



Town of Newmarket

Agenda

Committee of the Whole

Date: Monday, February 24, 2020
Time: 12:30 PM
Location: Council Chambers
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

2. Declarations of Pecuniary Interest

3. Presentations & Recognitions

3.1 Mobile Business Licence By-law

Note: Flynn Scott, Manager of Regulatory Services will be in attendance to provide a presentation on this matter. This presentation is related to Item 5.1. Presentation to be distributed when available.

3.2 Procedure By-law Review for 2018-2022 Term of Council

Note: Kiran Saini, Deputy Town Clerk will be in attendance to provide a presentation on this matter. This presentation is related to Item 5.2.

4. Deputations

5. Consent Items

5.1 Mobile Business Licence By-law

Note: The Mobile Business Licence staff report and associated by-laws were deferred at the February 10, 2020 Council meeting. This report and associated by-laws are linked for information.

A new report on this matter will be distributed when available.

5.2 Procedure By-law Review for 2018-2022 Term of Council

1. That the report entitled Procedure By-law Review for 2018-2022 Term of Council dated February 24, 2020 be received; and,
2. That Council approve the revised 2020 meeting schedule effective March 3, 2020 for a one-year trial period, and:
 - a. All regular Council meetings begin at 1:00 PM;
 - b. All regular Committee of the Whole meetings begin at 1:00 PM;
 - c. All regular Site Plan Review Committee meetings begin at 10:00 AM;
 - d. All regular Council Public Planning meetings be scheduled at 7:00 PM; and,
3. That staff be directed to report to Council in Q2 2021 on the feedback received following the one-year trial period of the new meeting schedule and daytime Council meetings; and,
4. That Council repeal By-laws 2015-50, 2016-43, 2017-75, as amended, and replace with the attached Procedure By-law; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.3 Zoning By-law Amendment Application – 665-695 Stonehaven Avenue

1. That the report entitled Zoning By-law Amendment Application – 665-695 Stonehaven Avenue, dated February 24, 2020 be received; and,
2. That the application for Zoning By-law amendment for lands municipally known as 665-695 Stonehaven Avenue be approved and staff be directed present a By-law to Council for approval generally in accordance with Attachment 1; and,
3. That Lucila Sandoval of Groundswell Urban Planners, 95 Mural Street, Suite 402, Richmond Hill, L4B 3G2 be notified of this action; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.4 Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165

1. That the report entitled Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165 dated February 24, 2020 be received; and,
2. That the application for Official Plan & Zoning By-Law amendment, as submitted by Marianneville Developments Limited for Blocks 164 and 165 of the Estates of Glenway Community subdivision, be approved, and that staff

be directed to prepare the necessary Official Plan and Zoning By-law amendments, including the necessary Holding provisions; and,

3. That staff be directed to do all things necessary to give effect to the recommendations in this report; and,
4. That Kerigan Kelly, of Groundswell Urban Planners Inc., 95 Mural Street, Suite 402, Richmond Hill, ON, L4B 3G2, be notified of this action.

5.5 Atkins Drive and Quick Street All-way Stop Request

1. That the report entitled Atkins Drive and Quick Street All-way Stop Request dated February 24, 2020 be received; and,
2. That an All-Way Stop at the intersection of Atkins Drive and Quick Street not be implemented at this time; and,
3. That the Town monitor the intersection as the community continues to build out; and,
4. That school boards be notified of the school bus routing and be asked to implement improvements to student access to the school buses to reduce crossing of streets; and,
5. That York Regional Police be notified of the speeding issues to plan increased enforcement; and,
6. That the Town continue to apply Category 1 traffic calming measures to educate motorists to comply with the speed limits; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.6 Dover Crescent and Burford Street All-way Stop Control Request

1. That the report entitled Dover Crescent and Burford Street All-way Stop Control Request dated February 24, 2020 be received; and,
2. That the existing stop controls remain; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.7 London Road and Harewood Boulevard All-way Stop Control Request

1. That the report entitled London Road and Harewood Boulevard All-Way Stop Control Request dated February 24, 2020 be received; and,
2. That the existing stop controls remain; and,
3. That Staff be authorized and directed to do all things necessary to give effect

to this resolution.

5.8 Non-Warranty Repairs and Regular Maintenance of Central York Fire Services Apparatus

1. That the report entitled “Non-Warranty Repairs and Regular Maintenance of CYFS Apparatus” dated February 24, 2020 be received; and,
2. That a non-competitive acquisition be approved to a maximum of \$125,000.00 in accordance with the Procurement By-Law; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

5.9 City of Richmond Hill Resolution - Regional Consolidation of Fire Services

The Strategic Leadership Team/Operational Leadership Team recommend:

1. That the correspondence from the City of Richmond Hill regarding Richmond Hill Resolution – Member Motion submitted by Regional and Local Councillor Perrelli regarding Regional Consolidation of Fire Services be received.

5.10 Item from draft Accessibility Advisory Committee Meeting Minutes of January 16, 2020

The Strategic Leadership Team/Operational Leadership Team recommend that the following motion be referred to the Appointment Committee:

1. That the Accessibility Advisory Committee recommend to Council that the Terms of Reference be amended to increase their membership by 2, for a total of 10 members.

5.11 Audit Committee Meeting Minutes of June 18, 2019 and October 7, 2019

1. That the Audit Committee Meeting Minutes of June 18, 2019 and October 7, 2019 be received.

5.12 Newmarket Economic Development Advisory Committee Meeting Minutes of December 3, 2019

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of December 3, 2019 be received.

5.13 Outstanding Matters List

1. That the Outstanding Matters List be received.

6. Action Items

7. Reports by Regional Representatives

8. Notices of Motions

9. Motions

9.1 Support of Never Forgotten National Memorial Foundation

Note: At the Council Meeting of February 10, 2020, Council directed staff to prepare a motion in support of the Never Forgotten National Memorial Foundation for consideration by Committee of the Whole.

Whereas the residents of Newmarket have a proud tradition of honouring those who made the supreme sacrifice on behalf of Canada in armed conflicts across the world; and,

Whereas the Never Forgotten National Memorial Foundation has been established to develop commemorative programming, exhibits and monuments at a site on Cape Breton Island as a place of remembrance and thanks for those brave individuals who lost their lives so far from home; and,

Whereas the Foundation is seeking the endorsement of businesses, agencies, government organizations, and individuals across Canada to bring life to this important national memorial;

Now therefore be it resolved:

1. That the Council of the Town of Newmarket supports efforts to develop the Never Forgotten National Memorial and so advises Mr. Tony Van Bynen, Member of Parliament, the Honourable Christine Elliott, Member of the Legislative Assembly of Ontario, the Federation of Canadian Municipalities and all municipalities in Ontario.

10. New Business

11. Closed Session (if required)

12. Public Hearing Matter

None.

13. Adjournment



Recommendations for Procedure By-law Review 2018-2022 Term of Council

Committee of the Whole

February 24, 2020

Presented by: Kiran Saini, Deputy Town Clerk

Presentation Outline

- Background
- Key Themes
 - Recommendations & Proposed Changes
- Consultation & Survey Results
- Conclusion & Next Steps

Background

- The Municipal Act requires all Councils to adopt a Procedure By-law.
- Significant updates have not been made since 2015.
- Workshop held in October 2019 identified a review once per term is a best practice.

Key Themes in Review

Housekeeping
&
Best Practices

Modernization
& Trends

Transparency

Highlights from Housekeeping & Best Practices

- Use of gender neutral language
- Reports by Regional Representatives at Council only
- Clarity for what is “New Business”:
 - Statutory time requirement
 - An emergency
 - Time sensitive
- Motions section on agenda clarified: “Motions where notice has already been provided”

Highlights from Housekeeping & Best Practices Cont'd

- Recorded votes are upon request of a Member
 - Members visually show how they vote by raising their hands during meetings
- Notice of motion form developed to assist Members

Highlights from Modernization & Trends

- Expansion in use of Council Information Package:
 - Advisory Committee Minutes (endorsement motions will still be considered at Committee of the Whole)
 - Memos or other communications from staff
 - Links to information reports that were circulated in that distribution period
- Land acknowledgement at every regular Council meeting beginning June 2020

Highlights from Modernization & Trends Cont'd

- Deputations regarding staff performance, labour relations, ongoing legal proceedings or solicitation of business not permitted. Anyone under 18 years old will need to provide their parent/guardian's permission (live streaming privacy concerns).
- Outstanding Matters List will now be presented on a quarterly basis & will include additional information on any timeline changes.

Highlights from Transparency

- Continuous improvement for closed session items
 - Internal tracking & further use of website
- Members encouraged to submit petitions directly to the Clerk for inclusion on an agenda
- Electronic Participation in Meetings only for Accessibility Advisory Committee

Announcements & Community Events

- Announcements will be visually displayed at the beginning of Council during Open Forum.
- Member representatives will have the opportunity to provide Advisory Committee Updates
 - Greater linkage between Council and Advisory Committees

Council Survey

- Members of Council surveyed on 3 options for meeting schedule
 - Option 1: Status Quo (evening Council meetings)
 - Option 2: Daytime Council meetings with 12:30 PM start time
 - Option 3: Daytime Council meetings with 1:00 PM start time
- Majority of Council Members prefer daytime Council meetings

The Public Addressing Council & Committee of the Whole

- Council
 - 8 Deputations
 - 6 Presentations
- Committee of the Whole
 - 44 Deputations
 - 19 Presentations

Data from:

December 1, 2018 to September 30, 2019

Considerations for Daytime Council Meetings

1. More individuals address Committee of the Whole than Council.
2. All Newmarket Council and Committee of the Whole meetings are livestreamed and archived on the Town's
3. Addressing Council formally in-person is no longer the primary method of engagement:
 - Email, social media, telephone, Public Information Centres, surveys & at community events or meetings.
4. 9-to-5 is no longer considered the “normal” working day.
5. Evening meetings would continue to be scheduled for significant public interest matters.
6. More Staff are present during the day to be able to answer questions from Members of Council.
7. Attending evening meetings can be challenging during the winter months.

Daytime Council Meetings in the Greater Toronto Area

- More & more Ontario municipals are trending towards meeting during the day.
- Brampton, London, Mississauga, Toronto, Vaughan & York Region all meet during the day.
- Since the October 2019 Workshop Oshawa, Markham & Richmond Hill have all changed to daytime meetings.

Conclusion & Next Steps

- Staff seeking Council approval of new Procedure By-law.
- One-year trial period for new meeting schedule.

Next Steps:

- Communication & outreach with the public
 - Governance “101” & how to communicate with Council
- Updating Advisory Committees of changes

Questions & Discussion



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

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

Procedure By-law Review for 2018-2022 Term of Council Staff Report to Council

Report Number: 2020-16

Department(s): Legislative Services

Author(s): Kiran Saini, Deputy Town Clerk

Meeting Date: February 24, 2020

Recommendations

1. That the report entitled Procedure By-law Review for 2018-2022 Term of Council dated February 24, 2020 be received; and,
2. That Council approve the revised 2020 meeting schedule (**Attachment 1**) effective March 3, 2020 for a one-year trial period, and:
 - a. All regular Council meetings begin at 1:00 PM;
 - b. All regular Committee of the Whole meetings begin at 1:00 PM;
 - c. All regular Site Plan Review Committee meetings begin at 10:00 AM;
 - d. All regular Council Public Planning meetings be scheduled at 7:00 PM; and,
3. That staff be directed to report to Council in Q2 2021 on the feedback received following the one-year trial period of the new meeting schedule and daytime Council meetings; and,
4. That Council repeal By-laws 2015-50, 2016-43, 2017-75, as amended, and replace with the attached Procedure By-law (**Attachment 2**); and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

This report forms the Procedure By-law review for the 2018-2022 term of Council and serves to formalize the proposed amendments that were presented to Council at a Workshop in October 2019. This report highlights some of the key amendments to the By-law and to Council's meeting schedule. In addition to many housekeeping items, this report recommends daytime Council meetings based on the number of deputants that attend these meetings, Council's preference, and the ease of access to the live and archived video streaming for all Council and Committee of the Whole meetings.

Purpose

This report seeks Council's approval to amend the Procedure By-law to reflect the changes that were presented at a Council Workshop, the feedback received at that Workshop and the subsequent survey that was administered to Council.

Background

On October 28, 2019, a Procedure By-law review [Council Workshop](#) was held and indicated that a review of Council's Procedure By-law once per term was considered a best practice. A number of key areas were identified for review or that required update, and were organized into 3 themes: 1) housekeeping & best practices; 2) modernization & trends; and, 3) transparency. These themes emerged following Staff's use of the following guiding principles:

- Newmarket Council is the decision-making body for the Corporation and decision making processes should be:
 - Transparent
 - Conducted in a respectful environment
 - Considerate of all Newmarket residents
 - Considerate of balancing debate with timely decisions; and,
 - Considerate of budget and human resource impacts
- Stakeholder feedback is important and Council receives input through a variety of in-person and online channels
- Procedure rules should facilitate sound decision-making and be easy to understand.

Discussion

Attachment 2 is the proposed amended Procedure By-law. The following highlights many of the changes in this new By-law.

Housekeeping & Best Practice Updates

- The By-law was re-organized to assist with readability and the functionality of the By-law.

- Gender neutral language is now being used throughout the By-law and pronouns such as “his” and “her” have been removed.
- The Appointment Committee is an example of a committee made up of 3 Members of Council and has experienced awkwardness of having both a mover and seconder for each motion. As such, the Procedure By-law has been amended to stipulate that Committees of 3 or less only require a mover for a motion.
- Council motions are no longer required for additional or corrected items that have been properly published to a revised agenda. Motions will still be required for any additional or corrected items following the publishing of the revised agenda the Thursday proceeding the meeting.
- Reports by Regional Representatives will now only be made at Council.
- The motions section of the By-law has been clarified to note that these are procedural motions, and does not dictate the types of motions that can be moved under the “motions” order of business on an agenda.
- There is greater clarity under the New Business section to provide criteria for items that may be introduced by a Member under this section. The By-law now states that Members of Council, under New Business, may present a motion if it is a statutory time requirement, an emergency, or time sensitive. Members are always encouraged to provide notice, wherever possible to allow sufficient notice to the public and other Members of their intent to introduce a matter for consideration.
- A new Notice of Motion form has been developed for use by Members when providing their motion in writing to the Clerk (see **Attachment 3**). Members are encouraged to provide this completed form to the Clerk for inclusion under the Notice section on the regular agenda.
- The inaugural meeting of a newly elected Council and the matters it considers at its first meeting are articulated in the By-law.
- The revised agenda publishing timeframe is provided for in the By-law (it is made available on the Thursday immediately preceding the Committee of the Whole meeting).
- To support effective meeting management, recorded votes at Council will now be only upon the request of a Member of Council, instead of for every motion. The Town’s previous agenda management software had an online searchable database; however, the current electronic agenda management system does not have this feature. As Members vote by raising their hands on every item, the public can easily see the manner in which a Member voted through the live and archived video stream.

Modernization & Trends

- After every 2 hours of meeting time, the Mayor can recess the meeting for 15 minutes in support of health and wellness. Flexibility to accommodate no recess with Members’ consensus has been incorporated into the By-law.
- A land acknowledgement will be read prior to the beginning of every regular Council meeting. The statement will be developed in consultation with members

from the Indigenous community and will be prepared prior to the Council meeting in June 2020.

- Deputations regarding staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be heard by Council or Committee. Individuals younger than 18 years old will need to provide their parent or guardian's consent prior to being approved to formally address Council. This practice is recommended as individual names form part of the official meeting record and are indexed by search engines on the internet, and because meetings are all live streamed and archived on the Town's website.
- In previous regular election years staff have reported to Council to recommend that no Council, Committee of the Whole or Advisory Committee meetings take place in the month of October due to the election occurring in that month. Staff are recommending a formalization of that into the By-law to state that no regular meetings will be held after Thanksgiving Day until the inaugural meeting of the new Council. This means there will be, at minimum, one month period where there are no meetings being held.
- The Outstanding Matters List will be included on the Committee of the Whole agenda on a quarterly basis, and additional information on timelines and staff comments will be included to ensure that both Council and the public are aware of staff's intended timeline to bring certain items forward.

Transparency

- After further consultation with staff from Ajax (currently the only community that staff is aware that completes an annual closed session report), staff were advised that their current process and report is subject to lengthy delays for review by legal and senior management staff due to competing priorities.
 - To support enhanced transparency in Newmarket, staff have commenced tracking relevant information (such as closed and open motions, when motions were made public) related to the items that are considered in closed session. Staff believe that internal tracking is a critical component of continued proactive disclosure and dissemination of information to the public, whenever possible. An example of the proactive measures that staff currently undertakes would be the Clock Tower agreements that were proactively made publically available online. Additionally, following receipt of a Freedom of Information request, the Town will make those same requested documents publically available online. There will be continued improvements to the confidential staff reports regarding key points and information that can be made available (recognizing that many confidential matters are no longer confidential after a certain point in time).
- Members may submit any petitions they receive directly to the Clerk prior to the regular agenda being published. This means that the petitions will form part of the agenda, which will provide greater transparency around when these matters are considered by Council.
- The Procedure By-law was updated to clarify that the Electronic Participation in Meetings Policy only applies to the Newmarket Accessibility Advisory Committee. Thus far, the Committee has not used this Policy, but it remains an additional

accessibility enhancement. There was feedback from the Workshop regarding Members of Council and their ability to participate electronically at Council and/or Committee of the Whole meetings. While the legislation permits this participation, it restricts members from counting towards quorum, which means they can only participate in the discussion on various matters. Electronic participation for Members of Council during Council and Committee of the Whole meetings would also require the management of significant technological components as these meetings are live-streamed. There would also need to be further investigation with the Town's audio-visual and agenda management system providers to understand whether the live-stream could integrate with a video or phone call with a Member of Council who is participating remotely so that the public watching from home could see and/or hear what the remote participant is saying. Further to the technological challenges, staff are not aware of any Greater Toronto Area municipalities that allow their Members of Council to participate remotely through electronic means at Council or standing committee meetings.

- The Council Information Package has been expanded to include the following:
 - Memoranda or other forms of communication from staff that are for information
 - Links to Information Reports that were circulated within that distribution period
 - Advisory Committee Minutes (resolutions that require Council endorsement or support will still be directly listed on the appropriate agenda)

Meeting Schedule (Attachment 1)

Traditionally, Council meetings have been held in the evening; however, more and more municipalities are holding their Council meetings during the day instead of the evening. Staff cited the following reasons for moving towards daytime Council meetings:

1. More individuals address Committee of the Whole than Council (this suggests that individuals make themselves available on matters which they consider important).
 - Between December 1, 2018 and September 30, 2019; 44 deputations were heard at Committee of the Whole versus 8 deputations at Council.
2. All Newmarket Council and Committee of the Whole meetings are livestreamed and archived on the Town's website at newmarket.ca/meetings. This means that anyone can watch meetings and the decisions made at a time that is convenient for them.
3. Addressing Council formally in-person is no longer the primary method of engagement (the public engages Council through email, on social media platforms, via telephone, at Public Information Centres, through surveys, and through informal in-person opportunities at community events or meetings). Additionally, the public has the option to submit written comments to Council in-lieu of an in-person address.

4. Working 9-to-5 is no longer considered the “normal” working day.
5. In consultation with the Mayor and CAO, evening meetings would continue to be scheduled for significant public interest matters. For example, an evening Committee of the Whole meeting was held for consideration of retail cannabis stores in Newmarket.

Since the Workshop was held, Markham, Oshawa and Richmond Hill have all made decisions to move towards daytime Council meetings.

In addition to the reasons listed above, Oshawa Council recognized that “attending evening meetings is a challenge for many members of the public, especially during the winter months.” Other Ontario municipal Councils that meet only during the day include: Brampton, London, Mississauga, Toronto, Vaughan and York Region.

Council Survey

Staff surveyed Council on three different options for meeting times.

Option 1 - Status Quo

Option 2 - Moving to daytime Council meetings with a 12:30 PM start time

Option 3 - Moving to daytime Council meetings with a 1:00 PM start time

The majority of Members surveyed prefer daytime Council meetings.

- Council Members provided comments as part of the survey and a few indicated that they would support reverting back to the 1:30 PM start time to allow for a full morning of meetings or attending to other matters.

Statutory Public Planning meetings would be a standalone meeting

In support of the majority of Council’s recommendations, which staff support, the evening public planning meetings would become Council meetings, with their own formal agenda. This will support transparency and clarity for members of the public who are looking for when certain development applications will be considered by Council.

Community Awards and Recognitions

In consideration of moving to daytime Council meeting, staff reviewed the number of Community Award Recognition since 2017 for external recipients and have found only two regular award presentations: 1) the High School Art Contest; and 2) the Heritage Art Contest.

As these award programs are both organized by Recreation & Culture, Staff recommend that these awards be presented at the Newmarket Celebrates the Arts event. This event is held annually in autumn, with the ceremony taking place in the evening, and

celebrates local achievements in the arts sector. As most of the awards recipients for the High School Art Contest are returning students, absences due to students leaving for post-secondary education should not be a major factor. An opportunity for a reception prior to or after the formal awards portion of the ceremony will be considered as part of all 2020 award ceremonies.

If Council would prefer an alternative event to the Newmarket Celebrates the Arts option, hosting a small reception in Council Chambers similar to the Newmarket Sports Hall of Fame induction ceremonies is a viable option.

This change in process will not preclude any organization from making a request that their recognition occur at Committee of the Whole or at Council.

Staff recommend daytime Council meetings as a one-year pilot project

Attachment 1 depicts staff's recommendation, which supports daytime Council meetings for a one-year trial basis. This would allow staff to compile feedback and report to Council on the findings of the same.

One of the considerations of daytime Council meetings would be that more staff are present and are available to answer any questions from Members of Council. Additionally, there is a linkage to continuous improvement on service levels, which was identified as part of [Council's Strategic Priority of Long-Term Financial Sustainability](#). There is an opportunity to divert the additional hours in the evening into regular working hours for staff, and thereby reducing the lieu time or overtime hours incurred by support staff.

Announcements & Community Events

Members of Council will typically use this portion of the Council agenda to provide verbal updates or communicate events that will be happening in the near future. Many of these events are also promoted by Corporate Communications through various channels such as social media, the Town's website and in the newspaper.

