIXTON COMMERCIAL REALTY ADVISORS LTD.**

Application for Site Plan Approval to permit 16 stacked townhouse units together with a 21 space parking lot on the subject lands. The existing structure is proposed to be demolished.

Brent Fleming of Brixton Commercial Realty Advisors Ltd. was present to address Committee.

The Site Plan Review Committee recommends:

1. **THAT the application for Site Plan Approval to permit 16 stacked townhouse units together with a 21 space parking lot on the subject lands, be approved in principle and referred to staff for processing, subject to the following;**
 - a. **THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff.**
2. **AND THAT Brent Fleming of Brixton Commercial Realty Advisors Ltd., 10 Kingsborough Crescent, TORONTO, ON M9R 2T9, be notified of this decision.**

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497 TIMOTHY STREET
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1. **THAT the application for Site Plan Approval to permit a new restaurant having a gross floor area of 693.58m² on the subject lands, be approved in principle and referred to staff for processing, subject to the following;**
 - a. **THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff.**
 - b. **THAT the applicant work with the Building Division to add fenestration to the north (rear) and west (Cedar Street) elevations of the building.**
2. **AND THAT Angela Sciberras of Macualay Shiomi Hawson Ltd., 471 Timothy Street, NEWMARKET, ON L3Y 1P9 be notified of this decision.**



SPECIAL
CENTRAL YORK FIRE SERVICES
JOINT COUNCIL COMMITTEE
TUESDAY, NOVEMBER 5, 2013 AT 10:30 A.M.
TOWN OF AURORA, LEKSAND ROOM
MINUTES

A special meeting of the Joint Council Committee was held on Tuesday, November 5, 2013 at 9:00 a.m. in the Leksand Room at the Town of Aurora Municipal Offices, 100 John West Way.

Members Present:	Aurora:	Councillor Abel Councillor Ballard Councillor Gallo
	Newmarket:	Councillor Emanuel Councillor Kerwin Councillor Twinney
Staff:	Aurora:	Mayor Dawe D. Elliott, Director of Corporate & Financial Services/Treasurer N. Garbe, Chief Administrative Officer
	Newmarket:	Mayor Van Bynen R. Shelton, Chief Administrative Officer L. Georgeff, Director of Human Resources J. Bondi, Council/Committee Coordinator
CYFS:		I. Laing, Fire Chief P. Leslie, Deputy Fire Chief
Guests:		S. Thurlow, Dillon Consulting S. Charbonneau, Dillon Consulting

The meeting was called to order at 9:02 a.m.

Councillor Twinney in the Chair.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

None.

1. **JOINT COUNCIL COMMITTEE MINUTES – NOVEMBER 5, 2013 – ITEM 1**
PRESENTATION – DILLON CONSULTING LIMITED

Chief Laing welcomed those in attendance and provided a few opening remarks. Introductions of those in attendance were provided to Mr. Thurlow and Ms. Charbonneau of Dillon Consulting Limited.

Mr. Thurlow, in conjunction with Ms Charbonneau, addressed the Committee with respect to the Master Fire Plan Update.

Matters covered included current needs and circumstances/risks over the next 5 – 10 years; National Fire Protection Association standards; public education programs; establishment of other fire protection services as needed; 3 Lines of Defense – public education and prevention, fire safety standards and enforcement, emergency response; and Emergency Response Performance Measures.

JCC members provided comments and asked questions throughout the meeting.

Mayor Van Bynen left the meeting at 9:44 a.m.

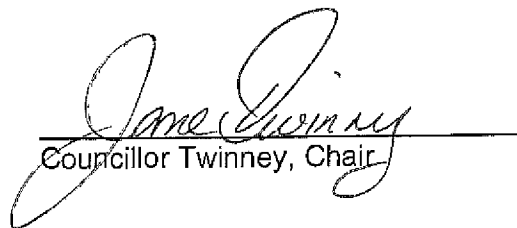
Moved by Councillor Gallo
Seconded by Councillor Ballard

THAT the PowerPoint presentation by Mr. Steve Thurlow and Ms. Suzanne Charbonneau of Dillon Consulting Limited, with respect to an update of the Master Fire Plan, be received.

CARRIED

There being no further business, the meeting adjourned at 10:22 a.m.

Dec 5/13
 Date


 Councillor Twinney, Chair



CENTRAL YORK FIRE SERVICES
JOINT COUNCIL COMMITTEE
TUESDAY, NOVEMBER 5, 2013 AT 10:30 A.M.
TOWN OF AURORA, LEKSAND ROOM
MINUTES

A meeting of the Joint Council Committee was held on Tuesday, November 5, 2013 at 10:30 a.m. in the Leksand Room at the Town of Aurora Municipal Offices, 100 John West Way.

Members Present:	Aurora:	Councillor Abel Councillor Ballard Councillor Gallo
	Newmarket:	Councillor Emanuel Councillor Kerwin Councillor Twinney
Staff:	Aurora:	Mayor Dawe D. Elliott, Director of Corporate & Financial Services/Treasurer N. Garbe, Chief Administrative Officer
	Newmarket:	R. Shelton, Chief Administrative Officer L. Georgeff, Director of Human Resources J. Bondi, Council/Committee Coordinator
CYFS:		I. Laing, Fire Chief P. Leslie, Deputy Fire Chief

The meeting was called to order at 10:31 a.m.

Councillor Twinney in the Chair.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

None.

**1. JOINT COUNCIL COMMITTEE MINUTES – NOVEMBER 5, 2013 – ITEM 1
APPROVAL OF MINUTES**

Joint Council Committee Minutes of October 1, 2013.

**Moved by Councillor Gallo
Seconded by Councillor Emanuel**

THAT the Joint Council Committee Minutes of October 1, 2013 be approved.

CARRIED

**2. JOINT COUNCIL COMMITTEE MINUTES – NOVEMBER 5, 2013 – ITEM 2
JOINT CENTRAL YORK FIRE SERVICES AND CORPORATE SERVICES
INFORMATION REPORT – FINANCE 2013-43
2013 CENTRAL YORK FIRE SERVICES BUDGET REPORT – THIRD QUARTER**

Joint Central York Fire Services and Corporate Services Information Report – Finance 2013-43 dated October 21, 2013 regarding 2013 Central York Fire Services Budget Report – Third Quarter.

The Fire Chief reviewed the 2013 Central York Fires Services Budget Report – Third Quarter with the Committee.

**Moved by Councillor Ballard
Seconded by Councillor Emanuel**

THAT Joint CYFS/Corporate Services Information Report – Finance 2013-43 dated October 21, 2013 regarding 2013 Central York Fire Services Budget Report – Third Quarter be received for information purposes.

CARRIED

**3. JOINT COUNCIL COMMITTEE MINUTES – NOVEMBER 5, 2013 – ITEM 3
FIRE SERVICES REPORT 2013-08
FIRE STATION RENOVATIONS**

Fire Services Report 2013-08 dated October 22, 2013 regarding the Fire Station Renovations.

Councillor Emanuel proposed deleting Recommendation #4 and replacing it with the following:

- “4. AND THAT CYFS and Town of Newmarket staff prepare a joint report investigating the feasibility of alternative accommodation of CYFS Administration and the Prevention Division in leased office space at the Town of Newmarket Municipal Offices at 395 Mulock Drive.”

Councillor Emanuel also proposed the addition of a further recommendation as follows:

- "5. AND THAT the joint report would analyse the potential efficiencies and preliminary capital cost avoidance of proposed renovations at Station 4-1."

**Moved by Councillor Emanuel
Seconded by Councillor Abel**

1. THAT Fire Services Report 2013-08 regarding the Fire Station Renovations, dated October 22, 2013 be received for information purposes;
2. AND THAT staff be directed to work with Mettko and assist with the selection of a design build contractor;
3. AND THAT staff be directed to proceed with the renovation work associated with Fire Station 4-2;
4. AND THAT CYFS and Town of Newmarket staff prepare a joint report investigating the feasibility of alternative accommodation of CYFS Administration and the Prevention Division in leased office space at the Town of Newmarket Municipal Offices at 395 Mulock Drive;
5. AND THAT the joint report would analyse the potential efficiencies and preliminary capital cost avoidance of proposed renovations at Station 4-1.

CARRIED

**4. JOINT COUNCIL COMMITTEE MINUTES – NOVEMBER 5, 2013 – ITEM 4
VERBAL TRAINING DIVISION REPORT**

Deputy Leslie provided a verbal report regarding staffing of the Training Division.

**Moved by Councillor Emanuel
Seconded by Councillor Ballard**

THAT verbal report provided by Deputy Leslie regarding staffing of the Training Division be received for information purposes.

CARRIED

**5. JOINT COUNCIL COMMITTEE MINUTES – NOVEMBER 5, 2013 – ITEM 5
JCC 2014 MEETING SCHEDULE**

The Joint Council Committee 2014 Meeting Schedule.

There was consensus to reschedule the proposed date for the June 2014 meeting, to be determined, due to the close timing with the Federation of Canadian Municipalities' annual conference.

Moved by Councillor Emanuel
Seconded by Councillor Gallo

THAT the Joint Council Committee 2014 Meeting Schedule, as amended, be received and approved.

CARRIED

Moved by Councillor Emanuel
Seconded by Councillor Gallo

THAT the Joint Council Committee resolve into a closed session for the purpose of discussing labour relations or employee negotiations (*Labour Relations Matters*).

CARRIED

The Committee resolved into a Joint Council Committee (Closed Session) at 10:53 a.m.

The Minutes of the Joint Council Committee (Closed Session) are recorded under separate cover.

The Committee resumed into public session at 11:01 a.m.

**6. JOINT COUNCIL COMMITTEE MINUTES – NOVEMBER 5, 2013 – ITEM 6
NEW BUSINESS**

- a) The Fire Chief advised that the Fire Safety Program conducted this past summer was a huge success with over 8,000 homes in Aurora and Newmarket being visited. Fire safety information was provided to the families and smoke detectors were installed where required. The program will be continuing each year from now on to support and strengthen the fire safety message.
- b) Councillor Gallo inquired with respect to how the service level of CYFS compares with that in other municipalities. The CAO responded advising that a service level review is conducted each year in the community.

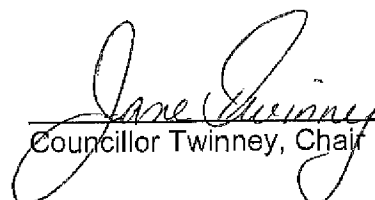
Moved by Councillor Ballard
Seconded by Councillor Kerwin

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 11:08 a.m.

Dec. 5/13
Date


Councillor Twinney, Chair



Newmarket Public Library Board
Regular Board Meeting
Wednesday, October 23, 2013
Newmarket Public Library Board Room

Present: Joan Stonehocker - Chair
Tom Vegh – Vice Chair
Tara Brown
Michael Castro
Tom Hempen (*arrived at 6:10 pm*)
John Taylor (*left at 6:20 pm*)

Guests: Ian McDougall, Commissioner of Community Services, Town of Newmarket –
(*arrived at 6:35 pm and left at 7:05 pm*)
Colin Service, Director, Recreation and Culture Services, Town of Newmarket
(*arrived at 6:35 pm and left at 7:05 pm*)

Staff Present: Todd Kyle, CEO
Linda Peppiatt, Deputy CEO
Lianne Bond, Administrative Coordinator

Regrets: Wes Playter

The Chair called the meeting to order at 5:30 p.m.

1. ADOPTION OF AGENDA ITEMS:

- i) Adoption of Regular Agenda
- ii) Adoption of the Closed Session Agenda
- iii) Adoption of Consent Agenda items

The Chair asked if there were any additions to the agenda.

Motion 13.10.257

**MOVED BY MICHAEL CASTRO
SECONDED BY JOHN TAYLOR**

THAT Agendas i) to iii) be adopted as presented.

CARRIED

2. DECLARATIONS

None were declared.

3. CONSENT AGENDA ITEMS:

- i) Adoption of the Regular Board Meeting Minutes for Wednesday, September 18, 2013

- ii) Strategic Operations Report for September, 2013
- iii) Library Statistical Data
- iv) Monthly Bank Transfer
- v) Correspondence regarding 2013-14 Public Library Operating, Pay Equity Grants

Motion 13.10.258

**MOVED BY JOHN TAYLOR
SECONDED BY TOM VEGH**

THAT Consent Agenda Items i) to v) be received as presented.

CARRIED

A Board member asked if additional information regarding active and non-active memberships can be provided as well as the number of hours of room rental utilization. Reviewing statistics on non-active users could help with preparing a 'come back to the Library' campaign.

4. MOTION TO CONVENE INTO A CLOSED SESSION

There were no closed session items.

5. POLICIES

- i) Integrated Accessibility Standards Policy

The Board reviewed the Integrated Accessibility Standards Policy to meet the Library's obligation under the Accessibility for Ontarians with Disabilities Act (AODA). The Board requested a review of the Library's existing state of accessibility for the physical building.

Motion 13.10.259

**MOVED BY JOHN TAYLOR
SECONDED BY TARA BROWN**

THAT a report be brought back to the Library Board on existing infrastructure on state of accessibility for the physical building and any other relevant information and options for going forward.

CARRIED

Motion 13.10.260

**MOVED BY TOM VEGH
SECONDED BY TARA BROWN**

THAT the Library Board approve the Integrated Accessibility Standards Policy as presented.

CARRIED

6. REPORTS

i) Third Quarter Financial Statements

The CEO reported that the Library continues to be on target to be on or under budget for 2013.

Motion 13.10.261

MOVED BY JOHN TAYLOR

SECONDED BY TOM VEGH

THAT the Library Board received the Third Quarter Financial Statements as presented.

CARRIED

7. BUSINESS ARISING

i) Library Ambassador Campaign

As part of a Library Ambassador Campaign, Board members were invited to identify organizations for which the Library could arrange a discussion, presentation or outreach activity to promote the Library's new Strategic Plan. Board members will forward their suggestions of organization to the CEO.

Motion 13.10.262

MOVED BY JOHN TAYLOR

SECONDED BY TARA BROWN

THAT the Library Board receive the report on a Library ambassador Campaign as presented.

THAT the Library Board direct the CEO to coordinate with Board members to implement such a campaign.

CARRIED

ii) Board Motion Procedure

A clarification was provided regarding the motion procedure as outlined in the Board Governance Policy which follows Roberts Rules of Order. The Board agreed not to make any changes to the procedure.

Motion 13.10.263

MOVED BY JOHN TAYLOR

SECONDED BY TARA BROWN

THAT the Library Board receive the verbal report on Board Motion Procedure.

CARRIED

iii) Action List

The Board reviewed and updated the Action List.

Motion 13.10.264

MOVED BY MICHAEL CASTRO
 SECONDED BY TOM VEGH

THAT the Library Board receive the Action List as presented.

CARRIED

8. NEW BUSINESS

i) York Info Reserve Account

The Town of Newmarket Finance staff has recommended that the York Info Reserve Account be changed to a liability account.

Motion 13.10.265

MOVED BY JOHN TAYLOR
 SECONDED BY TOM HEMPEN

THAT the Library Board request the Town of Newmarket to convert the YNCIVC Operating Reserve to a Liability Account

CARRIED

ii) Space Needs Study

The Library Board discussed scope of a space needs study as provided for in the capital budget. A report will be brought back to the Library Board for further consideration.

iii) Town of Newmarket Corporate Naming Program

The Commissioner, Community Services of the Town of Newmarket provided a presentation regarding the Town of Newmarket's Corporate Naming Program and opportunities for the Library to participate in this program.

Motion 13.10.266

MOVED BY TOM VEGH
 SECONDED BY MICHAEL CASTRO

THAT the Library Board receive the presentation on the Town of Newmarket Corporate Naming Program.

CARRIED

9. DATE(S) OF FUTURE MEETINGS

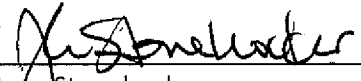
The next regular Library Board meeting will be Wednesday, November 20, 2013 at 5:00 pm in the Library Board room

10. ADJOURNMENT*Motion 13.10.267*


**MOVED BY TOM HEMPEN
SECONDED BY TOM VEGH**

THAT there being no further business the meeting adjourned at 7:10 p.m.

CARRIED



Joan Stonehocker
Chair



Todd Kyle, CEO
Secretary/Treasurer



Town of Newmarket MINUTES

ENVIRONMENTAL ADVISORY COMMITTEE

Wednesday, September 4, 2013
at 6:30 p.m.
Davis Room, 395 Mulock Drive

A meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, September 4, 2013 at 6:30 p.m. in the Davis Room at 395 Mulock Drive.

Present: John Birchall (Meeting Chair)
Dayna Laxton
Joanna Parsons
Geoff Shore
Councillor Twinney

Absent: Philip Breault
Wes Guldemon
Doug Jagger

Guest: Mr. Bill Thompson, Sub-watershed Implementation Specialist
Lake Simcoe Region Conservation Authority

Staff: L. Moor, Council/Committee Coordinator

The meeting was called to order at 6:37 p.m.

John Birchall in the Chair.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

None.

1. NEWMARKET EAC MINUTES – SEPTEMBER 4, 2013 – ITEM 1 APPROVAL OF MINUTES

Environmental Advisory Committee Minutes of June 5, 2013.

Moved by Dayna Laxton
Seconded by Geoff Shore

THAT the Environmental Advisory Committee Minutes of June 5, 2013 be approved.

CARRIED

**2. NEWMARKET EAC MINUTES – SEPTEMBER 4, 2013 – ITEM 2
CORRESPONDENCE**

**Moved by Councillor Twinney
Seconded by Joanna Parsons**

THAT the correspondence items, previously distributed by e-mail, be received.

CARRIED

**3. NEWMARKET EAC MINUTES – SEPTEMBER 4, 2013 – ITEM 3
PRESENTATION – LAKE SIMCOE REGION CONSERVATION AUTHORITY
ROAD SALT**

Mr. Bill Thompson, Sub-watershed Implementation Specialist, Lake Simcoe Region Conservation Authority addressed the Committee with a PowerPoint presentation regarding the concentration of chloride in the Lake Simcoe watershed. He provided details of a Road Salt Management Program whereby education and training will be offered to 'certify' users of road salt. The first scheduled one-day certification course is November 12, 2013 at the Aurora Public Library. Mr. Thompson queried the Environmental Advisory Committee members of a potential client base to host more of these certification programs. The Chair suggested Mr. Thompson attend the Newmarket Chamber of Commerce Breakfast meetings as well as contact the General Manager of Oxford Shopping Centres (Upper Canada Mall) and any local property management companies who utilize parking lot contractors for snow and ice removal during the winter months.

A suggestion was made to pass the PowerPoint presentation on to the Planning Department staff for possible incorporation of the information into the Urban Centres Secondary Plan concept.

A further suggestion was made to Mr. Thompson to include more information into the presentation advising of the hazards associated with the increase in sodium chloride in the watershed as well as consequences of what this is doing to the environment in general and inclusion of possible solutions in the form of recommendations.

**Moved by Joanna Parsons
Seconded by Councillor Twinney**

THAT the PowerPoint presentation by Mr. Bill Thompson, Sub-watershed Implementation Specialist, Lake Simcoe Region Conservation Authority regarding Sodium Chloride in the Lake Simcoe Watershed be received.

CARRIED

4. **NEWMARKET EAC MINUTES – SEPTEMBER 4, 2013 – ITEM 4
ELECTRONIC WASTE COLLECTION DAY**

The Chair distributed copies of advertising posters for the E-Waste Collection event scheduled for September 21, 2013 at Upper Canada Mall. He provided a verbal update regarding the proposed schedule for that day and requested volunteers. He advised there are approximately 50 frame signs that will need to be placed around Town a few days prior to September 21, 2013. Councillor Twinney advised she would send a copy of the poster to all Members of Council for them to distribute amongst their contacts.

5. **NEWMARKET EAC MINUTES – SEPTEMBER 4, 2013 – ITEM 5
FOLLOW-UP ITEMS**

a) **Garlic is Great Festival**

The Chair advised that the Environmental Advisory Committee did not attend the 'Garlic is Great' Festival held at Riverwalk Commons on August 17, 2013.

b) **Secondary Plan Review Comments**

The Chair advised that NEAC's comments regarding the Secondary Plan Review have been sent electronically to the Senior Planner.

c) **LSRCA Conservation 2013 Award Nomination**

The Chair advised that he has recently submitted the nomination application to the Lake Simcoe Region Conservation Authority for the 2013 Conservation Awards. He advised that the Conservation Authority meeting is scheduled for late September 2013 to consider the nomination application.

d) **Items for Discussion with Council Members**

The following matters were considered as Items for Discussion with Council Members/Topics/Priorities for Balance of Term/Longer Term Focus at an upcoming Meet and Greet with Members of Council.

- Relationship between Environmental Advisory Committee Members and Members of Council
- Directions that NEAC feels the Town should be taking regarding environmental issues
- Environmental trends that the Town should be looking at
- Environmental spokesperson on staff who could coordinate grant application opportunities
- 25/50 year storms that are now taking place instead of 100 year storms and what is the Town doing proactively?
- Public Relations regarding Emerald Ash Borer infestation and management
- Increase in Community Gardens due to intensification
- Waste Management – garbage bag limit reductions
- Environmental/Community Stewardship

- Reforestation efforts
- Project/Departmental co-ordination to include NEAC Members for feedback
- Beef up Site Plan Applications to include as many environmental initiatives as possible
- Enforcement of stricter guidelines during Site Plan Development Approval process

6. NEWMARKET EAC MINUTES – SEPTEMBER 4, 2013 – ITEM 6
NEW BUSINESS

- a) The Chair advised that the storage room located at the rear of 395 Mulock which previously housed most of NEAC's material (tent, signs, literature, etc) has been cleaned and many NEAC items are now missing. Discussion ensued regarding the feasibility of purchasing new material to replace the missing items.
- b) Joanna Parsons advised that trail maps are scarce in quantity and requested that more maps be re-printed in a timely manner. Discussion ensued regarding the feasibility of Artex (the company collecting the e-waste on September 21, 2013) sponsoring the re-print of 5000 maps.

The next scheduled meeting date is Wednesday, October 2, 2013 beginning at 6:30 p.m. in the Davis Room with Geoff Shore as the Meeting Chair.

Moved by Joanna Parsons
Seconded by Geoff Shore

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:36 p.m.

 Date

 John Birchall, Meeting Chair



Town of Newmarket MINUTES

ENVIRONMENTAL ADVISORY COMMITTEE

Wednesday, October 2, 2013
at 6:30 p.m.
Cane Room, 395 Mulock Drive

A meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, October 2, 2013 at 6:30 p.m. in the Cane Room at 395 Mulock Drive.

Present: John Birchall
Philip Breault
Wes Guldemon (6:35 to 8:30 p.m.)
Doug Jagger
Dayna Laxton
Geoff Shore (Meeting Chair)

Absent: Joanna Parsons
Councillor Twinney

Staff: C. Kalimootoo, Director of Public Works Services
M. Plaunt, Senior Planner
C. Schmitt, Traffic Technician
L. Moor, Council/Committee Coordinator

The meeting was called to order at 6:33 p.m.

Geoff Shore in the Chair.

The Chair requested a roundtable introduction of those present.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

None.

1. NEWMARKET EAC MINUTES – OCTOBER 2, 2013 – ITEM 1 **APPROVAL OF MINUTES**

Environmental Advisory Committee Minutes of September 4, 2013.

Moved by John Birchall
 Seconded by Dayna Laxton

THAT the Environmental Advisory Committee Minutes of September 4, 2013 be approved.

CARRIED

Wes Guldemon arrived at 6:35 p.m.

**2. NEWMARKET EAC MINUTES – OCTOBER 2, 2013 – ITEM 2
 CORRESPONDENCE**

Moved by Doug Jagger
 Seconded by Philip Breault

THAT the correspondence items, previously distributed by e-mail, be received.

CARRIED

**3. NEWMARKET EAC MINUTES – OCTOBER 2, 2013 – ITEM 3
 URBAN CENTRES SECONDARY PLAN**

The Senior Planner addressed the Committee with a verbal update related to the comments submitted by NEAC with respect to the Urban Centres Secondary Plan. Discussion ensued regarding the following contained within the Secondary Plan document:

- Policy framework/compilation of master plans once framework has been established
- Integrated transportation network
- Explanation of green streets network and intersecting streets at Yonge Street and Davis Drive
- Undergrounding hydro
- Sustainable measures/words used in Urban Centres Secondary Plan document “encouraging”; “incentives” “bonusing” (Region of York Official Plan terminology)
- Land dedication/affordable housing/rental housing
- Storey height/public benefit
- Green roofs/community gardens/rooftop gardens
- Complexity – balance between transparency and final decision making
- Three stream recycling efforts in townhouse complexes
- Policy Guidelines and following same
- Lines of communication – always open

The Senior Planner advised of areas within the draft document that should be considered by the NEAC members in more depth:

- Regional Shopping Centres
- Floodplain Policy
- Density Approach = height
- Rental Housing Policy/Co-operative Housing
- Value Added Housing component
- Urban Design Policies
- Communication Technology – broadband, fibre optic cable
- Telecommunications on Building Roofs
- Shadow Study Parameters
- Block Structure meeting the FSI density
- Parks and Open Spaces System
- Stormwater Management Ponds/Parkland Dedication
- Public Art Policy contribution and commissioning of public art

The Senior Planner requested that any further comments related to the draft Urban Centres Secondary Plan be forwarded electronically, if possible, by the first or second week of November, 2013.

The Chair thanked the Senior Planner for the informative presentation.

Marion Plaunt left the meeting at 7:40 p.m.

**4. NEWMARKET EAC MINUTES – OCTOBER 2, 2013 – ITEM 4
TRAIL MAP REPRINT – REORDER**

In the absence of Joanna Parsons, John Birchall provided a verbal update regarding the need to have trail maps reprinted. The Committee members agreed that the reprinting should take place as soon as possible.

**Moved by Doug Jagger
Seconded by Dayna Laxton**

THAT an amount up to a maximum of \$5,300 be authorized for disbursement costs related to the printing of 5000 copies of trail maps.

CARRIED

**5. NEWMARKET EAC MINUTES – OCTOBER 2, 2013 – ITEM 5
ELECTRONIC WASTE COLLECTION DAY – POST EVENT REVIEW**

John Birchall provided a verbal status update regarding the successful Electronic Waste Collection event held at Upper Canada Mall on Saturday, September 21, 2013. A suggestion was made to continue with the event in 2014 with emphasis on advertising in the Waste Collection calendar.

6. **NEWMARKET EAC MINUTES – OCTOBER 2, 2013 – ITEM 6**
FOLLOW-UP ITEM

John Birchall addressed the Committee with a draft version of a PowerPoint presentation highlighting specific items for discussion with Council Members at a meet and greet event tentatively scheduled for November 12, 2013.

Discussion ensued regarding various references contained within the slide presentation, the Environmental Advisory Committee's Terms of Reference and staff involvement. A suggestion was made to have the Director of Public Works Services assist with some modifications to the presentation before it is brought forward to the November 12, 2013 meeting.

Due to time constraints, all the slides within the PowerPoint presentation were not displayed or discussed.

Moved by Dayna Laxton
Seconded by Wes Guldemon

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:30 p.m.

Date

Geoff Shore, Meeting Chair

Next Meeting Date: Wednesday, November 6, 2013 beginning at 6:30 p.m. in the Mulock Room. Meeting Chair – Doug Jagger



Town of Newmarket MINUTES

ENVIRONMENTAL ADVISORY COMMITTEE

Wednesday, November 6, 2013
at 6:30 p.m.
Mulock Room, 395 Mulock Drive

A meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, November 6, 2013 at 6:30 p.m. in the Mulock Room at 395 Mulock Drive.

Present: John Birchall
Philip Breault
Wes Guldemon
Doug Jagger (Meeting Chair)
Dayna Laxton
Joanna Parsons (6:34 – 7:45 p.m.)

Absent: Geoff Shore
Councillor Twinney

Guest: Robyn Stewart, Education and Outreach Coordinator, LEAF

Staff: C. Kalimootoo, Director of Public Works Services
C. Schmitt, Traffic Technician
J. Bondi, Council/Committee Coordinator

The meeting was called to order at 6:34 p.m.

Doug Jagger in the Chair.

ADDITIONS TO THE AGENDA

John Birchall advised that he would be providing a verbal report on the Regional Environmental Advisory Committee meeting he and Dayna Laxton attended on November 5, 2013.

DECLARATIONS OF INTEREST

None.

1. NEWMARKET EAC MINUTES – NOVEMBER 6, 2013 – ITEM 1 **APPROVAL OF MINUTES**

Environmental Advisory Committee Minutes of October 2, 2013.

**Moved by Philip Breault
Seconded by Dayna Laxton**

THAT the Environmental Advisory Committee Minutes of October 2, 2013 be approved.

CARRIED

**2. NEWMARKET EAC MINUTES – NOVEMBER 6, 2013 – ITEM 2
CORRESPONDENCE**

**Moved by Philip Breault
Seconded by Joanna Parsons**

THAT the correspondence items, previously distributed by e-mail, be received.

CARRIED

**3. NEWMARKET EAC MINUTES – NOVEMBER 6, 2013 – ITEM 3
PRESENTATION – LEAF (LOCAL ENHANCEMENT AND APPRECIATION OF
FORESTS)**

Ms. Robyn Stewart, Volunteer & Stewardship Coordinator, Local Enhancement and Appreciation of Forests (LEAF) addressed the Committee with respect to the Emerald Ash Borer (EAB).

Ms. Stewart provided information with respect to recognition of the EAB, signs of an EAB infestation in ash trees, determining if treatment can save an infested tree, removal options, promoting education about the infestation as well as LEAF's Backyard Tree Planting Program.

Discussion ensued. Doug Jagger advised he had heard of using parasitic wasps in treating infested trees. Ms. Stewart indicated she understood this method of treatment had been used experimentally in southern Ontario.

The Director of Public Works Services advised that a report on this matter will be coming forward to a Committee of the Whole meeting in the near future.

Discussion took place with respect to the Town providing more education about the EAB.

**Moved by John Birchall
Seconded by Joanna Parsons**

THAT the PowerPoint presentation by Ms. Robyn Stewart of Local Enhancement and Appreciation of Forests (LEAF) be received and that this matter be referred to Communications and Public Works Services.

CARRIED

The Chair requested that Item 5 of the Agenda with respect to the Trail Map Reprint be brought forward at this time.

**4. NEWMARKET EAC MINUTES – NOVEMBER 6, 2013 – ITEM 4
TRAIL MAP REPRINT – REORDER AND REVIEW**

Joanna Parsons provided a verbal status update regarding the reprinting of the Trail Map. She advised that she has contacted Procurement Services with respect to the cost of reprinting the Map. She indicated that she had received various quotes although there is a requirement for printing 5,000 copies as a minimum. The cost for printing 5,000 is \$5,470 excluding tax and for printing 8,500 copies is \$6,366.50.

Discussion ensued. As the Committee had given authority to spend up to a maximum of \$5,300 for the reprinting of the Map, discussion took place with respect to options for supplementary funding as well as consideration of printing the larger amount of Maps for the proportionately lower cost.

There was consensus from the Committee that Joanna approach the Commissioner of Community Services about covering costs for at least the difference in money needed for the 5,000 copies.

John Birchall advised that he will contact Mr. Dave Ruggle, Senior Planner – Community Planning and the Director of Financial Services/Treasurer to discuss budget money.

**5. NEWMARKET EAC MINUTES – NOVEMBER 6, 2013 – ITEM 5
REVIEW OF COMMENTS – SECONDARY PLAN**

John Birchall reviewed with the Committee the comments he and Doug Jagger had provided to Ms. Marion Plaunt, Senior Planner which she had solicited at the October NEAC meeting with respect to her presentation of the draft Secondary Plan.

Joanna Parsons left the meeting at 7:45 p.m.

Comments were received by Committee members and staff. John Birchall advised he would resubmit this further feedback, which included a preference for underground parking or reduced backyard parking in order to maximize aboveground space, to Ms. Plaunt.

**6. NEWMARKET EAC MINUTES – NOVEMBER 6, 2013 – ITEM 6
PRESENTATION – COUNCIL REVIEW MEETING**

Discussion took place regarding the Council Workshop scheduled for November 12, 2013 prior to the Council meeting on that date. There was consensus to use the PowerPoint presentation, as modified at the October NEAC meeting, for the Workshop.

7. NEWMARKET EAC MINUTES – NOVEMBER 6, 2013 – ITEM 6
NEW BUSINESS

- a) John Birchall and Dayna Laxton advised that they had attended the Regional EAC meeting which was held on November 5, 2013 and provided a verbal report on the event. Attendance at the function had been good and information sharing was beneficial – overall a very productive meeting.
- b) John Birchall updated the Committee with respect to the Ian Gray Environmental Award – Grant Applications. Cheques have been delivered to the two schools who applied – Prince Charles and Alexander Muir public schools.
- c) Doug Jagger inquired with respect to the Town's position with respect to the proposed Glenway development and the scheduled Ontario Municipal Board hearings. John Birchall advised that Councillor Emanuel has a FaceBook page that is up-to-date in this regard. The Council/Committee Coordinator offered to provide the Committee with a status update.

Moved by Wes Guldemon
Seconded by Philip Breault

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:29 p.m.

 Date

 Doug Jagger, Meeting Chair

Next Meeting Date: Wednesday, December 4, 2013 beginning at 6:30 p.m. in the Mulock Room. Meeting Chair – Dayna Laxton

Friday, November 29, 2013 at 10:00 a.m.
Hall 3 Community Centre & Lions Hall
200 Doug Duncan Drive

The regular meeting of the Newmarket Downtown Development Subcommittee was held on Friday, November 29, 2013 at 10:00 a.m. in Hall 3 of the Community Centre & Lions Hall, 200 Doug Duncan Drive, Newmarket.

Members Jackie Playter
Present: Barbara Leibel
Ian Peake
Councillor Sponga
Steve Whitfield

Staff: C. Kallio, Economic Development Officer
J. Bondi, Council/Committee Co-ordinator

The meeting was called to order at 10:03 a.m.

Jackie Playter in the Chair.

ADDITIONS

None.

DECLARATIONS OF INTEREST

None.

1. NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES NOVEMBER 29, 2013 – ITEM 1 APPROVAL OF MINUTES

Newmarket Downtown Development Subcommittee Minutes of September 27, 2013.

**Moved by Ian Peake
Seconded by Steve Whitfield**

**THAT the Newmarket Downtown Development Subcommittee Minutes of
September 27, 2013 be approved.**

CARRIED

**2. NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES
NOVEMBER 29, 2013 – ITEM 2
FINANCIAL INCENTIVES PROGRAM APPLICATION 2013-15 – BUSINESS SIGN
PROGRAM AND FAÇADE IMPROVEMENT AND RESTORATION PROGRAM, 253
MAIN STREET SOUTH**

The Economic Development Officer provided a verbal report regarding Financial Incentives Program Application 2013-15 with respect to 253 Main Street South.

**Moved by Councillor Sponga
Seconded by Barbara Leibel**

1. **THAT the Business Sign Program Grant Application 2013-15 in the amount of \$1,487.50 be approved, subject to 2014 Financial Incentives Program budget approval;**
2. **AND THAT the Façade Improvement and Restoration Program Grant Application in the amount of \$6,500.00 be approved, subject to 2014 Financial Incentives Program budget approval;**
3. **AND THAT Elizabeth Buslovich, 1 Pacific Rim Court, Richmond Hill, Ontario, L4E 0W8, be notified of this action.**

CARRIED

**3. NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES
NOVEMBER 29, 2013 – ITEM 3
FINANCIAL INCENTIVES PROGRAM APPLICATION 2013-13 – BUSINESS SIGN
PROGRAM, 38 MAIN STREET SOUTH**

The Economic Development Officer provided a verbal report regarding Financial Incentives Program Application 2013-13 with respect to 38 Main Street South.

**Moved by Councillor Sponga
Seconded by Steve Whitfield**

1. **THAT the Business Sign Program Grant Application 2013-13 in the amount of \$1,115.00 be approved, subject to 2014 Financial Incentives Program budget approval;**
2. **AND THAT Binalben Patel, 36 Blue Meadow Court, Markham, Ontario, L6B 0H9, be notified of this action.**

CARRIED

4. **NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES
NOVEMBER 29, 2013 – ITEM 3
FINANCIAL INCENTIVES PROGRAM APPLICATION 2013-16 – PROJECT
FEASIBILITY STUDY PROGRAM, 262 MAIN STREET SOUTH**

The Economic Development Officer provided a verbal report regarding Financial Incentives Program Application 2013-16 with respect to 262 Main Street South (Cawthra House).

**Moved by Steve Whitfield
Seconded by Ian Peake**

1. **THAT the Project Feasibility Study Program Grant Application 2013-16 in the amount of \$10,000.00 be approved, subject to 2014 Financial Incentives Program budget approval;**
2. **AND THAT the Economic Development Officer advise the applicant that future funding will first target exterior renovations, with interior renovations a secondary focus;**
3. **AND THAT Joseph and Janice Zhang, 26 Carisbrooke Circle, Aurora, Ontario, L4G 0K4, be notified of this action.**

CARRIED

NEW BUSINESS

Ian Peake inquired with respect to the status of Rawlicious moving in on Main Street. Discussion ensued and it was confirmed that the business will be opening soon at 210 Main Street South.

**Moved by Councillor Sponga
Seconded by Ian Peake**

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 10:50 a.m.

Dated

Jackie Playter, Chair

The regular meeting of the Inclusivity Advisory Committee was held on Wednesday, November 27, 2013 at 7:00 p.m. in the Mulock Room, Municipal Offices, 395 Mulock Drive, Newmarket.

Members Evert Akkerman (Vice-Chair)

Present: Denise Anderson
 Rob Hums
 Mohammad Khan
 Ken Sisler
 Councillor Vegh

Absent: Farrah Bacchus
 Councillor Di Muccio
 Nolie Johnston
 Ranji Singh

Ricky Veerappan, York Regional Police (non-voting member)

Staff: Lisa Lyons, Deputy Clerk
 Janice Bondi, Council/Committee Coordinator

The meeting convened at 7:08 p.m.

Evert Akkerman in the Chair.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS of interest

None.

Mission

We act as an ongoing source of guidance and information to Council and residents. We facilitate experiences that encourage awareness, promote sharing, understanding, and foster harmony.

Vision

We envision Newmarket to be an inclusive community where differences are welcome and celebrated, and where its mosaic of citizens are renowned for showing mutual courtesy, dignity, and respect.

Moved by Denise Anderson
Seconded by Mohammad Khan

The Inclusivity Advisory Committee recommends to Council:

THAT the revised Inclusivity Advisory Committee Terms of Reference as attached be considered as the Terms of Reference for the 2014-2018 Inclusivity Advisory Committee.

CARRIED

**4. INCLUSIVITY ADVISORY COMMITTEE MINUTES – NOVEMBER 27, 2013 – ITEM 4
CCMARD (CANADIAN COALITION OF MUNICIPALITIES AGAINST RACISM)
DRAFT ACTION PLAN**

The Committee reviewed the CCMARD Action Plan as submitted by Legislative Services staff. The Deputy Clerk provided information about the Plan and the requirements of the Town as a member of the organization. The Plan provides an outline of what the Town is currently doing in relation to combating racism and discrimination and fostering equality and respect for all citizens as well as providing suggested actions to further this initiative.

Moved by Denise Anderson
Seconded by Rob Hums

THAT the Inclusivity Advisory Committee endorses the proposed CCMARD Action Plan and that it be forwarded to Council for approval.

CARRIED

**5. INCLUSIVITY ADVISORY COMMITTEE MINUTES – NOVEMBER 27, 2013 – ITEM 5
DRAFT 2014 MEETING SCHEDULE**

The Committee reviewed the proposed 2014 meeting schedule and discussed meeting options, i.e. day of week, week of month, time of meeting. It was agreed that staff send an e-mail to all members of the Committee to assist in determining each member's preference for meeting in 2014.

**6. INCLUSIVITY ADVISORY COMMITTEE MINUTES – NOVEMBER 27, 2013 – ITEM 6
WORK PLAN**

The Committee reviewed the Work Plan and provided updates as follows:

4. a) Rob Hums advised that he and Farrah Bacchus have created 'blurbs' for consideration by the Committee and will bring the list forward to the next meeting.

With respect to the notation on the Work Plan with respect to placing a calendar of key observance days on the Town's website, it was proposed that the calendar on the York Region Board of Education's website be looked at for guidance in forming a similar calendar for the Town's website. This will be revisited at the next meeting.

The Committee also requested that Item 4.a) on the Work Plan be combined with Item 5, as the topics overlap.

8. There was consensus to 'rule out' this Item as the Committee member who was the lead for the item has resigned and there is currently no one to take the lead.
- 9 b) This Item has been dealt with (see Item 3 of these Minutes) and will be updated accordingly.
10. The proclamation for International Day for the Elimination of Racial Discrimination (being March 21) will come forward to Council routinely each year. The Deputy Clerk proposed that the event will receive more prominence if a Committee member makes a deputation to Council to coincide with the proclamation. Ken Sisler offered, tentatively, to make a deputation to the Committee of the Whole on March 17, 2014 in this regard.
11. See New Business item with respect to the Immigration Settlement Strategy.
13. The Deputy Clerk advised that a meeting of this Committee and the Street Naming Committee is being scheduled to provide an opportunity to deal with the issues of policy and process.
14. This Item has been dealt with (see Item 4 of these Minutes) and will be updated accordingly.

7. NEW BUSINESS

Denise Anderson inquired if staff had heard anything further with respect to the creation of an inclusivity/diversity committee as brought forward in the deputation by South Simcoe Police Chief Beazley and Bradford West Gwillimbury Councillor Sandhu at the September 11, 2013 IAC meeting. The Deputy Clerk responded that she had not heard further in this regard.

The Deputy Clerk advised that currently Ms. Cindy Wackett, the Town's Corporate Project Consultant is the contact for the Municipal Multicultural Reference Group and is also the Town's representative with respect to the Immigration Settlement Strategy.

Moved by Ken Sisler
Seconded by Mohammad Khan

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:10 p.m.

 Date

 Evert Akkerman, Chair

**INCLUSIVITY ADVISORY COMMITTEE MINUTES – NOVEMBER 27, 2013 – ITEM 3
AMENDED TERMS OF REFERENCE**

Denise Anderson provided an overview of the revisions in the IAC's Terms of Reference. The Chair thanked the members of the Subcommittee involved in the revision process being Denise Anderson, Farrah Bacchus, Rob Hums and Ranji Singh for their efforts in producing the document.

There was consensus that the Terms of Reference be forwarded to Council for consideration as the Terms of Reference for the Inclusivity Advisory Committee during the next term of Council.

**Moved by Denise Anderson
Seconded by Mohammad Khan**

The Inclusivity Advisory Committee recommends to Council:

THAT the revised Inclusivity Advisory Committee Terms of Reference as attached be considered as the Terms of Reference for the 2014-2018 Inclusivity Advisory Committee.

CARRIED

TERMS OF REFERENCE
2013-Oct-03: Proposed changes

Inclusivity Advisory Committee

Background

In the fall of 2008, the Council of the Town of Newmarket ("Council") ~~sought to decide to establish~~ an ~~advisory group~~ Inclusivity Advisory Committee (IAC) to serve as a resource for Council and the community. ~~The Committee was officially introduced first implemented in January 2010 where it is the first Terms of Reference was adopted.~~

~~The IAC envisions Newmarket to be an inclusive community where differences are welcome and celebrated and where its mosaic of citizens are renowned for showing mutual courtesy, dignity and respect.~~

To realize the above vision, the IAC has three primary objectives:

1. To provide input and advice to Council and/or Town of Newmarket staff ("staff") upon request of Council and/or staff
2. To provide opinions on current policies and practices of the Town of Newmarket as it relates to inclusiveness
3. To promote inclusivity through selected events and communications

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Alignment with Corporate Strategic Plan:

The Corporate Strategic Plan for the Town of Newmarket articulates the organization's goal to support a sustainable human services strategy that creates a safe, healthy and engaged community.

The Strategic Plan also articulates goals to:

1. Support a positive community fabric
2. Forge partnerships with key community stakeholders

~~The Inclusivity Advisory Committee is an advisory group that provides input and advice to the Council of the Town of Newmarket by reviewing current policies and practices of the Town. This includes making recommendations to Council on how to create an inclusive environment where all residents of the Town of Newmarket experience a barrier-free inclusive community that they feel connected to and a part of.~~

~~The Committee envisions Newmarket to be an inclusive community where differences are welcome and celebrated and where its mosaic of citizens are renowned for showing mutual courtesy, dignity and respect.~~

Governance

The governance plan for the Inclusivity Advisory Committee shall be as follows:

Role	Responsibilities	Assignment
Sponsor	<ul style="list-style-type: none"> Accountable to the Public to meet the inclusivity goals established by Mayor and Council. Sponsor of the Inclusivity Advisory Committee Program and responsible for the allocation of 	Members of Council

Role	Responsibilities	Assignment
	<ul style="list-style-type: none"> the budget and resources for the Program Council Members participate as Members on the Committee and also provide a communication link between the Committee and Council Sponsors must provide leadership and treat all committee members with respect 	
Administration	<ul style="list-style-type: none"> The overall administration of the Inclusivity Advisory Committee through the various resources of the corporation in accordance with the priorities and directions of Council 	Chief Administrative Officer
Committee Chair	<ul style="list-style-type: none"> Chair meetings, facilitating group discussion and, in cooperation with the Administration and Staff Resources, ensure an open, productive and barrier free environment exists to meet mandate. Chair or Chair's delegate is authorized to attend community events on behalf of the committee, and when called upon by the Town's resources. 	Citizen Member elected by the membership of the committee at the first committee meeting for a two-year term.
Committee Vice-Chair	<ul style="list-style-type: none"> Fulfill the duties of the Chair in his/her absence. 	Citizen Member elected by the membership of the committee at the first committee meeting for a two-year term.
Staff Resource Person	<ul style="list-style-type: none"> Administration of Inclusivity Advisory Committee consultation meetings on at least a monthly basis and on an as needed basis as required by Council. Liaise with the Committee and the community at large with respect to the development of an inclusivity statement and to review progress towards those plans. Provide presentations and information on the current standards and issues relating to the goals of the Town with respect to embracing inclusivity. Provide opportunities for constructive input into barriers preventing Inclusivity agenda Liaise with and advise Members of Council and Advisory Committee Members as necessary Cooperate and work in partnership with institutions and voluntary organizations to promote mutual trust and respect among Newmarket's racial and ethno cultural groups, diversity and inclusivity Encourage local groups, businesses, agencies and institutions to engage in programs for the improvement of racial and ethno cultural relations and diversity and Inclusivity issues 	<p>Organizational Fit - TBD</p> <p>Various Departments as needed</p> <p>And</p> <p>Clerks Office – administrative support</p>

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Role	Responsibilities	Assignment
Inclusivity Advisory Committee	<ul style="list-style-type: none"> • Provide input and advice to Council and/or Town of Newmarket staff ("staff") upon request of Council and/or staff (example: establishment of a new mosque) • Provide opinions on current policies and practices of the Town of Newmarket as it relates to inclusiveness and exclusiveness (example: street and park naming) • Promote inclusivity through selected events and communications (example: sponsorship of, or visible participation in, a flagship cultural celebration) • Create, review, and update a work plan on a continuous basis (see below for definition of "work plan") • Provide advice and insights to Council and the Staff Resource Person with regard to the services, policies, and procedures and programs pertaining to community residents • To act as a resource on issues to Council and Town staff with respect to residents not feeling a part of the community • Acting as a source of perspectives and ideas to assist the Town in achieving its goals. • Provides access to volunteer support for the implementation of related special events or programs as approved by Council • Participation by stakeholders that can bring knowledge and creativity to the program shall be encouraged. • Adopting and sharing information and best practices on inclusivity with other community organizations and related advisory Committees • Maintaining a dialogue with the Committee Council representatives about its mandate, priorities and accomplishments 	<p>Mayor as ex officio and 2 Members of Council</p> <p>9 Resident Volunteers from the community appointed by Council representing various cultural, ethnic and other groups</p> <p>York Regional Police representative as Non-voting member (Council – Jan 23/12)</p>
Sub-committees	<ul style="list-style-type: none"> • Based upon the work plan, the committee may establish sub-committees from the membership of the Inclusivity Advisory Committee as needed to consider specific issues. Sub-committees are not required to be approved through Council. Sub-committee members prepare their own agendas and minutes as required and make their own arrangements for meeting locations. 	
Communication and Reporting Relationships	<ul style="list-style-type: none"> • Staff and Members of Council serving with this group are responsible to communicate the views and recommendations to Council and to provide feedback regarding Council's disposition of the Committee's business. 	Council Representative if applicable and Assigned Staff Resource Persons

Comment [AU1]: These bullets focus specifically on our mandate so therefore are copied from the top of page 1 but with examples provided with an additional reference to the work plan.