Staff recommend using a different model to support announcement & publication of community events at Council meetings. This would be through visual display of events and information on how residents can "get involved". For example, staff would use the display in the Council Chambers to promote the fact that Council is recruiting members for an Advisory Committee whenever there is a vacancy. This information would be pushed out through the live stream during the Open Forum portion of the agenda, which means it would benefit the audience sitting in the Council Chambers as well as those watching from home.

Corporate Communications will continue to provide Council with Toolkits for large public engagements

As with past high-profile engagements, Corporate Communications will share social media content with Council Members to use in distributing to their own networks (e.g. Council Toolkit).

In addition, Council Members can continue to retweet and share social media posts from the Town's corporate Twitter and Facebook accounts. Information on upcoming events in the community are included in the [Town Page](#), which can easily be shared or distributed in electronic and hard copy formats.

Advisory Committee Updates

To build greater awareness around the work that is being undertaken by Advisory Committees, staff proposes that a section of the Council agenda be dedicated for Council member representatives to provide updates on the same. Currently, the Advisory Committee minutes are received at Committee of the Whole for information purposes, but there is rarely discussion on these past meetings. This section of the Council agenda would be treated much the same as the "Reports by Regional Representatives" section of the meeting. Legislative Services staff support all Advisory Committees, and would also support Member representatives by providing updates to Councillors to read aloud during a Council meeting.

Conclusion

This report makes several recommended changes to Council's Procedure By-law. Following adoption of the new By-law, staff will undertake a process to educate Council, staff and the public on any changes. Additionally, staff will work on a public education campaign focusing on how the public can engage with Council.

Business Plan and Strategic Plan Linkages

This report aligns with one of Council's actions of creating an environment for an engaged, accessible and inclusive community through meeting efficiencies. Additionally, this report aligns with Council's Strategic Priority of Long-Term Financial Sustainability as moving to daytime Council meetings would mean fewer overtime hours being incurred by staff having to stay in the evenings to support meetings.

Consultation

The Strategic Leadership Team, Operational Leadership Team as well as staff from Corporate Communications and Recreation and Culture were consulted as part of this report.

Procedure By-laws from the cities of Brampton, Markham, Mississauga, Oshawa, Ottawa and Richmond Hill were reviewed as part of this report.

Council Members were surveyed as to their preference in moving Council meetings to the daytime, and the feedback from the Workshop discussion were all used to form staff's recommendations.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 – Revised Council and Committee of the Whole Meeting Schedule 2020

Attachment 2 – Draft Procedure By-law

Attachment 3 – Notice of Motion Form

Approval

Lisa Lyons, Director of Legislative Services/Town Clerk, Legislative Services

Esther Armchuk, Commissioner of Corporate Services, Corporate Services

Contact

For more information, please contact Kiran Saini at ksaini@newmarket.ca



Attachment 1 – Revised 2020 Meeting Schedule

Town of Newmarket 2020 Schedule of Meetings

Draft Document Until Approved by Council

March 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
1	2 2:00 PM – SPR 7:00 PM – CL	3	4	5	6	7
8	9	10	11	12	13	14
15	16 March Break	17 March Break	18 March Break	19 March Break	20 March Break	21
22	23 1:00 PM – CoW	24	25	26	27	28
29	30 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	31				

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

April 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
			1	2	3	4
5	6	7	8	9	10 Good Friday Town Offices Closed	11
12	13 Easter Monday Town Offices Closed	14 1:00 PM – CoW	15	16	17	18
19	20 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	21	22	23	24	25
26	27	28	29	30		

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

May 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
					1	2
3	4 1:00 PM – CoW	5	6	7	8	9
10	11 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	12	13	14	15	16
17	18 Victoria Day Town Offices Closed	19	20	21	22	23
24	25 1:00 PM – CoW	26	27	28	29	30
31						

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

June 2020

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
	1 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	2	3	4 Federation of Canadian Municipalities (FCM) Conference	5 FCM	6 FCM
7 FCM	8	9	10	11	12	13
14	15 1:00 PM – CoW	16	17	18	19	20
21	22 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	23	24	25	26	27
28	29	30				

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

July 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
			1 Canada Day Town Offices Closed	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

August 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
						1
2	3 Civic Holiday Town Offices Closed	4	5	6	7	8
9	10	11	12	13	14	15
16 Association of Municipal- ities of Ontario (AMO)	17 AMO	18 AMO	19 AMO	20	21	22
23	24 1:00 PM – CoW	25	26	27	28	29
30	31 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)					

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

September 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
		1	2	3	4	5
6	7 Labour Day Town Offices Closed	8	9	10	11	12
13	14 1:00 PM – CoW	15	16	17	18	19
20	21 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	22	23	24	25	26
27	28	29	30			

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

October 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
				1	2	3
4	5 1:00 PM – CoW	6	7	8	9	10
11	12 Thanksgiving Town Offices Closed	13 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	14	15	16	17
18	19	20	21	22	23	24
25	26 1:00 PM – CoW	27	28	29	30	31

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

November 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
1	2 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	3	4	5	6	7
8	9	10	11	12	13	14
15	16 1:00 PM – CoW	17	18	19	20	21
22	23 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	24	25	26	27	28
29	30					

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Town of Newmarket 2020 Schedule of Meetings

December 2020						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
		1	2	3	4	5
6	7 1:00 PM – CoW	8	9	10	11	12
13	14 10:00 AM – SPR 1:00 PM – CL 7:00 PM – CL Public Planning Matter(s)	15	16	17	18	19
20	21	22	23	24 Town Offices close at 12:00 PM	25 Christmas Day Town Offices Closed	26
27	28 Boxing Day Town Offices Closed	29 Soft close	30 Soft close	31 Soft close		

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 3:00 PM

SPR – Site Plan Review

Unless otherwise indicated, all meetings are held in the Council Chambers at 395 Mulock Drive.

Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to govern the proceedings of council and committee meetings.

Whereas Section 238(2) of the Municipal Act, 2001 provides that every municipality shall pass a procedure by-law for governing the calling, place, and proceedings of Meetings; and,

Whereas the Council of the Town of Newmarket considers it necessary to enact a by-law in this regard and to repeal Procedure By-law Number 2015-50, and amending By-laws 2016-43, 2017-75; and now,

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

Table of Contents

Part 1 – General Provisions	3
1. Application and Interpretation	3
2. Principles of the Procedure By-law	3
3. Suspension of Rules	4
4. Definitions	4
5. Administrative Authority of Clerk	6
Part 2 – Meetings	6
6. Inaugural Meeting of Newly Elected Council	6
7. Regular Meetings	7
8. Location and Schedule of Meetings	7
9. Special Council or Committee of the Whole Meetings	7
10. Emergency Council or Committee of the Whole Meetings	7
11. Workshop Meetings	8
12. Cancellation or Postponement of Meetings	8
13. Late Arrival	8
14. Notice of Meetings	8
15. Notice of Meetings Closed to the Public	9
16. Invalidation of Notice of Meeting	9
17. Quorum	10
18. Open & Closed Meetings	10
19. Preparation of Agendas of Council & Committee of the Whole	12

20. Preparation & Availability of Agendas of Other Committees	13
21. Availability of Agendas of Council & Committee of the Whole	13
22. Record of Meetings (i.e., Minutes)	13
23. Public Record	14
24. Recording, Broadcasting and/or Streaming Meetings	14
25. Electronic Meeting Participation	14
Part 3 – Order of Proceedings	15
26. Order of Business – Committee of the Whole	15
27. Order of Business – Council	15
28. Order of Business – Council Public Planning	16
29. Open Forum	16
30. Additional Items & Corrections to Agendas	16
31. Conflict of Interest Declarations	17
32. Presentations & Recognitions	17
33. Deputations at Meetings of Council & Committee of the Whole	17
34. Further Notice	18
35. Deputations & Public Input at Meetings of Other Committees	18
36. Correspondence	18
37. Council Information Package	19
38. Petitions	19
39. Motions from Other Municipalities & Organizations Requesting Endorsement	20
40. Reports by Regional Representatives	20
41. Reports by Advisory Committee Representatives	20
42. Staff Reports	20
43. Adoption in a Single Motion (i.e., Consent Agenda)	20
44. Information Reports	20
45. New Business	21
46. Notice of Motion	21
47. By-laws	22
48. Majority Vote	22
Part 4 – Duties and Conduct	22
49. Chair of Meeting	22
50. Appointment to Committees and Boards	22
51. Duties of the Chair	23
52. Acting Mayor	24
53. Members	25

54. Attendees	26
55. Right of Public Input & Notice	26
56. Rules of Debate	27
57. Point of Order	27
58. Point of Personal Privilege	28

Part 5 – Motions 28

59. Motions – Impact on Corporate Resources	28
60. Motions in General	28
69. Reconsideration of a Matter	31
71. Voting	32
72. Tie Vote	32
73. Recorded Vote	32

Part 1 – General Provisions

1. Application and Interpretation

- a) This By-law (referred to as the “Procedure By-law”) establishes the rules of order for Council and Committee Meetings.
- b) The rules of order contained in this Procedure By-law set out the rules of order for the dispatch of business in Council and Committee Meetings.
- c) A word in this By-law expressed in the singular has a corresponding meaning when used in the plural.
- d) Any future amendment(s) to the Municipal Act or other legislation as noted in this by-law that may alter the sections and sub-sections of the legislation referenced will not affect the validity of the by-law or any part thereof.
- e) In the event of conflict between this Procedure By-law and legislation, the provisions of the legislation prevail.
- f) A specific statement or rule in this Procedure By-law has greater authority than a general one.
- g) If there is a conflict between two or more rules in this Procedure By-law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the Clerk, rely on previous rulings and practices, or refer to Bourinot's Rules of Order.

2. Principles of the Procedure By-law

- a) The principles of openness, transparency and accountability to the public guide the Town’s decision-making process. In the context of Council and other Committee proceedings, this is accomplished by:
 - i) Ensuring the decision-making process is understood by the public and other stakeholders;

- ii) Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-law and other statutory requirements;
 - iii) Exercising and respecting individual and collective roles and responsibilities provided for in this Procedure By-law and other statutory requirements.
- b) The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals to have the opportunity to participate.
- c) The principles of parliamentary law governing Council and Committee Meetings include:
 - i) The majority of Members have the right to decide;
 - ii) The minority of Members have the right to be heard;
 - iii) All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - iv) All Members have a right to an efficient Meeting;
 - v) All Members have the right to be treated with respect and courtesy; and,
 - vi) All Members have equal rights, privileges and obligations.

3. **Suspension of Rules**

- a) Rules of order provided for in this Procedure By-law may be suspended by a Two Thirds vote of Council or a Committee, with the exception of the following circumstances:
 - i) Where required by law;
 - ii) Contractual agreements binding the Town;
 - iii) Amending this Procedure By-law; and,
 - iv) Quorum requirements.

4. **Definitions**

In this Procedure By-law:

“Bourinot's Rules of Order” means Stanford, Geoffrey (1995-05-08) Bourinot's Rules of Order: A Manual on the Practices and Usages of the House of Commons of Canada and on the Procedure at Public Assemblies, Including Meetings of Shareholders (4 ed.), ISBN 978-0-7710-8336-5, or a subsequent edition of the same;

“CAO” means the Chief Administrative Officer of the Town or their designate;

“Chair” means the Presiding Officer of Council or a Committee;

“Clerk” means the Director of Legislative Services/Town Clerk or their designate;

“Code of Conduct” means a by-law to establish a Council Code of Conduct, as amended from time to time;

“Commissioner” means a Commissioner of the Town or their designate;

“Committee” means a Committee, Board, Task Force or other body constituted and appointed by Council, including the Committee of the Whole, with the exception of the Newmarket Public Library Board;

“Committee of the Whole” is a Committee of Council comprised of all Members of Council that serves as the principle forum for the consideration of recommendations and public input on matters of Council business prior to consideration by Council;

“Confirmatory By-law” means a by-law passed for the purpose of giving general effect to a previous decision or proceeding of Council;

“Council” means the Council of the Town of Newmarket;

“Friendly Amendment” means the motion under debate is amended with the consent of the mover and seconder, and without the requirement for an amending motion to be made;

“Local Board” means a body as defined by the Municipal Act;

“Majority” means more than half of the Members present, or:

- a) If 9 Members present: 5
- b) If 8 Members present: 5
- c) If 7 Members present: 4
- d) If 6 Members present: 4
- e) If 5 Members present: 3

“Mayor” means the Mayor of the Town;

“Meeting” means any regular, special or other meeting of Council, of a local board or of a Committee of either of them, where;

- a) A quorum of members is present, and,
- b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee;

“Member” means a Member of Council or a Committee;

“Municipality” means the Corporation of the Town of Newmarket;

“Municipal Office” means the Town’s administrative office at 395 Mulock Drive, Newmarket, Ontario;

“Notice” means written Notice, except where legislation, by-law or Corporate Policy provides for another form and manner of Notice;

“Offending Member” means a Member who has been found by the Chair or by Council or by a Committee to have disobeyed a rule in this Procedure By-law or a Chair’s ruling;

“Petition” means a formal written request that appeals to Council with respect to a particular issue as set out in this Procedure By-law;

“Police” means an officer(s) of the York Regional Police Service or their designate(s);

“Property” in Section 18 a) i) is defined broadly to include physical, financial and intellectual property, among other things;

“Public Planning” means a Meeting held pursuant to the Planning Act or other statute;

“Quorum” means the number of Members required for the legal conduct of the business of Council or a Committee. In the case of Meetings of Council and Committee of the Whole, quorum is five (5) Members;

“Recording Secretary” means the person designated to record the minutes of a Committee meeting;

“Solicitor” means the Director of Legal & Procurement Services/Municipal Solicitor or their designate;

“To receive” means to acknowledge the receipt of a matter before Council or a Committee, with no expectation of any future action being taken;

“Town” means the Corporation of the Town of Newmarket;

“Two Thirds” means 2/3 of the Members present, or:

- a) 2/3 of 9: 6
- b) 2/3 of 8: 6
- c) 2/3 of 7: 5
- d) 2/3 of 6: 4
- e) 2/3 of 5: 4

5. Administrative Authority of Clerk

- a) The Clerk is authorized to amend by-laws, minutes and other Council and Committee documentation for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings.

Part 2 – Meetings

6. Inaugural Meeting of Newly Elected Council

- a) Subsequent to a regular election, the inaugural Meeting of a newly elected Council is held at a date and time fixed by the Clerk after the Members of Council take office. It shall be held

on the date as prescribed in the Municipal Act, or such other date as determined by the Clerk.

- b) At the Inaugural Meeting of the Council, the only business to be brought before the meeting shall be the following:
 - i) Declarations of Office; and
 - ii) Any other ceremonial proceedings related to the inauguration of Council.

7. Regular Meetings

- a) Regular Meetings of Council or a Committee shall be held in accordance with the schedule/calendar adopted by Council or Committee, except when otherwise directed by a resolution of Council or Committee
- b) Notwithstanding subsection a) above, in the year of a municipal election, no meetings of the Council or Committees shall be held after the Wednesday following Thanksgiving Day, until the inaugural meeting of the new Council.

8. Location and Schedule of Meetings

- a) Meetings of Council and Committee of the Whole take place at the Municipal Office or at another location adjacent to the Municipality or as provided for in the Municipal Act, 2001, as amended when Notice is given.
- b) Council approves a schedule of regular Meetings of Council and Committee of the Whole for each calendar year, which may be amended. The schedule of Meetings is made available to the public on the Town's website and from the Municipal Office.
- c) The Meeting schedule of all other Committees is determined by its Members, in accordance with each Committee's terms of reference and/or prescribed mandate.

9. Special Council or Committee of the Whole Meetings

- a) A special Meeting of Council or Committee of the Whole may be called by the Mayor or, by the Mayor in consultation with the CAO, at any time. A special Meeting of Council or Committee of the Whole is limited to business matters included in the Notice of Meeting.
- b) When the Clerk receives a petition signed by a majority of the Members of Council, a special Meeting of Council or Committee of the Whole is called for the purpose and time identified in the Petition. The Petition shall include:
 - i) Original signatures of Members; and,
 - ii) A clear statement of the purpose of the special Meeting.

10. Emergency Council or Committee of the Whole Meetings

- a) Notwithstanding any other provision in this Procedure By-law, the Mayor may, at any time, call or provide Notice of an emergency Meeting of Council or Committee of the Whole. An

emergency Meeting of Council or Committee of the Whole is limited to business matters included in the Notice of Meeting.

11. Workshop Meetings

- a) The Mayor and/or CAO may convene a workshop Meeting for Members of Council to discuss issues in an informal venue. With the exception of Procedural Matters, no motions are passed, no decisions are made, and is an opportunity for Council to have informal discussion regarding various matters.
- b) Minutes describing, in general terms, the proceedings and the subject matter discussed is made at all workshop Meetings and placed on a future Council agenda to be received only for the purposes of information.

12. Cancellation or Postponement of Meetings

- a) A regular, special, or emergency Meeting of Council or Committee of the Whole or a workshop Meeting of Council may be cancelled or postponed where Quorum cannot be achieved, by Council resolution, in the event of an emergency, or where the Meeting is no longer required, as deemed by the Mayor and/or CAO.
- b) The Clerk gives Notice on the Town's website and time permitting, through The Town's regular page in the local newspaper of a cancellation or postponement of a regular, special, or emergency Meeting of Council or Committee of the Whole or a workshop Meeting. Where time is limited, a Notice is posted at the main entrance to the Municipal Office.
- c) Meetings of other Committees may be cancelled or postponed by the Clerk, Recording Secretary, Chair or other assigned person where Quorum cannot be achieved, by Committee resolution, or in the event of an emergency.

13. Late Arrival

- a) If a Member arrives late at a Meeting, any prior discussion is not reviewed without the consent of the Members present.

14. Notice of Meetings

- a) The Clerk gives Notice of a Meeting of Council or Committee of the Whole by:
 - i) Providing Council with a regular agenda on each Thursday preceding a Meeting day of Council and each Thursday ten days in advance of a Meeting day of a Committee of the Whole.
 - ii) Providing Council with a revised agenda on each Thursday preceding the Meeting day of the Committee of the Whole.
 - iii) Including regular Meetings of the Joint Council Committee (Central York Fire Services).
- b) The Clerk, Recording Secretary or other assigned person gives Notice of Meetings of other Committees by:

- i) Providing an agenda to Committee Members one week prior to the Meeting.
 - ii) Time permitting, using the Town's website to indicate the date and time of the Meeting of the Committee.
- c) The Clerk gives Notice of special Meetings of Council or Committee of the Whole by:
 - i) Providing Council with an agenda in person, by telephone, by mail, or electronic mail at least 24 hours prior to the Meeting.
 - ii) Using the Town's website to indicate the date and time of the special Meeting of Council or Committee of the Whole, and time permitting, on the Town's regular advertising page in the local newspaper that indicates the date and time of the special Meeting of Council or Committee of the Whole.
- d) The Clerk gives Notice of emergency Meetings of Council or Committee of the Whole by:
 - i) Providing Notice to Council in person, by telephone, by electronic mail, or in the form of an agenda that indicates the date and time of the Meeting and general nature of the matters to be discussed.
 - ii) Posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the Meeting and general nature of the matters to be discussed.
- e) The Clerk gives Notice of workshop Meetings of Council by:
 - i) Providing, at least 24 hours in advance, Notice to Council in person, by telephone, by mail or electronic mail that indicates the date and time of the workshop Meeting and the general nature of the matters to be discussed.
 - ii) Using the Town's website to indicate the date and time of the workshop, and time permitting, on the Town's regular advertising page in the local newspaper that indicates the date and time of the workshop.

15. Notice of Meetings Closed to the Public

- a) Where a matter may be considered by Council or a Committee for discussion in closed session, wherever possible, written Notice will include:
 - i) The fact that the Meeting will be closed to the public as provided by the appropriate legislation;
 - ii) The general nature of the matter to be considered at the closed Meeting.

16. Invalidation of Notice of Meeting

- a) If a Meeting Notice is substantially given, but varies from the form and manner provided in this Procedure By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.

17. Quorum

- a) Members of Council will attempt to advise the Clerk at least two days in advance if unable to attend a Meeting of Council, Committee of the Whole or a workshop Meeting. If Quorum cannot be met, the Meeting is cancelled and Council is advised by the Clerk.
- b) If no Quorum is present within fifteen (15) minutes after the time appointed for a Meeting of Council, Committee of the Whole or a workshop Meeting, the Clerk records the names of the Council Members present and the Meeting is adjourned until the date of the next regular Meeting.
- c) Where there is an insufficient number of Members of Council present to achieve Quorum at a Meeting of Council, Committee of the Whole or a workshop Meeting due to a provision of the Municipal Conflict of Interest Act, the remaining Members of Council shall constitute Quorum, provided such number is not less than two (2).
- d) Members of other Committees will attempt to advise, at least two days in advance, the Clerk, Recording Secretary, Chair or other assigned person if unable to attend a Committee Meeting. If Quorum cannot be met, the Meeting is cancelled and the Committee is advised by the Clerk, Recording Secretary, Chair or other assigned person.
- e) If no Quorum is present within fifteen (15) minutes after the time appointed for a Meeting of another Committee, the Meeting is adjourned until the date of its next regular Meeting. Remaining Committee Members may have an informal discussion on matters, but no motions are passed or actions taken. The Clerk, Recording Secretary or other assigned person will not be required to remain for the informal discussion.