The examples are thought starters; they can be edited, replaced, or enhanced.

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Term

The Inclusivity Advisory Committee will be appointed for a term coinciding with the term of Council subject to the approval of Council ~~provided that the continuation of the program will be subject to the review of Council in the creation of annual Corporate Business Plans.~~

If the Chair resigns before the completion of his/her term, the Vice Chair will complete the term left vacant and a new Vice Chair will be elected. If the Vice Chair resigns before the completion of his/her term, the Committee will elect a new Vice Chair from its citizen members.

Recruitment

The Town will seek individuals who are eligible electors in the municipality, if available, to serve as members on this group that exhibit:

Knowledge and interest in the subject area;
Skills functioning as members of a team;
Problem solving skills, interpersonal communication skills;
Facilitation skills;
Interest in the community

Work Plan

The Staff Resource Person is responsible for the conduct of the consultative process involving the Advisory Committee and for the implementation of any programs approved by Council that are related to Inclusivity issues (for example: review municipal policies to ensure inclusivity is considered)

Work Plan

~~The Staff Resource Person is responsible for the conduct of the consultative process involving the Advisory Committee and for the implementation of any programs approved by Council that are related to Inclusivity issues (for example: review municipal policies to ensure inclusivity is considered)~~

Work Plan

The IAC, in partnership with the Staff Resource Person, is responsible for the creation of a work plan to document the priorities of the committee. The work plan will include items supported by the IAC and corresponding action items, human resources, and timelines. The work plan is reviewed on a continuous basis for status (e.g., updates, applicability, completion, etc.).

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Support Services

The Clerks Department shall provide administrative support services in accordance with budget for the program.

Program Budget

TBD

Meetings

The Inclusivity Advisory Committee shall meet as a whole and conduct monthly meetings with the Member representatives of Council and the Sponsor and Staff Resource Person to receive information regarding the service levels, policies, procedures, practices and proposals of the Town and to provide input regarding same. An annual schedule of monthly meetings will be planned excluding July and

August. Generally, meetings will be held at the Municipal Offices after regular business hours and completed within two hours.



**Mike Mayes, Director
Financial Services/Treasurer**

TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
mmayes@newmarket.ca
905.895.5193 ext. 2102

December 5, 2013

CORPORATE SERVICES REPORT - FINANCIAL SERVICES – 2014-02

TO: Mayor Tony Van Bynen and Members of Council
Committee of the Whole

SUBJECT: 2014 Interim Tax Billing and Bylaw

ORIGIN: Supervisor, Property Taxes

RECOMMENDATIONS

THAT Corporate Services Report - Financial Services – 2014-02 dated December 5, 2013 regarding the 2014 Interim Tax Billing be received and the following recommendation be adopted:

**THAT Council enact a by-law for the levy and collection of the 2014 Interim Tax Levy.
(Attached hereto as Appendix A)**

COMMENTS

Purpose

To enable billing of the 2014 Interim Taxes and to provide the authority to charge penalty/interest on non-payment of taxes.

Budget Impact

The Town's portion of the Interim billing will be approximately \$24,132,000.

Summary

With approval of the 2014 Interim Tax Billing by-law the Town will have the funding required to meet municipal service obligations.

Under the provisions of the *Municipal Act, 2001* as amended, a municipality may charge penalties/interest on overdue taxes levied. The rate charged is 1.25% per month (15% per year), which is the legal maximum a municipality may charge.

The 2014 Interim due dates will be February 20th, March 20th, April 17th, 2014 for both Residential and Commercial/Industrial and Multi-Residential taxpayers. The Final due dates are scheduled for July, August and September for Residential taxpayers and September and October for Commercial/Industrial and Multi-Residential taxpayers.

Background

2014 Interim Taxes

Section 317 of the *Municipal Act 2001*, provides municipalities with the ability to levy interim taxes in an amount not to exceed 50% of the previous years total taxes.

If any taxes were levied on a property for only part of 2013 due to an assessment increase during the year, an amount shall be added equal to the additional taxes that would have been levied on the property if the taxes had been levied for the entire year.

The interim levy will be payable in 3 installments, due February 20th, 2014, March 20th 2014, and April 17th, 2014.

When the Region sets their budget and the Province sets the education tax rates, the final tax rates for the year will be set and final tax bills will be levied. The amount of the 2014 Interim bill will be deducted from the total levied for the year, with the balance being the Final Tax Bill.

The 2014 Final Tax Billing due dates are scheduled for July, August and September for Residential taxpayers and September and October for Commercial/Industrial and Multi-Residential taxpayers.

Penalties and Interest

Under the provisions of the *Municipal Act, 2001* as amended, a municipality may charge penalties/interest on overdue taxes levied. Penalty charges are for delinquent payments on the current year's property taxes, and interest is applied to prior year(s) taxes. In both cases, the rate charged is 1.25% per month (15% per year), which is the legal maximum a municipality may charge. No penalty/interest added to overdue payments shall be compounded.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report links to Newmarket's key strategic directions in being Well Managed through fiscal responsibility.

CONSULTATION

Not applicable to this report.

HUMAN RESOURCE CONSIDERATIONS


Not applicable to this report.

BUDGET IMPACT

The Town also collects taxes on behalf of the Region and School Boards. The overall interim billing will be approximately \$71,000,000. Of this amount, the Town's portion will be approximately \$24,132,000.

CONTACT

For more information on this report, contact: Carol Mohr at 905-953-5300, ext. 2143 or via e-mail at cmohr@newmarket.ca



Carol Mohr
Supervisor, Property Taxes



Mike Mayes, CGA
Director, Financial Services/Treasurer



Anita Moore, AMCT
Commissioner, Corporate Services

MM/nh
Attachment



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER -

WHEREAS the Council of the Corporation of the Town of Newmarket has adopted estimates for the year 2014 as authorized by Section 312 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended:

AND WHEREAS the Council of the Corporation of the Town of Newmarket wishes to impose an interim levy as authorized by the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended:

AND WHEREAS section 342 of the *Municipal Act, 2001*, authorizes a council to pass by-laws for the payment of taxes by instalments and the date or dates in the year for which the taxes are imposed on which the taxes or instalments are due;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT the Council of the Corporation of the Town of Newmarket is hereby authorized to levy in 2014 an amount equal to fifty percent (50%) of the prior year annualized taxes on property that is rateable for local municipality purposes;
2. AND THAT taxes may be levied under this by-law on a property that is rateable for local municipality purposes for the current tax year, but which was not rateable for local municipality purposes for the prior tax year, including assessment of property that is added to the assessment roll after the by-law is passed;
3. AND THAT the Treasurer of the Corporation of the Town of Newmarket shall send to each person so taxed a printed bill specifying the amounts and due dates of taxes payable by the taxpayer;
4. AND THAT the Treasurer of the Corporation of the Town of Newmarket shall send the tax bill to the taxpayer's residence or place of business unless the taxpayer directs the Treasurer, in writing, to send the bill to another address, in which case it shall be sent to that address. This direction will continue until revoked by the taxpayer in writing;
5. AND THAT the realty taxes levied by this by-law shall be due and payable in instalments on February 20, 2014, March 20, 2014 and April 17, 2014 and be paid to the Treasurer, Town of Newmarket at the Municipal Offices, 395 Mulock Drive, Newmarket or to a financial institution to the credit of the Treasurer, Town of Newmarket;

6. AND THAT Council directs that all payments, including partial payments, shall be applied to accounts on a consistent basis;
7. AND THAT this by-law shall come into effect January 1, 2014.

ENACTED THIS DAY OF

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



DEVELOPMENT AND INFRASTRUCTURE SERVICES – ENGINEERING SERVICES
 TOWN OF NEWMARKET
 395 Mulock Drive
 P.O. Box 328
 Newmarket, ON L3Y 4X7

www.newmarket.ca
 info@newmarket.ca
 905.895.5193

January 13, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
 ENGINEERING SERVICES ES2013-49**

TO: Committee of the Whole

SUBJECT: Checking Consultant Professional Consulting Services Contract Extension

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension be received and the following recommendation(s) be adopted:

- 1. THAT Council approve the execution of the Professional Consulting Services Agreement with R. J. Burnside and Associates Limited for a 5 year term to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;**
- 2. AND THAT the Mayor and Town Clerk be authorized to execute the Professional services contract;**
- 3. AND THAT Mr. Dave Scomazzon, P. Eng., of R. J. Burnside and Associates Limited be notified of this action.**

COMMENTS

The Agreement for "Professional Consulting Services" between the Town and R.J. Burnside and Associates Limited (RJB) expired in February 2013. The expired Agreement was for a 5-year term during which RJB would provide professional consulting services for the Engineering components of subdivision and larger development applications. This would include reviewing and coordinating engineering comments from zoning by-law and official plan amendments, as well as reviewing and commenting on plans, specifications, environmental studies, noise studies, soils management, functional servicing reports (water and wastewater issues, traffic impact studies, stormwater management, etc.) submitted by developers and ensuring that all of these conform to our Town standards and specifications and applicable regulations.

It should be noted that all of RJB's invoices are received by the Town, but it is not the Town that ultimately assumes the costs of the services. The Town is reimbursed for the services by re-attributing costs to individual developers for the work required to process their particular developments. Ultimately, the Developers pay for ALL of the costs for RJB's services.

RJB provides its services in its contract with the Town at a preferred client discounted rate (14% discount) compared to what they would charge other clients. RJB has offered to renew the expired contract without making any changes to the terms of the Agreement.

The contract stipulates that RJB's hourly rates are reviewed and adjusted on an annual basis. The annual review incorporates the cost of living index and industry trends, but is not less than the cost of living index for the Metro Toronto area as determined by the Government of Canada for the previous 12 months. This clause provides fairness when compared with industry standards while still ensuring that the Town retains its preferred client status rate. Furthermore, the rates being charged by RJB are well below the Fee Guidelines for Professional Engineering Services that are published by the Ontario Society of Professional Engineers (OSPE) and endorsed by Professional Engineers Ontario (PEO).

Now that a new Director of Engineering Services is in place, the expired Agreement and the Town's Procurement By-Law have been reviewed, and an evaluation of the services provided by RJB has been completed. The Director, along with Town Staff and the Chair of the Development Coordination Committee, have concluded that this contract is very favourable to the Town and to the Developers that it serves.

RJB has been providing professional consulting services for the Town for many years and has worked closely with Staff in Engineering Services, Public Works Services, Planning & Building Services and with the Town's Development Coordinator, who also chairs the Development Coordination Committee. Evaluations of RJB's performance received from Staff and from the Town's Development Coordinator have been very positive based on the quality, efficiency and timeliness of the services provided by RJB. We have also found RJB to be extremely good communicators in terms of the flow and accuracy of information between the developers, peer reviewers and the Town. As a key member of the Town's Development Coordination Committee, RJB has been proactive and effective in expediting the detailed review of Developers' engineering design submissions and in soliciting comments and keeping the Town informed of all issues that may arise.

Based on the high quality of service, Staff recommends that the Agreement for Professional Consulting Services with RJB be extended for another 5-year term with the rates to reflect the Town's preferred customer discount status. The recommended extension will avoid unnecessary delays and significant transition costs associated with engaging a new Consulting Consultant, as explained further below.

Renewing the RJB Agreement without embarking on a competitive bid process is justified for many reasons:

1. Renewing the RJB Agreement without a competitive bid process can be justified by meeting only one of the clauses in the Town's Procurement By-Law. However, there are four of the clauses in the "Single Source" section under the Town's By-Law that apply to this renewal. The Town's Procurement By-Law, Section 12.6 "Single Source" states that "*Single Source purchasing may be*

conducted for the procurement for goods service(s) or construction of any contract value without the competitive Bid process, when any of the following circumstances apply:

- i. *For reasons of standardization, warranty, function or service, such as: technical qualifications* (in this case, the technical qualifications that RJB possesses are required for this service and RJB is completely knowledgeable of the standards, specifications, history and background required for the work whereas a new consultant would not.);
 - iii. *Where compatibility with an existing product, equipment, facility or service is a paramount consideration* (in this case, compatibility with the service provided by the Development Coordination Committee is essential to ensuring that the service is provided seamlessly, efficiently and in a timely and continual basis without any delays; RJB has proven its functionality and compatibility within that existing service therefore the service to Developers and to the Town can continue without interruption only if RJB is to continue the work);
 - v. *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* (in this case, RJB possesses the unique capability to meet the requirements such as existing knowledge of the nature of the service; a new contractor would require an extended period of time to reach the level of knowledge, the nature of the services and the background required to perform the work; therefore, there would be a significant lapse in time during which the work would not be done efficiently and in a timely manner as the new consultant would be learning the ropes. There would be unacceptable delays as Developers would have to wait for their applications and plans to be reviewed.);
 - vi. *Ability to deliver at a particular time* (in this case, RJB is the only contractor who can deliver continuously and seamlessly as required by the development application process due to the reasons outlined both above, and further below).
2. Of the three Directors in the Development and Infrastructure Services Commission, two are recent hires who have been with the Town for less than a year. If a new consultant were to be hired at this time, it is doubtful that the price could be much better than what RJB is currently charging and there would be a considerable breach in the continuity of the work to be done. It would take several months for the new consultant to familiarize themselves with the numerous development files. The two new Directors would not have the knowledge to be able to provide any background or history about the developments. The disruption to the continuity of the process would jeopardize the entire development review process and the efficiency of the Town's Development Coordination Committee. RJB possesses all of the prior knowledge, experience and background needed to allow the process to continue seamlessly without any delays to the Town and the Development community.
 3. The rates being proposed by RJB are very favourable to the Town. Fees for services provided by Consulting Engineers are normally based on standard fee guidelines that are published in the Ontario Society of Professional Engineers' (OSPE's) "Fee Guidelines for Professional Engineering Services". RJB currently charges the Town significantly less than the most recent rates published by the OSPE.

4. The quality, efficiency and timeliness of the services provided by RJB have been beyond reproach over the past 5 years. There has been a continued rapid turn-around time for the review of planning applications and designs for subdivisions and the comments made by RJB have always respected the Town's best interests while still working favourably with developers. Communication and coordination between RJB, the Town and the Developers has been excellent and RJB has been proactively engaging the Developers, Consultants and the Town in moving in a positive direction on all developments.
5. Changing our consultant through a competitive bid process at this time would result in additional costs and delays to the Town and to the Developers. The Town would have to keep BOTH the existing and new consultants on board during several months while the RJB follows-up and ties up all loose ends with its existing files. RJB would also have to discuss files with the new consultant through the transition period. The new consultant would require several months to be up to speed on the files and processes involved and to become familiar with the Town's Official Plan, Secondary Plan and our Standards and Specifications for subdivisions and developments. The two new Directors would not have sufficient history and background to be able to provide the level of assistance needed for this learning process. To avoid any delays to Developers, the two consultants (RJB and the new firm) would have to work in tandem until the new consultant could take over the complete functions of the "Checking Consultant" for the Town. The exact costs and the length of delays cannot be quantified at this time, as they would depend on the number and complexity of reviews that need to be handled and how fast the new consultant would be able to become familiar with all of the information required to continue the work, but it is expected that these would be significant.

For the above reasons, staff recommends that the expired agreement be renewed with RJB as soon as possible.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well Equipped and Managed

Provide thorough and timely consideration of applications for development and redevelopment in accordance with statutory requirements through the management of the application process that includes co-ordination with and across all impacted Town departments.

CONSULTATION

There was internal consultation with Public Works Services, Planning & Building Services and with the Town's Development Coordinator.

HUMAN RESOURCE CONSIDERATIONS

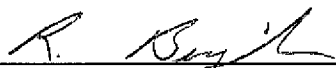
There are no recommended additional human resources required as part of this report.

BUDGET IMPACT

There is no cost implication to the Town associated with the recommendations of this report. The Town's development community currently pays all costs associated with Development Checking Consulting Services.

CONTACT

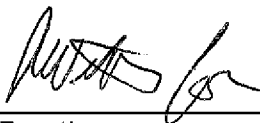
For more information on this report, contact: Rick Bingham, Manager, Engineering & Technical Services, at extension 2505 or email rbingham@newmarket.ca.



Rick Bingham, P.E.T.
Manager, Engineering & Technical Services



Rachel Prudhomme, M.Sc., P.Eng.
Director, Engineering Services



Robert Prentice
Commissioner, Development and Infrastructure Services



DEVELOPMENT & INFRASTRUCTURE SERVICES – ENGINEERING SERVICES
 TOWN OF NEWMARKET
 395 Mulock Drive www.newmarket.ca
 P.O. Box 328 info@newmarket.ca
 Newmarket, ON L3Y 4X7 905.895.5193

January 13, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
 ENGINEERING SERVICES 2013-58**

TO: Committee of the Whole

SUBJECT: Main Street – Prohibiting the use of skateboards, roller blades and bicycles on the sidewalk
 File No.:T08 T.30 Main

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Community Services Report – ES2013-58, dated January 13, 2013 regarding Main Street – Prohibiting the Use of skateboards, roller blades and bicycles on the sidewalk, be received and the following recommendation(s) be adopted:

- 1. THAT this report be forwarded to the Main Street District Business Improvement Area Board of Management for their consideration and recommendations.**

COMMENTS

At its regular meeting of September 30, 2013, Town Council adopted a recommendation from the Main Street District Business Improvement Area Board of Management minutes that stated:

THAT the Town of Newmarket staff investigate the feasibility of posting signage at points of entry to Main Street prohibiting the use of skateboards, roller blades and bicycles on the sidewalks.

Town staff undertook a review of the feasibility of prohibiting these specific modes of transportation. The Town's Traffic By-law would need to be amended, thereby creating a special section and specific schedule to prohibit those modes of transportation within a certain area. This would require Town Council's approval.

Signage and pavement markings would be for information purposes only (such as "Stoop 'n Scoop" signs) as opposed to regulatory signs (such as "No Parking" signs). Pavement markings could be used to delineate areas where skateboarding, roller blading and cycling are prohibited so that users would be alerted as they enter the downtown area of Main Street.

A review of other municipalities has revealed that similar types of prohibitions do exist. For example:

The City of Oshawa prohibits bicycles, skateboards, roller blades and wheeled skis in its downtown area.

The Town of Perth prohibits bicycles, skateboards, roller blades and in-line skates in its downtown core.

The City of Hamilton prohibits bicycles, skateboards, skis and coasters, but allows roller skates, carriages and authorized users with Segways (those over the age of fourteen whose mobility is limited by one or more disabilities, conditions or functional impairments) on all sidewalks

The City of Peterborough prohibits roller skates, skateboards and bicycles in its downtown area.

It is therefore feasible to prohibit the use of bicycles, roller skates and skateboards on Main Street.

Notwithstanding the above, the prohibition of skateboards, roller blades and bicycles on Main Street is not being recommended at this time for various reasons. Firstly, the Town's draft Active Transportation Plan lists the downtown area as an attraction towards which on-street bicycle lanes and off-street paths will lead. Furthermore, municipalities noted previously have all implemented fines associated with the prohibition. There is a risk that doing so in Newmarket may cause our downtown Main Street to become an enforcement barrier within the Active Transportation Plan.

As an alternative, it is recommended that a courtesy campaign be implemented whereby users would be compelled to dismount their bicycle, skateboard or any other travel mode in favour of the slower and safer pedestrian alternative. The extent of the dismount and walk campaign could be extended to the newly created Heritage Conservation District Plan – Lower Main Street South area.

Looking forward to the future when the Active Transportation Plan becomes better established, mode storage facilities (like bicycle racks, skateboard lockers, Segway lock-ups, etc.) could be established at the perimeter of the "dismount and walk" and the Riverwalk Commons areas. This would encourage alternative transportation users who come to the downtown area to have the ability to park / store or lock up their equipment securely in the designated location(s) and enjoy a walk through the Heritage Conservation District Plan area.

It is therefore recommended that this report be forwarded to the Main Street District Business Improvement Area Board of Management for their consideration and feedback.

PUBLIC CONSULTATION

No public consultation was undertaken for this report.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

- Well-planned and connected...strategically planning for the future to improve information access and enhance travel to, from and within Newmarket.

HUMAN RESOURCE CONSIDERATIONS

No impact to current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

No impact to the Operating Budget.

Capital Budget


Each signed location would require approximately \$100.00 to fabricate and install a sign and approximately \$250.00 for pavement markings. For the seven approach areas to the Downtown Main Street and the Heritage Conservation District Plan area, (please see attached map), the total cost would be approximately \$2,450.00.


CONTACT

For more information on this report, please contact Mark Kryzanowski at 905-895-5193 extension 2508; mkryzanowski@newmarket.ca.

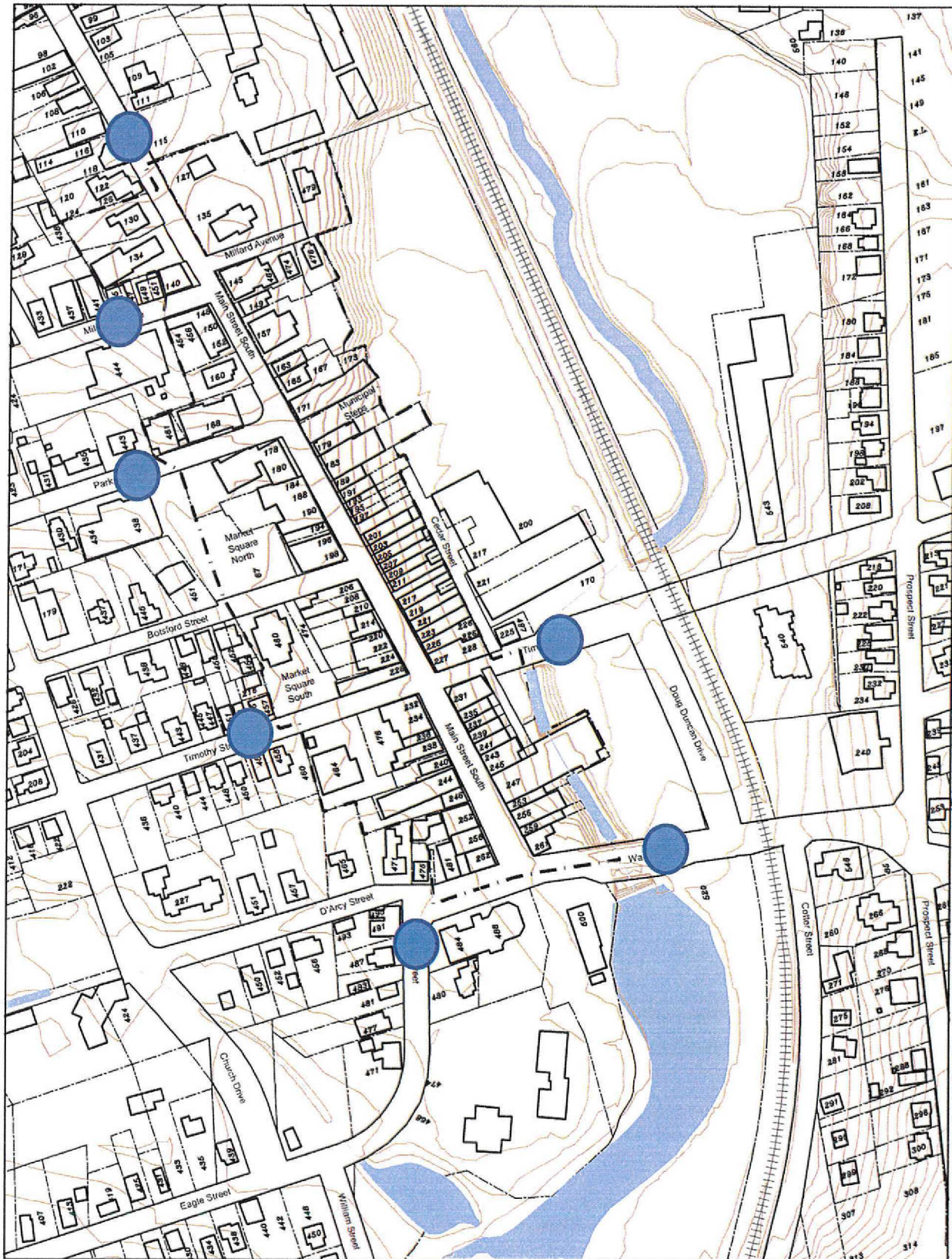
Prepared by:


M. Kryzanowski, M.C.I.P., R.P.P.
Senior Transportation Coordinator


R. Bingham, C.E.T.,
Manager, Engineering & Technical Services


R. Prudhomme, M.Sc., P. Eng.
Director, Engineering Services


R. Prentice, Commissioner,
Development & Infrastructure Services



Approach areas recommended for signage and pavement markings



Planning and Building Services

TOWN OF NEWMARKET

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

905.953.5321

January 13, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
PLANNING AND BUILDING SERVICES – PLANNING REPORT 2014-02**

TO: Committee of the Whole

SUBJECT: Review of Land Use Planning and Appeal System (Fall 2013)

FILE NO: NP-P13-05

ORIGIN: Ministry of Municipal Affairs and Housing

RECOMMENDATION

THAT Development and Infrastructure Services - Planning and Building Services, Planning Report 2014-02 dated January 13, 2014 regarding the Review of Land Use Planning and Appeal System be received and the following recommendations be adopted:

- 1. THAT the planning recommendations and comments with respect to the Review of Land Use Planning and Appeal System as set out in Attachment 1 be endorsed.**
- 2. AND THAT staff be directed to provide the planning recommendations and comments contained in Attachment 1 to the Ministry of Municipal Affairs and Housing, with a copy to the Regional Municipality of York.**

COMMENTS

Background

The Province is reviewing the land use planning and appeal system to ensure that it is predictable, transparent, cost effective, and responsive to the changing needs of planning, including implications of intensification and sustainability policies, planning for more compact built form and taking into consideration the increased complexity of applications.

The Town participated in a regionally led collaboration on the Review of the Land Use Planning and Appeal System as well as a Ministry led workshop. A copy of the staff recommendations and comments has been provided to the Region of York. Town staff comments generally reflect the comments provided by the Region which is being provided directly to the Ministry of Municipal Affairs and Housing.

Planning Considerations

Staff has identified a number of recommended modifications to the *Planning Act* and planning processes as identified under **Attachment 1**.

The recommendations provided respond to the 4 themes raised in the Ministry's "Consultation Document" which is attached under **Attachment 2**.

The comments and recommendations include:

1. that the Province coordinate and consolidate its review and changes to Provincial plans and policies in order to reduce the number of times official plans need to be amended to conform to these plans and policies;
2. appeals of an entire official plan or zoning by-law should be prohibited;
3. privately initiated complex official plan amendments that are contrary to the objectives and direction of an up to date official plan should be required to be deferred to the next official plan comprehensive review or update;
4. increase the prescribed time frames for municipalities to consider whether an application is complete;
5. remove the provisions for appeal of failure to declare an application complete;
6. the *Planning Act* should be clarified to ensure consistent wording with respect to the prescribed time frame within which municipalities are required to make a decision and clearly indicate that the time frame commences from the date the application is considered complete and not the receipt of the application;
7. the time frame for Council to make a decision before an appeal may be launched should be doubled, e.g., expanded to 360 days for official plan amendments and plans of subdivision, 240 days for zoning applications and 60 days for site plans;
8. pilot implementation of the Development Permitting System (DPS) should be actively encouraged and detailed training should be provided by the Province;
9. lower- tier municipalities should be required to undertake provincial conformity exercises one year after approval of the upper-tier conformity exercise in order to incorporate upper-tier interpretations, or additional amendments, where applicable;
10. notices/circulation provisions under the *Planning Act* and the OMB procedures should be updated to allow for notice via e-mail;
11. the *Planning Act* should be amended to provide clear authority (in addition to the holding, bonusing, development permitting and plans of subdivision provisions) for development proponent(s) to be required to dedicate and build new streets, implement intersection improvements and other infrastructure requirements considered necessary to support the development.
12. conformity amendments to reflect provincial plans and policy should not be subject to appeal unless the municipal official plan policy provides for more protection or is more restrictive than the provincial plan or policy;
13. where official plan policy reflects the minimum standard established in the *Planning Act*, there should be no right of appeal, e.g., alternative parkland standard (Section 51.1 (2)) of PA.
14. the *Planning Act* should be amended to address and prevent the future application of the "clergy principle" in order to prevent outdated planning document from prevailing.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well-Equipped & Managed

Well managed and equipped means implementing policy and processes that reflect sound and accountable governance.

Well-Planned & Connected

Well Planned & Connected means strategically planning for the future to improve information access....

Well-Respected

Well respected means inspiring partnerships and co-operation with stakeholders that revolve around well-being, synergy and balanced living including:

- establishing effective working relationships and joint planning initiatives with municipal neighbours;
- being an influential contributor to regional and provincial affairs.

CONSULTATION

Consultation has been conducted with the Ministry of Municipal Affairs and Housing, the Regional Municipality of York, and the Town's Legal Services.

HUMAN RESOURCE CONSIDERATIONS

- a) Staffing levels are not directly impacted as a result of the recommendations in this report.

BUDGET IMPACT

Operating Budget (Current and Future)


Future operating budgets may be impacted if opportunities for appeals are reduced as recommended.

Capital Budget

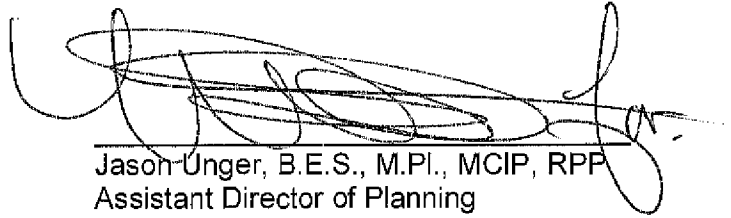
Future capital budgets may be impacted if opportunities for appeals are reduced as recommended.

CONTACT

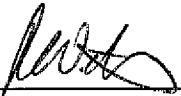
For more information on this report please contact: Marion Plaunt at 905 953-5300, ext. 2458 or at mplaunt@newmarket.ca.



Marion Plaunt, MES, MCIP, RPP
Senior Planner - Policy
Planning and Building Services



Jason Unger, B.E.S., M.Pl., MCIP, RPP
Assistant Director of Planning
Planning and Building Services



Richard Nethery, B.E.S., MCIP, RPP
Director of Planning and Building Services
Development and Infrastructure Services



Rob Prentice
Commissioner
Development and Infrastructure Services

Attachment 1

The Town of Newmarket's Response to the MMAH Review of Land Use Planning and Appeal System

The following comments are on based on the themes set out in the Ministry's Consultation Document (Attachment 2).

Theme A: Achieve more predictability, transparency and accountability in the planning / appeal process and reduce costs

1. *How can municipalities keep planning documents including official plans, zoning by-laws and development permit system more up to date.*
 - a) The Province should coordinate and consolidate its review and changes to the provincial plan and policies e.g., PPS, and Provincial Plans i.e., Greenbelt Plan, Lake Simcoe Protection Plan, the Oak Ridges Conservation Plan, etc., in order to reduce the frequency that municipal official plans are required to be amended to be consistent with/conform to provincial plans and policy. In addition, the frequency of updates to provincial plans and policies should be reviewed.
 - b) Implementation guidelines should be developed to assist municipalities in streamlining and undertaking updates to conform to provincial plans and policy. Where applicable, consistency and/or consolidation of provincial plans and policies should be considered.
 - c) Appeals of entire official plans and zoning by-laws should be prohibited. All appeals should be required to be issue and/or site specific and supported by appropriate justification in order to be considered a valid appeal.
 - d) Where an official plan is up to date (i.e., not yet required to initiate a comprehensive review) privately initiated complex official plan amendments, that are contrary to the objectives and direction of the official plan, should be required to be deferred or delayed to the next comprehensive official plan review or update in order to ensure that municipal resources are not unduly taxed.
2. *What barriers or obstacles may need to be addressed to promote more collaborative and information sharing between applicants, municipalities and the public? What steps should be taken to limit appeals?*

Where municipalities fail to declare an application complete within 30 days, or fails to make a decision within the prescribed time frame (e.g., 180 days for OPA's and Plans of Subdivision and 120 days for Zoning) for planning applications, staff resources are diverted to address these priorities which can result in further delays of other applications and/or processes underway. The following recommendations address both collaboration in the planning process and opportunities to limit appeals.

- a) Increase the time frame for municipalities to consider whether an application is complete and remove the provisions for appeal for failure to declare an application complete.

More than 30 days is required to determine if applications are to be considered complete, particularly if the application is evaluated to determine if the necessary information has been submitted as opposed to the topics have been included in the submissions (substantive review vs. check list approach). Incomplete applications that do not address all the information at the appropriate level of detail often results in longer delays later in the process that can result in an appeal as the prescribed time frame is often exceeded due to the delay in receiving the supporting documentation.

- b) **The time that municipalities are required to make a decision on a planning application should commence from the date the application is considered complete and not the receipt of the application.**

The time lines for appeal where a municipality fails to make a decision should be clearly stated and prescribed from the date the application was declared complete rather than from the date of receipt of the application. Where an application has been declared incomplete, a significant amount of time may lapse before the report(s) are considered complete, yet the 180 or 120 day appeal period appears to apply from the receipt of application. This approach does not provide adequate time for a municipality to review an application where the submission of updated supporting reports has been delayed.

The following outlines the confusion under the current Planning Act:

OPA Section 22 (7) and (7.0.2) 1.	The council or the planning board fails to adopt the requested amendment within 180 days after the day the request is received .
Zoning Section 34 (10.3) and (11)	...or the council refuses or neglects to make decision within 120 days after receipt by the clerk of the application ... (The reference to the clerk is not clear in this section regarding whether a) it is the receipt by the clerk of a complete application or b) the receipt of the application by the municipality).
Subdivision Section 51(34)	the approval authority fails to make a decision under subsection (31)...within 180 days after the application is received by the approval authority .

- c) **The time lines for Council to make a decision before an appeal may be launched should be expanded to 360 days for official plan amendments and plans of subdivision, 240 days for zoning applications and 60 days for site plans.**

Applications are becoming more complex and municipalities generally aim to be more inclusive with respect to public engagement and attempt to resolving conflicts in advance of decisions.

The recommended increased time frame before an appeal may be launched would address a number of issues, including providing more time to:

- address complex applications, including applicable peer reviews;
- allows time to resolve conflicts and avoid expensive hearings;
- promotes a more inclusive, cooperative and collaborative engagement process between the proponent, the municipalities and the public aimed at resolving conflicts.

Note: the increased time frames also addresses the additional time to support greater leadership in resolving issues raised in Theme B - Support Greater Municipal Leadership in Resolving Issues and Theme C – Better Engagement of Citizens.

3. What barriers or obstacles need to be addressed for communities to implement the development permit system

- a) Pilot implementation of the Development Permitting System (DPS) should be actively encouraged and detailed training should be provided by the Province to demonstrate the advantages, disadvantages, and provide a template DPS to provide a higher level of understanding to municipalities.

The main deterrent to the implementation of the Development Permitting System is lack of knowledge and experience with the DPS. Additional training would be helpful to encourage the implementation of the system.

Theme B: Support greater municipal leadership in resolving issues and making land use planning decisions

4. How can better cooperation and collaboration be fostered between municipalities, community groups and property owners/developers to resolve land use planning tensions locally?

- a) This issue is addressed above under Theme A, question # 2.

5. Should the powers of a local appeal body be expanded? If so, what should be included?

- a) No appeal body has been established in Newmarket and generally such a body may result in a financial burden on the municipalities.

6. Should pre-consultation be required before certain types of applications are submitted? Why or why not? If so, which ones?

- a) Pre-consultation is an essential and effective tool to ensuring that planning applications include the necessary detail for consideration by the municipality. Pre-consultation is imperative to the complete application process particularly if the failure to deem an application “complete” is no longer appealable. It also fosters a collaborative approach to implementation of the municipal planning documents.

7. How can better coordination and cooperation between upper and lower-tier governments on planning matters be built into the system?

- a) Lower-tier municipalities should not have the same deadlines as upper single-tier municipalities for conformity with provincial plans and policy. Lower-tier municipalities should be required to undertake provincial conformity exercises one year after approval of the upper-tier conformity exercise to avoid conflict where the upper-tier municipality may have more restrictive policies than the provincial plan or policy.

8. *What barriers or obstacles may need to be addressed in order for citizens to be effectively engaged and be confident that their input has been considered (e.g., in community design exercises, at public meetings/open houses, through formal submissions)?*

The recommended expanded time frames addressed under Theme A 2(c) also addresses this issue.

- a) **Notices/circulation provisions under the *Planning Act* and the OMB procedures should be updated to allow for notice via e-mail.**

With a significant shift toward digital communication (e-mail), the recently announced future reduction in service by Canada Post, and the reduced use of Fax, the *Planning Act* should be updated to provide for e-mail notices by municipalities and under the OMB procedures. This would be a significant cost saving change as well as increase public notice and engagement efficiencies.

Theme C: Better engage citizens in the local planning process

Comments on this section are captured in Theme A above.

Theme D: Protect long term public interest through alignment of land use planning and infrastructure decisions and support economic growth

9. *How can land use planning support infrastructure decisions and protect employment uses to attract and encourage economic development?*

- a) **With respect to infrastructure decisions, the *Planning Act* should be amended to provide clear authority (in addition to the holding, bonusing, development permitting and plans of subdivision provisions) for development proponent(s) to be required to dedicate and build new streets, implement intersection improvements and other infrastructure requirements considered necessary to support the development.**

There is currently clear authority for the dedication of new streets through the plan of subdivision provisions and the widening of streets through the site plan application process, provided the new streets are identified in the Official Plan/Secondary Plan. However, similar provisions are not included in the *Planning Act* under zoning or site plan to provide for new streets, or intersection improvements (outside the lands that are the subject of the application), where there is appropriate policy in the Official Plan.

Currently, the plan of subdivision provision and the Holding provision under zoning are the main tools, for municipalities to ensure new public streets are provided and built by proponents.

With intensification comes the need for new or upgraded public streets and other related infrastructure. The *Planning Act* has not kept pace in this regards and should be amended to provide municipalities the clear authority to require streets, intersections and other infrastructure to be provided by development proponents at no cost to municipalities through zoning amendments, and site plans where plans of subdivision may not be required. Further consideration should be given to developing the regulation for zoning with conditions under Section 34(16) of the *Planning Act*.

10. *How should appeals of official plans, zoning by-laws, or related amendments, supporting matters that are provincially-approved be addressed? For example, should the ability to appeal these types of official plans, zoning by-laws, or related amendments be removed? Why or why not?*

- a) **Conformity amendments to provincial plans and policy should not be subject to appeal unless the municipal official plan policy provides for more protection or is more restrictive than the provincial plan or policy.**
- b) **Also, where official plan policy reflects the minimum standard established in the *Planning Act*, there should be no right of appeal, e.g., alternative parkland standard (Section 51.1 (2)) of *PA*.**

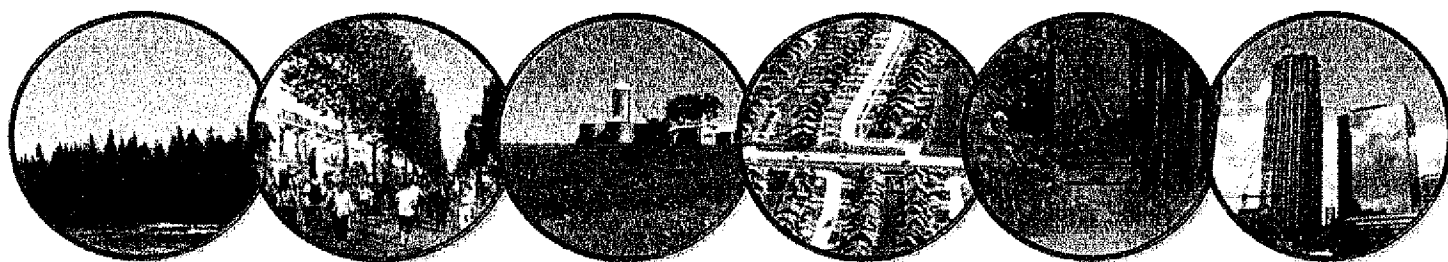
General Comments:

11. *How long should outdated planning decisions or applications not acted upon continue to have status?*

- a) **Provisions should be included in the *Planning Act* to ensure that as planning documents change, outdated official plans/zoning do not prevail where decisions have been delayed – e.g., address the clergy principle.**

The clergy principle has been applied for some time in Ontario and generally recognizing that the planning regime in effect at the time of application continues to apply, regardless of how long an application may be delayed.

Similar provisions to what is included for provincial plans and policy (Section 3(5)) should be considered with, necessary modifications, for municipal official plans/zoning so that policy in effect at the time of decision prevails.



Land Use Planning and Appeal System

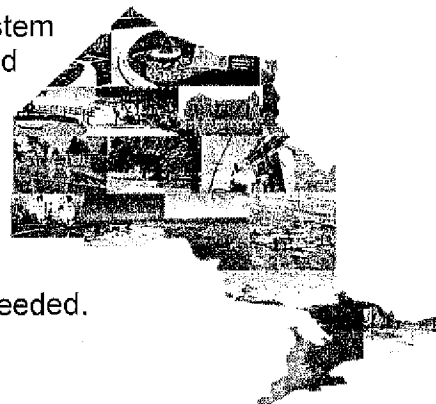
Consultation Document • Fall 2013

LAND USE PLANNING AND APPEAL SYSTEM CONSULTATIONS

Ontario is reviewing the land use planning and appeal system to make sure it is predictable, transparent, cost-effective and responsive to the changing needs of communities.

The Ministry of Municipal Affairs and Housing will be consulting in the fall of 2013 across the province with the public, municipalities, Aboriginal groups, community groups, the building and development industry and other key stakeholders on what changes to the system may be needed.

This document is intended to help focus the discussion.



LAND USE PLANNING AND APPEAL SYSTEM OVERVIEW

Ontario has many diverse communities, geographic landscapes, resources, populations, opportunities and challenges. Land use related decisions take into account these diversities and the need to balance a range of priorities.

Ontario's communities are constantly changing. These changes create challenges, but also opportunities for compact growth, intensification, more efficient use of infrastructure and greater sustainability.

Our land use planning system gives us the tools and processes to manage this change so that we can build the cities and towns we want to live and work in. The planning system helps each community set goals and find ways to reach those goals while keeping important social, economic and environmental concerns in mind. It does this by balancing the interests of individual property owners with the wider interests and objectives of the community.



Well-planned communities attract jobs and support economic development. They make effective and efficient use of their infrastructure, and offer appropriate transportation choices. They address environmental and resource concerns such as rainwater runoff and soil erosion. They offer their citizens a high quality of life, opportunities for a healthy lifestyle and safe, well-serviced places to live, work and play.

Did you know?

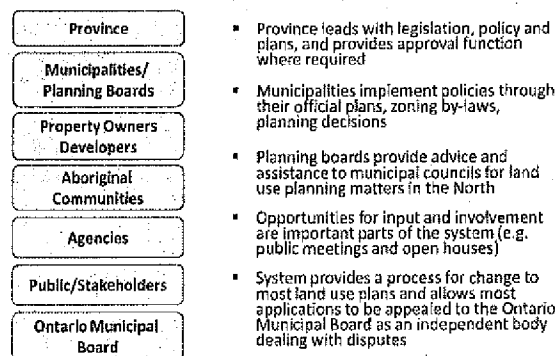
Land use planning tools can be used to support a community's sustainable planning objectives.

The keystone of Ontario's land use planning system is the Planning Act, administered by the province through the Ministry of Municipal Affairs and Housing. The *Act* sets the framework for planning and development.

Supporting these ground rules are the Provincial Policy Statement (PPS) and provincial plans, such as the Growth Plan for the Greater Golden Horseshoe, Growth Plan for Northern Ontario, Greenbelt Plan, Oak Ridges Moraine Conservation Plan, Niagara Escarpment Plan and the Lake Simcoe Protection Plan. Provincial plans provide more detailed policy directions for specific geographic regions.

The PPS is a key part of this system and is made under the authority of Section 3 of the *Planning Act*. It integrates all provincial ministries' land use interests and it applies to the entire province. The PPS includes land use policies on matters like natural heritage, agriculture, transportation, housing, economic development, mineral aggregates (rock, gravel or sand used in construction) and water resources. These policies may be further detailed in provincial land use plans, which are created under various statutes. These plans provide provincial direction for specific geographic areas of the province. They address matters such as environmental conservation, growth management and economic issues. In order for these provincial policies and plans to be implemented locally, the *Planning Act* requires that all local planning decisions shall be consistent with the PPS, and shall "conform" or "not conflict" with provincial plans in effect.

Key Participants

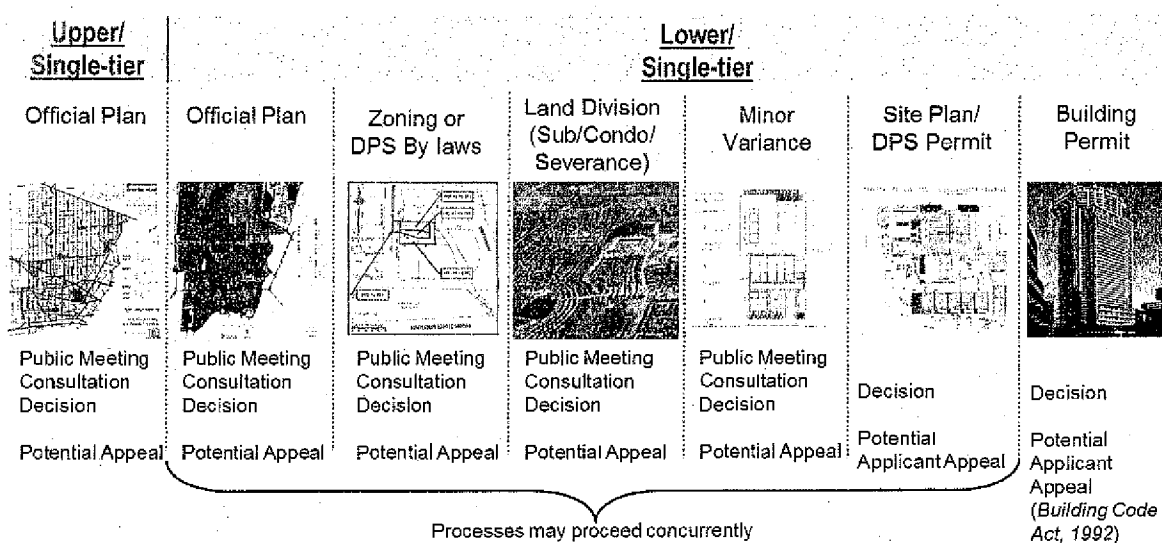


Did you know?

More information on the land use planning system can be found in the Ministry of Municipal Affairs and Housing's **Citizens' Guides to Land Use Planning**.

Within this structure, communities set out their own goals and rules in their official plans, which control how they will grow and develop. The planning system allows the public to play a key role in the planning process by giving them opportunities to review and comment on various planning matters. This is especially important in helping to shape the community vision, which the official plan seeks to achieve. Official plans are implemented through tools like zoning by-laws, site plans, plans of subdivisions, and development permits.