18. Open & Closed Meetings

- a) All Meetings of Council or a Committee are open to the public. As provided for in the Municipal Act, Council or a Committee may resolve into a session closed to the public in order to discuss matters related to one or more of the following:
 - i) The security of the property of the Municipality or Local Board;
 - ii) Personal matters about an identifiable individual, including municipal employees or local board employees;
 - iii) A proposed or pending acquisition or disposition of land by the Municipality or Local Board;
 - iv) Labour relations or employee negotiations;
 - v) Litigation or potential litigation, including matters before administrative tribunals affecting the Municipality or Local Board;
 - vi) Advice that is subject to Solicitor-client privilege, including communications necessary for that purpose;

- vii) A matter in respect of a Council, Board, Committee or other body may hold a closed Meeting under an Act other than the Municipal Act;
 - viii) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - ix) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - x) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - xi) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board; or,
 - xii) The Meeting is held for the purpose of educating or training Members, provided that no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council or a Committee.
- b) Council or a Committee shall also resolve into a Meeting closed to the public for the following purposes:
- i) A request under the Municipal Freedom of Information and Protection of Privacy Act, if the Council, board, commission or other body is the head of an institution for the purposes of that Act; or,
 - ii) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, and Ombudsman referred to in subsection 223.13 (1) of the Municipal Act, 2001, or the investigator referred to in subsection 239.2 (1) of the Municipal Act, 2001.
- c) Before holding a Meeting or part of a Meeting closed to the public, Council or a Committee approves a motion, stating the following:
- i) The fact that the Meeting will be closed to the public as provided by the appropriate legislation; and,
 - ii) The general nature of the matter to be considered at the Meeting closed to the public.
- d) Voting during Meetings Closed to the Public

No vote will be taken at a Meeting which is closed to the public, unless:

- i) The subject matter relates to an issue as described in Section 18 a) of this Procedure By-law; and,

- ii) The vote is for a procedural matter, or for giving directions or instructions to officers, employees or agents of the Municipality, or persons retained by or under contract with the Municipality.
- e) Reporting Out & Confidentiality of Closed Session Discussions
 - i) A summary of any discussion held in closed session and any required vote will occur following the closed session discussion of Council or a Committee Meeting. In the case of Committee of the Whole Meetings, communication of closed session discussions will occur at Council Meetings.
 - ii) The summary of closed session discussion and vote will provide sufficient detail without detrimentally affecting the confidentiality of the matter(s) discussed in closed session and the position of the Municipality.
 - iii) No Member shall disclose or discuss, through written, electronic or verbal communication, to any individual or corporate third party, any information that has been or will be discussed at a closed session meeting of Council or a Committee until such time that Council or a Committee has determined or has been advised by staff that the matter, or any part of the matter, can be made public subject to review by the Head or designate under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) or if directed to do so by a court.
- f) Application of Open & Closed Meeting Provisions to all Committees
 - i) The provisions of Section 239 of the Municipal Act and Sections 18 a), b), and c) of this Procedure By-law apply to all Committees.
- g) Closed Meeting Investigation
 - i) A person may request that an investigation be undertaken to determine whether Council or other Committee complied with the requirements of the Municipal Act and this Procedure By-law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by completing and submitting the prescribed form, which is available on the Town's website or from the Municipal Offices.
 - ii) If the report of a Closed Meeting Investigation finds that a meeting or part of a meeting appeared to be improperly closed to the public, contrary to section 239 of the Municipal Act or this Procedure By-law, Council shall pass a resolution stating how it intends to address the report.

19. Preparation of Agendas of Council & Committee of the Whole

- a) The CAO and their staff are charged with providing guidance and recommendations to Council related to municipal business, and to implement the decisions of Council.
- b) The Clerk provides an administrative process to support the approval, preparation, Notice, publication and distribution/public

access to agendas and agenda items, following approval by the CAO and/or Commissioner.

20. Preparation & Availability of Agendas of Other Committees

- a) The Clerk, Recording Secretary, Chair or other assigned person prepares and makes public an agenda for Meetings of other Committees in the order, timeframe and manner established by the Committee.

21. Availability of Agendas of Council & Committee of the Whole

- a) Council agendas are generally made available to the public on the Thursday immediately preceding the Meeting.
- b) Committee of the Whole agendas are generally available to the public on the Thursday, ten (10) days prior to the Meeting.
- c) A revised agenda for Committee of the Whole is generally available to the public on the Thursday immediately preceding the Meeting.
- d) Council Public Planning Matters agendas are generally made available to the public on the Thursday immediately preceding the Meeting.

22. Record of Meetings (i.e., Minutes)

- a) The Clerk records the minutes of Meetings of Council and Committee of the Whole without note or comment. The minutes record:
 - i) The date, time and location of the Meeting;
 - ii) The name of the Chair and a record of the attendance at the Meeting;
 - iii) The name and nature of presenters and deputations;
 - iv) All resolutions, decisions and other proceedings of the Meeting; and,
 - v) Administrative references, including by-law, report, motion and policy indexes.
- b) Minutes of each Meeting of Council are presented to the subsequent regular Meeting of Council for approval.
- c) Time permitting, minutes of Meetings of Committee of the Whole are submitted to the next regular Meeting of Council, for consideration of the recommendations.
- d) Approved minutes of Council and minutes of Committee of the Whole will be posted on the Town's website as they become available.
- e) Minutes of other Committees, as designated by Council, are submitted to Committee of the Whole for Council receipt or approval of recommendations.

- f) The receipt of minutes from other Committees by Council does not constitute endorsement by the Town of any recommendations or actions contained therein.

23. Public Record

- a) All communications that the Clerk receives about a matter on the agenda of a public or open Meeting will form part of the public record. Personal information and opinions in communications are part of the public record unless the author of the communication requests the removal of their personal information when submitting it, or where confirmed by the Clerk.

24. Recording, Broadcasting and/or Streaming Meetings

- a) All Council, Committee of the Whole, Council Public Planning, Site Plan Review Committee and Committee of Adjustment Meetings may be audio and/or visually recorded, broadcast and/or streamed publically by the Town, with the exception of proceedings closed to the public provided for in Section 9 of this Procedure By-law.
- b) Attendees using their own recording, broadcasting and/or streaming devices are encouraged to inform the Clerk or Recording Secretary to ensure attendees at the Meeting are notified through the Chair.

25. Electronic Meeting Participation

- a) Only Members of the Town's Accessibility Advisory Committee may participate through electronic means in a Meeting of that Committee, and:
 - i) Members may only participate in meetings open to the public using electronic communication, in accordance with the Electronic Participation in Meetings Policy, as amended from time to time.
 - ii) Members participating through electronic communication shall not be counted towards quorum.
 - iii) Members cannot participate through electronic communication during a meeting that is closed to the public in accordance with Section 239 of the Municipal Act, 2001, as amended.
 - iv) The Clerk may provide for administrative procedures for facilitating electronic participation in meetings.

Part 3 – Order of Proceedings

26. Order of Business – Committee of the Whole

- a) The business of Committee of the Whole is dealt with in the order stated on the published agenda, unless Committee of the Whole consents to changing the order.
- b) The order of business for the Committee of the Whole is set out in the agenda as follows, where provided for:

Additions & Corrections to the Agenda

Conflict of Interest Declarations

Presentations & Recognitions

Deputations

Consent Items

Action Items

Notices of Motion

Motions where notice has already been provided

New Business

Closed Session (if required)

Adjournment

27. Order of Business – Council

- a) The business of Council is dealt with in the order stated on the published agenda, unless Council consents to changing the order.
- b) The order of business of Council is set out in the agenda, as follows, where provided for:

Open Forum

Land Acknowledgement

Public Notices (if required)

Additions & Corrections to the Agenda

Conflict of Interest Declarations

Presentations & Recognitions

Deputations

Minutes

Reports by Regional Representatives

Reports from Advisory Committee Representatives

Consent Items and Recommendations from Committees

By-laws

Notices of Motion

Motions where notice has already been provided

New Business

Closed Session (if required)

Confirmatory By-law

Adjournment

28. Order of Business – Council Public Planning

- a) The order of business of Council Public Planning Meetings is set out in the agenda, as follows, where provided for:

Public Statement

Notice of Application(s)

Additions & Corrections to the Agenda

Conflict of Interest Declarations

Presentations

Deputations and Correspondence

Confirmatory By-law

Adjournment

29. Open Forum

- a) Open Forum occurs fifteen (15) minutes prior to the formal portion of a Council Meeting, and any individual may address Council to make informal inquiries or to comment on matters of municipal business. Persons speaking at the Open Forum are limited to five (5) minutes each. Generally, up to three (3) individuals may be heard at the Open Forum at one Meeting.
- b) Generally, no motions are passed related to matters raised during Open Forum.
- c) The general nature of the Open Forum discussion is captured in the Minutes of the Meeting.

30. Additional Items & Corrections to Agendas

- a) Council and Committee of the Whole are required to consent to the introduction of additional or corrected items that have been added or amended following the publishing of a revised agenda.
- b) The Clerk provides, as required, a summary of the additional items and advises of any corrections to the Meeting of Council or Committee of the Whole.

31. Conflict of Interest Declarations

- a) Members are required to make conflicts of interest declarations in accordance with the requirements of the Municipal Conflict of Interest Act and/or other relevant legislation.

32. Presentations & Recognitions

- a) Presentations include staff or parties invited by staff or other government agency presentations to Council or Committee of the Whole on matters of interest to the Town, as well as awards, certificates, grants and other recognitions presented to/by the Town. Such presentations are received or presented by the Chair.
- b) Presentations may be up to ten (10) minutes. The consent of Council or Committee of the Whole is required to extend a presentation beyond ten (10) minutes.

33. Deputations at Meetings of Council & Committee of the Whole

- a) An individual may make a deputation at a Meeting of Council or Committee of the Whole related to an item of business on the agenda.
- b) An individual who is under eighteen (18) years of age must provide to the Clerk written permission from the individual's parent or guardian.
- c) An individual may make a deputation at a Meeting of Council or Committee of the Whole related to any matter of municipal business or community interest within sixty (60) days of submitting the prescribed form to the Clerk, available on the Town's website or at the Municipal Offices.
- d) If there is no available Council or Committee of the Whole meeting available within sixty (60) days of submitting the prescribed form to the Clerk, it will be scheduled at the earliest opportunity thereafter.
- e) The Clerk's determination of when a deputation will be scheduled under subsections 33 c) and d) of this By-law is final.
- f) Despite the rules in subsections 33 a) through e) of this By-law:
 - i) Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council, except for matters which have not been approved through the regular Committee of the Whole and Council reporting cycle or upon a vote in the affirmative of two thirds of the Members present;
 - ii) Deputations related to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be considered by Council or a Committee.
- g) Individuals who request to make a deputation may be encouraged by a Councillor or senior staff to consider resolving an issue or concern with staff in lieu of, or prior to, submitting a deputation request.

- h) Should an individual wish to have their name and the purpose of their deputation published in an agenda, they are required to complete the prescribed form and have it submitted in accordance with the agenda publishing timeframes established by the Clerk.
- i) Deputations are limited to five (5) minutes. A limit of five (5) deputations will be considered at a Meeting of Council or Committee of the Whole. The consent of Council or Committee of the Whole is required to extend a deputation beyond five (5) minutes and to consider more than five (5) deputations. There is no limit on the number of deputations at Council Public Planning Meetings.
- j) Members of Council and Committee of the Whole are permitted to ask the individual making a deputation questions only for clarification and to obtain additional relevant information.

34. Further Notice

- a) Should an individual wish to be provided with further Notice related to a matter of business before Council or Committee, they are required to indicate this wish to the Clerk on the prescribed further notice request form. These forms are available on the Town's website or at the Municipal Offices.

35. Deputations & Public Input at Meetings of Other Committees

- a) Other Committees may put in place practices and procedures to hear deputations and public input related to matters relevant only to their specific mandates.

36. Correspondence

- a) Where correspondence has been requested to be included on a Council or Committee of the Whole agenda or on the request of a Member of Council to the Clerk, correspondence is placed on the agenda for a regular Meeting of Committee of the Whole. Where required due to urgency or timing, correspondence may be considered directly by Council as an item of New Business.
- b) Staff may prepare recommendations related to the matter for Council's consideration.
- c) Council and staff will direct, to the Clerk, correspondence clearly intended to be considered as part of an agenda of Council or Committee of the Whole.
- d) The Clerk is required to verify whether it is the intent of an individual to include their correspondence on a public agenda. For reasons of privacy, irrelevant personal information will be severed from correspondence. General correspondence between Councillors or staff, and constituents or stakeholders, will not be included unless the Clerk is satisfied it was clearly the individual's intent to include their correspondence on a public agenda.
- e) Correspondence related to items already decided on by Council will form a part of the Clerk's records and be circulated to Members of Council, but not placed on an agenda.

- f) Correspondence must be legible and not contain any defamatory statements. Anonymous correspondence will not be acknowledged, circulated, or placed on an agenda.
- g) The Council's receipt of correspondence does not constitute endorsement of the correspondence by the Town of any recommendations it may contain or actions it may advocate.

37. Council Information Package

- a) The Clerk will periodically prepare and post a package of information items on the Town's Website for the reference of Council and the public, including:
 - i) Correspondence intended for the information of Council or Committee only, unrelated to an item of Council or Committee business or which is not requested to be included as part of a Council or Committee of the Whole agenda;
 - ii) Advisory Committee minutes that do not contain resolutions requiring Council endorsement or support;
 - iii) Resolutions from municipalities outside of York Region and requests for endorsement or action from other organizations;
 - iv) Resolutions from municipalities within York Region that do not require Council endorsement or support;
 - v) Communications from staff that do not require a decision by Council or a Committee, including routine reporting on delegated matters, follow up on matters raised at a Meeting, status reports on Town initiatives and the like;
 - vii) Approved proclamation, lighting and community flag raising requests.
- b) Subject to the Clerk's agenda publishing deadlines, any Member may request the Clerk to place an item included in the Council Information Package on the agenda that the Clerk determines is appropriate in relation to the item's subject matter.

38. Petitions

- a) Petitions may be submitted to the Clerk prior to the regular agenda being published, and will include a minimum of two (2) persons and their respective addresses, and a clear statement of purpose for the Petition.
- b) The request conveyed in the Petition will be considered by Committee of the Whole for disposition. Where required due to urgency or timing, Petitions may be considered directly by Council as an item of New Business.
- c) For reasons of privacy, the names and addresses included with the Petition will be provided to Members of Council, but not published in an agenda of the Committee of the Whole or Council.

- d) Staff may prepare recommendations related to the matter for Council's consideration.
- e) The Town is not accountable for the accuracy or reliability of Petitions that are submitted.

39. Motions from Other Municipalities & Organizations Requesting Endorsement

- a) Motions from other York Region municipalities are placed on the agenda for a regular Meeting of Committee of the Whole. Where required due to urgency or timing, motions from other York Region municipalities and organizations that request endorsement or action by Council may be considered directly by Council as an item of New Business.
- b) Staff may prepare recommendations related to the matter for Council's consideration.
- c) The Council's receipt of motions from other York Region municipalities does not constitute endorsement by the Town of any recommendations or actions they may contain.

40. Reports by Regional Representatives

- a) Representatives of the Town on Regional Council provide a verbal or written report at regular Meetings of Council on matters of interest to the Town.

41. Reports by Advisory Committee Representatives

- a) Council representatives on Advisory Committees may provide a verbal or written report at regular Meetings of Council on matters of interest to the Town.

42. Staff Reports

- a) In accordance with established administrative protocols, reports prepared by staff are submitted in writing to the Clerk and distributed with the agenda for the applicable Meeting of Council or Committee.
- b) Reports prepared by staff members contain information and recommendations prepared in the context of their professional, technical and administrative expertise independent of any particular political, constituent or stakeholder interest.

43. Adoption in a Single Motion (i.e., Consent Agenda)

- a) One or more report items on a Committee or Council Agenda may be adopted in a single Motion. At a Meeting, any Member may request that an item which is part of a Single Motion be debated and voted on separately.

44. Information Reports

- a) An information report is prepared for the information of Council and generally relates to a matter considered at Council or Committee of the Whole, or is a matter of Town business.
- b) An Information Report does not contain recommendations.

- c) An Information Report requested by Council or Committee of the Whole will be in the form of a motion.
- d) Information Reports are circulated directly to Council Members and made available to the public on the Town's website. Information Reports are not published on a Committee of the Whole or Council agenda unless a Member of Council makes such a request to the Clerk. Where required due to urgency or timing, Information Reports may be considered directly at Council as an item of New Business.
- e) Confidential Information Reports are not made available to the public on the Town's website and may only be placed on a Committee of the Whole or Council agenda if the nature of the confidential information satisfies the closed meeting requirements of this By-law.

45. New Business

- a) Any Member of Council or a Committee, at any Meeting, may present and introduce any matter of New Business during the New Business portion of the Meeting, and shall have regard to the following guidelines:
 - i) Members are encouraged to raise operational matters prior to the Meeting through the CAO, Commissioner or appropriate staff member;
 - ii) Members are discouraged from raising substantive policy matters, in particular consideration of corporate policies or by-laws; and,
 - iii) Members of Council are discouraged from presenting motions, without prior notice, under New Business, unless it is:
 - i. A statutory time requirement;
 - ii. An emergency; or,
 - iii. Time sensitivity.

46. Notice of Motion

- a) A Member of Council provides verbal Notice of their intention to introduce a motion at a Meeting of Council or Committee of the Whole, which will include the general purpose of the proposed motion.
- b) Following verbal Notice, the Member of Council will provide the proposed motion to the Clerk, in writing using the prescribed form, for inclusion in a regular agenda of Committee of the Whole or Council, as indicated by the Member.
- c) The CAO or staff may be requested to comment on the motion raised in this Section, but no staff report will be prepared unless the motion is referred to staff for a further report.
- d) It is the duty of the Member of Council to:
 - i) Prepare the proposed motion in writing.

- ii) Submit the proposed motion to the Clerk prior to the publication deadline for the regular agenda of the Committee of the Whole.
- iii) Ensure the content of the proposed motion allows for it to be published on a public agenda.

47. By-laws

- a) All by-laws shall be given first, second and third readings in a single motion by Council.
- b) A Confirmatory By-law is enacted at each Meeting of Council.
- c) Every by-law adopted by Council is done so under the seal of the Corporation of the Town and signed by the Clerk or Deputy Clerk, and the Mayor or Acting Mayor, or in the absence of both, the alternate Acting Mayor.
- d) The following types of by-laws may be presented directly to Council, without the requirement for a staff report:
 - i) Those directed to be presented directly to Council by Committee of the Whole or Council;
 - ii) Appointment of staff authorized by the CAO;
 - iii) Consolidation of by-laws or housekeeping amendments;
 - iv) General by-laws where the purpose and intent of the by-law has been clearly authorized by a previous resolution;
 - v) Public highway dedication by-laws;
 - vi) Minor amendments resulting from changes to provincial enabling legislation; and,
 - vii) Other administrative by-laws deemed appropriate by the CAO.

48. Majority Vote

- a) Unless this Procedure By-law states otherwise, a matter passes when a Majority of Members present vote in the affirmative.

Part 4 – Duties and Conduct

49. Chair of Meeting

- a) The Chair of a Meeting of Council, Committee of the Whole or a workshop Meeting is the Mayor. In the absence of the Mayor, the Acting Mayor is Chair as provided for in Section 52 of this Procedure By-law.
- b) The Chair and any Vice Chairs of other Committees are appointed from among their Members.

50. Appointment to Committees and Boards

- a) Appointments of Members and other representatives of the Town to other Committees and boards and organizations shall be approved by vote of Council.

51. Duties of the Chair

- a) The Chair is responsible for, where applicable:
 - i) Chairing the Meeting in an objective manner in accordance with this Procedure By-law;
 - ii) Enforcing the rules of order in this Procedure By-law;
 - iii) Enforcing order and good behaviour of all Members at all times;
 - iv) Announcing the business before Council or a Committee and the order in which it is to be considered;
 - v) Receiving, stating and framing all motions presented to clarify their intent as moved;
 - vi) Ruling on whether a motion is in order;
 - vii) Protecting Council or a Committee from a motion that is obviously frivolous or tending to cause delay by refusing to acknowledge the motion;
 - viii) Providing information to Members on any matter related to the business of Council or a Committee;
 - ix) Deciding all questions of order at the Meeting, subject to an appeal by any Member to the Council or a Committee on any question of order in respect to business before the Council or a Committee;
 - x) Deciding to acknowledge, and ruling on, whether a Point of Order or Point of Personal Privilege is in order;
 - xi) If a Point of Order or Point of Personal Privilege is in order, ruling on the Point of Order or Point of Personal Privilege and giving the facts, circumstances and reasons for the ruling as set out in this Procedure By-law;
 - xii) If there is an appeal to the ruling of the Chair, announcing the results of the vote;
 - xiii) If necessary, recessing a Meeting for a brief, specified time to consult the Clerk, the CAO or other staff person;
 - xiv) If there is a threat or imminent threat to the health or safety of any person, or if there is a possibility of public disorder, recessing the Meeting for a specified time;
 - xv) Ensuring that all Members who wish to speak on a motion have spoken;
 - xvi) Ensuring clarity, where required, by reading, or requesting the Clerk, Recording Secretary or other appropriate person to read motions before voting;
 - xvii) Putting all motions to a vote and announcing results;

- xviii) Voting on all matters unless the Municipal Conflict of Interest Act prohibits it;
- xix) Declining to put to a vote any motion which contravenes this Procedure By-law;
- xx) Calling Members to order;
- xxi) Ordering a Member, or any other person from the Meeting, in accordance with this Procedure By-law;
- xxii) Adjourning the Meeting when the business of the Meeting has concluded;
- xxiii) Authenticating, when necessary, by their signature, all by-laws, resolutions, and minutes; and,
- xxiv) Recessing the meeting after two (2) hours has passed since the last recess, unless there is unanimous consent to continue without such.

52. Acting Mayor

- a) When the Mayor is absent through illness or absent from the Municipality, the Deputy Mayor & Regional Councillor serves as Acting Mayor.
- b) The Acting Mayor has, and may exercise all the rights, powers, and authority of the Mayor as Head of Council.
- c) In the event that both the Mayor and Deputy Mayor & Regional Councillor are absent through illness or absence from the Municipality, an alternate Acting Mayor is determined as follows:
 - i) The alternate Acting Mayor is the Ward Councillor in ascending order of Ward number for each calendar month, starting with Ward 1, following the organization of Council in each new term of Council, based on their availability.
 - ii) The Clerk will prepare a calendar outlining the monthly assignment of alternate Acting Mayors in accordance for the term of Council for distribution to Council Members, CAO, and Commissioners.
 - iii) Where a Councillor is not available to serve as alternate Acting Mayor, the alternate Acting Mayor will be the next available Councillor in ascending sequential order.
 - iv) Availability is to be provided in writing to the Clerk, and the Clerk's determination of an alternate Acting Mayor is final.
 - v) The Clerk provides, as required, Notice by electronic mail to Council Members, CAO, and Commissioners when the Acting Mayor and alternate Acting Mayor assume the duties of the Mayor.
 - vi) The alternate Acting Mayor has all the rights, powers, and authority of the Mayor as Head of Council.