Policy-led Planning System



Once an official plan comes into effect, it can be amended at any time. Changes may be needed to incorporate new provincial policies or allow development that the policies in the current plan do not permit. These changes occur through an official plan amendment initiated by the municipality/planning board or a private applicant. The amendment is prepared and processed in the same manner as the plan itself. In some instances the official plan may be up-to-date; however the related zoning by-law may not reflect the updated official plan.

Did you know?

In 2011, 45 per cent of municipalities had up-to-date official plans.

In those cases, a rezoning would be necessary to permit a development that conforms to the official plan. In addition, in order to obtain a building permit, the development must conform to zoning by-law requirements. As the needs of communities change, it is important that official plans and zoning by-laws are kept up-to-date, not only to reflect the changing needs of communities, but also to reduce the number of site-by-site amendments. By doing this, communities can reduce the likelihood of disputes that may result in Ontario Municipal Board (OMB) appeals.

Decision Timelines under the *Planning Act*

Application Type	Timeline to Trigger Appeals where Non-Decision
Official Plan Amendment for Municipal Decision	180 days
Official Plan/Amendment for Approval Authority Decision	180 days
Zoning by-law Amendment	120 days
Subdivision	180 days
Consent	90 days
Site Plan	30 days

The planning system also sets out timelines for decision-making on planning matters. If a decision isn't made within these timelines, the matter can be appealed to the Ontario Municipal Board. The timelines are based on application types. For example, an official plan amendment timeframe is 180 days, regardless of whether it is a simple amendment or a complex amendment.

Land use planning often brings together a number of competing interests. Since people have different ideas about what planning and development should accomplish, disputes are not uncommon.

If an application is challenged or disputed, it can generally be appealed to the Ontario Municipal Board. The OMB is responsible for hearing appeals on matters concerning planning

Did you know?

Almost all other provinces have boards that hear appeals from land use planning decisions. The types of land use planning matters that come before them may vary.

disputes and gets its authority to hear planning matters from the *Planning Act*. It is a quasi-judicial tribunal which makes legally-binding decisions independent of the government. The OMB's authority also includes hearing disputes related to fees and amount of parkland dedication, etc.

Did you know?

The OMB bases its decisions on:

- evidence presented
- relevant law
- municipal land use planning policies
- Provincial Policy Statement and provincial plans
- principles of good planning

Ontario Municipal Board Caseload

Files (Applications and Appeals)	2007/08	2008/09	2009/10	2010/11	2011/12
Minor Variance	578	552	363	495	581
Consent	279	260	176	229	305
Zoning By-laws	275	190	187	197	159
Official Plans	198	162	169	172	120
Zoning Refusal or Inaction	172	163	146	160	125
Plans of Subdivision	95	68	76	98	68
Municipal and Misc. (including site plans)	92	83	68	90	115
Development Charges	16	15	60	9	18
Land Compensation	25	29	42	34	31
Capital Expenditures	8	9	11	9	5
Joint Board	0	2	1	1	0
Site Plan after Nov. 15	25				
Other		48	33		
Total	1763	1581	1332	1494	1527

Planning
Act

- A large number of appeals from decisions/lack of decisions of approval authorities in respect to the updating of major planning documents to implement the Growth Plan for the Greater Golden Horseshoe and PPS, led to a number of OMB files.

*Source: Ontario
Municipal Board
Annual Reports

Did you know ?

*In 2011/12, minor variances and consents made up 58 per cent of the OMB's planning application caseload.

Did you know ?

*Planning Act files received by the OMB decreased by 14% from 2007/08 to 2011/12 fiscal years.

Did you know ?

*In 2011/12, the majority of the OMB caseload originated from the following areas:

- Toronto: 30 per cent
- Greater Toronto Area (excluding Toronto): 16 per cent
- Ottawa: 9 per cent

*Source: Ontario Municipal Board Annual Reports

LAND USE PLANNING REFORMS

Since 2003, the province has undertaken a comprehensive review of the land use planning system. It introduced various legislation, policies and plans such as the:

- Revised PPS, which provides direction on building stronger communities, the wise use and management of resources and protecting public health and safety;
- Greenbelt Plan, which established a permanent greenbelt of approximately 2 million acres across the Greater Golden Horseshoe to ensure the long-term protection of agriculture, natural heritage systems, water resources, recreation and tourism;
- Growth Plan for the Greater Golden Horseshoe, which was created to better manage growth in the Greater Golden Horseshoe by creating compact, complete communities, supporting a strong economy, efficiently using land and infrastructure and protecting agricultural land and natural areas; and
- Growth Plan for Northern Ontario, which aims to strengthen the economy of the north by providing a framework for decision-making and investment by both the province and local governments.



Along with these policies and plans, planning legislation and regulations have also undergone a number of major reforms. The goal of these reforms was to address concerns with how the system was working, and to build strong, prosperous communities within a healthy environment.

Some of the most recent legislative efforts to reform the system occurred in 2004 and 2007. Changes were made to:

- Provide clear rules and protection of public interests, such as:
 - requiring stronger adherence to the PPS;
 - introducing the requirement to consult with a municipality before making a planning application;
 - giving communities the authority to set out complete application requirements; and
 - requiring that planning documents be updated.
- Encourage public participation, such as:
 - enhancing public notification and requiring public open houses in some circumstances; and
 - increasing decision timelines.

- Introduce planning and financial tools, such as:
 - limiting ability to appeal settlement area boundary and employment land conversion;
 - allowing municipalities to have architectural controls;
 - enhancing development permit system (DPS) and community improvement plan provisions; and
 - introducing an option for local appeal bodies to adjudicate minor variances and consent disputes.
- Provide clear rules for planning applications at the OMB, such as:
 - allowing repeat applications to be dismissed;
 - restricting OMB decisions to matters considered by municipal council;
 - dismissing substantially different applications than those originally submitted for a local decision; and
 - requiring OMB to have regard for local decisions and information and materials provided to council.

Did you know?

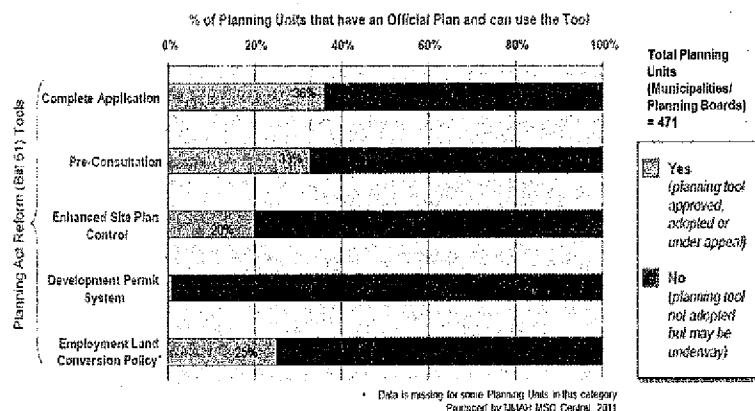
Since 2007, municipalities have had the authority to establish their own local appeal body to adjudicate specific local disputes.

The figure below provides an overview of the uptake of some of the major planning tools on a province-wide basis. These tools include:

- Complete applications – municipalities can set out what additional information beyond those set out in regulation is required when a planning application is submitted.
- Pre-consultation – municipalities can pass a by-law requiring applicants to consult with them before submitting a planning application.
- Enhanced site plan – municipalities can consider the external and sustainable design of buildings.
- DPS – a land use planning tool that combines the zoning, site plan and minor variance processes into one application and approval process.
- Employment land conversion – municipalities have the ability to have the final say

on whether designated employment lands can be changed to other uses.

Uptake of Planning Tools - State of land use planning in Ontario (July 2011)



CURRENT CONTEXT

Given the number of changes made to the planning system over recent years and some continuing concerns that have been raised about parts of the system, Ontario is reviewing the land use planning and appeal system to make sure it is predictable, transparent, cost-effective and responsive to the changing needs of communities.

Concerns about the system have focused around four key themes, which will be the focal point for the review:

Theme A	Achieve more predictability, transparency and accountability in the planning/appeal process and reduce costs
Theme B	Support greater municipal leadership in resolving issues and making local land use planning decisions
Theme C	Better engage citizens in the local planning process
Theme D	Protect long-term public interests, particularly through better alignment of land use planning and infrastructure decisions, and support for job creation and economic growth

We are interested in hearing your views on how the land use planning and appeal system is working. Any proposed new approaches or changes should consider the following guiding principles:

- the public is able to participate, be engaged and have their input considered;
- the system is led by sound policies that provide clear provincial direction/rules and is also led by up-to-date municipal documents that reflect matters of both local and provincial importance;
- communities are the primary implementers and decision-makers;
- the process should be predictable, cost-effective, simple, efficient and accessible, with timely decisions; and
- the appeal system should be transparent; decision-makers should not rule on appeals of their own decisions.

Please note that while we are interested in hearing your views, recommendations that would result in a complete overhaul of the land use planning and appeal system are not being considered at this time.

More specifically, this consultation will **not** discuss or consider:

- elimination of the OMB;
- the OMB's operations, practices and procedures;
- removal of the provincial government's approval role;
- the restriction of the provincial government's ability to intervene in matters; and
- matters involving other legislation, unless housekeeping changes are needed.

Comments on issues that are not the focus of the consultation will be shared with the ministries or agencies responsible.

The government will give serious consideration to all of the comments and information received. The comments and suggestions will be used to help inform the government on what changes to the system may be needed.

ISSUES AND QUESTIONS TO DISCUSS

Theme A: Achieve more predictability, transparency and accountability in the planning / appeal process and reduce costs

The *Planning Act* requires communities to update their official plans on a five-year basis, and zoning by-laws within three years of the official plan update. A common concern is that local planning documents are not updated regularly enough to reflect the changing needs of a community.

1. How can communities keep planning documents, including official plans, zoning by-laws and development permit systems (if in place) more up-to-date?
2. Should the planning system provide incentives to encourage communities to keep their official plans and zoning by-laws up-to-date to be consistent with provincial policies and priorities, and conform/not conflict with provincial plans? If so, how?

Another concern is the number of times that planning documents are amended. It has been suggested that a way of achieving more predictability is to limit the number of times these are changed. It should be noted, however that a reduced ability to change documents could affect the flexibility of the land use planning system, the ability to make local decisions, and the ability to address emerging issues.

3. Is the frequency of changes or amendments to planning documents a problem? If yes, should amendments to planning documents only be allowed within specified timeframes? If so, what is reasonable?

Since issues are becoming more complex, and decisions on planning matters must be well informed, there are often significant costs involved in amending planning documents or seeking approvals. These increasing costs have placed pressures on municipalities, applicants and the general public to find ways to reduce costs.

It has been suggested that costs may be reduced by promoting more collaboration between applicants, municipalities and the public through the sharing and exchange of information such as resource materials and reports.

4. What barriers or obstacles may need to be addressed to promote more collaboration and information sharing between applicants, municipalities and the public?

Appeals are often broad in scope and there may be many matters under appeal at the same time, resulting in long, complex and costly Ontario Municipal Board (OMB) hearings. Although the *Planning Act* currently requires the person or body making the appeal (the appellant) to specifically identify what is being appealed and why, sometimes the entire planning document (e.g. official plan) is appealed to the OMB by one appellant. This causes extensive appeal process delays and increases costs for the community in managing these types of far-reaching appeals.

5. Should steps be taken to limit appeals of entire official plans and zoning by-laws? If so, what steps would be reasonable?

Sometimes a matter is appealed to the OMB because a council did not make a decision within the required timeframe. In these cases, there is no time limit on when additional appeals may be filed on the same matter. As appeals continue to flow into the municipality, it can be very challenging to prepare for OMB hearings. The additional appeals result in delays in the OMB's hearing processes, increasing costs for everyone involved.

6. How can these kinds of additional appeals be addressed? Should there be a time limit on appeals resulting from a council not making a decision?

7. Should there be additional consequences if no decision is made in the prescribed timeline?

The Development Permit System (DPS) is a land use planning tool that combines the zoning, site plan and minor variance processes into one application and approval process. The tool shifts the focus upfront, creating a policy-led process, which promotes strategic, integrated long-term planning and provides certainty, transparency and accountability for the community. In order to implement a DPS, a municipality must undertake the following:

- Engage the public through enhanced public consultation opportunities;
- Amend its official plan to identify DPS area(s) and set out its goals, objectives and policies;
- Identify the types of conditions and criteria that may be included in the by-law, including discretionary uses, by which applications will be evaluated;
- Enact a development permit by-law to replace the zoning by-law, which provides flexibility by specifying minimum and maximum development standards and by allowing for a specified range of variation; and
- Identify what matters may be delegated from council to staff.

When the new system was introduced during the last round of planning reforms, it aimed to streamline local planning approvals while promoting development, enhancing environmental protection and supporting key priorities such as community building, brownfield redevelopment, greenspace preservation and environmental protection. To date,

only four municipalities have adopted this tool.

8. What barriers or obstacles need to be addressed for communities to implement the development permit system?

Theme B: Support greater municipal leadership in resolving issues and making local land use planning decisions

Municipalities have an integral role in the local land use planning process through decision-making, preparing planning documents and ensuring a balance of wider public interests and those of their local community. Achieving collaboration and consensus is often difficult, which may result in land use planning appeals.

9. How can better cooperation and collaboration be fostered between municipalities, community groups and property owners/developers to resolve land use planning tensions locally?

Municipalities have the authority to create optional local appeal bodies that can hear appeals on local planning disputes involving minor variances and consents. To date, no municipality has established a local appeal body.

10. What barriers or obstacles may need to be addressed to facilitate the creation of local appeal bodies?

11. Should the powers of a local appeal body be expanded? If so, what should be included and under what conditions?

Municipalities have the authority to pass by-laws that require applicants to consult with the municipality before they submit their planning application. There are two clear advantages to this: the municipality knows about potential development pressures and can advise the applicant if technical information or public consultation is needed.

12. Should pre-consultation be required before certain types of applications are submitted? Why or why not? If so, which ones?

In some Ontario communities, land use planning documents and decisions are made at a regional or upper-tier level, which impact lower-tier municipalities. The *Planning Act* requires that all lower-tier official plans conform with upper-tier official plans. At the same time, it does not prevent lower-tier municipalities from **adopting** amendments that **do not** conform with the upper-tier plan.

This causes tensions and pressures in the planning system. The upper-tier may be prematurely forced to deal with lower-tier planning matters. The premature amendments may get appealed to the Ontario Municipal Board, cluttering the appeal system and adding more costs.

13. How can better coordination and cooperation between upper and lower-tier governments on planning matters be built into the system?

Theme C: Better engage citizens in the local planning process

Public participation is important to the land use planning system. However, at times the public may feel the process is too difficult to access, or they may believe they lack influence in planning decisions.

14. What barriers or obstacles may need to be addressed in order for citizens to be effectively engaged and be confident that their input has been considered (e.g. in community design exercises, at public meetings/open houses, through formal submissions)?
15. Should communities be required to explain how citizen input was considered during the review of a planning/development proposal?

Theme D: Protect long-term public interests, particularly through better alignment of land use planning and infrastructure decisions and support for job creation and economic growth

Well planned communities with good infrastructure are better able to accommodate new development and investment. Aligning the land use planning process with infrastructure investment, not only reduces costs and supports economic competitiveness, it also improves the economic well-being of the community.

16. How can the land use planning system support infrastructure decisions and protect employment uses to attract/retain jobs and encourage economic growth?

In some cases, amendments to local planning documents are made to put in place a policy following significant public consultation, or to put in place something that's already been provincially approved (such as Source Protection Plans). These amendments can still be appealed.

17. How should appeals of official plans, zoning by-laws, or related amendments, supporting matters that are provincially-approved be addressed? For example, should the ability to appeal these types of official plans, zoning by-laws, or related amendments be removed? Why or why not?

SUBMIT YOUR COMMENTS AND IDEAS

You are invited to share your comments and ideas by **January 10, 2014**. You can:



Share your views at a meeting or regional workshop



Submit your comments through an online version of this guide at www.ontario.ca/landuseplanning

Environmental Bill of Rights Registry Number: 012-0241
<http://www.ebr.gov.on.ca/>



Email a submission to PlanningConsultation@ontario.ca



Write to us at:
 Land Use Planning and Appeal System Consultation
 Ministry of Municipal Affairs and Housing
 Provincial Planning Policy Branch
 777 Bay Street, 14th Floor, Toronto, ON M5G 2E5

Preparing an Email or Mail Submission

Please structure your submission as answers to the question listed above or submit responses in each of the theme areas.

Personal Information

Personal information you provide is collected under the authority of the *Ministry of Municipal Affairs and Housing Act*.

Thank you for your interest in Ontario's Land Use Planning and Appeal System.

NOTES

[illegible]



TOWN OF NEWMARKET
Outstanding Matters
Reviewed by Operational Leadership Team
December 11, 2013

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
1. Committee of the Whole Minutes – June 9, 2008 – Item 25 Legal & Development Services Report – Building & By-laws 2008-09 Draft Noise By-law	<ul style="list-style-type: none"> THAT Legal and Development Services Report – Building and By-laws 2008-09 dated June 3, 2008 regarding the Draft Noise By-law be received and referred to a Strategic Directions Workshop. 	Deferred by Council on Nov 23/09 to next term of Council – will be placed on that O/S list	Draft by-law developed Report will address Infill development protocol This will follow Sign By-law Date TBD
2. Committee of the Whole Minutes – August 30, 2010 – Item 41 Legal and Development Services Report – Joint Legal and Planning 2010-29; Ontario Municipal Board Appeals - Town of Newmarket Comprehensive Zoning By-Law 2010-40	<ul style="list-style-type: none"> THAT staff seek clarification regarding Ontario Municipal Board hearing timelines and report back. 	Matter joint with Glenway matter Pre-hearing December 10, 2013	
3. Committee of the Whole Minutes – February 27, 2012 – Item 18 Corporate Services Report – Legislative Services – By-Laws 2012-05 Sign By-Law	<ul style="list-style-type: none"> THAT Corporate Services Report – Legislative Services – By-laws 2012-05 dated February 9, 2012 regarding the Sign By-law be received and that staff bring the draft Sign By-law back to Committee of the Whole for approval upon completion of the community input process. 	January, 2014	

Strikethrough indicates that the item will be removed from the outstanding list prior to the next OLT meeting
 Bold indicates that the item will be on the upcoming agenda

Last revisions made on December 17, 2013

(Updated and including Special Committee of the Whole Minutes of December 16, 2013)

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
4. Committee of the Whole Minutes – March 21, 2011 – Item 6 Community Services Report – ES 2011-15 Northwest Newmarket Quadrant – Traffic Monitoring Status Update	<ul style="list-style-type: none"> THAT Engineering Services staff bring a report back to Town Council with the results of all studies including mitigation measures if required, and next steps. AND THAT the On-street Bicycle Lane Implementation Plan be brought back to Town Council for review and adoption including a phasing plan in consideration of budgetary requirements and implementation. 	Q1 2014	Waiting for report from NWQ developer's group Waiting for feedback from developer Part of Active Transportation Plan coordinated by Planning Dept.
Committee of the Whole Minutes – February 28, 2011 – Item 7 Community Services Report – ES 2011-07 Official Plan – Schedule D – Bicycle Lane Implementation Plan			
5. Committee of the Whole Minutes – April 30, 2012 – Item 16 Corporate Services Report – Legislative Services 2012-13 – Canadian Coalition Of Municipalities Against Racial Discrimination (CCMARD) Membership	<ul style="list-style-type: none"> AND THAT staff report to Committee of the Whole with a draft Action Plan in support of the Ten Common Commitments in 2013, following input from the Inclusivity Advisory Committee; 	Q1 2014	Inclusivity Advisory Committee Review before coming back to Committee of the Whole
6. Committee of the Whole Minutes – February 25, 2013 – Item 16 Development and Infrastructure Services Report – Public Works Services 2013-09 Graffiti Removal Services – Update	<ul style="list-style-type: none"> THAT staff continue to contract Graffiti removal services, in the amount of \$15,000 for 2013; AND THAT staff continue to evaluate the program's impact for 2013 and report back to Council on the effectiveness of the program in one year; 	Feb 2014	
7. Committee of the Whole Minutes – April 8, 2013 – Item 13 Community Services – Recreation and Culture Development and Infrastructure Services – PWS/ES Planning & Building Services Joint Report 2013-05 Future use of Fernbank Farmhouse	<ul style="list-style-type: none"> THAT staff be authorized to issue a request for proposals with the intent of securing a suitable charitable and/or not for profit organization dedicated to serving Newmarket for use of the Fernbank Farmhouse; AND THAT staff report back recommending a tenant along with operating and capital projections. 	Q1 2014	Information Report to Follow
8. Committee of the Whole Minutes – April 29, 2013 – Item 17 Hospital Parking Charges	<ul style="list-style-type: none"> AND THAT the request to endorse the resolution regarding reduction and capping of parking charges be referred to staff to obtain feedback and input from Southlake Regional Health Centre and report back. 	Q1 2014	CAO to follow-up

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
9. Committee of the Whole Minutes – May 21, 2013 – Item 14 Motion – Asset Replacement Fund	<ul style="list-style-type: none"> THAT staff be directed to bring forward a policy to define and restrict the use of the Asset Replacement Fund to major repair, maintenance and replacement of tangible capital assets defined by regulatory accounting standards. 	Q2 2014	
10 Committee of the Whole Minutes – June 10, 2013 – Item 12 Borland Court – Repaving Request	<ul style="list-style-type: none"> THAT the deputation by Ms. Sidor regarding a request to repair and repave Borland Court be received; AND THAT the matter of repaving and repaving Borland Court be referred to staff to report back at the earliest opportunity on the feasibility of accelerating this particular road rehabilitation project. 	Q1 2014	Pending Budget Approval
11 Committee of the Whole Minutes September 23, 2013 – Item 22 Development & Infrastructure Services Report – Planning & Building Services 2013-40 Cash In Lieu of Parking	<ul style="list-style-type: none"> THAT Development & Infrastructure Services Report – Planning & Building Services 2013-40 dated September 12, 2013 regarding Cash In Lieu of Parking be referred to a future Committee of the Whole (possibly November 2013) meeting; AND THAT the report be circulated to BILD (Building Industry and Land Development Association) Canada 	Q1 2014	
12 Committee of the Whole Minutes – June 10, 2013 – Item 16 Development and Infrastructure Services Report – ES 2013-28 Davis Drive and Yonge Street Streetscape Design and Entrance Features	<ul style="list-style-type: none"> THAT Recommendations 1 and 2 of Development and Infrastructure Services Report ES 2013-28 dated June 6, 2013 regarding the Davis Drive and Yonge Street Streetscape Plans be referred back to staff and subsequently to members of the Newmarket Economic Development Advisory Committee to obtain comments, including reduced cost and design feedback; AND THAT approval be granted to proceed with the conceptual Urban Place Making designs for the following intersections at a combined estimated cost of \$18,650.00 and to report back through the VIVA Task Force: <ul style="list-style-type: none"> i) Yonge Street and Davis Drive iii) Yonge Street and Eagle Street AND THAT Recommendation 3 ii) (Davis Drive and Main Street) of Development and Infrastructure Services Report ES 2013-28 dated June 6, 2013 regarding the Davis Drive and Yonge Street Streetscape Plans be referred to the Heritage Newmarket Advisory Committee and the Newmarket Historical Society to obtain feedback. 	Q1 2014	