53. Members

- a) Members are responsible for, where applicable:
 - i) Attending scheduled Meetings;
 - ii) Carefully considering and making decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;
 - iii) Voting on motions put to a vote;
 - iv) Respecting the rules of order in this Procedure By-law;
 - v) Listening attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order or Point of Personal Privilege, as set out in this Procedure By-law;
 - vi) Remaining silent in their seats while Council or a Committee votes and until the Chair announces the result of the vote;
 - vii) Refraining from using any offensive, disrespectful or unparliamentary language about any Member, municipal employee, Meeting attendees and Council or a Committee as a whole;
 - viii) Respecting and following the decisions of Council or a Committee;
 - ix) Respecting the confidentiality of matters discussed in closed session Meetings and not disclosing the subject or substance of these discussions unless authorized to do so;
 - x) Complying with the Chair's rulings and Council's decisions; and
 - xi) Complying with the Council Code of Conduct.
- b) If a Member disobeys a rule in this Procedure By-law or a Chair's ruling:
 - i) After the first occurrence, the Chair calls the Member to order.
 - ii) After the second occurrence, if the Member continues to disobey this Procedure By-law or the Chair's ruling, the Chair will immediately order the Member to leave his/her seat and observe the Meeting from the audience for the remainder of the Meeting.
 - iii) Any Member other than the Offending Member may appeal the Chair's ruling in ii), and Council or a Committee may overturn or uphold the Chair's ruling. Should the Chair's ruling be overturned, the Offending Member may return to his/her seat.
 - iv) If the Offending Member informs the CAO or a Commissioner that they wish to apologize, the Clerk will inform the Chair of the Member's request.
 - v) At the next available opportunity in the Meeting, the Chair will allow the Offending Member to return to their seat to

apologize to Council or a Committee. The apology will not include additional comments or debate by the Offending Member or by Council or a Committee.

- vi) After an apology is made by the Offending Member, Council or a Committee may consent to allow the Offending Member to return to the Meeting.
- vii) Should at any point the Offending Member create a disturbance while seated in the audience in ii), the Chair will order the Offending Member to leave the Council chamber or meeting room.
- viii) Council cannot appeal and the Offending Member cannot seek an apology from Council for the Chair's ruling in vii).
- ix) If the Offending Member refuses to leave his/her seat or leave the Council chamber or meeting room in vii), the Chair may request the CAO to contact security or Police for assistance.

54. Attendees

- a) The Chair may expel or exclude any person who disrupts a Meeting, and request security and/or Police assistance in doing so.
- b) No persons, other than Council Members and Town staff, are permitted to approach the area where Council and staff are seated.
- c) Attendees will submit all materials for Council through the Clerk.
- d) Attendees are responsible for:
 - i) Maintaining order and not heckling, or engaging in conversations, displaying placards or props or any behaviour that may be considered disruptive;
 - ii) Speaking respectfully at all times;
 - iii) Ensuring all personal digital devices are turned off or set to a silent mode during a Meeting;
 - iv) Using recording, broadcasting or streaming devices respectfully, and should the Chair direct it, moving or ceasing to use recording, broadcasting or streaming devices.

55. Right of Public Input & Notice

- a) The public has the right to have input and receive Notice on Council's decision-making process. The methods for doing so include: writing to Council through the Clerk; submitting a petition; speaking at an Open Forum; or speaking as a deputation at a Council, Committee of the Whole or other Committee. The public will receive Notice in accordance with the requirements of legislation and this Procedure By-law.

56. Rules of Debate

- a) The Chair maintains a list of Members who have requested to speak or ask questions. The Chair designates Members to speak or ask questions in the order in which they appear on the list.
- b) A Member may speak a total of three (3) times on the same matter for up to five (5) minutes each time. This allotment of time is exclusive of the time required to clarify statements made by the Member and staff responses to questions raised.
- c) The mover and seconder of a motion have the opportunity to speak first to a motion.
- d) When a Member is speaking, no interruptions are permitted except to raise a Point of Order or a Point of Personal Privilege as set out in this Procedure By-law. Clarification on matters is made through the Chair.
- e) Members' comments are relevant to the matter of business before Council or a Committee. Members should avoid comments intended to be statements or assertions.
- f) Members express themselves succinctly without repetition.
- g) Questions may be asked only of:
 - i) The Chair;
 - ii) Staff;
 - iii) A previous speaker; and,
 - iv) A deputation.

57. Point of Order

- a) A Member may interrupt the person who has the floor to raise a Point of Order when such Member feels that there has been:
 - i) A deviation or departure from this Procedure By-law; or
 - ii) A deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion.
- b) Upon hearing such Point of Order, the Chair decides and states their ruling on the matter.
- c) Upon hearing the Point of Order ruling, a Member only addresses the Chair for the purpose of appealing the Chair's decision to the Council or a Committee.
- d) If no Member appeals, the decision of the Chair is final.
- e) If a Member appeals the Chair's ruling to the Council or a Committee, the Member has the right to state their case, the Chair has the right to reply and the Council or Committee decides the question "That the decision of the Chair be sustained" without further debate. The decision of the majority

of the Members of the Council or a Committee who are present is final.

58. Point of Personal Privilege

- a) A Member may rise at any time on a Point of Personal Privilege where such Member feels that the health, safety, rights, or integrity of their own person, the Council, a Committee or anyone present at the Meeting has been called into question by another Member or by anyone present at the Meeting.
- b) Upon hearing such Point of Personal Privilege, the Chair decides and states their ruling on the matter.
- c) Where the Chair rules that a breach of Privilege has taken place, they demand that the offending Member or individual apologize and, failing such apology, requires said Member or individual to vacate the Meeting room for the duration of the Meeting.
- d) With the exception of providing an apology, the Member addresses the Chair for the purpose of appealing the Chair's ruling of a breach of Privilege to the Council or a Committee.
- e) If no Member appeals, the decision of the Chair is final.
- f) If a Member appeals the Chair's ruling to the Council or a Committee, the Member has the right to state their case, the Chair has the right to reply and the Council or Committee decides the question "That the decision of the Chair be sustained" without further debate. The decision of a majority of the Members who are present at the Meeting of Council or Committee is final.

Part 5 – Motions

59. Motions – Impact on Corporate Resources

- a) The CAO will advise on the appropriate means of disposition for matters that make an impact on administration.
- b) Council is not required to pass a motion that makes an impact on corporate resources where a matter:
 - i) Has already been approved by Council;
 - ii) Is considered by the CAO to be minor in nature; and/or,
 - iii) Falls within existing service levels.

60. Motions in General

- a) Every motion in any Meeting of Council or Committee requires a mover and a seconder, subject to the following:
 - i) Committees with 3 or fewer Members only require a motion to be moved.
- b) When duly moved and seconded, every motion, other than a motion to adjourn, recess, table or suspend the rules of this Procedure By-law, is open for discussion.

- c) No debate is permitted on any motion or amending motion until it has been properly seconded.
- d) A motion or amending motion may not be withdrawn without the consent of the mover and seconder.
- e) The Chair of a Meeting of Council or a Committee will not move or second a motion.
- f) All Members of Council or a Committee will vote on all motions except in the instance where the Member refrains from voting on an issue due to the conflict of interest declaration in the matter by the Member. If any Member does not vote, they will be deemed as voting in the negative (except where prohibited from voting by statute).
- g) Where a motion to adjourn, recess, table or suspend the rules of this Procedure By-law has been made, until such motion has been decided upon, there will be no discussion by a Member of Council or a Committee on the matter proposed to be adjourned recessed, tabled or suspended.
- h) When a motion is under debate, no other motion may be considered except for the following motions, to be considered in the listed order of priority:
 - i) To recess;
 - ii) To adjourn;
 - iii) To defer (i.e., postpone) the motion under consideration to a definite date;
 - iv) To defer (i.e., postpone) the motion under consideration indefinitely;
 - v) To table a motion;
 - vi) To refer the motion under consideration to a sub-committee for a report; and,
 - vii) To amend the motion under consideration.

61. Motion to Recess

- a) A motion to recess when other business is before the Meeting :
 - i) Specifies the length of time of the recess; and,
 - ii) Is not to be debatable and is only to be amendable with respect to the length of the recess.

62. Motion to Adjourn

- a) A motion to adjourn means to end a Meeting, and:
 - i) Is not to be amendable; and,
 - ii) Is not to be debatable.

63. Motion to Defer (i.e., postpone)

- a) A motion to defer to a certain time or date:
 - i) Is open to debate as to advisability of postponement; and
 - ii) May be amended as to the time or date to which the matter is to be deferred.

64. Motion to Table

- a) A motion to table means to postpone a matter without setting a definite date for future discussion of a matter. A tabled motion that has not been decided on by Council during the term of Council in which the motion was introduced is deemed to have been withdrawn:
 - i) Is not to be amended or debated; and
 - ii) Applies to the motion and any amendments thereto under debate at the time when the motion to table was made.
- b) A tabled motion is deemed to have been withdrawn if it has not been decided by the Council or a Committee either in the affirmative or the negative during the term of the Council or a Committee in which the motion was introduced.

65. Motion to Refer

- a) A motion to refer a matter under consideration to a Committee or to staff means to direct a matter under discussion by Council or a Committee to staff or another Committee for further examination or review:
 - i) Is to be open to debate and may be amended;
 - ii) Includes the terms on which the motion is being referred and the time at which the matter is to be returned; and
 - iii) Includes the reasons for the referral.

66. Motion to Amend

- a) A motion to amend means to alter a motion in a germane manner:
 - i) Is to be open to debate; and,
 - ii) Is to be relevant to the main motion.
- b) If it is not considered a “Friendly Amendment,” then the motion to amend:
 - i) If more than one, will be put to a vote in the reverse order to that in which they were moved;
 - ii) Will be decided upon or withdrawn before the main motion is put to the vote;

- iii) Will not be amended more than once, provided that further amendments may be made to the main motion; and,
- iv) Will not be directly contrary to the main motion.

67. Motion “To Put the Question to a Vote” or “To call the Vote or Question”

- a) Any Member may request the Chair “To put the question to a vote” or “To call the vote or question” by presenting a motion that the question “now be put to a vote” means to stop debate and immediately proceed to vote on the motion. A motion to put the question to a vote must:
 - i) Be seconded;
 - ii) Is not open to debate;
 - iii) If supported by a majority of the Members present, the original question is immediately put to a vote without debate.

68. Withdrawal of Motion

- a) A request to withdraw a motion:
 - i) May only be made by the mover of the motion;
 - ii) Requires consent of the seconder of the motion; and,
 - iii) Is in order any time during the debate.

69. Reconsideration of a Matter

- a) Committee of the Whole (or by Council, if the matter is considered by Council directly) cannot reconsider a matter until 90 days have passed from the date of the matter’s original disposition by Council, except upon a vote in the affirmative of Two Thirds of the Members present.
- b) Other Committees cannot reconsider a matter until 90 days have passed from the date of the matter’s original disposition except upon a vote in the affirmative of Two Thirds of the Members present.
- c) In a) and b), “considered” means matters for which the Members at the Meeting have decided upon, and does not include the receipt of information where no action has been sought or taken.

70. Motion Containing Two or More Matters

- a) When the motion under consideration concerns two or more matters, the Chair, upon the request of any Member, will direct that the vote upon each matter be taken separately. Such request may also be made by the Chair.

71. Voting

- a) After a motion is finally put to a vote by the Chair, no Member speaks to it nor will any other motion be made until after the vote is taken and the result has been declared.
- b) All Members of Council or a Committee will vote on all motions. Failure by any Member to announce their vote openly and individually, including an “abstention,” is deemed to be a vote in the negative.
- c) Each Member present and voting announces or indicates his/her vote upon the motion openly and individually, and no vote is taken by ballot, or any other method of secret voting.

72. Tie Vote

- a) Any motion on which there is a tie vote is deemed to be lost.

73. Recorded Vote

- a) A recorded vote is only permitted at Council Meetings and only when a Member requests a recorded vote at Council. All Members present at the Meeting shall vote unless they have declared a conflict of interest with respect to that item. The Clerk records each Member’s vote in the minutes.
- b) A Member of Council’s failure to participate in a recorded vote when they have not declared a conflict of interest is deemed to be a negative vote.
- c) A recorded vote at Council Meetings will be taken as set out as follows:
 - i) Each Member indicates their vote by using the electronic voting equipment device in addition to raising their hand when called on by the Chair to vote in favour or in opposition to the matter.
 - ii) Should the electronic voting equipment be unavailable, as described in clause i), each Member announces their vote openly, and the Clerk records their vote in the minutes. Votes are called in an order based upon the seating of the Members, moving clockwise around the Council Chambers, beginning with the mover of the motion. Notwithstanding this order, the vote in every case ends with the Mayor; or,
- d) Notwithstanding recorded votes, a record or notation of a Member’s opposition to an issue is not recorded in any Meeting minutes.
- e) Recorded votes will not be permitted in a Meeting that is closed to the public or at Council Public Planning Meetings.

That By-laws Number 2015-50, 2016-43 and 2017-75 be hereby repealed;
and,

That this By-law come into force on March 3, 2020.

Read a first, second and third time, and finally enacted on March 2, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Motion

Subject: Enter the subject or general matter of this motion.

Member of Council: Select who is moving the motion.

Meeting: Select what meeting the motion will be considered at. Motions are typically considered at Committee, unless it is urgent due to time sensitivity.

Notice Provided on: Enter meeting date.

For Consideration at: Enter meeting date.

In accordance with the Procedure By-law, following verbal Notice [of their intention to introduce a motion], the Member of Council will provide the proposed motion to the Clerk **in writing** for inclusion in a regular agenda of Committee of the Whole.

Background

[Insert background information or “whereas” clauses here, if applicable]

Motion

Now therefore be it resolved:

1. That...; and,
2. That...; and,
3. That....



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

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

Zoning By-law Amendment Application 665-695 Stonehaven Avenue Staff Report

Report Number: 2020-10

Department(s): Planning and Building Services

Author(s): Ted Horton, Senior Planner

Meeting Date: February 24, 2020

Recommendations

1. That the report entitled Zoning By-law Amendment Application – 665-695 Stonehaven Avenue, dated February 24, 2020 be received;
2. That the application for Zoning By-law amendment for lands municipally known as 665-695 Stonehaven Avenue be approved and staff be directed present a By-law to Council for approval generally in accordance with Attachment 1;
3. That Lucila Sandoval of Groundswell Urban Planners, 95 Mural Street, Suite 402, Richmond Hill, L4B 3G2 be notified of this action; and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

The Town has received an application to amend Zoning By-law 2010-40 to add additional permitted uses for the lands known municipally as 665-695 Stonehaven Avenue (the “subject lands”). The application proposes to add day nurseries (daycares) and commercial schools as permitted uses, as they are current prohibited by the zoning by-law. This report recommends that the application be approved and provides the amending zoning by-law to this effect.

Purpose

This recommends approval of the zoning by-law amendment for 665-695 Stonehaven Avenue to amend the existing zoning of Retail Commercial 2 Zone Exception 108 (CR-

2-108) to add day nurseries and commercial schools as permitted uses under the zoning by-law. The report recommends that the application be approved.

Background

History

The subject lands were considered under previous Planning Act applications. In 2009 the Town received zoning by-law amendment application NP-A-09-01, which sought approval for the development of a retirement community consisting of 152 units throughout one 5-storey building and 36 bungalow units. The application was deemed complete and circulated for public consultation. Through the process of consultation, concerns were raised regarding the compatibility of residential and institutional uses in close proximity to the existing industrial uses to the north. In particular, concerns were raised that these sensitive uses could be negatively impacted by noise and vibration from the industrial uses and that allowing these sensitive uses in proximity to the industrial plants would limit the ability of the industrial uses to continue, change, or expand their operations.

In 2011 the Town received Official Plan Amendment application D9-NP11-07 and Zoning By-law Amendment application D14-NP11-07, which sought to amend the Official Plan for the subject lands to a commercial designation and the zoning by-law to allow a retail commercial plaza. Through the process of consultation some residents from the surrounding areas raised concerns of noise and traffic, while others commented positively on the increased availability of retail options in walking distance of their homes. Similarly to the previous applications, representatives of the owners of the industrial properties to the north raised concerns of the potential that sensitive noise receptors such as daycares, schools, and hotels would be located on the site. These representatives raised similar concerns of compatibility of allowing sensitive land uses in proximity to existing industrial facilities. Council approved amending zoning by-law 2012-23, which applied a retail commercial zoning to the site but specifically prohibited commercial schools, day nurseries, hotels, institutional day cares, and places of worship.

In 2012 the Town received an application for site plan approval D11-NP12-03, which sought approval for the layout of the site in a manner that conformed to the zoning by-law. After a technical review, site plan approval was granted, and the property has now been built out with all approved buildings.

Location and surrounding uses

The proposed zoning by-law amendment submitted by Groundswell Urban Planners Inc. on behalf of the owner, Garden Commercial (Newmarket) Inc., concerns a 2.49 hectare property located on the northeast corner of Bayview Avenue and Stonehaven Avenue. The subject lands are irregularly-shaped, with a taper to the east as Stonehaven Avenue curves northward. The site has been developed as a retail

commercial plaza with four buildings. The buildings are currently occupied by a retail pharmacy on the northwest corner, a Tim Horton's with a drive through on the south of the site, and the large building on the east of the site that is occupied by a grocery store.

The subject lands are legally described as Part of Lot 28, Concession 2, Part of Parts 1 & 2, Plan 65R-15778. The subject property is designated 'Commercial' by the Town of Newmarket Official Plan and zoned Retail Commercial 2 Zone Exception 108 (CR-2-108) by Zoning By-law 2010-40, as amended by By-law 2012-23.

Surrounding land uses include:

- North: Large industrial buildings on Newpark Boulevard
- East: The German Canadian Housing of Newmarket Inc. residential development
- South: York Region Police Association open space and recreational lands
- West: Single detached residential neighbourhood

Proposal

The applicant is proposing to amend the zoning by-law for the subject lands to add day nursery (daycare) and commercial school as permitted uses on the subject lands to reverse the prohibition on them that was imposed by the 2012 zoning by-law amendment. The property has previously received site plan approval for the development of the lands, and has been built out with all buildings as approved.

The applicant is proposing certain restrictions on where these uses can be located on the lands in order to comply with the land use compatibility guidelines from the Ministry of the Environment, Conservation, and Parks (MOECP). Based on this guidance, the findings of the supporting studies suggest that the day nursery use be limited to the currently-vacant building on the southwest corner of the subject lands.

Discussion

Decisions on planning matters are required to conform to or be consistent with the policies of superior planning instruments. In the case of an application for a zoning by-law amendment such as this, the decision is required to conform to or be consistent with the Provincial Policy Statement (2014), provincial plans including the Growth Plan for the Greater Golden Horseshoe 2019 (the "Growth Plan"), the York Region Official Plan (YROP), and the Town of Newmarket Official Plan.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with the PPS.

Policy 1.1.1 (b) requires that an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreation, park and open space uses be accommodated to meet long-term needs.

The proposed application would allow for a daycare, which is a high-demand use that serves the surrounding residential neighbourhoods, to be located in close proximity to these homes.

Policy 1.1.1 (c) seeks to avoid development and land use patterns which may cause environmental or public health and safety concerns.

Policy 1.2.6.1 states that *Major facilities* and *sensitive land uses* should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*.

Major facilities are defined to include industries. Sensitive land uses are defined to include day care centres. The PPS clearly indicates a need to ensure that the potential effects of industrial uses on day cares are addressed through buffering and separation, and that care be taken in permitting day cares that they not limit the long-term viability of industrial uses through their presence.

The Growth Plan for the Greater Golden Horseshoe 2019 provides a framework for managing growth in the Greater Golden Horseshoe including: direction on how and where to grow, the provision of infrastructure to support growth, ensuring an appropriate mix of land uses, and protecting valuable heritage systems. All decisions in respect of a planning matter must conform to the Plan. The Growth Plan includes policies that are relevant to this application, including several that are cited below.

Policy 2.2.1.4 of the Growth Plan regarding where and how to grow states that the policies of the Plan will achieve complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;(...)
- e) provide for a more *compact built form* and a vibrant *public realm*, including public open spaces.

Policy 2.2.5 states that municipalities will plan for all employment areas within settlement areas by:

- a) prohibiting residential uses and prohibiting or limiting other *sensitive land uses* that are not ancillary to the primary employment use; (...)
- c) providing an appropriate interface between *employment areas* and adjacent non-employment areas to maintain land use compatibility.

The same policy goes on to state that:

The development of *sensitive land uses, major retail uses or major office uses* will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.

The applicant has submitted studies related to noise & vibration, air quality, and environmental site assessments. These were provided to the appropriate Town staff and consulting professionals for peer review. The Town's consulting engineer peer reviewers concluded that the findings of the applicant are valid, and they concur with the findings of the applicant's consultants.

With the incorporation of mitigation measures such as ensuring the buildings have central heating and cooling and adequate architectural noise controls, the noise impacts will be below the thresholds provided by the MOECP, thereby addressing potential noise compatibility concerns. Through the site plan review process, staff will confirm these are implemented along with improvements to the exterior layout of the site.

York Region Official Plan

The subject lands is designated as "Urban Area" as shown on Map 1 of the York Region Official Plan (YROP), which permits a broad range of residential, institutional, commercial, and industrial uses. The YROP provides objectives to develop commercial sites in a compact form that is pedestrian-oriented and transit-supportive. The YROP supports a mix of uses that allows residents to meet their daily needs in close proximity to their homes.

Planning Staff have circulated the application to the Regional Municipality of York. Comments from the Region are generally as follows:

- The Region has no comments on the application.
- The subject lands are within a Wellhead Protection Area and as such are subject to the applicable policies of the YROP.
- The Region will require a Source Water Protection Impact and Assessment Mitigation Plan or a letter by a qualified professional attesting that none of the proscribed high-risk activities will be occurring on the site.

Town of Newmarket Official Plan

The subject lands are designated 'Commercial' on Schedule A – Land Use in the Town of Newmarket Official Plan. The goals and strategic directions of the Official Plan include supporting employment and economic well-being by achieving opportunities for employment growth.

The Commercial designation of the Official Plan provides for a range of retail and service commercial uses including service commercial uses. The proposed use is conformity with those permitted by this designation. The Official Plan directs the

comprehensive development of lands including internal circulation systems, coordinated access points, and compatible urban design features.

Within the policies of the Official Plan related to employment land uses, the Official Plan indicates that the Town will implement controls such as buffering and separation distances for sensitive land uses to ensure that conflicts between uses are minimized with the priority being given to office and industrial uses.

The applicant has submitted studies related to noise & vibration, air quality, and environmental site assessments, as are discussed above. The conclusions of these studies were peer reviewed and find that the land uses are compatible, and provide recommendations on mitigation measures to assist in limiting any adverse impacts.

Town of Newmarket Zoning By-law 2010-40

The subject lands are currently zoned Retail Commercial 2 Zone Exception 108 (CR-2-108) and the applicant has proposed to amend the by-law to remove the site-specific prohibition on day nurseries and commercial schools.

The Official Plan requires that in considering an amendment to the Zoning By-Law, Council shall be satisfied that:

- a.** the proposed change is in conformity with this Plan;

The inclusion of day nursery and commercial school uses is common within commercially-designated areas. These uses were prohibited on this site due to concerns of compatibility, as is discussed above. The review of the applicant's materials has demonstrated that, with the incorporation of several noise mitigation measures, that the site is expected to be within acceptable noise compatibility limits and that no health impacts are anticipated from the adjacent employment uses.

- b.** the proposed use is compatible with adjacent uses, and where necessary, buffering is provided to ensure visual separation and compatibility between uses;

As discussed above, the compatibility of the uses is dependent in part on the submitted studies related to noise, vibration, and air quality. Staff are satisfied by the submitted studies that this compatibility can be achieved. The Environmental Protection Act requires that a Record of Site Condition be required to be filed with the Ministry of the Environment, Conservation, and Parks (MOECP) before a building permit can be issued for the daycare.

- c.** potential nuisance effects upon adjacent uses are mitigated;

As discussed above, the compatibility of the uses is dependent in part on the submitted studies related to noise, vibration, and air quality. The potential nuisance effects of noise, vibration, and air quality on the daycare have been reviewed. Similarly, staff are

conscious of the importance of not limiting the viability of the industrial uses through the introduction of nearby sensitive land uses. Opportunity was provided for the owners of the employment lands to the north to indicate concerns with the establishment of a sensitive land use on this site and no such comments were provided.

d. adequate municipal services are available;

Servicing for the site has been reviewed as part of the original site plan approval application. Engineering Services has recommended that this be confirmed as part of the minor site plan amendment that is required, and the recommendations of this report would secure this obligation.

e. the size of the lot is appropriate for the proposed use;

The size of the lot is adequate for the proposed uses.

f. the site has adequate road access and the boundary roads can accommodate the traffic generated;

The site has driveway access directly onto Bayview Avenue, which is under the jurisdiction of the Regional Municipality of York. The Region has expressed no concern with the traffic that may be generated by this site. The existing commercial site permits a range of uses by right that can be expected to generate similar amounts of traffic.

g. the on-site parking, loading and circulation facilities are adequate;

The applicant has provided reports and studies in support of this application including a site plan, concept landscape plan, arborist report, and initial reports on servicing, grading, and stormwater management. A further study of daycare parking demand was undertaken at staff's request to confirm the anticipated parking demand for the daycare can be accommodated on the site, which has demonstrated to staff's satisfaction that this is the case.

h. public notice has been given in accordance with the Planning Act.

Notice was provided in accordance with the *Planning Act* and a statutory public meeting was held on November 25, 2019.

Adjacent uses

As is discussed above, the subject lands have residential uses to the west and east, open space to the south, and industrial lands to the north. These industrial uses are continuing, lawful uses that comply with the Town's zoning by-law and Official Plan.

The Regional Municipality of York is currently undergoing a Municipal Comprehensive Review (MCR). This review includes the consideration of requests for the conversion of

employment lands to other purposes. Through item 5.9 of the June 17th, 2019 Committee of the Whole, Council adopted staff recommendations to support a request from the agent of the owners of 520, 521, 550, and 630 Newpark Boulevard that their lands be permitted to be converted from employment lands to a mix of residential, office, retail, and open space uses. The recommendation was made, in part, based on a recognition that the surrounding lands are becoming more residential in nature. The Region has not concluded its MCR or rendered a final decision on the employment conversion request.

Site Plan Application

The site was granted site plan approval in 2012. The initial approval contemplated a bank with a drive through for the corner building that is now proposed for the day care.

If Council grants the proposed zoning by-law amendment, the applicant will be required to undertake a minor amendment to the site plan. Through this process, staff will ensure that issues identified through the review of this application are addressed such as ensuring pedestrian safety and providing proper landscape buffering for daycare outdoor play areas.

Conclusion

The application acceptably meets the policies of the Official Plan, conforms to or does not conflict with the York Region Official Plan, Growth Plan for the Greater Golden Horseshoe, and Provincial Policy Statement.

Staff recommend the approval of the application, subject to the by-law attached as Attachment 1. Final detailed review of the outstanding matters can take place during the minor amendment to the site plan agreement in order to ensure that the Record of Site Condition is filed and the minor changes to the layout of the site are reviewed.

Business Plan and Strategic Plan Linkages

Economic Leadership and Job Creation

Supporting the evolving composition of Newmarket through careful consideration of planning applications helps to manage the changing patterns of development and density in a manner that maximizes economic opportunity and liveability

Consultation

Community Consultation

Notice was provided to surrounding property owners and signs placed on the property in accordance with the Planning Act. A statutory public meeting was held on November 25, 2019. No residents spoke to the application at the meeting.

A limited number of comments were received by staff in writing from residents related to the application. These were focused principally on ensuring the safe separation of the play area from traffic, and concerns that the traffic flow of the site be optimized for the new use. These comments were considered by staff and have influenced this recommended approval, the elements of the attached approval by-law, and the minor changes that will be required to the site, implemented through a subsequent minor amendment to the site plan.

Agency Circulation

Notice was provided to development review partners and public bodies per the Town's usual practice. These comments have been considered by Planning staff and form the basis of this recommended approval, the elements of the attached approval by-law, and the minor changes that will be required to the site, implemented through a subsequent minor amendment to the site plan.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Required application fees were received with the submission of this application.

Attachments

Attachment 1: Amending Zoning By-law

Approval

Ted Horton, Senior Planner

Adrian Cammaert, Acting Manager, Planning Services

Jason Unger, Acting Director, Planning & Building Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

Ted Horton

thorton@newmarket.ca

Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to Amend Zoning By-law 2010-40, with respect to the lands located at 665-695 Stonehaven Avenue, Newmarket.

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas the Council of the Town of Newmarket has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

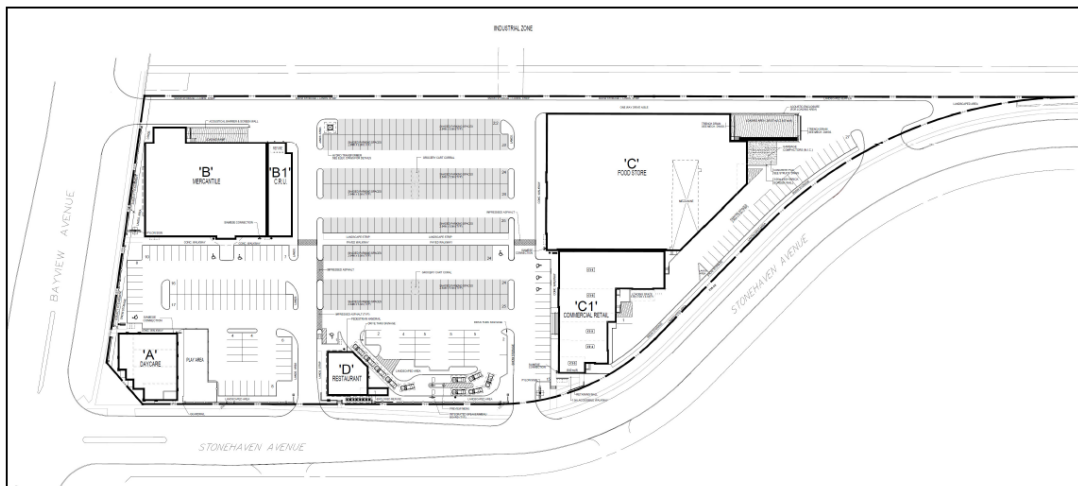
Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas it is deemed advisable to amend By-law Number 2010-40;

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto.
2. THAT By-law 2010-40 as amended is hereby further amended by:
 - a. Exception 108 be amended as follows:

Exception	Zoning	Map	By-Law Reference	File Reference
108	CR-2-108	19	2012-23 2020-XX	D14-NP-11-07 D14-NP-19-12
i)	Location:	northeast corner of Bayview Avenue and Stonehaven Avenue		
ii)	Legal Description:	Pt Lot 28, Concession 2, Pt of Pts 1 & 2, Plan 65R15778, Town of Newmarket		
iii)	Uses:	Notwithstanding the permitted <i>uses</i> for the CR-2-108 Zone, the following <i>uses</i> shall not be permitted: <i>hotel; institutional day centre; motor vehicle service or motor vehicle repair shop; place of worship.</i> <i>A dry cleaning depot and dry cleaning establishment</i> may be permitted subject to the completion of a Risk Assessment and Risk Management Plan in accordance with the <i>Ontario Clean Water Act, 2006</i> as amended from time to time. <i>A day nursery</i> shall only be permitted within the structure indicated as 'A' on the plan below. <i>A commercial school</i> shall only be permitted within the portion of the structure indicated as 'C1' on the plan below.		



iv) Development standards

- a) *Front yard building setback* (Stonehaven Avenue) 0.23m minimum
- b) *Exterior side yard building setback* (Bayview Avenue) 2.28m minimum
- c) *Rear yard building setback* (north lot line) 6.00m minimum
- d) A *landscape buffer* having a minimum width of 2.28 metres shall be provided along Bayview Avenue and a *landscape buffer* having a minimum width of 1.50 metres shall be provided along the northerly property line.
- e) Required parking shall be calculated at the rate of 4.25 spaces per 90m² of *gross floor area*.
- f) A *parking lot* shall be located a distance of 2.28m from Bayview Avenue.
- g) A total of 4 entrance and exit ramps shall be permitted.
- h) The most easterly entrance/exit ramp along Stonehaven Avenue shall have a maximum width of 13.01m.
- i) The access to *loading spaces* along the northerly property boundary shall have a minimum width of 4.5m.

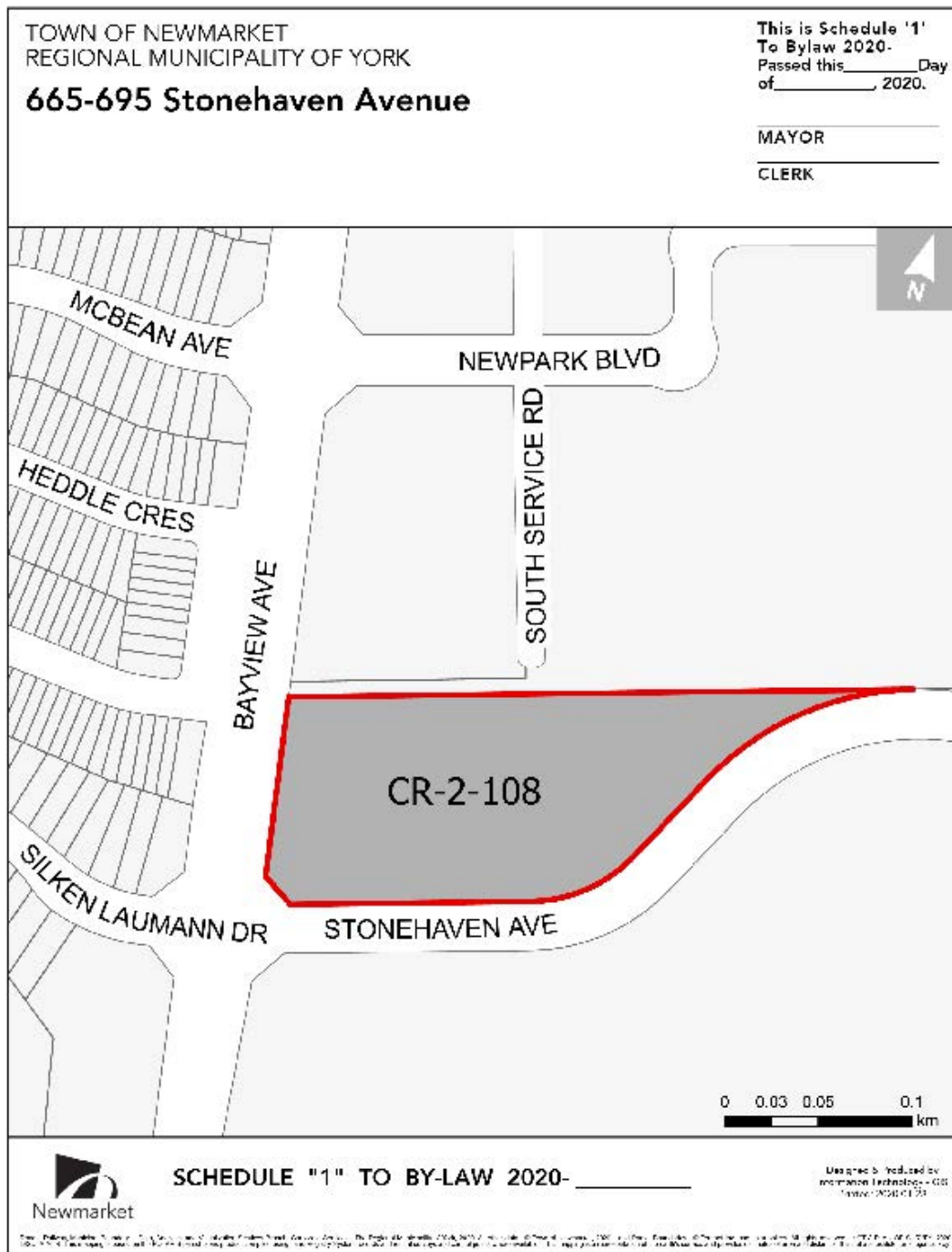
1. List of Holding Provisions

The following holding provisions apply to the properties specified:

By-law No.	Property Description	Permitted Uses Until Holding Provision is Removed	Conditions for Removal
2020-XX	665-695 Stonehaven Avenue	No person within the lands zoned (H)UC-R-144 shall use any land, buildings or structures for a day nursery unless an amendment to this By-law or removal of the '(H)' prefix, as identified in the next column, is approved by Town Council and the By-law comes into full force and effect.	That a Record of Site Condition (RSC) has been filed for the site. That the Director of Engineering Services has confirmed that the servicing design

			<p>is sufficient for the proposed use.</p> <p>That the owner has entered into an amending site plan agreement with the Town for the required changes to the site.</p>
--	--	--	---

Schedule 1





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

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

Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165 Staff Report to Council

Report Number: 2020-14

Department(s): Planning and Building Services

Author(s): Alannah Slattery

Meeting Date: February 24, 2020

Recommendations

1. That the report entitled Official Plan and Zoning By-Law Amendment Glenway Blocks 164 & 165 dated February 24, 2020 be received;
2. That the application for Official Plan & Zoning By-Law amendment, as submitted by Marianneville Developments Limited for Blocks 164 and 165 of the Estates of Glenway Community subdivision, be approved, and that staff be directed to prepare the necessary Official Plan and Zoning By-law amendments, including the necessary Holding provisions;
3. That staff be directed to do all things necessary to give effect to the recommendations in this report; and,
4. That Kerigan Kelly, of Groundswell Urban Planners Inc., 95 Mural Street, Suite 402, Richmond Hill, ON, L4B 3G2, be notified of this action.

Executive Summary

Staff have reviewed the application to amend Official Plan 2006 and Zoning By-law 2010-40 to permit the development of stacked townhouses and live-work units on the subject lands known as Block 164 and 165 of Plan of Subdivision 65M-4587, Estates of Glenway Community.

Staff have reviewed the development proposal against the relevant Provincial, Regional and local policy documents and have concluded that the proposal is in general conformity with the policy framework as it relates to providing desirable residential dwellings, prioritizing intensification to make efficient use of land and infrastructure and

Official Plan and Zoning By-Law Amendment
Glenway Blocks 164 & 165

support transit viability, supporting a range and mix of housing options to serve all sizes, incomes, and ages of households, and creating complete communities.

This report provides the context of the site, details of the proposal and how it has changed from its initial submission, a discussion of the relevant planning policies and how the application addresses them, an outline of feedback received, and next steps in the development process.

If Committee adopts the recommendations of this report, the Official Plan and Zoning By-law amendments will be presented to Council for adoption at a future date.

Purpose

This report serves to provide recommendations to Committee of the Whole on the applications for Official Plan and Zoning By-law amendment for Block 164 and 165 of Plan of Subdivision 65M-4587.

This report discusses the application as it has been revised based on comments from staff from the Town and its development review partners, along with feedback provided by members of Council and the public. The recommendations of the report, if adopted, would result in amendments to the Official Plan and Zoning By-law to permit the proposed development, and apply necessary holding provisions to secure servicing requirements and to ensure the applicant enter into a Site Plan Agreement with the Town.

Background

Subject Lands

The subject lands are located within the most northeasterly portion of the Estates of Glenway Community subdivision, as approved by the Ontario Municipal Board in 2014. Blocks 164 and 165, as outlined on Plan of Subdivision 65M-4587, are located south of Davis Drive, east of Mitchell Place and west of the Bus Terminal. The subject lands are currently vacant and devoid of significant natural features or vegetation. The lands have a land area of approximately 2.71 ha (6.7 acres).



The surrounding land uses are as follows:

North: Future residential development lands (Sundial Homes)

East: Bus Station

South: Stable residential lands, single-detached dwellings

West: Emerging residential lands, townhomes

The subject lands were subject to Official Plan Amendment 16 (OPA 16) in 2014, which designated the lands to permit 4 to 6 storey apartment buildings and mixed use “live-work” units. Accordingly, the subject lands are currently zoned Residential with Exception (H)(R5-T-125) and retail Commercial with Exception (H)(CR-2-126), to permit apartment dwellings 4 to 6 storeys in height, an elementary school and residential uses in the form of live work units.

Proposal

The applicant is proposing to amend the Official Plan to expand the permitted uses on the subject property to include stacked townhouse units as a permitted use. The applicant is further seeking to amend Zoning By-law 2010-40 to permit twelve townhouse buildings for residential and commercial uses, consisting of 304 dwelling units, 12 of which are proposed as live-work units.

Live-work Units

The proposed live-work units will be located on the ground floor of Buildings 1 and 2, which are situated in the northwest corner of the subject lands, closest to the intersection of Mitchell Place and Davis Drive West.

The general built form for each live-work building is similar in design; each building features a garage with both an internal access through the garage and exterior access to the dwelling unit.

The commercial units will be located facing Mitchell Place and Davis Drive, each having up to 60 square metres of commercial space, and pedestrian access from the abutting streets.

Parking for the live-work units will be provided in a lot at ground-level.



Image: Live-work units, commercial side facing Davis Drive



Image: Live-work units, residential side

Residential Units

Buildings 3-12 are proposed to be developed as back-to-back stacked townhouses, each consisting of 20 to 36 units, resulting in a total of 292 dwelling units. The stacked townhouses are proposed to have four habitable levels, with the lower level being partially below grade, resulting in a height of 3.5 storeys. The stacked townhouse buildings will consist of one, two and three bedroom units.

The stacked townhouse dwellings are similar in design to the proposed-live-work units, however the stacked townhouses buildings do not include an attached garage.

Parking for the residential units will be provided in an underground parking garage, with visitor parking spaces located both at ground-level and underground.



Image: Back-to-back stacked townhouses

Open Space

The proposed development includes a strip of open space along the southerly portion of the subject lands, which is consistent with the previously approved development concept. The open space strip is approximately 30 metres in width and is proposed to act as a buffer space between the proposed stacked townhouses and the existing single-detached dwellings to the south of the subject lands. This open space area will act as a private park area for residents and is proposed to contain a walking path and outdoor seating.

The applicants are also proposing amenity spaces in the centre of the development and in the northwest corner of the subject lands, abutting Davis Drive and Mitchell Place.

Parking and Transportation

The majority of parking for the stacked townhouse units is proposed to be located underground, with the access point located centrally. Visitor parking for residential units will be located both at grade and underground. Parking for the commercial units and visitor parking will be provided in lots at grade level.

The applicants have requested a 5% reduction for residential parking requirements, due to the proximity of the development to the Bus Station location directly adjacent to the subject lands. This site-specific zoning provision is discussed in detail further in this report.

Access to the subject lands is proposed from an all turns access on Mitchell Place to the west, which connects to a signalized connection to Davis Drive West. Emergency access will be designed through a hard-surface landscaped area in the northwesterly corner of the site.

Pedestrian access points are planned from Mitchell Place and Davis Drive.

The subject lands are located adjacent to the Newmarket Bus Terminal, and are in close proximity to the VIVA bus rapid transit route along Davis Drive, providing public transit options for residents.

Discussion

The following section will review the development proposal against applicable planning policy.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land.

The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

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

The policies also direct municipalities to provide for a range and mix of housing types and densities, including implementing minimum targets for affordable housing and facilitating diverse forms of housing and residential intensification.

The proposed development is consistent with the PPS by adding to the mix of housing types within the settlement area of the Town of Newmarket. Stacked townhouses and live-work units represent a type of residential development that is more compact than traditional low-density residential development, such as single-detached dwellings. The proposal provides for a compact form allowing for the efficient use of land and infrastructure, and promotes the use of active transportation and public transit options.

A Place to Grow – Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan) provides a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth in the region. It demonstrates the ways in which our cities, suburbs, towns and villages will grow over the long term. The Growth Plan guides decisions on a wide range of issues, including transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage and resource protection.

The Growth Plan identifies an Urban Growth Centre in Newmarket, the boundaries of which are generally surrounding the intersection of Yonge Street and Davis Drive and are more specifically delineated in the Town's Official Plan. The Growth Plan sets a target of 200 residents and jobs per hectare for the 'Newmarket Centre' Urban Growth Centre. The proposed development lands are located adjacent to the boundaries of the Urban Growth Centre, along Davis Drive.

The Growth Plan contains policies directing that municipalities create complete communities, reduce the dependence on private automobiles through mixed-use, transit-supportive development. This proposal would improve the diversity of housing stock in Newmarket, provide additional dwelling units close to transit and retail options, and provide a parking supply that supports reduced dependence on private automobile use.