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
<p>13 Committee of the Whole Minutes – June 10, 2013 – Item 24 – New Business f)</p> <p>Committee of the Whole Minutes – November 4, 2013 – Item 13</p> <p>- Development & Infrastructure Services Report – ES 2013-48 – Millard Avenue Parking Review – Forest Glen Road to Lorne Avenue</p>	<ul style="list-style-type: none"> THAT staff review the parking restrictions currently in place on Millard Avenue between Lorne Avenue and Forest Glen with a view to implement a three hour limit and no overnight parking. THAT Development & Infrastructure Services Report – ES 2013-48 dated October 15, 2013 regarding Millard Avenue Parking Review – Forest Glen Road to Lorne Avenue be referred back to staff for further review. 	<p>March 2014</p>	
<p>14 Special Committee of the Whole – August 1, 2013 – Item 4</p> <p>Development and Infrastructure Services Report – Commissioner 2013-34</p> <p>Old Town Hall Renovations</p>	<ul style="list-style-type: none"> AND THAT staff authorize a peer review on the due diligence aspect of the project within a 120 day time frame. 	<p>February 2014</p>	
<p>15 Committee of the Whole Minutes – November 4, 2013 – Item 12</p> <p>Development & Infrastructure Services Report – ES 2013 – 44</p> <p>Davis Drive – vivaNext Construction</p> <p>Traffic Infiltration Status Report # 2.</p>	<ul style="list-style-type: none"> THAT staff continue to work with York Region and vivaNext staff to address issues that arise from construction and continue to carry out traffic counts for Goffman St., Gladman Ave., Park Ave., Millard Ave., Carol St., Sandford St. and Berman Drive; AND THAT town staff in coordination with York Region and York Regional Police; focus speed management program resources on the streets noted in Appendix A; AND THAT a report on the town wide traffic mitigation policy come forth in the first quarter of 2014 with a feasibility study of an advanced green signal going south on Prospect St. 	<p>Q2 2014</p>	
<p>16 Committee of the Whole Minutes – November 25, 2013 – Item 24 – Motion</p>	<ul style="list-style-type: none"> THAT staff bring back a report to Committee of the Whole within 120 days exploring a change to our procurement process to include recognition/points in our tendering process recognizing the environmental benefit of the bidders' proximity to Newmarket. AND THAT information be provided to all Members of Council on an overall point system on various factors in regards to procurement; AND THAT the memorandum dated January 2012 be referred back to staff to incorporate into the report back exploring a change to the procurement process; AND THAT the report be circulated to the Chamber of Commerce, the Economic Development Advisory Committee and the Environmental Advisory Committee for input. 	<p>March/April 2014</p>	

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
<p>17 Corporate Services (Legal) Report 2013-14 dated December 12, 2013 regarding Update - Mananville Developments Ltd. (Glenway) appeals to the Ontario Municipal Board.</p>	<ul style="list-style-type: none"> THAT Corporate Services (Legal) Report 2013-14 dated December 12, 2013 regarding an Update following the OMB Pre-hearing on Tuesday, December 10, 2013 re: Mananville appeals to the OMB be received for information and that the matter be referred to a January Committee of the Whole meeting for discussion and a subsequent Special Council meeting for decision. 	January 13, 2014	



Esther Armchuk, B.A. (Hons.), LL.B., DPA
 Director, Legal Services/Municipal Solicitor
 Town of Newmarket
 395 Mulock Drive
 P.O. Box 328
 Newmarket, ON L3Y 4X7
 earmchuk@newmarket.ca
 tel.: 905-953-5300, Ext. 2432
 fax: 905-953-5136

December 12, 2013

CORPORATE SERVICES (LEGAL) REPORT 2013-14

TO: Committee of the Whole

SUBJECT: Update following the OMB Pre-hearing on Tuesday, December 10, 2013 re: Marianneville appeals to the OMB

ORIGIN: Director, Legal Services/Municipal Solicitor

RECOMMENDATIONS

THAT Corporate Services (Legal) Report 2013-14 dated December 12, 2013 regarding an Update following the OMB Pre-hearing on Tuesday, December 10, 2013 re: Marianneville appeals to the OMB be received for information, and the following recommendation be adopted:

THAT Council provide direction to staff regarding the request by OMB Chair Chee-Hing at the pre-hearing of December 10, 2013 that the parties consider participating in mediation facilitated by the OMB prior to the first phase of the hearing scheduled to begin on March 17, 2014.

COMMENTS

Council will recall that on November 25, 2013, Council adopted recommendations as follows:

THAT Development and Infrastructure Services/Planning and Building Services Report 2013-47 dated October 15, 2013 regarding Application for Official Plan Amendment – D9NP1210; Zoning By-law Amendment – D14NP1210; and Draft Plan of Subdivision – D12NP1210 be received and the following recommendations be adopted:

- i) THAT the applications for Official Plan Amendment – D9NP1210, Zoning By-law Amendment – D14NP1210 and Draft Plan of Subdivision – D12NP1210 submitted on April 20, 2012 be denied.***
- ii) THAT the Without Prejudice Offer in the form as submitted on August 23, 2013 not be accepted.***
- iii) AND THAT the Council direct staff to advise the Ontario Municipal Board that the Town will be seeking consideration for a two-staged hearing process that would first allow for discussion and ruling on the principle of development.***

iv) AND THAT Council direct staff to engage outside legal/planning counsel who have Ontario Municipal Board expertise and experience in defending the principles of development.

Following the adoption of those recommendations, the Town's external legal counsel prepared a motion to request an adjournment of the currently scheduled full hearing and request a two phased hearing to allow for consideration of the preliminary issue as to whether development should occur on the subject lands. The motion was heard at the second pre-hearing on December 10, 2013.

Marianneville filed significant responding materials in which it opposed the Town's request for a two phased hearing and adjournment. The GPA filed responding materials in which it supported the Town's motion. The Region took no position in connection with the Town's request.

At the pre-hearing of December 10, counsel for the York Regional District School Board attended and requested party status but took no position in connection with the Town's motion. The Town raised a preliminary issue regarding the appropriateness of Marianneville's responding material which included many references to "Without Prejudice" letters, discussions and meetings. After argument by each party's counsel, the OMB ruled that those portions of Marianneville's responding materials that referred to "Without Prejudice" letters, discussions and meetings should not be struck out, since Marianneville specifically permitted most of the documents to be circulated and available for public review and comment.

Counsel for Marianneville then summonsed Ruth Victor to give evidence. After Ms. Victor finished giving her evidence, counsel for each of the parties had a discussion about settling the Town's motion. Marianneville agreed to settle the motion, to delay the commencement of the hearing, and to proceed to a two phased hearing. The OMB Chair subsequently endorsed the settlement and ordered that the Town's request for a two phased hearing be permitted, and a new time schedule was established to accommodate the two phased hearing. The OMB will be issuing a subsequent Order in which the new schedule and dates will be finalized.

The first phase of the hearing will commence on March 17. That phase will deal with the issue of whether development should occur on the lands. If the Town is not successful in the first phase of the hearing, then the second phase of the hearing will commence no earlier than March 31.

In his concluding comments, the OMB Chair directed Esther Armchuk to advise Members of Council that based on a thorough review of the materials to date, the OMB strongly suggested that Council consider mediation of this matter prior to the first phase of the hearing. Mediation is entirely voluntary, and any agreement or resolution must be on the consent of the parties. Marianneville has indicated that it is willing to participate in an OMB-lead mediation and that its counsel is generally available between January 9 and March 17, 2014. The OMB is seeking the Town's availability for such a mediation.

Staff are requesting direction from Council regarding participating in mediation.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report supports the *Well Equipped* and *Well Managed* objectives of the Town's strategic plan in the area of efficient management of development in the Town.

CONSULTATION

Consultation occurred with external counsel representing the Town.

HUMAN RESOURCE CONSIDERATIONS

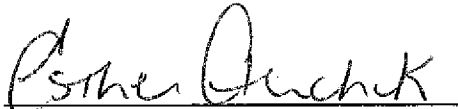
Staffing levels are not impacted as a result of the recommendations in this report.

BUDGET IMPACT (CURRENT AND FUTURE)


There is no budget impact associated with this report

CONTACT

For information regarding this report, please contact Esther Armchuk, Director, Legal Services/Municipal Solicitor (905) 953-5300, Ext. 2432; earmchuk@newmarket.ca



Esther Armchuk
Director, Legal Services/Municipal Solicitor



Anita Moore
Commissioner, Corporate Services

Friends of the Ontario Ranger Program Request for Support

Whereas: In September 2012 the provincial government cancelled the 70-year old Ontario Ranger Program (ORP), formerly known as the Ontario Junior Ranger Program;

And whereas: When the government cancelled the Ontario Ranger Program it claimed the Stewardship Youth Ranger Program [SYP], an existing day program, would deliver the same experience and would offer more jobs

And whereas: This day program does not offer the same quality of experience youth gained under the previous ORP in respect to knowledge of resource management and without the distractions of daily life;

And whereas: Since 2012, 278 Ontario Ranger jobs have been eliminated;

And whereas: In previous years more than half of the Ontario Rangers were students from large urban centres. By contrast this year, the current day program is just not accessible to those students in those urban centres.

And whereas: When the government cancelled the ORP, many youths lost an opportunity for a once-in-a-life-time experience because the ORP only required enrolment in an Ontario high school and acceptance into the program was based on a postal-code lottery system;

And whereas: cancellation of the 70-year old ORP does a disservice to public services in Ontario to those who have come to admire and respect the natural beauty of our province;

And whereas: Conservation Authorities encourage students to learn about the importance of conserving our shared natural environment and what they can do to make a positive impact;

And whereas: the provincial government committed \$295 million dollars in the 2013 provincial budget for youth employment.

Therefore be it resolved that the Lake Simcoe Region Conservation Authority supports the Friends of the Ontario Ranger Program campaign to restore the Ontario Ranger Program in the 2014 provincial budget;

And be it further be resolved that the Lake Simcoe Region Conservation Authority shall send a letter to Premier Kathleen Wynne and the Minister of Natural Resources, David Orazietti, urging their government to restore the Ontario Ranger Program for future generations of young people;

And be it finally resolved that the Lake Simcoe Region Conservation Authority forward this resolution for support to the other 35 Conservation Authorities.

Please copy LSRCA on Resolutions.



DEVELOPMENT AND INFRASTRUCTURE SERVICES – ENGINEERING SERVICES
TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
info@newmarket.ca
905.895.5193

January 13, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES ES2013-49**

TO: Committee of the Whole

SUBJECT: Checking Consultant Professional Consulting Services Contract Extension

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – Engineering Services 2013-49 dated January 13, 2014 regarding the Checking Consultant Professional Consulting Services Contract Extension be received and the following recommendation(s) be adopted:

1. **THAT Council approve the execution of the Professional Consulting Services Agreement with R. J. Burnside and Associates Limited for a period up to five (5) years (two years, with three one-year options) to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;**
2. **AND THAT the Mayor and Town Clerk be authorized to execute the Professional services contract;**
3. **AND THAT Mr. Dave Scmazzon, P. Eng., of R. J. Burnside and Associates Limited be notified of this action.**

COMMENTS

The Agreement for "Professional Consulting Services" between the Town and R.J. Burnside and Associates Limited (RJB) expired in February 2013. The expired Agreement was for a 5-year term during which RJB would provide professional consulting services for the Engineering components of subdivision and larger development applications. This would include reviewing and coordinating engineering comments from zoning by-law and official plan amendments, as well as reviewing and commenting on plans, specifications, environmental studies, noise studies, soils management, functional servicing reports (water and wastewater issues, traffic impact studies, stormwater management, etc.) submitted by developers and ensuring that all of these conform to our Town standards and specifications and applicable regulations.

It should be noted that all of RJB's invoices are received by the Town, but it is not the Town that ultimately assumes the costs of the services. The Town is reimbursed for the services by re-attributing costs to individual developers for the work required to process their particular developments. Ultimately, the Developers pay for ALL of the costs for RJB's services.

RJB provides its services in its contract with the Town at a preferred client discounted rate (14% discount) compared to what they would charge other clients. RJB has offered to renew the expired contract without making any changes to the terms of the Agreement.

The contract stipulates that RJB's hourly rates are reviewed and adjusted on an annual basis. The annual review incorporates the cost of living index and industry trends, but is not less than the cost of living index for the Metro Toronto area as determined by the Government of Canada for the previous 12 months. This clause provides fairness when compared with industry standards while still ensuring that the Town retains its preferred client status rate. Furthermore, the rates being charged by RJB are well below the Fee Guidelines for Professional Engineering Services that are published by the Ontario Society of Professional Engineers (OSPE) and endorsed by Professional Engineers Ontario (PEO).

Now that a new Director of Engineering Services is in place, the expired Agreement and the Town's Procurement By-Law have been reviewed, and an evaluation of the services provided by RJB has been completed. The Director, along with Town Staff and the Chair of the Development Coordination Committee, have concluded that this contract is very favourable to the Town and to the Developers that it serves.

RJB has been providing professional consulting services for the Town for many years and has worked closely with Staff in Engineering Services, Public Works Services, Planning & Building Services and with the Town's Development Coordinator, who also chairs the Development Coordination Committee. Evaluations of RJB's performance received from Staff and from the Town's Development Coordinator have been very positive based on the quality, efficiency and timeliness of the services provided by RJB. We have also found RJB to be extremely good communicators in terms of the flow and accuracy of information between the developers, peer reviewers and the Town. As a key member of the Town's Development Coordination Committee, RJB has been proactive and effective in expediting the detailed review of Developers' engineering design submissions and in soliciting comments and keeping the Town informed of all issues that may arise.

Based on the high quality of service, Staff recommends that the Agreement for Professional Consulting Services with RJB be extended for another 5-year term with the rates to reflect the Town's preferred customer discount status. The recommended extension will avoid unnecessary delays and significant transition costs associated with engaging a new Checking Consultant, as explained further below.

Renewing the RJB Agreement without embarking on a competitive bid process is justified for many reasons:

1. Renewing the RJB Agreement without a competitive bid process can be justified by meeting only one of the clauses in the Town's Procurement By-Law. However, there are four of the clauses in the "Single Source" section under the Town's By-Law that apply to this renewal. The Town's Procurement By-Law, Section 12.6 "Single Source" states that "Single Source purchasing may be

conducted for the procurement for goods service(s) or construction of any contract value without the competitive Bid process, when any of the following circumstances apply:

- i. *For reasons of standardization, warranty, function or service, such as: technical qualifications* (in this case, the technical qualifications that RJB possesses are required for this service and RJB is completely knowledgeable of the standards, specifications, history and background required for the work whereas a new consultant would not.);
 - iii. *Where compatibility with an existing product, equipment, facility or service is a paramount consideration* (in this case, compatibility with the service provided by the Development Coordination Committee is essential to ensuring that the service is provided seamlessly, efficiently and in a timely and continual basis without any delays; RJB has proven its functionality and compatibility within that existing service therefore the service to Developers and to the Town can continue without interruption only if RJB is to continue the work);
 - v. *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* (in this case, RJB possesses the unique capability to meet the requirements such as existing knowledge of the nature of the service; a new contractor would require an extended period of time to reach the level of knowledge, the nature of the services and the background required to perform the work; therefore, there would be a significant lapse in time during which the work would not be done efficiently and in a timely manner as the new consultant would be learning the ropes. There would be unacceptable delays as Developers would have to wait for their applications and plans to be reviewed.);
 - vi. *Ability to deliver at a particular time* (in this case, RJB is the only contractor who can deliver continuously and seamlessly as required by the development application process due to the reasons outlined both above, and further below).
2. Of the three Directors in the Development and Infrastructure Services Commission, two are recent hires who have been with the Town for less than a year. If a new consultant were to be hired at this time, there would be a considerable breach in the continuity of the work to be done and it would take several months for the new consultant to familiarize themselves with the numerous development files. The two new Directors would not have the knowledge to be able to provide any background or history about the developments. The disruption to the continuity of the process would jeopardize the entire development review process and the efficiency of the Town's Development Coordination Committee. RJB possesses all of the prior knowledge, experience and background needed to allow the process to continue seamlessly without any delays to the Town and the Development community.
 3. The rates being proposed by RJB are very favourable to the Town. Fees for services provided by Consulting Engineers are normally based on standard fee guidelines that are published in the Ontario Society of Professional Engineers' (OSPE's) "Fee Guidelines for Professional Engineering Services". RJB currently charges the Town significantly less than the most recent rates published by the OSPE.
 4. The quality, efficiency and timeliness of the services provided by RJB have been beyond reproach over the past 5 years. There has been a continued rapid turn-around time for the review of planning

applications and designs for subdivisions and the comments made by RJB have always respected the Town's best interests while still working favourably with developers. Communication and coordination between RJB, the Town and the Developers has been excellent and RJB has been proactively engaging the Developers, Consultants and the Town in moving in a positive direction on all developments.

5. Changing our consultant through a competitive bid process at this time would result in additional costs and delays to the Town and to the Developers. The Town would have to keep BOTH the existing and new consultants on board during several months while the RJB follows-up and ties up all loose ends with its existing files. RJB would also have to discuss files with the new consultant through the transition period. The new consultant would require several months to be up to speed on the files and processes involved and to become familiar with the Town's Official Plan, Secondary Plan and our Standards and Specifications for subdivisions and developments. The two new Directors would not have sufficient history and background to be able to provide the level of assistance needed for this learning process. To avoid any delays to Developers, the two consultants (RJB and the new firm) would have to work in tandem until the new consultant could take over the complete functions of the "Checking Consultant" for the Town. The exact costs and the length of delays cannot be quantified at this time, as they would depend on the number and complexity of reviews that need to be handled and how fast the new consultant would be able to become familiar with all of the information required to continue the work, but it is expected that these would be significant.

For the above reasons, staff recommends that the expired agreement be renewed with RJB as soon as possible.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well Equipped and Managed

Provide thorough and timely consideration of applications for development and redevelopment in accordance with statutory requirements through the management of the application process that includes co-ordination with and across all impacted Town departments.

CONSULTATION

There was internal consultation with Public Works Services, Planning & Building Services and with the Town's Development Coordinator.

HUMAN RESOURCE CONSIDERATIONS

There are no recommended additional human resources required as part of this report.

BUDGET IMPACT

There is no cost implication to the Town associated with the recommendations of this report. The Town's development community currently pays all costs associated with Development Checking Consulting Services.

CONTACT


For more information on this report, contact: Rick Bingham, Manager, Engineering & Technical Services, at extension 2505 or email rbingham@newmarket.ca.



Rick Bingham, C.E.T.
Manager, Engineering & Technical Services



Gord Sears CPPO, CPPB
Manager, Procurement Services



Rachel Prudhomme, M.Sc., P.Eng.
Director, Engineering Services



Robert Prentice
Commissioner, Development and Infrastructure Services

PART 1
PLAN OF
PART OF BLOCK B
REGISTERED PLAN N° M-6 AND
PART OF LOT 91
CONCESSION 1
(GEOGRAPHIC TOWNSHIP OF WHITCHURCH)
TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK

FOR FINAL SITE GRADING
& DRAINAGE, REFER TO
DRAWING A01S, AS
PREPARED BY BRONTE
ENGINEERING LTD.

2 KEY PLAN
A1.0 SCALE: NTS



GROSS AREAS BY INDIVIDUAL USES:

	EXISTING	PROPOSED	TOTAL
BASEMENT:			
SHOW ROOM/ VEHICLE RETAIL	753 SM		
OFFICES			
PARTS RETAIL			
SERVICE BAYS/ VEHICLE REPAIR	450 SM		
COMMON AREAS	96 SM		
STORAGE	214 SM		
MECHANICAL/ UTILITY	20 SM		
GROUND FLOOR:			
SHOW ROOM/ VEHICLE RETAIL	447 SM	94 SM	
OFFICES	158 SM	13 SM	
PARTS RETAIL	11.2 SM		
SERVICE BAYS/ VEHICLE REPAIR	607 SM	392 SM	
COMMON AREAS	54 SM		
STORAGE/PARTS	213 SM		
MECHANICAL/ UTILITY	31 SM		
FIRST FLOOR (upper level):			
SHOW ROOM/ VEHICLE RETAIL	127 SM		
OFFICES	41 SM	125 SM	
PARTS RETAIL			
SERVICE BAYS/ VEHICLE REPAIR	38 SM	77 SM	
COMMON AREAS	150 SM	140 SM	
STORAGE/PARTS	18 SM	22 SM	
MECHANICAL/ UTILITY			
TOTAL:			
SHOW ROOM/ VEHICLE RETAIL	1327 SM	219 SM	1546 SM
OFFICES	199 SM	138 SM	337 SM
PARTS RETAIL	11.2 SM		11.2 SM
SERVICE BAYS/ VEHICLE REPAIR	1057 SM	392 SM	1449 SM
COMMON AREAS	188 SM	265 SM	453 SM
STORAGE	577 SM	77 SM	654 SM
MECHANICAL/ UTILITY	69 SM	69 SM	138 SM

FORM NAME: RICHARD WENGLE ARCHITECT INC.			
102 AVENUE ROAD TORONTO, ONTARIO, CANADA, M6P 2H5 TEL: (416) 787-7575 FAX: (416) 787-0635 E-MAIL: MAIL@RWAC.COM			
NAME OF PROJECT: SERPA BMW AUTOMOTIVE DEALERSHIP			
LOCATION OF PROJECT: 11 BRADSHAW DRIVE NEWMARKET, ONTARIO L7Y 4V4			
Ontario's 2006 Building Code Data Matrix Part 3 & 9			
Project Description		OBC Reference	
<input type="checkbox"/> New <input type="checkbox"/> Change of use <input checked="" type="checkbox"/> Addition		<input type="checkbox"/> PART 3 <input type="checkbox"/> PART 9 <input type="checkbox"/> PART 11 11.1 to 11.4	
Major Occupancy		2.1.2 (A)	
Building Area (m ²)		1.1.2 (A)	
Gross Area (m ²)		1.4.1.2 (A)	
Number of stories		1.4.1.2 (A) & 9.10.4	
Number of stories higher access		1.4.1.2 (A) & 9.10.4	
Building class (Table 3.2.2.2)		3.2.2.2 (A)	
Sprinkler system required		3.2.2.2 (A)	
Fire alarm required		3.2.2.2 (A)	
Water service/ supply is adequate		3.2.2.2 (A)	
High building		3.2.2.2 (A)	
Construction		3.2.2.2 (A)	
Actual construction		3.2.2.2 (A)	
Measured area (m ²)		3.2.1.1 (B) (B)	
Occupant load based on		3.1.1.7	
Basement		3.1.1.7	
1st Floor		3.1.1.7	
2nd Floor		3.1.1.7	
3rd Floor		3.1.1.7	
4th Floor		3.1.1.7	
5th Floor		3.1.1.7	
6th Floor		3.1.1.7	
7th Floor		3.1.1.7	
8th Floor		3.1.1.7	
9th Floor		3.1.1.7	
10th Floor		3.1.1.7	
11th Floor		3.1.1.7	
12th Floor		3.1.1.7	
13th Floor		3.1.1.7	
14th Floor		3.1.1.7	
15th Floor		3.1.1.7	
16th Floor		3.1.1.7	
17th Floor		3.1.1.7	
18th Floor		3.1.1.7	
19th Floor		3.1.1.7	
20th Floor		3.1.1.7	
21st Floor		3.1.1.7	
22nd Floor		3.1.1.7	
23rd Floor		3.1.1.7	
24th Floor		3.1.1.7	
25th Floor		3.1.1.7	
26th Floor		3.1.1.7	
27th Floor		3.1.1.7	
28th Floor		3.1.1.7	
29th Floor		3.1.1.7	
30th Floor		3.1.1.7	
31st Floor		3.1.1.7	
32nd Floor		3.1.1.7	
33rd Floor		3.1.1.7	
34th Floor		3.1.1.7	
35th Floor		3.1.1.7	
36th Floor		3.1.1.7	
37th Floor		3.1.1.7	
38th Floor		3.1.1.7	
39th Floor		3.1.1.7	
40th Floor		3.1.1.7	
41st Floor		3.1.1.7	
42nd Floor		3.1.1.7	
43rd Floor		3.1.1.7	
44th Floor		3.1.1.7	
45th Floor		3.1.1.7	
46th Floor		3.1.1.7	
47th Floor		3.1.1.7	
48th Floor		3.1.1.7	
49th Floor		3.1.1.7	
50th Floor		3.1.1.7	
51st Floor		3.1.1.7	
52nd Floor		3.1.1.7	
53rd Floor		3.1.1.7	
54th Floor		3.1.1.7	
55th Floor		3.1.1.7	
56th Floor		3.1.1.7	
57th Floor		3.1.1.7	
58th Floor		3.1.1.7	
59th Floor		3.1.1.7	
60th Floor		3.1.1.7	
61st Floor		3.1.1.7	
62nd Floor		3.1.1.7	
63rd Floor		3.1.1.7	
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82nd Floor		3.1.1.7	
83rd Floor		3.1.1.7	
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85th Floor		3.1.1.7	
86th Floor		3.1.1.7	
87th Floor		3.1.1.7	
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89th Floor		3.1.1.7	
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91st Floor		3.1.1.7	
92nd Floor		3.1.1.7	
93rd Floor		3.1.1.7	
94th Floor		3.1.1.7	
95th Floor		3.1.1.7	
96th Floor		3.1.1.7	
97th Floor		3.1.1.7	
98th Floor		3.1.1.7	
99th Floor		3.1.1.7	
100th Floor		3.1.1.7	

3 OBC MATRIX
A1.0 SCALE: NTS

PART 1
PLAN OF
PART OF BLOCK B
REGISTERED PLAN No. M-6 AND
PART OF LOT 91
CONCESSION 1
TOWN OF NEWMARKET

LOT AREA: 8028.69 sq. m

LOT FRONTAGE: 70.38 m

EXISTING COVERAGE: 1805.81 SM (22.49%)
NEW TOTAL PROPOSED COVERAGE: 2547.48 SM (31.73 %)

EXISTING BUILDING HEIGHT: 7.40 M

PROPOSED BUILDING HEIGHT: 7.40 M

GROSS FLOOR AREA CALCULATION:

	EXISTING	PROPOSED	TOTAL
BASEMENT	1,607 SM	0.00 SM	1,607.00 SM
GROUND FLOOR	1,756 SM	342 SM	2,098.00 SM
SECOND FLOOR	532 SM	234 SM	766.00 SM
TOTAL AREA	3895 SM	576 SM	4,471 SM

TOTAL SURFACE PARKING - 97 + 28 UNDER NEW EXTENSION= 125

VISITOR PARKING- 9 PARKING SPACES

PROPOSED VEHICLE DELIVERY BAY- 2 PARKING SPACES

EXISTING VEHICLE SERVICE PARKING- 12 PARKING SPACES

PROPOSED VEHICLE SERVICE PARKING- 8 PARKING SPACES

PROPOSED SERVICE RECEPTION- 6 CAR SERVICE RECEPTION

TOTAL PARKING SPACES: 162 SPACES

SHOW ROOM CARS MAIN LEVEL----- 11 CAR SPACES

LOWER LEVEL SHOW ROOM CARS ----- 25 CAR SPACES

LOWER LEVEL CAR WASH----- 1 CAR SPACE

LOWER LEVEL DETAIL BAY ----- 2 CAR SPACES

4 STATISTICS
A1.0 SCALE: 1:NTS

1 SITE PLAN
A1.0 SCALE: 1:300

This drawing, as an instrument of service, is the property of the Architect/Engineer and may not be reproduced without their permission and the reproduction carries their name. All design and other information shown on this drawing are for the use of the project only and shall not be used otherwise without written permission of the Architect/Engineer.

Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job and the Architect/Engineer shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to the Architect/Engineer for approval before proceeding with fabrication.

Revision/ Submission

CAD File:

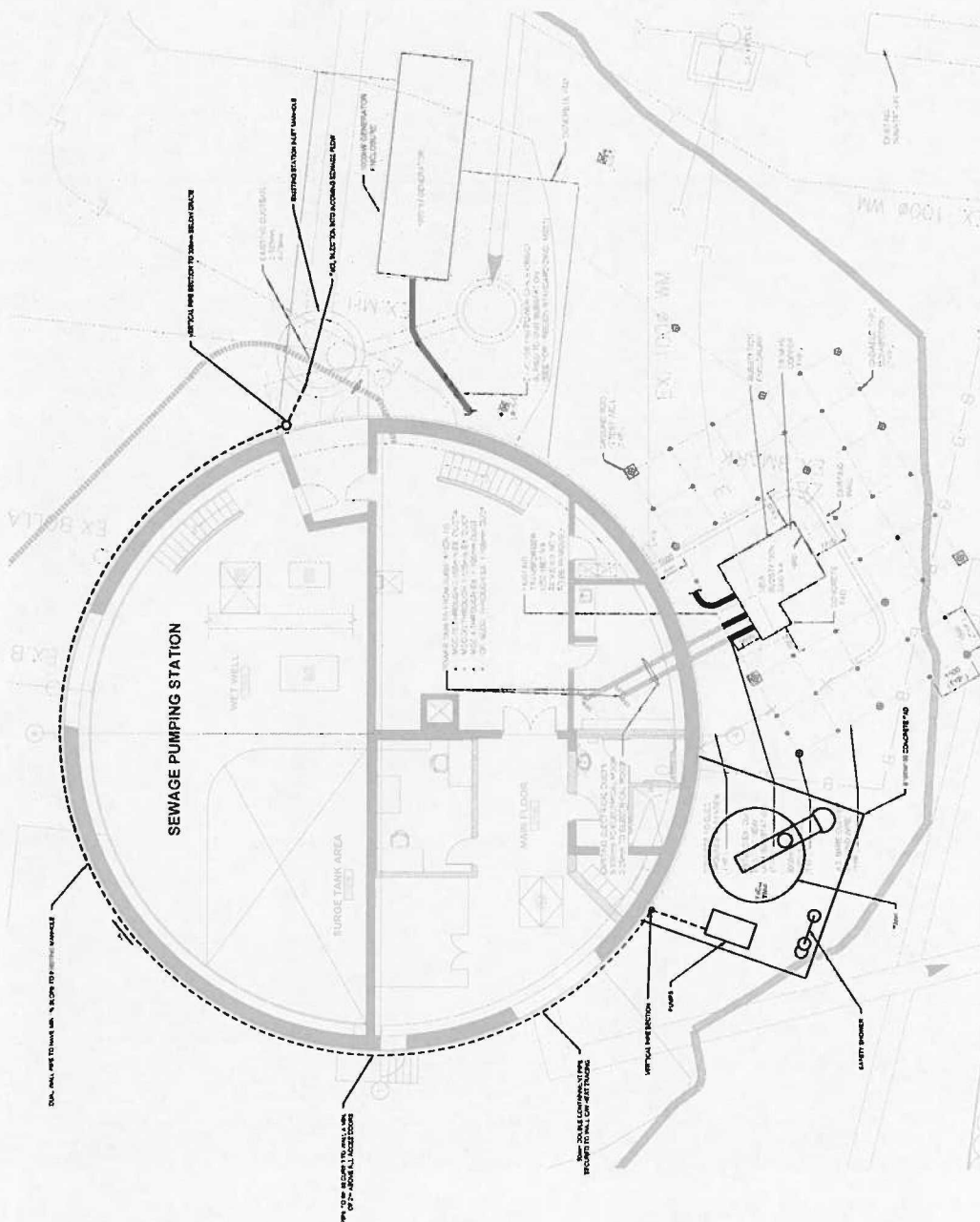
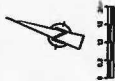
Scale: 1:300 Date:

Drawn by: AI Checked by:

Project Number: Drawing N

1314

159



TIME



COMESTOCK-ROVERS & ASSOCIATES

Findings

[illegible]

York Region
Environmental Services

DATE OCT 2013	DESIGN C. MANTER	DRAWN L.A.	CHECKED D. BERNARD
------------------	---------------------	---------------	-----------------------

**AURORA PUMPING STATION
PUMP REPLACEMENT**

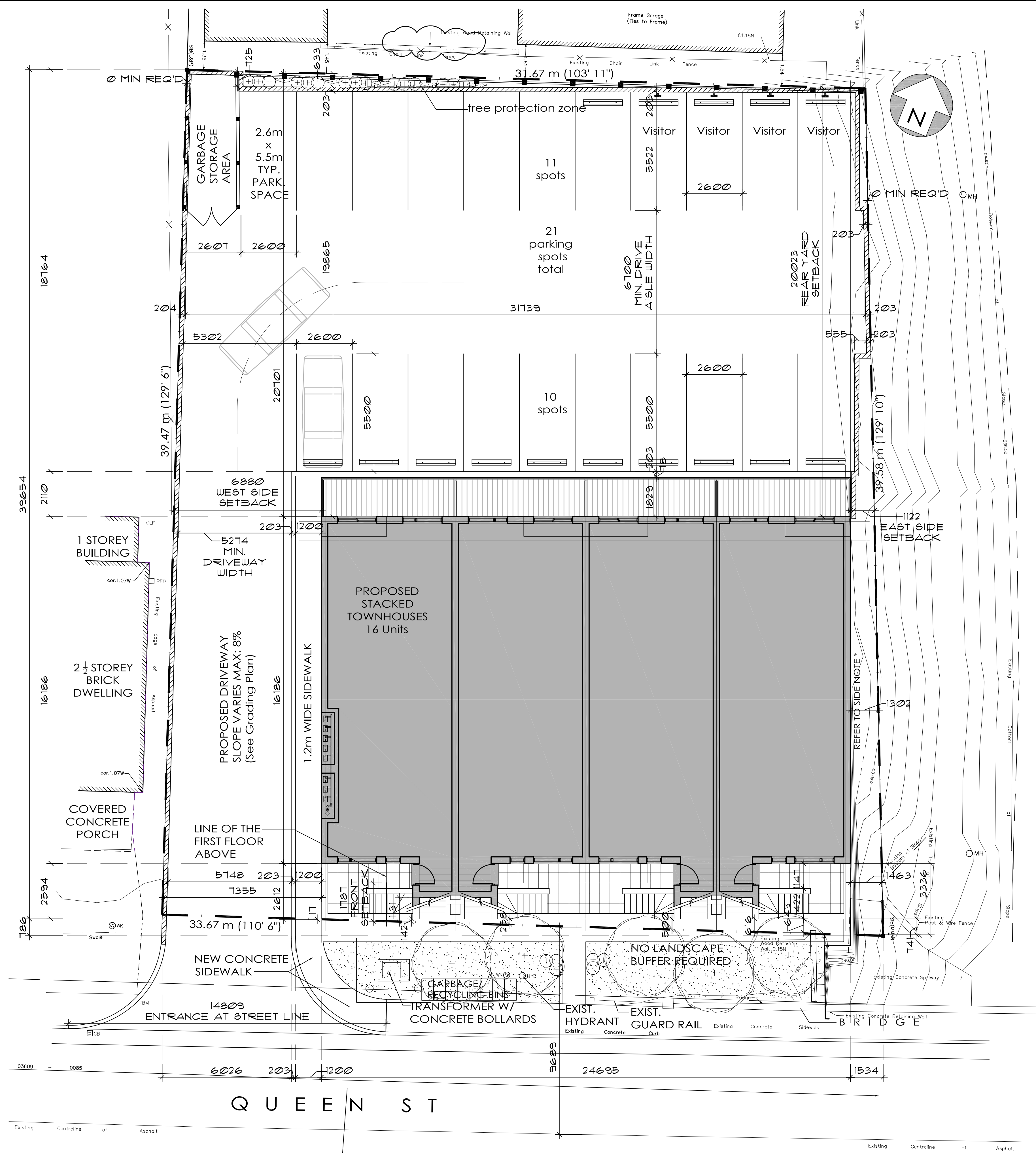
SITE PLAN

SCALE 1/78	DATA NO. C-01	CONF. NO. Y-12-03	SHEET NO. 9
---------------	------------------	----------------------	----------------

MUNICIPAL ADDRESS	487 QUEEN ST.
LOT & PLAN NO.	PART OF LOT 79, BLOCK A, REGISTERED PLAN 222
ZONING	CS
LOT AREA	1290.65m ² (13892.44 ft ²)
*INFORMATION TAKEN FROM PROPERTY SURVEY COMPLETED NOVEMBER, 2011	

	PROPOSED
BUILDING HEIGHT	13.56 m
FRONTAGE	25 m
FRONT YARD SETBACK	1.78 m
SIDE (EAST) YARD SETBACK	1.12 m
SIDE (WEST) YARD SETBACK	6.88 m
REAR YARD SETBACK	20.02 m
MIN REQ'D SETBACK FOR PRKG 0m	0m
BUILDING DEPTH	
WALK-OUT BASEMENT	16.18m
GROUND FLOOR	16.18 m
SECOND FLOOR	17.10 m
THIRD FLOOR	17.10 m
GROSS FLOOR AREA	1573.71 m ²
FLOOR SPACE INDEX	1.2
LOT COVERAGE AREA (%)	31.76%
PARKING/UNIT RATIO	1.31
PARKING SPACES	21
MIN DRIVEWAY WIDTH	5.274m
MIN DRIVE AISLE WIDTH	6.70m
NO LOADING SPACE REQUIRED	
NO SNOW STORAGE REQUIRED	

1. THE PROPOSED EAST SIDE SET BACK BASED ON THE SET BACK OF THE EXISTING BUILDING FROM THE EAST SIDE LOT LINE.
2. SNOW IS TO BE REMOVED FROM THE SITE BY PRIVATE SNOW REMOVAL COMPANY
3. NO BARRIER FREE PARKING SPACES REQ'D. BYLAW 2013-61, EXCEPTION 121 ii. (f)



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2	20/11/13	SITE PLAN APPROVAL
2	07/11/13	ZONING BY-LAW AMENDMENT
1	13/03/13	ZONING BY-LAW AMENDMENT

Peter A. Gabor, Architect

2221 YONGE ST., SUITE 300
TORONTO, ONTARIO M4S 2B4

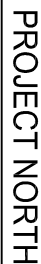
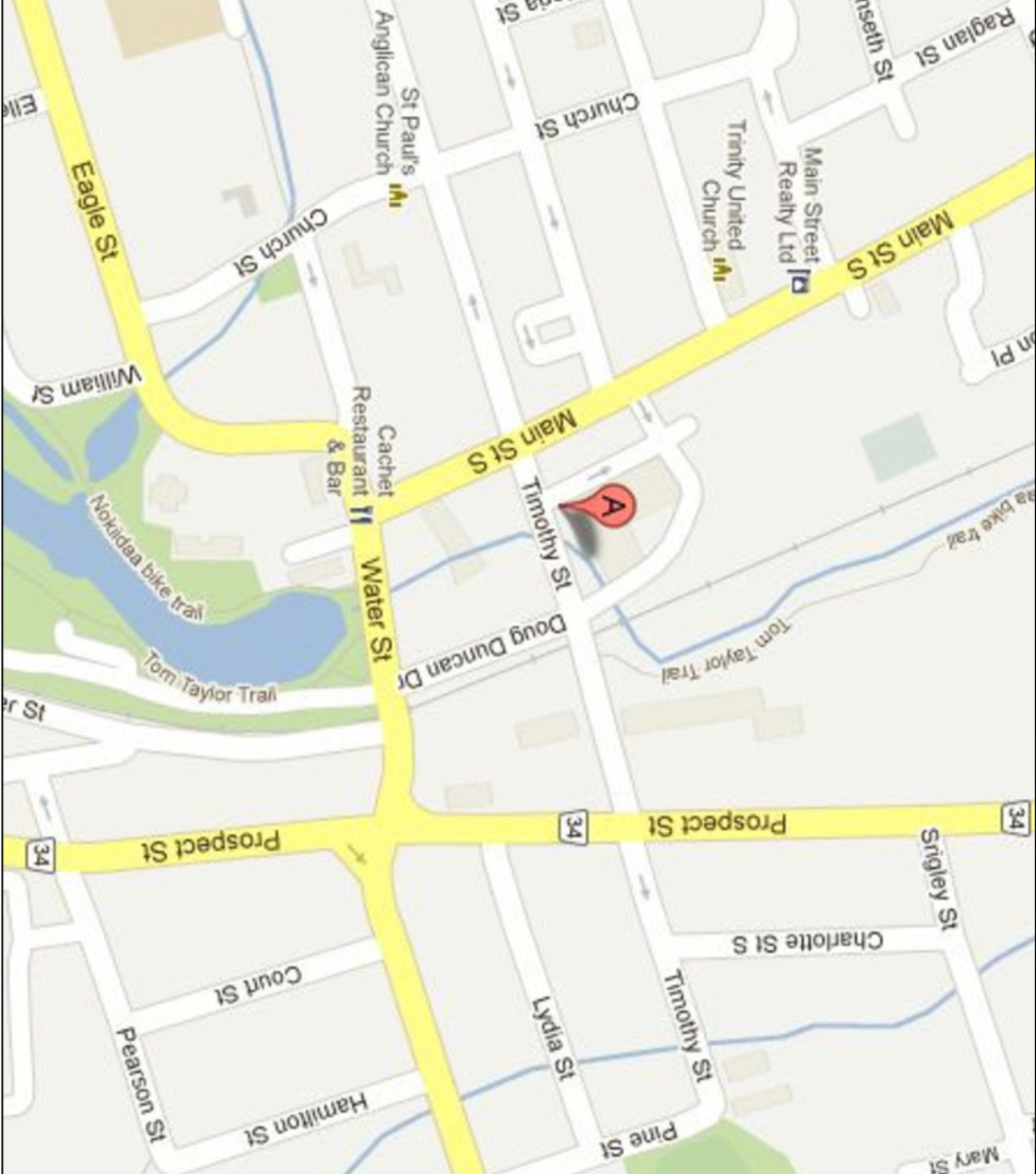
p gabor associates
ARCHITECTURE AND URBAN DESIGN
INTERIOR DESIGN/SPACE PLANNING

t: 416 488-9115 f: 416 488-4575
[peter@gaborassociates.com](http://www.peter@gaborassociates.com)

 <p>PETER A. GABOR LICENCE 2917</p>	DATE:	13/03/13
	PROJECT #:	011-13
	SCALE:	1:100
	DRAWN BY:	JY
	CHECKED BY:	PG

DRAWING:

PROPOSED SITE PLAN



GENERAL		AREAS	PARKING
SITE STATISTICS			
TOTAL LOT AREA	457.26 sm		
TOTAL BUILDING COVERAGE	212.51 sm		
BUILDING COVERAGE %	46.47 %		
BUILDING HEIGHT	11.6 m		
BASEMENT FLOOR AREA	212.51 sm		
GROUND FLOOR AREA	212.51 sm		
SECOND FLOOR AREA	212.51 sm		
THIRD FLOOR AREA	56.05 sm		
GROSS FLOOR AREA	693.58 sm		
PARKING CALCULATION (30s.40 sm of PUBLIC SPACE / 9 sm)			34 SPACES REQUIRED

TRISER
DESIGNS

1881 LANGSTAFF ROAD, UNIT 1A
VAUGHAN, ONTARIO, L4K 5T3
PHONE: (905) 669-2111
FAX: (1 (866) 602-1163
www.1R8er.com

**LEGISLATIVE SERVICES****Town of Newmarket**

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

info@newmarket.ca

T: 905 895.5193

F: 905 953 5100

MEMORANDUM

TO: Committee of the Whole

FROM: Director, Legislative Services/Town Clerk

DATE: January 10, 2014

RE: **Voting Method Options, 2014 Municipal Election**

A summary of the public consultation undertaken regarding the proposed voting method options for the 2014 Municipal Election will be provided as part of Item 2 of the Committee of the Whole Agenda for the January 13, 2014 Committee of the Whole meeting. The following information is attached for your reference:

- Telephone Survey – Voting Report by Oraclepoll Research, January 2014
- Online Survey – Results of Public Input on Voting Method
- Happy or Not Happy Report (Are you in favor of online voting?)
- Email from Steve Foglia, Chair, Newmarket Accessibility Advisory Committee dated January 9, 2014 re. Internet Voting

Voting Report

Prepared for



By



January 2014

T a b l e o f C o n t e n t s

METHODOLOGY & LOGISTICS	3
EXECUTIVE SUMMARY	4
RESULTS & CROSSTABS	8

M e t h o d o l o g y & L o g i s t i c s

Overview

- The following represents the findings from a public opinion survey conducted by Oraclepoll Research Limited for the Town of Newmarket on issues related to voting options to municipal Elections.

Study Sample

- A total of n=805 randomly selected Newmarket residents 18 years of age and older were interviewed. A total of n=115 surveys were completed in each of the Towns seven (7) Wards.

Survey Method

- The survey was conducted using computer-assisted techniques of telephone interviewing (CATI) and random number selection. A total of 20% of all interviews were monitored and the management of Oraclepoll Research supervised 100%.

Logistics

- The surveys were conducted between the days of January 7th and January 9th 2014.

Confidence

- The margin of error for the n=805 survey is $\pm 3.5\%$, 19/20 times, while the margin of error for each of the Ward (n=115) breakouts is $\pm 9.1\%$, 19/20 times.

E x e c u t i v e S u m m a r y

VOTE INTENT

Respondents were first screened to ensure that they were residents of Newmarket and eligible to vote in the upcoming municipal Election to be held on October 27th 2014. All 805 respondents surveyed met these criteria prior to being interviewed.

All n=805 of those surveyed were then asked if they plan to vote in the upcoming October 27th municipal Election. A total of 88% said that they plan to vote, 6% do not intend on casting a ballot and 5% were unsure or did not know.

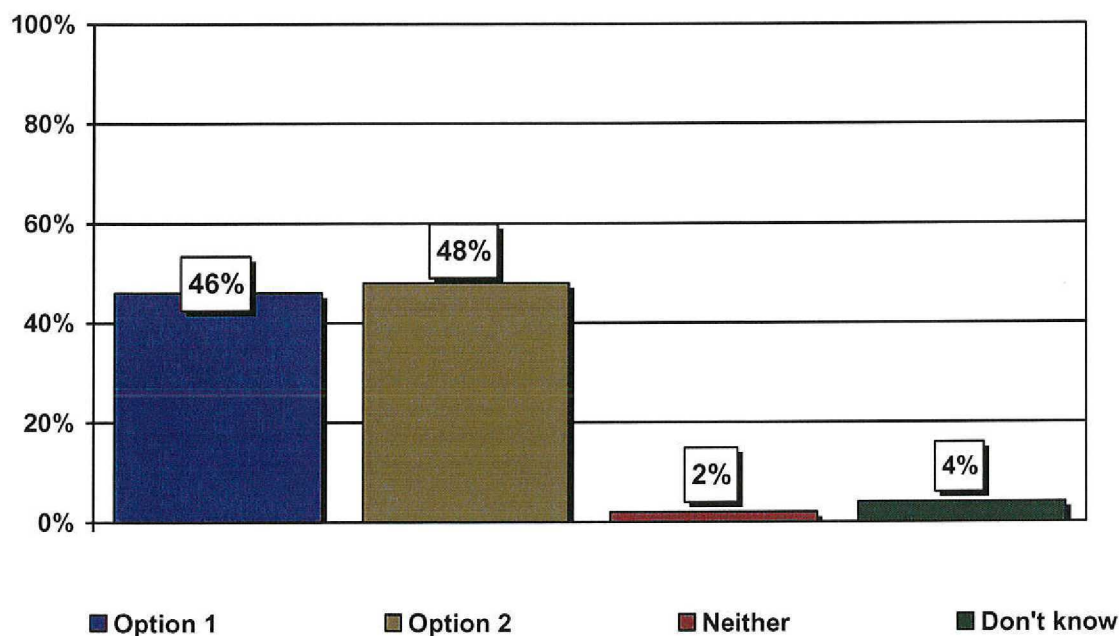
While there may be a discrepancy between the results to this question and what the actual turnout may in fact be, this is not an uncommon phenomenon with a question of this nature. Despite the fact voting is not compulsory; voters do not want to appear to be free riders within the system or appear not to be "good citizens" in a participatory democracy. So while voting intent numbers may be inflated this does not detract from the overall validity of probing into questions related to voting options and preferences. What is important is proper sampling for example an equal distribution in this case, by Ward and by demographic cohorts.

VOTING OPTIONS

All respondents or the 88% (n=714) that claimed that they were planning to vote in the October 2014 municipal Election were read the following preamble outlining two voting options. They were then asked which option that they most favoured.

“The Town of Newmarket is considering the following two voting method options. Option 1 is the traditional voting method of marking paper ballots using a pen in voting places throughout the Town. Marked ballots are counted using an optical scan vote tabulator. In Option 2 voters have the choice of voting online through a secure website either remotely (e.g., home or work) or voting in voting places throughout the Town through an easy to use program on laptops or tablet devices to indicate choices. In both Option 1 and 2 special voting places will be established in seniors' apartments, long term care facilities and Southlake Hospital to provide assistance, if required. Advance voting opportunities will be also available prior to voting day; and there will no additional cost for taxpayers. “

“Are you in favour of Option 1 or Option 2?”



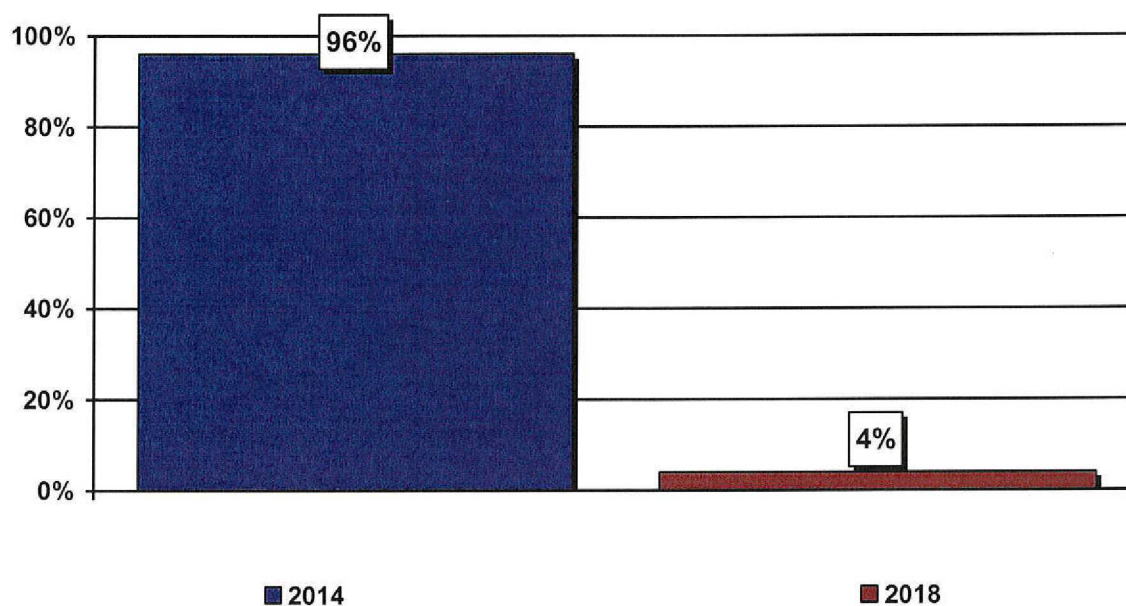
There was an almost equal split among residents that were in favour of Option 1 (46%) the traditional method and Option 2 the online approach (48%). Only 2% said that they supported neither of the two options and 4% were undecided.

When the 2% (n=16) of Newmarket voters that answered neither of the two options were asked about their reasons why, n=5 said that they dislike or were not in support of online voting, n=4 named security concerns, n=3 cited cost, n=3 that the process has not been tested and n=1 did not know.

YEAR OF IMPLEMENTATION

The 48% of respondents (n=340) that stated they prefer Option 2 or the online approach were then asked about when they would like to see it implemented.

"Would you prefer to see this implemented during the 2014 or 2018 Election year."

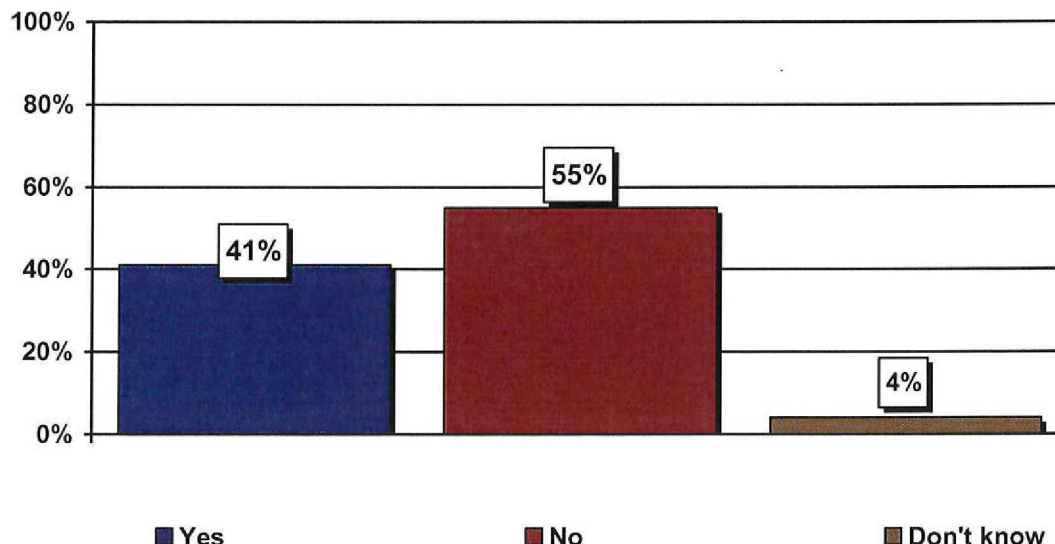


An overwhelming 96% majority claimed that they would like the Option (2) implemented in the 2014 Election, with only 4% naming 2018.

LIKELIHOOD TO PARTICIPATE

All respondents were then asked the following final question

"Would you be more likely to participate in the October 27th, 2014 municipal Election if an internet voting option was made available?"



More than four in ten or 41% of Newmarket voters stated that they would be more likely to participate in the upcoming fall Election if internet voting was made available.

The following table is a crosstabulation of results from Question 3 respondents preferred voting Option, by Question 6 or the likelihood to vote if internet voting was made available. A high three quarters (75%) of those favouring Option 2 stated that they would be more likely to vote if an internet choice was offered. This compared to only 9% supporting Option 1, 19% undecided and none of those stating neither of the two.

		Q6. Would you more likely to participate in the October 27th, 2014 municipal Election if an internet voting option was made available?		
		Yes	No	Don't know
Q3. Are you in favour of Option 1 or Option 2?	Option 1	8.9%	86.9%	4.3%
	Option 2	75.3%	23.5%	1.2%
	Neither		87.5%	12.5%
	Don't know	19.4%	67.7%	12.9%

Results & Crosstabs

Q1. I just want to confirm that you 18 years
of age or older or will be as of October 27th
2014 and are (will be) eligible to vote in a
municipal Election within the Town of
Newmarket?

	Frequency	Percent
Yes	805	100.0

		Q1. I just want to confirm that you 18 years of age or older or will be as of October 27th 2014 and are (will be) eligible to vote in a municipal Election within the Town of Newmarket?
		Yes
	Ward 1	100.0%
	Ward 2	100.0%
	Ward 3	100.0%
Ward	Ward 4	100.0%
	Ward 5	100.0%
	Ward 6	100.0%
	Ward 7	100.0%

**Q2. Do you plan to vote in the October 27th 2014
municipal Election?**

	Frequency	Percent
Yes	714	88.7
No	51	6.3
Don't know	40	5.0
Total	805	100.0

		Q2. Do you plan to vote in the October 27th 2014 municipal Election?		
		Yes	No	Don't know
	Ward 1	85.2%	7.8%	7.0%
	Ward 2	90.4%	6.1%	3.5%
	Ward 3	89.6%	7.0%	3.5%
Ward	Ward 4	90.4%	4.3%	5.2%
	Ward 5	92.2%	5.2%	2.6%
	Ward 6	83.5%	7.8%	8.7%
	Ward 7	89.6%	6.1%	4.3%

IF YES ASK Q3 / IF NO OR DO NOT KNOW SKIP TO Q6

PREAMBLE TO Q3

The Town of Newmarket is considering the following two voting method options.

- **Option 1** is the traditional voting method of marking paper ballots using a pen in voting places throughout the Town. Marked ballots are counted using an optical scan vote tabulator.
- **In Option 2** voters have the choice of voting online through a secure website either remotely (e.g., home or work) or voting in voting places throughout the Town through an easy to use program on laptops or tablet devices to indicate choices.
- **In both Option 1 and 2** special voting places will be established in seniors' apartments, long term care facilities and Southlake Hospital to provide assistance, if required. Advance voting opportunities will be also available prior to voting day; and there will be no additional cost for taxpayers.

Q3. Are you in favour of Option 1 or Option 2?

	Frequency	Valid Percent
Option 1	327	45.8
Option 2	340	47.6
Neither	16	2.2
Don't know	31	4.3
Total	714	100.0

	Q3. Are you in favour of Option 1 or Option 2?			
	Option 1	Option 2	Neither	Don't know
Ward 1	43.9%	51.0%	1.0%	4.1%
Ward 2	46.2%	43.3%	3.8%	6.7%
Ward 3	42.7%	52.4%	1.9%	2.9%
Ward 4	51.9%	40.4%	3.8%	3.8%
Ward 5	40.6%	51.9%	0.9%	6.6%
Ward 6	52.1%	45.8%	1.0%	1.0%
Ward 7	43.7%	48.5%	2.9%	4.9%

IF NEITHER ASK Q5

IF OPTION 2 (ONLINE VOTING) ASK Q4

OTHERS SKIP TO Q6

**Q4. Would you prefer to see this
implemented during the 2014 or 2018**

Election year?"

	Frequency	Percent
2014	328	96.5
2018	12	3.5
Total	340	100.0

		Q4. Would you prefer to see this implemented during the 2014 or 2018 Election year?"	
		2014	2018
Ward	Ward 1	98.0%	2.0%
	Ward 2	95.6%	4.4%
	Ward 3	98.1%	1.9%
	Ward 4	92.9%	7.1%
	Ward 5	98.2%	1.8%
	Ward 6	95.5%	4.5%
	Ward 7	96.0%	4.0%

Q5 ASKED ONLY TO THOSE (N=15) THAT ANSWERED NEITHER IN Q3

Q5.Can you tell me why you are not in favour of either option?

	Frequency	Valid Percent
Not in favour of online voting / dislike it	5	31.3
Cost of it	3	18.8
Security issues / do not trust it	4	25.0
Not proven / needs to be tested first	3	18.8
Don't know	1	6.3
Total	16	100.0

**Q6.Would you more likely to participate in the
October 27th, 2014 municipal Election if an
internet voting option was made available?**

	Frequency	Valid Percent
Yes	335	41.6
No	442	54.9
Don't know	28	3.5
Total	805	100.0

		Q6.Would you more likely to participate in the October 27th, 2014 municipal Election if an internet voting option was made available?		
		Yes	No	Don't know
	Ward 1	36.5%	59.1%	4.3%
	Ward 2	37.4%	58.3%	4.3%
	Ward 3	47.0%	51.3%	1.7%
Ward	Ward 4	38.3%	57.4%	4.3%
	Ward 5	45.2%	48.7%	6.1%
	Ward 6	45.2%	53.9%	0.9%
	Ward 7	41.7%	55.7%	2.6%

Online Survey – Public Input on Voting Method

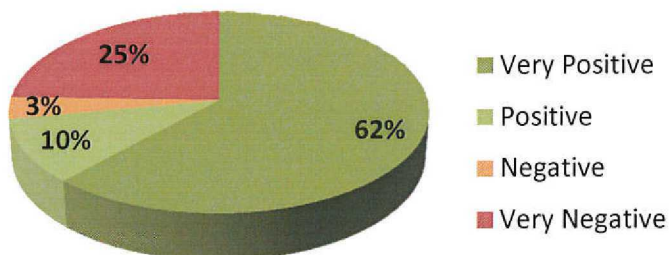
Question	# of respondents	as a percentage	% In Favour of Option 2	
# of people in favour of Option 1 (Traditional):	26	20.97%		
# of people in favour of Option 2 (E-Voting):	86	69.35%		
# of male respondents	64	51.61%	75.00%	
# of female respondents	56	45.16%	66.07%	
# of respondents that did not specify a gender	4	3.23%	25.00%	
# of respondents ages 18 to 25	6	4.84%	100.00%	
# of respondents ages 26 to 35	17	13.71%	82.35%	
# of respondents ages 36 to 45	33	26.61%	69.70%	
# of respondents ages 46 to 64	55	44.35%	67.27%	
# of respondents ages 65+	8	6.45%	50.00%	
# of respondents that want internet voting and in 2014	78	90.70%		
# of respondents that want internet voting and in 2018	4	4.65%		
# of respondents that want internet voting but did not specify a year	2	2.33%		
# of respondents that want internet voting in either 2014 or 2018	2	2.33%		

**Recreation & Culture
Happy or Not Happy Report**

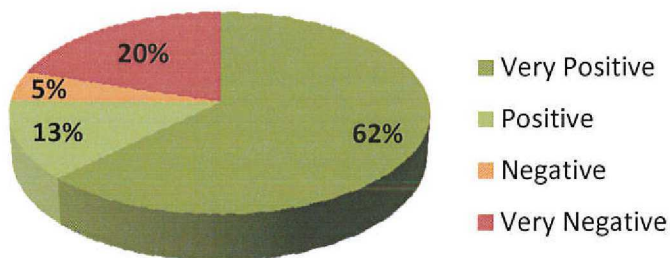
Request by: Andrew Brouwer
 Location: Magna Centre
 Question: Are in favor of online voting?
 Period: 31-Dec-13 to 9-Jan-14
 Total Responses: 494

Are you in favor of online voting?

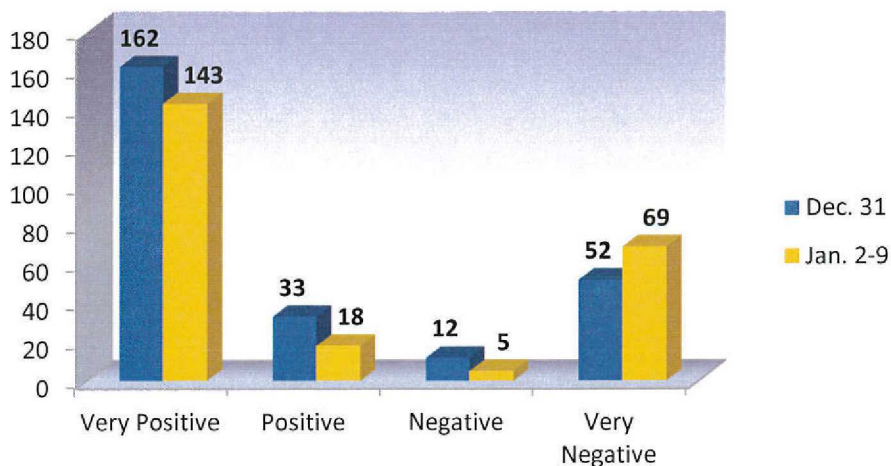
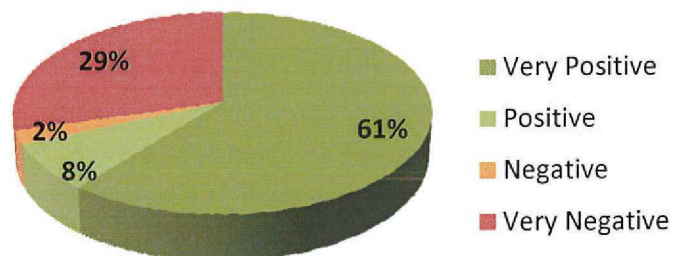
Responses from Dec. 31st to January 9th



Responses from December 31st Event



Responses from Jan 2nd to Jan 9th



From: Steve Foglia
Sent: January-09-14 3:14 PM
To: Lyons, Lisa
Subject: Internet voting

Today Jan. 9 2014, The Newmarket Accessibility Committee reviewed Andrew Brouwer's presentation on internet voting. Unfortunately our meeting did not meet quorum as several members were not able to attend.

However, based on Andrew Brouwer's explanation on the process of internet voting, the committee members present, including myself, agree that internet voting would be beneficial to the disabled and elderly communities of Newmarket. This would be contingent on that proper education and support would be provided prior to and on election day for Retirement Homes, Nursing and Extended care facilities throughout Newmarket.

Steve Foglia
Chairperson Newmarket Accessibility Advisory Committee



DEVELOPMENT & INFRASTRUCTURE SERVICES – PUBLIC WORKS SERVICES
TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
info@newmarket.ca
905.895.5193

January 13, 2014

DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT PUBLIC WORKS SERVICES 2014-05

TO: Committee of the Whole

SUBJECT: Garbage and Recycling Service Level Update

ORIGIN: Director, Public Works Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report Public Works Services – ES 2014-05, dated January 13, 2014 regarding Garbage and Recycling Service Level Update, be received and the following recommendation(s) be adopted:

- 1. THAT staff continue to work with the Contractor (GFL) and the other municipal partners in good faith to resolve all issues and improve the Level of Service for collectible waste and;**
- 2. THAT staff review any costs, losses and remedies of the municipality as a result of the issues encountered with the Contractor, and that staff be authorized to pursue any appropriate legal remedies provided for in the GFL Contract to recover those losses.**

BACKGROUND

This report has been prepared to address the recent serious deficiencies experienced by Newmarket residents in the waste collection services provided through our contractor.

In June 2007 Turtle Island Recycling Corporation (Turtle Island) entered into a contract to provide collectible waste services to the Towns of Aurora, King, Georgina, Newmarket, East Gwillimbury and Whitchurch-Stouffville. The Service started in September of that year which included garbage, recycling, yard waste, bulky items, Christmas tree and organic collection. In January 2012 Green For Life Environmental Corporation (GFL) purchased Turtle Island, agreed to honour the existing contract and continued providing collection service.

Service levels remained constant until April 2013 when large volumes of yard waste from the previous year and mechanical problems caused missed collection. Once the yard waste collection was caught up to normal levels, services complaints decreased again.

In November 2013 Customer Service started receiving a disproportionate amount of calls with respect to missed collections. This continued into the next month with calls spiking the week of December 15th. For the first full week of January over 750 complaints were received. Anecdotally, most of the complaints were for missed green bin and blue bin collection as garbage pick-up was near normal levels.

COMMENTS

Review of Services with GFL

Staff has been in discussion with GFL regarding the drastic decrease in the level of service over the past number of weeks. The contractor was requested to outline the issues they believe have contributed to the current problem. They have advised that in their opinion weather has been a major variable in the drop in service levels. The recent ice storm followed by the large amount of snowfall generated windrows and snowbanks that have caused injury for drivers when the materials were placed on top of the snowbanks.

They have also advised that extreme cold weather also caused mechanical breakdowns of vehicles such as air breaks and hydraulic system failure. In certain instances parts were not available from suppliers as they were closed for the holidays. They also advised that the cold weather also creates a health and safety issue for drivers, requiring additional breaks creating slower routes.

Other issues affecting the level of service include additional material from the holidays, staff turn around and a recent departure of several veteran staff members.

The contractor was also requested to explain what measures have been taken to maintain or improve services. Since January 2013 GFL has created an additional route for collection in Newmarket therefore shortening routes from approximately 1200 collections/route to 1000 collections/route. GFL is also in the process of replacing "walking floor" organic collection trucks with "lift and dump" type trucks that will reduce the amount of breakdowns in cold weather conditions and more efficient unloading at the processing facility.

To deal with the recent service level problems GFL has also contracted a staffing agency in November to recruit workers, hopefully reducing staffing shortages and, as of January 2nd hired additional diesel mechanics so the fleet garage can be operating 24 hours a day reducing downtimes. Knowing that additional materials would need to be collected during the holiday season, GFL also brought in some additional trucks for collection routes.

Lastly, GFL has added a midnight shift in their garage for the repair of their fleet. They have advised that their repair garage now operates on a 24 hour basis.

Analysis of GFL Response

Unfortunately the failure of GFL to foresee and plan properly for regular staffing issues, holiday volume, schedule changes and winter weather delays has created a decrease in the level of service, especially over the past eight weeks. Contractor related delays were not experienced in other jurisdictions outside of the N6 collection area.

Some of the solutions presented by GFL, as noted above were reactionary. Although this may help in the future, delays in collection due to the underestimation of factors and the failure to plan has caused great confusion, frustration and anger with residents, Councilors and Town staff.

Missed collection complaints received by Customer Service have increased by seven times the volume from October to end of December with January numbers more than doubling that. Although some of the calls/emails were due to confusion on holiday schedule set out dates, the majority of them were due to late or missed pick up.

The Services Contract for Collectible Waste outlines the Quality of Service and obligations that the Contractor is expected to provide. The recent Service Levels do not meet the contractual responsibilities within the Contract.

Because of the recent issues noted above creating many instances of late collection of waste materials after the specified time, staff are in the process of reviewing the terms of the Contract and the Town's remedies for non-performance. Staff from the other five municipalities within the N6 Contract are also proceeding in the same manner.

It is not recommended that the Contract be terminated at this time as the Town continues to work with all partners to raise the level of service back to contractual standards. The replacement of a solid waste collection contractor often takes 18-24 months to complete due to the complexity of the contract and the level of service could decrease even more substantially within that timeframe. There are also financial penalties relating to termination.

Future Actions

In addition of a review of contract performance in conjunction with the N6 municipalities, the Town will be reviewing the communication protocols between GFL Staff and Town Staff and GFL and the public. Currently GFL operates a customer service call center for enquiries from the residents in the N6 municipalities. The Communications Department, Customer Service Manager and Manager of Operations of the Town of Newmarket have several suggestions for improving the timeliness, accuracy and availability of information to our residents on a real time basis. Staff will be working with GFL on those matters and reporting back to Committee of the Whole.

In addition the various Town departments will conduct a review of the additional expenses incurred to deal with the recent service problems. Discussions will be held with the other N6 municipalities regarding these expenses and a common approach to the issue.

PUBLIC CONSULTATION

To get messaging on the issues out to the public, the Corporate Communications department:

- Issued a Public Service Announcement to regional and local television, print and radio media
- Tweeted 187 waste collection relation messages through the Town Twitter account from January 1 to January 10
- Posted information on the homepage of the Town website
- Placed info on marquees and LCD screens at Town facilities
- Created a radio PSA on the collection delays for two separate radio stations
- Conducted a call-out to all residents through Newmarket Hydro's IVR system
- Included an ad in the January 9 Town Page regarding the delays
- Sent out push notifications through the Town's 'my-waste' app (802 subscribers)
- Created a full page print ad for the January 12 Era newspaper

Corporate Communications and Customer Service have been receiving messages directly from GFL on issues as they arise and are relaying the information provided by GFL to the public as it becomes available. As situations in the field change, Communications pushes new information out and is working with GFL to provide more timely and accurate information and Customer Service to continue to provide frequent updates to residents.

Staff will be reviewing with GFL, other ways updates can be provided in a timelier, appropriate and clear manner and include, various staff, Council members and residents within the process to maximize the extent and understanding of any messages.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Deliver affordable, efficient and effective water distribution, wastewater and solid waste collection services that meet or exceed provincially mandated requirements, Council and the public's expectations, while:

- a) ensuring that the systems capital assets retain their value and are managed/funded accordingly to sustainable, lifecycle based principles and practices; and
- b) promoting and encouraging solid waste diversion through recycling, composting, rethinking, reusing, reducing and implementing programs to achieve a realistic diversion rate and environmental protection.

HUMAN RESOURCE CONSIDERATIONS

No impact to current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

The cost of collection per household is approximately \$7.32/month for 2014. This is incorporated in the approved budget. The length of the current contract and efficiencies realized in coordinating with the other municipal partners have kept comparative cost down for this specific service.

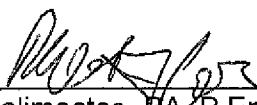
Capital Budget

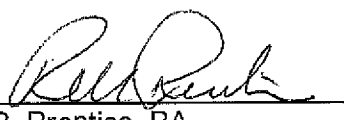
No impact to the Capital Budget.

CONTACT

For more information on this report, please contact Christopher Kalimootoo at extension 2551; ckalimootoo@newmarket.ca.

Prepared by:


C. Kalimootoo, BA, P.Eng, MPA
Director, Public Works Services


R. Prentice, BA
Commissioner, Development & Infrastructure
Services