This development proposal aligns with the objectives of the Growth Plan by:

- providing a mix of built forms;
- seeking to meet affordable housing targets;
- providing a range of size and types of dwelling units; and
- supporting transportation demand management through its proximity to the Davis Drive corridor and accessibility of public transit options.

York Region Official Plan

The YROP designates the subject lands as part of the "Urban Area", which is the primary area for accommodating growth. A minimum of 40% of all residential

development in York Region is to occur within the built-up area, which includes the subject lands. This application supports the achievement of this target.

In addition, the application generally supports the YROP policies related to intensification. The application supports the YROP policy of permitting a mix and range of housing types, lot sizes, unit sizes, functions, tenures, and levels of affordability.

Based on its location adjacent to Davis Drive, the application supports the YROP targets of locating 50 percent of residents within 200 metres of a transit stop, and 90 percent of residents within 500 metres of a transit stop.

York Region has provided comments on the proposed development application which are addressed further in this report.

Official Plan Considerations

The subject lands are designated Emerging Residential on Schedule “A” Land Use of the Newmarket Official Plan. Emerging Residential areas permit single detached and semi detached dwellings, however townhomes are also permitted provided the use is appropriately justified. The policies of the plan direct new developments of these forms to the Urban Centres and the Emerging Residential areas, where appropriate, in order to manage change in a manner that will maintain neighbourhood character.

Emerging Residential areas represent future residential areas that are in the process of being developed or are anticipated to be developed but will eventually become Stable Residential areas. These areas may develop at low densities similar to the Stable Residential areas while providing for a range of innovative and affordable housing types, zoning standards and subdivision designs.

The objective of the Emerging Residential designation is to provide for a range of residential accommodation by housing type, tenure, size, location and price ranges to help satisfy the Town’s housing needs; and to encourage the provision for a range of innovative and affordable housing types, zoning standards and subdivision designs.

In 2014, the subject lands were subject to Official Plan Amendment 16 (OPA 16), which was approved by the Ontario Municipal Board and adopted by the Town of Newmarket on November 18th, 2014. The purpose of OPA 16 was to change Schedule “A” Land Use Designations as it related to parts of the former Glenway Country Club lands, and to add a special policy to Section 33 Emerging Residential Areas. The special policy reads as follows:

Town of Newmarket Official Plan Section 3.3.2.5:

Within the Emerging Residential Area located on Davis Drive, immediately west of the GO Bus Terminal, permitted uses shall also include 4 to 6 storey apartment buildings and mixed use “live-work” units.

The applicant is now proposing to re-designate the subject lands to permit stacked townhouse dwellings in addition to the 4 to 6 storey apartment buildings that were previously approved by OPA 16. The applicants are looking to maintain the “live-work” units as a permitted use on the subject lands.

The proposal has been designed to include a landscaped buffer strip of approximately 30 metres along the southerly boundary of the site where it abuts existing residential dwellings to the south. In addition, a 1.8 metre high wood privacy fence is proposed to be constructed 0.3 metres inside the property line along the southerly lot boundary.

The Official Plan allows for this type of development within the Emerging Residential designation which looks to provide for a range of residential accommodations, including stacked townhouse developments.

Compatibility and Site Suitability

The existing neighbourhood contains a mix of low to medium density dwellings. To the south of the subject lands are Stable Residential lands, consisting of single-detached dwellings. To the west and southwest of the subject lands there are Emerging Residential lands, consisting of townhouse dwellings currently under construction. To the north of the subject lands across Davis Drive are Emerging Residential lands, currently proposed for future townhouse development. The applicants have proposed a 30 metre open space area between the proposed stacked townhouses and the existing single-detached dwellings, as well as a 1.8 metre high wood privacy fence, to act as a buffer between the two land uses.

From Davis Drive, the proposed stacked townhouse units will be similar in style and massing to the townhouse development to the west, and the proposed townhouse development to the north, creating a similar streetscape.

With regard to the physical suitability of the site to accommodate the proposed development, Engineering Services have reviewed the grading, water distribution, sanitary service and stormwater, and have indicated that the proposed use can be graded and serviced in an acceptable manner.

Affordable Housing

Section 3.10.2 of the Town’s Official Plan requires a minimum of 25% of new housing development outside the Urban Centres Secondary Plan to be affordable to low and moderate income households. This 25% minimum is comprehensive of all development applications outside of the Urban Centres and may not necessarily be achieved by each individual application. This policy also requires that these units include a range of types, unit size, tenures to provide opportunities for all household types, including larger families, seniors and persons with special needs.

The proposed Official Plan and Zoning By-law amendments expand the range of built form permitted on the subject lands to include stacked townhouse dwellings, in addition to the existing approvals for low-rise apartment buildings and live-work units.

Parkland Dedication

Parkland Dedication was collected as part of the original approval of the entire Glenway development lands.

Zoning By-law Considerations

The subject property is currently zoned Residential with Exception (H)(R5-T-125) and Retail Commercial with Exception (H)(CR-2-126). The zoning for the subject property was approved by the Ontario Municipal Board in 2014, and amended by By-law number 2014-25.

The current (H)R5-T-125 zone permits apartment dwellings 4 to 6 storeys in height. The zone also permits an elementary school use.

The current (H)CR-2-126 zone permits residential uses in the form of live work units, and commercial uses including the following: art gallery, studio, personal service shop, retail store, and office, as well as an elementary school.

The applicant is proposing to replace the current (H)R5-T-125 Zone with an amended Residential Exception Zone (H)(R5-T-125). This new (H)R5-T-125 zone would add stacked townhouses as a permitted use, including site specific regulations, and remove elementary school as a permitted use, as an alternative school site was ultimately chosen by the school board, and it no longer requires this site. The current Retail Commercial with Exception (H)(CR-2-126) Zone would also be amended to remove the elementary school as a permitted use.

Holding Provision

In accordance with Section 36 of the Planning Act, Council may impose holding provisions (“H”) on a zoning by-law to limit the use of lands until the provision is removed. The amending zoning by-law will include holding provisions that are typical for zoning by-law amendments for residential developments such as the requirement to enter into a site plan agreement and to obtain servicing allocation.

Parking

The majority of parking for the residential units is proposed to be located underground, with the access point to the underground parking lot located centrally. Visitor parking for residential units will be located both at grade and underground. Parking for the commercial units and visitor parking will be provided in lots at grade level.

The applicants have requested a 5% reduction for residential parking requirements, due to the proximity of the development to the Bus Station located directly adjacent to the

Roads and Traffic

The submitted Traffic Impact Study has been reviewed by Engineering Services, who have concurred that the proposed OPA and ZBA will not have a significant impact on the previously approved Transportation Impact Study. They note that the Transportation Demand Management Plan is acceptable, subject to the Region's approval of the recommendations outlined in the report.

Stormwater Management and Storm Drainage

Engineering Services have indicated that the subject site is designed to outlet to Pond 4 of the Glenway subdivision. They note that the imperviousness level of the revised site is higher than that allocated in the subdivision design. As such, an on-site underground storage chamber is proposed to provide adequate quantity control. It is noted that no additional measures are required for quality control, as the pond as designed can provide the adequate level of quantity control. Engineering Services note that the following items are to be addressed at the Site Plan Application stage:

- Detailed calculations for the runoff coefficients and imperviousness
- Any permanent dewatering from the underground parking is to be discussed and accommodated in the stormwater management design
- Additional Low Impact Development measures are to be reviewed and implemented during the detailed engineering design stage

Sanitary Drainage, Water and Grading

Engineering Services note that changes may be required of the calculations for proposed flows of the development, however this should be addressed at the detailed design stage. It is noted that the proposed watermain system is sufficient to support the proposed use and justification for the proposed watermain size should be provided at the Site Plan stage. Additional details regarding grading will also be required at the Site Plan stage.

Servicing

Servicing allocation has not been granted to this development. This report recommends a holding provision be employed to require that servicing allocation be granted before any development occurs.

Noise

The submitted Noise Impact Study has been reviewed and engineering staff have concurred that the proposed development can be compatible with the existing noise levels from the surrounding operations and can be accommodated with mitigation measures, and that additional comments will need to be addressed at the Site Plan stage.

Vibration

On March 18 2019, staff brought forward Report 2019-29 to Council recommending vibration impact assessments be required as part of a complete application for development proposals. As the pre-consultation for the proposed development was held June 2018, prior to this process being approved, a vibration impact assessment had not been established as a requirement for a complete application. Notwithstanding this, the applicant has provided an assessment of construction vibration potential related to the proposed development.

The vibration impact assessment has been reviewed by the Town's review partners who have stated that vibration comments will be addressed at the Site Plan stage and should not be a concern for the current Official Plan and Zoning By-law amendments. The Town's review partners have provided that other engineering aspects are satisfactory with respect to the Official Plan and Zoning By-law amendments, as outlined in their original comments.

Environmental Site Assessment

The submitted Phase One and Two Environmental Site Assessments have been reviewed by Engineering Services. It is noted that the proposed change use of land will have no bearing on the Record of Site Condition filed with the Ministry.

Agency and Public Comments

The development proposal has been circulated internally and externally to the public and the Town's review partners. Many of the comments provided are outlined in the discussion section above. Additional comments from several review partners are provided below for greater context.

York Region

Staff from the Regional Municipality of York have provided comments on the application. They note that they have no objections to the Official Plan Amendment and Zoning By-law Amendment, and that they are of the opinion that the proposal appears to be a routine matter of local significance and will not adversely affect Regional planning policies or interests. York Region has provided the application with exemption from Regional approval.

Technical comments from York Region will be addressed through the appropriate planning tools.

Engineering Services

Staff from Engineering Services have provided comments on the application outlined in the above section.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the application in accordance with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), the Greenbelt Plan, the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 under the Conservation Authorities Act, and have provided comments applicable to the application.

The LSRCA have provided technical comments to inform the preparation of the subsequent detailed design submission (Site Plan) for these lands.

Based on the review of the submitted information, the LSRCA does not object to the approval of this Application for Official Plan and Zoning By-Law Amendment.

Other Review Partners

- The York Region District School Board has been advised of the application and they have noted that they have no objections to the approval of the proposed OPA and ZBA.
- Canada Post has been advised of the application and they have noted they do not have any comments at this time.
- The Southlake Regional Health Centre has been advised of the application and they have noted the ongoing need for capital investment and public support to meet the needs of the region's growing population.

Effect of Public Input

A statutory public meeting was held in November of 2019. Comments were received in person from the public at the statutory public meeting. The effect of this input, or the way in which the matters raised by the public were otherwise addressed, are discussed below. These comments centered on the following themes:

- Vibration and construction noise
- Traffic

A **vibration impact assessment** was submitted as part of the applicant's second submission of studies. This study has been reviewed by the Town's review partners who have provided that the vibration impact assessment will be reviewed in detail, and any vibration comments should be addressed at the Site Plan stage.

Noise from the construction process will be regulated as per the Town of Newmarket's Noise By-law 2017-76.

The applicant had submitted a **Traffic Impact Study** in October 2014, in support of the original rezoning and Official Plan Amendment applications. This Traffic Impact Study was reviewed and approved by the Town for the original development proposal. In 2019, the applicant submitted a revised **Traffic Impact Study**, to address the changes in the development proposal. The original development concept was comprised of apartment

buildings consisting of 298 residential units and 12 live/work units. The revised concept consists of 292 stacked townhouse units and 12 live/work units. The revised plan results in six fewer units than the previously approved concept plan. The applicant has provided an analysis of the amount of trips generated from the original concept plan to the proposed plan, and have found that the revised site plan will generate fewer trips.

Engineering Services have concurred that the proposed OPA and ZBA will not have a significant impact on the previously approved Transportation Impact Study, and note that the Transportation Demand Management Plan is acceptable.

Conclusion

The amendment applications meet the policies of the Town's Official Plan, conforms to or does not conflict with the York Region Official Plan, Growth Plan for the Greater Golden Horseshoe, and Provincial Policy Statement.

Staff recommend approval of the applications, subject to certain holding provisions. Further refinement of the application will take place as part of the site plan approval application.

Business Plan and Strategic Plan Linkages

- Vibrancy on Yonge, Davis and Mulock

Consultation

The Official Plan and Zoning by-law Amendment application has been provided to the Town's internal review partners and external agencies per standard practice. Notice has been provided to persons and bodies as required by Ontario Regulation 543/06 and Ontario Regulation 545/06 of the Planning Act.

A statutory public meeting was held in November of 2019. Following this meeting additional studies were provided to the Town in January of 2020, which were also circulated for review.

Human Resource Considerations

N/A

Budget Impact

The appropriate planning application fees have been received for the Official Plan Amendment and Zoning By-law Amendment. The Town will also receive revenue from development charges and assessment revenue with the development of this proposal in the event the applications are approved.

Attachments

- Location Map
- Proposed Site Plan
- Proposed Conceptual Landscape Plan
- Perspective Elevations

Approval

Alannah Slattery, BES, MCC

Planner, Planning and Building Services

Adrian Cammaert, MCIP, RPP, CNU-A

Acting Manager, Planning Services

Jason Unger, MCIP RPP

Acting Director, Planning and Building Services

Peter Noehammer, P.Eng

Commissioner, Development & Infrastructure Services

Contact

Alannah Slattery, Planner, aslattery@newmarket.ca

LOCATION MAP

Marianneville Blocks 164 and 165 (Glenway)



 Subject Lands



TOWN OF NEWMARKET PLANNING DEPARTMENT



KEY MAP

<p>THESE DRAWINGS ARE NOT TO BE SCALED</p> <p>ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK. ANY DISCREPANCIES MUST BE REPORTED DIRECTLY TO SRN ARCHITECTS INC.</p>		
NO.	DATE:	ISSUED FOR:
1	15/12/17	CONCEPT SITE PLAN
2	24/01/18	CONCEPT SITE PLAN
3	13/03/18	CONCEPT SITE PLAN
4	04/04/18	CONCEPT SITE PLAN
5	26/04/18	CLIENT REVIEW
6	31/10/18	CLIENT REVIEW
7	06/12/18	CLIENT REVIEW
8	13/12/18	CLIENT REVIEW
9	19/12/18	ISSUED FOR ZONING REVIEW
10	22/01/19	CLIENT REVIEW

PRELIMINARY CONCEPT ONLY

[illegible]

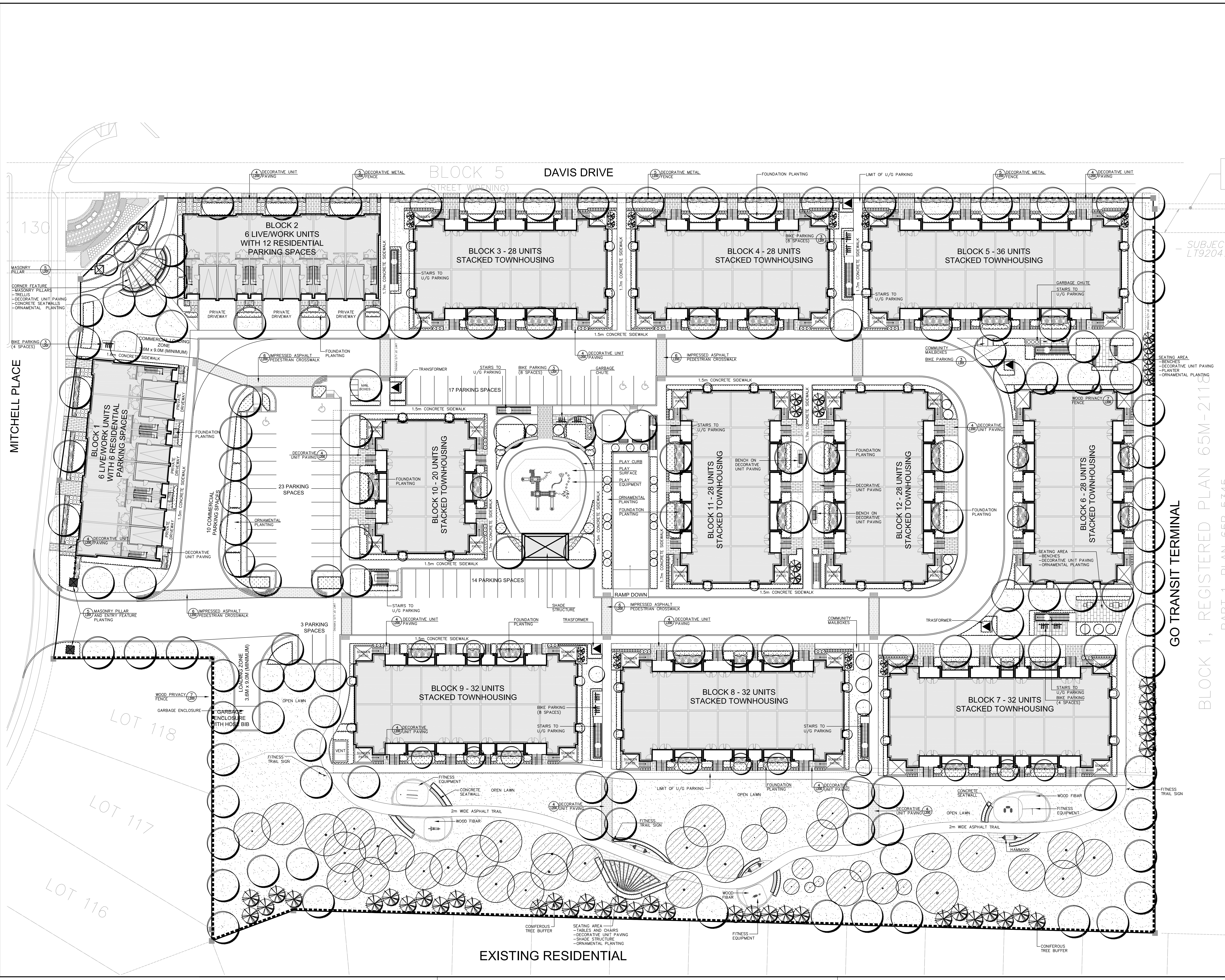
 SRN architects inc. 	
8395 JANE STREET, SUITE 202 VAUGHAN, ONTARIO, L4K 5Y2 PHONE: 905.417-5515 FAX: 905.417-5517	
	
MARIANNEVILLE DEVELOPMENTS LIMITED 26 LESLIE ROAD, UNIT 3 TORONTO, ONTARIO, M3B 2T5 (416) 733.3128 (F) 416.733.3129	
PROJECT: MIXED-USE RESIDENTIAL GLENNWAY NEWMARKET	
DRAWING TITLE: <div style="text-align: center; font-size: 1.2em; font-weight: bold;">CONCEPT SITE PLAN</div>	
DATE: 03/04/18	SCALE: 1:250
DRAWN BY: N.W.	CHECKED BY: G.P.R.
PROJECT NUMBER:	DRAWING NUMBER:
S17066	A100



SITE STATISTICS		
TOTAL SITE AREA	2.71 ha / 27,070 SQ.M.	
LOT AREA (NET)	2.71 ha / 27,070 SQ.M. (100%)	
FSI (GFA/LOT)	1.12	
DENSITY (UPH)	112	
BUILDING AREA	8232.7 SQ.M.	(30.41%)
LANDSCAPED AREA	14,230.6 SQ.M.	(52.57%)
PAVED AREA	4606.7 SQ.M.	(17.02%)

BUILDING STATISTICS:			
	UNITS PER BLOCK	BUILDING FOOTPRINT	BUILDING GFA
BLOCK 1	6 LIVE/WORK UNITS	587.1 SQ.M.	1,494.1 SQ.M. (16,082 SQ.FT.)
BLOCK 2	6 LIVE/WORK UNITS	587.1 SQ.M.	1,494.1 SQ.M. (16,082 SQ.FT.)
BLOCK 3	28 UNITS	637.0 SQ.M.	2,624.0 SQ.M. (28,245 SQ.FT.)
BLOCK 4	28 UNITS	637.0 SQ.M.	2,624.0 SQ.M. (28,245 SQ.FT.)
BLOCK 5	36 UNITS	834.3 SQ.M.	3,427.3 SQ.M. (36,891 SQ.FT.)
BLOCK 6	28 UNITS	637.0 SQ.M.	2,624.0 SQ.M. (28,245 SQ.FT.)
BLOCK 7	32 UNITS	735.0 SQ.M.	3,030.0 SQ.M. (32,615 SQ.FT.)
BLOCK 8	32 UNITS	735.0 SQ.M.	3,030.0 SQ.M. (32,615 SQ.FT.)
BLOCK 9	32 UNITS	735.0 SQ.M.	3,030.0 SQ.M. (32,615 SQ.FT.)
BLOCK 10	28 UNITS	637.0 SQ.M.	2,624.0 SQ.M. (28,245 SQ.FT.)
BLOCK 11	28 UNITS	637.0 SQ.M.	2,624.0 SQ.M. (28,245 SQ.FT.)
BLOCK 12	28 UNITS	637.0 SQ.M.	2,624.0 SQ.M. (28,245 SQ.FT.)
TOTAL	304 UNITS (292 STACKED + 12 LIVE/WORK UNITS)	7,840.7 SQ.M.	30,446.0 SQ.M. (327,721 SQ.FT.)
UNDERGROUND GARAGE GFA		16,346.9 SQ.M. (175,958 SQ.FT.)	

UNIT TYPE	NUMBER	PERCENT
LIVE/WORK	12	3.9%
1 BEDROOM	80	26.3%
2 BEDROOM	172	56.6%
3 BEDROOM	40	13.2%
TOTAL:	304	100%



GENERAL NOTES

- VERIFY ALL DIMENSIONS.
- DO NOT SCALE DRAWINGS.
- REPORT ANY DISCREPANCIES, DISCOVERED ERRORS, OR OMISSIONS TO THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
- IT IS ADVISED THAT CONTRACTORS CONTACT THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION TO ENSURE THE USE OF THE LATEST REVISED DRAWINGS.
- DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE LANDSCAPE ARCHITECT.

LEGEND

- EXISTING TREES TO BE PRESERVED
- PROPOSED DECIDUOUS TREE
- PROPOSED LARGE DECIDUOUS SHRUB
- PROPOSED CONIFEROUS TREE
- DECIDUOUS SHRUBS
- ORNAMENTAL GRASS AND PERENNIAL PLANTING
- CONIFEROUS SHRUBS
- SODDING
- CONCRETE SEATWALL
- BENCH
- BIKE RACK
- METAL FENCE
- MASONRY PILLAR

No.	DATE	REVISION	BY
1.	2019-04-03	Issued for Submission	s.m.

It is the responsibility of the Contractor and/or Owner to ensure that the drawings with the latest revisions are used for construction.

SBK
STRYBOS BARRON KING
LANDSCAPE ARCHITECTURE

5770 HURONTARIO STREET, SUITE 320
MISSISSAUGA, ONTARIO, L4R 3G5
T: 416.695.4949 F: 905.712.3101
WWW.STRYBOS.COM

PROJECT:
MIXED-USE RESIDENTIAL
MITCHELL PLACE
NEWMARKET, ONTARIO

DRAWING TITLE:
PRELIMINARY LANDSCAPE PLAN

SCALE: 1 : 250	PROJECT No. 18-5237
DATE: NOV 28, 2018	DRAWING No. L100
DRAWN BY: SS	
CHECKED BY: BB	

THESE DRAWINGS ARE NOT TO BE SCALED;
ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR PRIOR
TO COMMENCEMENT OF ANY WORK. ANY DISCREPANCIES
MUST BE REPORTED DIRECTLY TO SRN ARCHITECTS INC.

NO:	DATE:	ISSUED FOR:
1	15/12/17	CONCEPT SITE PLAN
2	24/01/18	CONCEPT SITE PLAN
3	13/03/18	CONCEPT SITE PLAN
4	04/04/18	CONCEPT SITE PLAN
5	26/04/18	CLIENT REVIEW
6	31/10/18	CLIENT REVIEW
7	06/12/18	CLIENT REVIEW
8	13/12/18	CLIENT REVIEW
9	19/12/18	ISSUED FOR ZONING REVIEW
10	22/01/19	CLIENT REVIEW

ADDITIONAL NOTES:

PRELIMINARY CONCEPT ONLY

[illegible]

 SRN architects Inc.	
8395 JANE STREET, SUITE 202 VAUGHAN, ONTARIO, L4K 5Y2 PHONE: 905.417-5515 FAX: 905.417-5517	
ONTARIO ASSOCIATION OF ARCHITECTS  VINCENZI SANT'AMOUR LICENCE 4208 <small>CONSTRUCTION PROFESSIONNEL</small>	 <small>© SRN ARCHITECTS INC. 2012</small>
MARIANNEVILLE DEVELOPMENTS LIMITED 26 LESMILL ROAD, UNIT 3 TORONTO, ONTARIO, M3B 2T5 (P) 416.733.3128 (F) 416.733.3129	
PROJECT: MIXED-USE RESIDENTIAL GLENVIEW NEWMARKET	
DRAWING TITLE: TOWNHOUSES ELEVATIONS	
DATE: 17/12/12	SCALE: 1/75
DRAWN BY: N.W.	CHECKED BY: G.P.R.
PROJECT NUMBER:	DRAWING NUMBER:
<div style="display: flex; justify-content: space-between;"> S17066 A400 </div>	



1 FRONT ELEVATION - BLOCKS 3, 4, 6, 11 AND 12
A400 SCALE: 1:75



2 SIDE ELEVATION - BLOCKS 3, 4, 6, 11 AND 12
A400 SCALE: 1:75



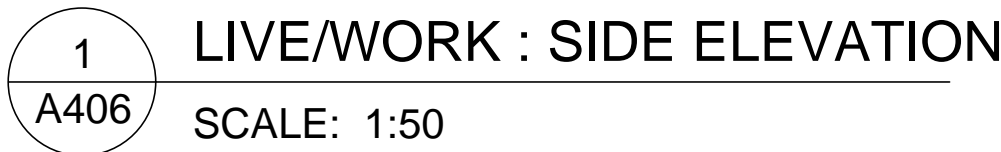
3 REAR ELEVATION - BLOCKS 3, 4, 6, 11 AND 12
A400 SCALE: 1:75


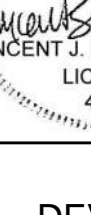



4 SIDE ELEVATION - BLOCKS 3, 4, 6, 11 AND 12
A400 SCALE: 1:75

NO.	DATE:	ISSUED FOR:
1	15/12/17	CONCEPT SITE PLAN
2	24/01/18	CONCEPT SITE PLAN
3	13/03/18	CONCEPT SITE PLAN
4	04/04/18	CONCEPT SITE PLAN
5	26/04/18	CLIENT REVIEW
6	31/10/18	CLIENT REVIEW
7	06/12/18	CLIENT REVIEW
8	13/12/18	CLIENT REVIEW
9	19/12/18	ISSUED FOR ZONING REVIEW
10	22/01/19	CLIENT REVIEW

PRELIMINARY CONCEPT ONLY



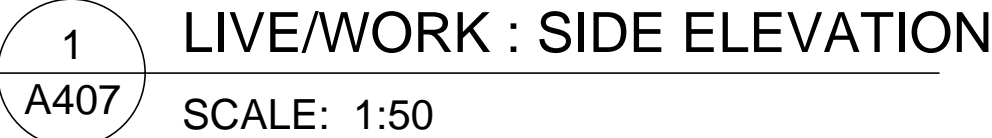
	
8395 JANE STREET, SUITE 202 VAUGHAN, ONTARIO, L4K 5Y2 PHONE: 905-417-5515 FAX: 905-417-5517	
	
© SRN ARCHITECTS INC. 2019	
MARIANNEVILLE DEVELOPMENTS LIMITED 26 LESMILL ROAD, UNIT 3 TORONTO, ONTARIO, M3B 2T5 (P) 416.733.3128 (F) 416.733.3129	
PROJECT: MIXED-USE RESIDENTIAL GLENWAY NEWMARKET	
DRAWING TITLE: LIVE/WORK ELEVATIONS	
DATE: 04/01/19	SCALE: 1:50
DRAWN BY: N.W.	CHECKED BY: G.P.R.
PROJECT NUMBER:	DRAWING NUMBER:
S17066	A406

NO.	DATE:	ISSUED FOR:
1	15/12/17	CONCEPT SITE PLAN
2	24/01/18	CONCEPT SITE PLAN
3	13/03/18	CONCEPT SITE PLAN
4	04/04/18	CONCEPT SITE PLAN
5	26/04/18	CLIENT REVIEW
6	31/10/18	CLIENT REVIEW
7	06/12/18	CLIENT REVIEW
8	13/12/18	CLIENT REVIEW
9	19/12/18	ISSUED FOR ZONING REVIEW
10	22/01/19	CLIENT REVIEW

PRELIMINARY CONCEPT ONLY

 <p>SRN architects inc.</p>	
<p>8395 JANE STREET, SUITE 202 VAUGHAN, ONTARIO, L4K 5Y2 PHONE: 905.417-5515 FAX: 905.417-5517</p>	
<p>ONTARIO ASSOCIATION OF ARCHITECTS</p> <p><i>Handwritten signature</i></p> <p>VINCENT J. SANTAMARIA LICENCE 4238 100 UNIVERSITY AVENUE, SUITE 100 TORONTO, ONTARIO M5S 1A6</p>	 <p>© SRN ARCHITECTS INC. 2010</p>

PROJECT: MIXED-USE RESIDENTIAL GLENWAY NEWMARKET	
DRAWING TITLE: LIVE/WORK ELEVATORS	
DATE: 04/01/19	SCALE: 1:50
DRAWN BY: N.W.	CHECKED BY: G.P.R.
PROJECT NUMBER: S17066	DRAWING NUMBER: A407





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

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

Atkins Drive and Quick Street All-way Stop Request Staff Report to Council

Report Number: 2020-13

Department(s): Engineering Services

Author(s): M. Kryzanowski, Manager, Transportation Services

Meeting Date: February 24, 2020

Recommendations

1. That the report entitled Atkins Drive and Quick Street All-way Stop Request dated February 24, 2020 be received; and,
2. That an All-Way Stop at the intersection of Atkins Drive and Quick Street not be implemented at this time; and,
3. That the Town monitor the intersection as the community continues to build out; and,
4. That school boards be notified of the school bus routing and be asked to implement improvements to student access to the school buses to reduce crossing of streets; and,
5. That York Regional Police be notified of the speeding issues to plan increased enforcement; and,
6. That the Town continue to apply Category 1 traffic calming measures to educate motorists to comply with the speed limits; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to summarize the findings and recommendations of the all-way stop review for the Atkins Drive and Quick Street All-Way Stop Control request.

Background

At its regular meeting of June 24, 2019, Town Council referred to staff the request made through a deputation at the preceding Committee of the Whole where a petition was presented, asking the Town to install an All-Way Stop at Atkins Drive and Quick Street.

Discussion

Staff proceeded by conducting a 5-hour traffic count at the intersection. The traffic count was performed in conformance with the Town's Transportation Management Policy, which requires that the number of vehicle turning movements and pedestrian activity be counted between 7:00 AM and 9:00 AM and between 3:00 PM and 6:00 PM.

The subject intersection was then analysed to determine if the All-Way Stop warrants were met. The All-Way Stop warrant consists of three (3) parts. The first part addresses the future signalization of intersections. This part does not apply, since traffic signals are not planned for the intersection.

The second part of the All-Way Stop warrant examines the frequency of recorded vehicle collisions in, or adjacent to, the intersection for the twelve (12) month period prior to the review. A search of our records indicated that no vehicle collisions occurred within the intersection during that time period.

The third part of the warrant deals with both traffic and pedestrian volumes on the major and minor streets of the intersection. Accordingly, staff calculated the total number of vehicles and pedestrians approaching the intersection on an hourly basis, and the average volume on the minor street (Quick Street, in this case).

The results of the all-way stop warrant analysis confirmed that the all-approach volume reached only 60% of the required minimum warrant volume of 200, and the minor street volume was only 56% of the required minimum warrant volume of 100. Therefore, the intersection does not meet the warrants for an All-Way Stop control.

Further to the above, residents in the immediate area were contacted for input as per the Public Consultation and Support Policy. A number of residents stated that an All-Way Stop is not needed at the intersection, whereas a few indicated that an All-Way Stop would add increased safety for pedestrians, and particularly for children.

The petition request for an All-Way Stop specified that speeding on the street and children's safety when interacting with the school buses were of concern. The technical reference documents based on research and experience indicate that All-Way Stop controls are to be used for right-of-way control, and they have been proven ineffective as speed control measures. Unwarranted All-Way Stops create additional issues, such as stop non-compliance, thereby posing a potential new danger to pedestrians. The compliance rate for unwarranted All-Way Stops is low as it has been proven that a number of vehicles will 'run' the stop sign or attempt a rolling stop. Another issue caused

by unwarranted stop signs is an increase in speeds as drivers accelerate away from the intersection to make up for lost time.

Since this request was related to speeding, speed and traffic volume counts were undertaken along Atkins Drive on the road segments that are located on either side of Quick Street. The operating speeds (85th percentile) remained consistent at around 49 to 50 km/h in the data that was collected in both 2017 and 2019. Atkins Drive is considered a minor residential collector (slightly wider pavement surface than other streets in the area, and sidewalks on both sides of the road) and the operating speeds are typical for a minor collector road.

The Town contacted the School Board regarding busing to the area and it was learned that up to four buses can stop in or around Quick Street to provide service to both Stonehaven Public School and Notre Dame CES. The School Board representative noted that school bus drivers stop all traffic for loading or unloading from either side of the street.

Conclusion

It is recommended that:

1. An all-way stop at the intersection of Atkins Drive and Quick Street not be implemented at this time.
2. The Town monitor the intersection as the community continues to build out.
3. The School Boards be reminded to review the routing of school buses, and that they be asked to consider improvements to student access to the school buses to reduce the requirement to cross streets.
4. York Region Police be notified of the speeding concerns and be asked to provide enforcement.
5. The Town continue to apply Category 1 traffic calming measures (radar speed boards, boulevard signage, etc.) to educate motorists to comply with the speed limits.

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.

Consultation

As per the Council-approved Public Consultation and Support Policy, the residents in the immediate area around the intersection were contacted in a letter dated July 12, 2019, soliciting comments and input in the review. Two (2) residents responded. They were generally in favour of an All-Way Stop.

A copy of this report will be provided to both households within the study area and the households included on the petition.

Human Resource Considerations

None

Budget Impact

The cost to monitor and implement any Category 1 measures would be funded through the Transportation Services business unit budgets.

Attachments

None

Approval

Rachel Prudhomme, Director, Engineering Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca.



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

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

Dover Crescent and Burford Street All-way Stop Control Request Staff Report to Council

Report Number: 2020-11

Department(s): Engineering Services

Author(s): M. Kryzanowski, Manager, Transportation Services

Meeting Date: February 24, 2020

Recommendations

1. That the report entitled Dover Crescent and Burford Street All-way Stop Control Request dated February 24, 2020 be received; and,
2. That the existing stop controls remain; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to summarize the findings and recommendations of the All-Way Stop review for the Dover Crescent and Burford Street All-way Stop Control request.

Background

At its regular meeting of September 30, 2019, Town Council adopted the recommendations of the preceding Committee of the Whole, at which a deputation request in regards to installing an All-Way Stop at Dover Crescent and Burford Street was referred to staff.

Discussion

To start the All-Way Stop review, a 5-hour traffic count was undertaken at the intersection. The traffic count was performed in conformance with the Town's

Transportation Management Policy, which requires that vehicle turning movements and pedestrian activity be collected between 7:00 AM and 9:00 AM and between 3:00 PM and 6:00 PM.

The subject intersection was then analysed to determine if the All-Way Stop warrants were met. The All-Way Stop warrant consists of three (3) parts. The first part addresses the future signalization of intersections. This part does not apply, since traffic signals are not planned for the intersection.

The second part of the All-Way Stop warrant examines the frequency of recorded vehicle collisions in, or adjacent to, the intersection for the twelve (12) month period prior to the review. A search of our records indicates that no vehicle collisions occurred at the intersection during that period.

The third part of the warrant deals with both traffic and pedestrian volumes on the major and minor streets of the intersection. Accordingly, staff calculated the total number of vehicles and pedestrians approaching the intersection on an hourly basis, and the average volume on the minor street (Burford Street, in this case).

The results of the All-Way Stop warrant analysis confirmed that the all-approach volume reached only 10% of the required minimum warrant volume of 200, and the minor street volume was only 18% of the required minimum warrant volume of 100. Therefore, the intersection does not meet the warrants for an All-Way Stop control.

The immediate area residents were contacted for input as per the Public Consultation and Support Policy. A number of residents stated that an All-Way Stop is not needed at the intersection, while a few indicated an all-way stop would add increased safety to area pedestrians, and to children in particular.

Conclusion

It is recommended that an All-Way Stop control at Dover Crescent and Burford Street not be implemented at this time.

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.

Consultation

As per the Council-approved Public Consultation and Support Policy, the immediate area residents around the intersection were contacted via letter dated October 28, 2019 soliciting comments and input to the review. Five (5) residents responded with various comments, through which it became evident that the residents were looking for speed control and/or protection of area children playing on or near the street, rather than right-of-way control. The technical reference documents based on research and experience

indicate that All-Way Stop controls are to be used for right-of-way control, and they have been proven ineffective as speed control measures. As a result, the conclusion of the investigation into this matter suggests that the Town implement Category 1 Traffic Calming Measures at this location, such as lawn signs, speed advisory boards and enforcement rather than All-Way Stop controls as per the Town's Transportation Management Policy.

Human Resource Considerations

None.

Budget Impact

None

Attachments

None

Approval

Rachel Prudhomme, Director, Engineering Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca.



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

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

London Road and Harewood Boulevard All-way Stop Control Request Staff Report to Council

Report Number: 2020-12

Department(s): Engineering Services

Author(s): M. Kryzanowski, Manager, Transportation Services

Meeting Date: February 24, 2020

Recommendations

1. That the report entitled London Road and Harewood Boulevard All-Way Stop Control Request dated February 24, 2020 be received; and,
2. That the existing stop controls remain; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to summarize the findings and recommendations of the All-Way Stop review for the London Road and Harewood Boulevard All-way Stop Control request.

Background

At its regular meeting of September 9, 2019, Town Council adopted the recommendations of the preceding Committee of the Whole, at which a deputation request in regards to installing an All-Way Stop at London Road and Harewood Boulevard was referred to staff.

Discussion

To start the All-Way Stop review, a 5-hour traffic count was undertaken at the intersection. The traffic count was performed in conformance with the Town's Transportation Management Policy, which requires that vehicle turning movements and pedestrian activity be collected between 7:00 AM and 9:00 AM and between 3:00 PM and 6:00 PM.

The subject intersection was then analysed to determine if the All-Way Stop warrants were being met. The All-Way Stop warrant consists of three (3) parts. The first part addresses the future signalization of intersections. This part does not apply, since traffic signals are not planned for the intersection.

The second part of the All-Way Stop warrant examines the frequency of recorded vehicle collisions in, or adjacent to, the intersection for the twelve (12) month period prior to the review. A search of our records indicated that no vehicle collisions occurred within the intersection during that period.

The third part of the warrant deals with both traffic and pedestrian volumes on the major and minor streets of the intersection. Accordingly, staff calculated the total number of vehicles and pedestrians approaching the intersection on an hourly basis, and the average volume on the minor street (Harewood Boulevard, in this case).

The results of the All-Way Stop warrant analysis confirmed that the all-approach volume reached only 80% of the required minimum warrant volume of 500, and the minor street volume was only 93% of the required minimum warrant volume of 200. Therefore, the intersection does not meet the warrants for an All-Way Stop control.

The disproportionately higher minor street percentage is likely due to local drivers using Harewood Boulevard/Bexhill Road to access Main Street North. A comparison of the 2019 peak traffic hours and the 2015 peak traffic hours for the intersection shows a decrease in traffic volume of approximately eight percent with time. Therefore, traffic flow through the intersection has decreased slightly over the years.

The immediate area residents were contacted for input as per the Public Consultation and Support Policy. Only three (3) of the residents replied, two of whom did not want an All-Way Stop.

Conclusion

It is recommended that an All-Way Stop control at London Road and Harewood Boulevard not be implemented at this time.

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.

Consultation

As per the Council-approved Public Consultation and Support Policy, the immediate area residents around the intersection were contacted via letter dated October 28, 2019, soliciting comments and input for the review. Three (3) residents responded with various comments, where two of the residents were against and one was in favour of an All-Way Stop at this location.

Human Resource Considerations

None

Budget Impact

None

Attachments

None

Approval

Rachel Prudhomme, Director, Engineering Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca.



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

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

Non-Warranty Repairs and Regular Maintenance of CYFS Apparatus Staff Report to Council

Report Number: 2020-15

Department(s): Central York Fire Services

Author(s): Deputy Chief Rocco Volpe

Meeting Date: February 24, 2020

Recommendations

1. That the report entitled “Non-Warranty Repairs and Regular Maintenance of CYFS Apparatus” dated February 24, 2020 be received; and,
2. That a non-competitive acquisition be approved to a maximum of \$125,000.00 in accordance with the Procurement By-Law; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

To seek approval for an interim non-competitive arrangement with Dependable Emergency Vehicles for non-warranty repairs and regular maintenance for fire services vehicles to a maximum of \$125,000 until a competitively acquired contract is in place. This is in accordance with the non-competitive provisions of the Procurement By-Law 2014-27, being Section 13.6, Single Source, (iii) where compatibility with an existing product equipment or service is a paramount consideration, and Table 5, Schedule “D” which requires Council authority to approve matters exceeding a cumulative Procurement Value of \$100K.

Background

Central York fire apparatus are highly sophisticated vehicles custom built for Central York Fire Services (CYFS) to meet the emergency services needs of the communities. The Town of Newmarket fleet services department is able to meet most of the needs of CYFS however, due to the urgent nature of some repairs and the need for specific and specialized equipment, support from an outside vendor is sometimes required.

The Town presently utilizes Dependable Emergency Vehicles to carry out warranty and specific non-warranty repairs along with specialty maintenance at an approximate cost of \$25K per month. The non-warranty repairs were as a result of previous resourcing shortages in fleet services which have been experienced over the past few years. The turnaround for heavy fleet repairs were at risk of not meeting the needs of CYFS. The Ontario Highway Traffic Act requires all emergency vehicles to undergo annual inspections known as the Periodic Commercial Vehicle Inspection Program (PMCVI). In addition, the National Fire Protection Association (NFPA) outlines annual ground ladder testing, pump testing and aerial ladder testing be done annually. Also, as a corrosion preventive maintenance measure, all CYFS apparatus get oil sprayed annually in an effort to maintain the vehicle for their projected 20 year lifecycle. Historically, CYFS and fleet services have used Dependable Emergency Vehicles to repair fire apparatus that fleet service was not able to undertake due to specialized equipment or staffing workload. Dependable Emergency Vehicles was chosen for the following reasons;

- Certified mechanical Emergency Vehicle Technicians (EVT) staff
 - Repair garage located one hour from Newmarket
 - Mobile EVT service capability
 - 24 hour 7 day a week on call service
 - Pick-up and delivery of fire apparatus
 - Stocked inventory parts
 - Authorized Spartan dealer
 - Paint and body shop repair
- Able to complete the inspections and certifications required by the Highway Traffic Act and the NFPA.

Dependable Emergency Vehicles is able to offer a comprehensive apparatus repair depot to allow a quick turnaround to complete the necessary work required in order to get fire apparatus back in service. There is no other external agency within the GTA and surrounding areas that offers this level of service.

There are various repair shops that specialize in truck repairs, however, their specialized services are limited to major components such as engines, transmissions and suspension service. Having a one stop shop reduces the need for additional coordination and staff time to move the apparatus between various repair facilities to get

Non-Warranty Repairs and Regular Maintenance of CYFS Apparatus

the necessary work completed as stated above. This also causes delays in the fire truck returning to service in Central York.

In discussion with the Town of Newmarket Procurement Services, a competitive acquisition for these services had not been carried out in the past.

Discussion

Central York Fire Services currently has six frontline fire apparatus and four reserve apparatus. The majority of fire apparatus have been acquired from Dependable Emergency Vehicles through a competitive bid process. Warranty repairs are included in each respective contract, however, non-warranty repairs and regular maintenance however are not covered.

Presently, the Newmarket Fleet Services Division has the necessary equipment to carry out most day to day non-warranty repairs and regular maintenance of fire apparatus. However, fleet services would require additional staff and specialized equipment for more advanced repairs of apparatus such as pump testing, rustproofing, ladder & aerial inspections. While future consideration regarding the management of regular maintenance and repairs of CYFS apparatus should be considered, such an assessment would need further review as well as an approved budget and a timeline determined for its execution.

With recent backfilling, the Town of Newmarket Fleet Services currently have the staff and capacity to provide maintenance of the vehicles in compliance with the Service Level Agreement with CYFS. However, in the event they experience future staff shortages this proposed contract will provide the Department with the flexibility to outsource some maintenance until adequate staff levels are re-established.

In the interim, a Request for Proposal (RFP) for non-warranty repairs and regular maintenance of CYFS apparatus, being RFP-2020-009 was issued on January 22nd 2020. The RFP is being led by the Town of Newmarket with cooperative participation by the City of Richmond Hill Fire Services. The RFP will be closing on February 21st 2020 and it is anticipated that evaluation, approval of award and contract execution will be concluded approximately, May 2020.

With a competitively acquired contract in place resulting from the RFP process, CYFS may continue to seek periodic non-warranty and regular maintenance as required from the successful proponent until a future more in depth review of how the repair and service of CYFS apparatus may be considered.

The interim use of Dependable Emergency Vehicles relating to some intermittent non-warranty repairs and regular maintenance for CYFS apparatus until a competitively awarded contract is in place is of paramount consideration as most of CYFS apparatus have been acquired from Dependable and previously, some non-warranty and regular maintenance have been carried out by them when Fleet was short staffed. While the Non-Warranty Repairs and Regular Maintenance of CYFS Apparatus

results of the RFP will be unknown for some time, CYFS may commence considering all matters relating to a potential shift to another provider of the services if it is required to.

Conclusion

That approval be granted for an interim non-competitive acquisition to the maximum of \$125K for non-warranty repairs and regular maintenance for CYFS apparatus to Dependable Emergency Vehicles, until a competitively acquired contract is established in accordance with the non-competitive provisions of the Procurement By-Law 2014-27 being Section 13.6, Single Source, (iii) where compatibility with an existing product equipment or service is paramount consideration, and table 5, Schedule “D” which requires Council authority to approve matters exceeding a cumulative Procurement Value of \$100K.

Business Plan and Strategic Plan Linkages

This report aligns with the Strategic Priority of Safe Transportation (Streets). This report also aligns with the Rev-it-up recommendations for improving administration and service levels within the Town of Newmarket.

Consultation

CYFS has consulted with the Town of Newmarket Fleet Services and Procurement Services.

Human Resource Considerations

None.

Budget Impact

The budget for fire vehicle repairs and maintenance falls under operating budget surpluses.

Attachments

None.

Approval

Chief Ian Laing, Central York Fire Services

Contact

Please contact Deputy Chief Rocco Volpe at rvolpe@cyfs.ca

Non-Warranty Repairs and Regular Maintenance of CYFS Apparatus



January 23, 2020

Ms. Lisa Lyons, Town Clerk
Town of Newmarket
395 Mulock Drive, P.O. Box 328 STN Main
Newmarket, Ontario L3Y 8P3

Email: llyons@newmarket.ca

Dear Ms. Lyons,

Re: Richmond Hill Resolution – Member Motion submitted by Regional and Local Councillor Perrelli regarding Regional Consolidation of Fire Services

Richmond Hill City Council, at its meeting held on January 22, 2020, adopted the following resolution:

Whereas Fire Services is an essential service for the protection of people and property in Richmond Hill; and

Whereas Fire Services are provided by all municipalities; and

Whereas fire suppression should be planned without regard for municipal boundaries to determine the optimal location of stations for public safety; and

Whereas fire suppression is currently planned based on municipal boundaries; and

Whereas the majority of response calls made by Fire Services are medical-based calls; and

Whereas Police and Emergency Medical Services are already consolidated and delivered by York Region; and

Whereas effective and efficient service may be better planned and delivered by consolidating Fire Services at the Regional level together with other first response services; and

Whereas administrative efficiencies may be gained on non-suppression fire activities such as training, education, dispatch, vehicle maintenance and inspections; and

Whereas York Regional Chair Wayne Emmerson supports Regional consolidation of Fire Services;

...2/

Now Therefore Be It Resolved:

- i) That York Region be requested to upload fire services for the purpose of consolidating Fire Services at the regional level;
- ii) That said action involve all York Region municipalities; and
- iii) That this resolution be forwarded to York Region and the other York Region local municipalities for support.

Please find attached a copy of the Council endorsed resolution for your records.

If you have any questions, please feel free to contact me at (905) 771-2529.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Huycke', with a stylized flourish at the end.

Stephen M.A. Huycke
Director of Legislative Services/City Clerk

Attachment

**Extract from Council Meeting
C#01-20 held January 22, 2020
Confirmatory By-law 7-20**

14. Other Business

14.1 Regional and Local Councillor Perrelli - Regional Consolidation of Fire Services

Moved by: Regional and Local Councillor Perrelli
Seconded by: Councillor Beros

Whereas Fire Services is an essential service for the protection of people and property in Richmond Hill; and

Whereas Fire Services are provided by all municipalities; and

Whereas fire suppression should be planned without regard for municipal boundaries to determine the optimal location of stations for public safety; and

Whereas fire suppression is currently planned based on municipal boundaries; and

Whereas the majority of response calls made by Fire Services are medical-based calls; and

Whereas Police and Emergency Medical Services are already consolidated and delivered by York Region; and

Whereas effective and efficient service may be better planned and delivered by consolidating Fire Services at the Regional level together with other first response services; and

Whereas administrative efficiencies may be gained on non-suppression fire activities such as training, education, dispatch, vehicle maintenance and inspections; and

Whereas York Regional Chair Wayne Emmerson supports Regional consolidation of Fire Services;

FOR YOUR INFORMATION AND ANY ACTION DEEMED NECESSARY

**Extract from Council Meeting
C#01-20 held January 22, 2020
Confirmatory By-law 7-20**

Now Therefore Be It Resolved:

- i) That York Region be requested to upload fire services for the purpose of consolidating Fire Services at the regional level;
- ii) That said action involve all York Region municipalities; and
- iii) That this resolution be forwarded to York Region and the other York Region local municipalities for support.

A recorded vote was taken:

In favour: (7): Regional and Local Councillor Perrelli, Councillor Chan, Councillor Beros, Mayor Barrow, Councillor Cilevitz, Councillor Liu, Councillor West

Opposed: (1): Councillor Muench

Motion Carried (7 to 1)

FOR YOUR INFORMATION AND ANY ACTION DEEMED NECESSARY



Town of Newmarket

Minutes

Audit Committee

Date: Tuesday, June 18, 2019
Time: 9:00 AM
Location: Cane Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Cristine Prattas, Chair
Terrance Alderson
Councillor Bisanz
Michael Tambosso, Vice Chair

Members Absent: Councillor Morrison
Deputy Mayor & Regional Councillor Vegh

Staff Present: Jag Sharma, Chief Administrative Officer
Esther Armchuk, Commissioner of Corporate Services
Todd Kyle, Chief Executive Officer of Newmarket Public Library
Mike Mayes, Director of Financial Services/Treasurer
Dawn Schellenberg, Manager of Accounting and Finance
Kiran Saini, Deputy Clerk

Guests: Hillary Bell, Deloitte Canada
Pina Colavecchia, Deloitte Canada

1. Additions and Corrections to the Agenda

The Committee Members requested that the following items be added to the agenda:

- Audit Committee Meeting Minutes of September 12, 2018 - Internal Audit Report
- Committee Mandate

Moved by: Michael Tambosso

Seconded by: Terrance Alderson

1. That the additions to the agenda be approved.

Carried

2. Declarations of Pecuniary Interest

None.

3. Approval of Minutes

3.1 Audit Committee Meeting Minutes of September 12, 2018

Committee members discussed the internal audit in relation to the internal auditor presenting to the Audit Committee.

Moved by: Terrance Alderson

Seconded by: Michael Tambosso

1. That the Audit Committee Meeting Minutes of September 21, 2018 be approved.

Carried

4. Items

4.1 Review of 2018 Financial Statements

The Manager of Accounting & Finance and the Treasurer provided a presentation to the Audit Committee regarding the 2018 financial statements which outlined reserve and reserve funds, the Asset Replacement Fund (ARF), and the stormwater charge.

The Committee discussed the implications of Bill 108 and Bill 148, and next steps.

The Committee discussed the public posting of financial statements as part of the agenda package.

Moved by: Councillor Bisanz

Seconded by: Michael Tambosso

1. That the presentation provided by the Manager of Accounting & Finance and the Treasurer regarding the 2018 financial statements be received.

Carried

4.2 Report to the Audit Committee by the External Auditor

Hillary Bell and Pina Colavecchia of Deloitte Canada provided a presentation to the Audit Committee. Discussion regarding the management letter and responses ensued.

The Committee advised that although the external auditor's review includes Newmarket Public Library, the Audit Committee does not conduct a review of these statements.

Moved by: Councillor Bisanz

Seconded by: Michael Tambosso

1. That the presentation provided by Deloitte Canada be received.

Carried

Moved by: Michael Tambosso

Seconded by: Councillor Bisanz

1. That Deloitte be requested to report back to the Audit Committee on any extra time spent on the audit.

Carried

4.3 Town of Newmarket Consolidated Financial Statements

4.3.1 Town of Newmarket Consolidated Financial Statements Report

Moved by: Michael Tambosso

Seconded by: Terrance Alderson

1. That the Audit Committee recommends to Council, that the Consolidated Financial Statements year ended December 31, 2018, as amended, be approved.

Carried

4.3.2 Town of Newmarket Main Street District Business Improvement Area Financial Statements

Moved by: Michael Tambosso

Seconded by: Councillor Bisanz

1. That the Audit Committee recommends to Council, that the Main Street District Business Improvement Area Financial Statements be approved.

Carried

4.3.3 Town of Newmarket Trust Fund Financial Statements

Moved by: Michael Tambosso

Seconded by: Terrance Alderson

1. That the Audit Committee recommends to Council, that the Trust Fund Financial Statements be approved.

Carried

4.3.4 Financial Statement Discussion and Analysis (FSD&A)

Moved by: Councillor Bisanz

Seconded by: Terrance Alderson

1. That the Financial Statement Discussion and Analysis be received.

Carried

5. New Business

5.1 Audit Committee Minutes of September 12, 2018

Moved by: Michael Tambosso

Seconded by: Terrance Alderson

1. That the Audit Committee Chair be involved in reviewing the meeting agenda prior to publishing.

Carried

5.2 Mandate of Committee

There was discussion regarding the Audit Committee's revised terms of reference.

Moved by: Michael Tambosso

Seconded by: Terrance Alderson

1. That the committee mandate be reviewed by the new Audit Committee members.

Carried

6. Closed Session

Moved by: Michael Tambosso

Seconded by: Terrance Alderson

1. That the Audit Committee resolve into a Closed Session to discuss personal matters about identifiable individuals in accordance with Section 239 (2) (b) of the Municipal Act, 2001.

Carried

The Audit Committee resolved into Closed Session at 11:08 AM.
The Audit Committee (Closed Session) Minutes are recorded under
separate cover.

The Audit Committee resumed into Public Session at 11:17 AM.

7. Adjournment

Moved by: Terrance Alderson

Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 11:22 AM.

Carried

Cristine Prattas, Chair

Date



Town of Newmarket

Minutes

Audit Committee

Date: Monday, October 7, 2019

Time: 1:00 PM

Location: Cane Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Michael Tambosso, Chair
Deputy Mayor & Regional Councillor Vegh, Vice-Chair
Councillor Bisanz
Rebecca Mathewson
Councillor Morrison
Tom Mungham

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
M. Mayes, Director of Financial Services/Treasurer
D. Schellenberg, Manager of Finance & Accounting
T. Kyle, Chief Executive Officer, Newmarket Public Library
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

Guests: Pina Colavecchia, Deloitte Canada

1. Additions and Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Presentations

3.1 Orientation Session

The Legislative Coordinator provided an orientation presentation concerning Town By-laws, meeting procedures and the Code of Conduct.

4. Approval of Minutes

4.1 Audit Committee Meeting Minutes of June 18, 2019

Michael Tambosso requested the minutes be amended to reflect the addition to the agenda regarding the internal audit report, as well as the discussion regarding the posting of draft financial statements.

Moved by: Rebecca Mathewson

Seconded by: Councillor Bisanz

1. That the Audit Committee meeting minutes of June 18, 2019 be approved as amended.

Carried

4.2 Audit Committee Meeting (Closed Session) Minutes of June 18, 2019

Moved by: Councillor Bisanz

Seconded by: Tom Mungham

1. That the Audit Committee Meeting (Closed Session) Minutes of June 18, 2019 be approved.

Carried

5. Items

5.1 Appointment of Chair and Vice-Chair

Moved by: Councillor Bisanz

Seconded by: Rebecca Mathewson

1. That Michael Tambosso be appointed as Chair of the Audit Committee.

Carried

Moved by: Councillor Bisanz

Seconded by: Councillor Morrison

2. That Deputy Mayor & Regional Councillor Vegh be appointed as Vice-Chair of the Audit Committee.

Carried

5.2 2019 Audit Service Plan

Pina Colavecchia of Deloitte Canada presented the 2019 Audit service plan to the Committee. The presentation provided an overview of the audit scope and the terms of engagement. The presentation included an overview of significant audit risks, the audit approach, communication requirements, public sector accounting standards and asset retirement obligations. It was noted that while the audit included the Newmarket Public Library, the Audit Committee does not have a role regarding the Newmarket Public Library.

Moved by: Councillor Bisanz

Seconded by: Rebecca Mathewson

1. That the presentation by Pina Colavecchia regarding the 2019 Audit Service Plan be received.

Carried

6. New Business

None.

7. Closed Session (if required)

There was no requirement for a Closed Session.

8. Adjournment

Moved by: Councillor Bisanz

Seconded by: Rebecca Mathewson

1. That the meeting be adjourned at 1:59 PM.

Carried

Michael Tambosso, Chair

Date



Town of Newmarket

Minutes

Newmarket Economic Development Advisory Committee

Date: Tuesday, December 3, 2019

Time: 5:00 PM

Location: Upstairs Boardroom
497 Timothy Street
Newmarket, ON L3Y 1R1

Members Present: Donna Fevreau, Chair
Carin Binder
Marek Dabrowski
Beric Farmer
Jessica Rawlley
Rod Scotland
Darryl Sills
Beth Stevenson
Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Edmund Yeung

Members Absent: Steven Bruno
Robert Bull
Patrick Horgan
Brian Johns
Bri-Ann Stuart

Staff Present: I. McDougall, Commissioner, Community Services
C. Kallio, Economic Development Officer
E. Bryan, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 5:20 PM.
Donna Fevreau in the Chair.

1. Additions & Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Presentations & Deputations

None.

4. Approval of Minutes

4.1 Newmarket Economic Development Advisory Committee Meeting Minutes of September 26, 2019

Moved by: Marek Dabrowski

Seconded by: Carin Binder

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of September 26, 2019 be approved.

Carried

5. Items

5.1 Economic Development 2020-2024 Strategic Plan: Preliminary Strategies for Consideration

The Economic Development Officer reviewed the Newmarket Economic Development Advisory Committee (NEDAC) strategic initiatives list from the joint workshop with Council on October 22, 2019.

The NEDAC Members discussed the initiatives and common themes could be used to group them into when developing the final plan.

The Business Development Officer reviewed the evaluation criteria - aligns with current direction and strategy, ability to create impact/change, economic impact, and resourcing implications.

The NEDAC Members queried Staff regarding the 2018-2022 Council Strategic Priorities, and discussed the importance of various initiatives identified throughout the process thus far.

5.2 2020 Meeting Schedule

Moved by: Carin Binder
Seconded by: Edmund Yeung
1. That the 2020 meeting schedule be approved.

Carried

6. Closed Session

Donna Fevreau advised that that there was no requirement for a closed session.

7. New Business

Beth Stevenson, Brain Power Studios, invited the Newmarket Economic Development Advisory Committee to a Christmas in Paris film premier at Old Town Hall on December 13, 2019 at 7:00 PM.

8. Next Meeting

**8.1 2020-2024 Economic Development Action Plan Business Summit -
February 11, 2020 at Old Town Hall**

9. Adjournment

Moved by: Mayor Taylor
Seconded by: Edmund Yeung
1. That the meeting be adjourned at 6:46 PM.

Carried

Donna Fevreau, Chair

Date

Town of Newmarket

Outstanding Matters List (2018 – 2022 term of Council)

As of February 13, 2020

Q1, 2020				
1.	Meeting Date: Committee of the Whole – April 29, 2019 Subject: 2018-2022 Council Strategic Priorities	Recommendations: 2. That Staff report back to Council with respect to a fulsome, ongoing communications plan (completed) and an overall performance measurement approach intended to track and present progress. Responsible Department: ➤ Strategic Priority Staff Working Group	Q1, 2020	
2.	Meeting Date: Committee of the Whole – April 8, 2019 Subject: Hollingsworth Arena and Future Ice Allocation Considerations	Recommendations: 3. That the Town of Newmarket operate with six ice pads and report back annually on the status of ice allocations, and ability to accommodate users; and 6. That within six months staff bring back a report on any plans for public amenity use at this location; and, Responsible Department: ➤ Recreation & Culture Services	Q1, 2020	
3.	Meeting Date: Committee of the Whole – February 25, 2019 Subject: Recognition of the Widdifield Family	Recommendations: 1. That staff be directed to investigate options that will recognize the area east of the river and west of Doug Duncan Drive, that lies between Timothy and Water St to be recognized in some format by a commemorative plaque or other option that acknowledges and demonstrates the background and history of an area known to be Widdifield Park; and, 2. That Mike Widdifield of Newmarket be notified of any proposals. Responsible Department: ➤ Recreation / Parks	Q1, 2020	Information Report to be provided
4.	Meeting Date: Committee of the Whole – April 9, 2018 Subject: Council Remuneration	Recommendations: 1. That Council refer the consultant and staff report to the new term of Council to be considered along with updated information at that time and to allow for phasing of any further adjustments to occur if necessary; and, Responsible Department: ➤ Office of the CAO/Human Resources	Q1, 2020	

5.	Meeting Date: Special Committee of the Whole – May 14, 2019 Subject: Ranked Ballots	Recommendation: 3. That Staff report back to Council with respect to referendum questions for the 2022 Municipal Election; and, Responsible Departments: ➤ Legislative Services	September 14, 2020	Staff expect to present options for the 2022 Municipal Election at this Committee of the Whole Meeting
6.	Meeting Date: Committee of the Whole - September 23, 2019 Subject: Established Neighbourhoods Compatibility Study	Recommendation: Established Neighbourhoods Compatibility Study Responsible Department: ➤ Planning and Building Services	Q1, 2020	Special Committee of the Whole held January 20, 2020
7.	Meeting Date: Committee of the Whole - August 26, 2019 Subject: Traffic & Parking Petitions	Recommendations: 1. That the petition regarding Parking Restrictions on Helmer Avenue be referred to Staff; and, 2. That the petition regarding Traffic Calming Measures/Speed Mitigation on Flagstone Way be referred to Staff; and, 3. That the petition regarding Traffic Calming Measures/Speed Mitigation on Simcoe Street be referred to Staff. Responsible Departments: ➤ Engineering	Q1, 2020	
8.	Meeting Date: Committee of the Whole - April 30, 2018 Subject: Heritage Designations - York Region Administrative Building and Newmarket Canal System	Recommendations: 1. The Strategic Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report: a. That the Heritage Newmarket Advisory Committee propose to the Region of York that the Administration Centre building be designated, due to its noted architect; and, b. That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system. Responsible Department: ➤ Planning and Building Services	Q1, 2020	
9.	Meeting Date: Committee of the Whole - September 23, 2019 Subject: All Way Stop at Dover Crescent and Burford Street	Recommendations: 1. That the traffic issue related to an all-way stop at Dover Crescent and Burford Street be referred to Staff. Responsible Departments: ➤ Engineering Services	Q1, 2020	Report included on February 24, 2020 CoW Agenda

10.	Meeting Date: Council - September 9, 2019 Subject: All Way Stop at Dover Crescent and Burford Street	Recommendations: 1. That the deputation by Joseph Coupal regarding a Request for an All-way Stop at the Intersection of London Road and Harewood Boulevard be received and referred to staff Responsible Departments: ➤ Engineering Services	Q1, 2020	Report included on February 24, 2020 CoW Agenda
11.	Meeting Date: Committee of the Whole - June 17, 2019 Subject: Protection of Trees on Private Property	Recommendations: 4. That following the internal and public consultation, issues identified in this report, together with comments from the public, and Committee, be addressed by staff in a comprehensive report to the Committee of the Whole with a draft by-law; and, Responsible Department: ➤ Planning Services	Q1, 2020	PIC at the iWonder Event completed.
12.	Meeting Date: Committee of the Whole – June 17, 2019 Subject: Youth Engagement, Diversity and Inclusivity, and Consultation on the Environment	Recommendation: 3. That staff be directed to plan a Climate Change Open House for Fall 2019 (completed) and a Spring 2020 e-Waste Collection event as part of a one-year pilot environmental consultation program and report back in 2020 with a review of this program; Responsible Departments: ➤ Engineering Services, Public Works Services	Q1, 2020	
Q2, 2020				
13.	Meeting Date: Committee of the Whole – March 18, 2019 Subject: Construction Vibration Issues	Recommendations: 5. That staff investigate options for existing sites where construction activity will cause significant vibrations. Responsible Departments: ➤ Planning and Building Services & Engineering Services	Q2, 2020	
14.	Meeting Date: Committee of the Whole – June 17, 2019 Subject: Ward 1 Traffic Petitions	Recommendation: 1. That the petitions regarding traffic issues in Ward 1 be received and referred to staff. <ul style="list-style-type: none"> • Atkins Drive – Speed Mitigation • Helena Court – Parking • Kingsmere Avenue – Stop sign Responsible Departments: ➤ Engineering Services	Q2, 2020	Atkins Drive Report included on February 24, 2020 CoW Agenda

15.	<p>Meeting Date: Committee of the Whole - September 23, 2019</p> <p>Subject: Derelict Properties</p>	<p>Recommendations:</p> <ol style="list-style-type: none"> 1. That Staff circulate an information report related to derelict properties, including information regarding demolition requirements and any impediments that may apply. <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Legislative Services ➤ Planning & Building 	Q2, 2020	
16.	<p>Meeting Date: Committee of the Whole - April 30, 2018</p> <p>Subject: Asset Replacement Fund Strategy</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. That the Asset Replacement Fund Strategy be referred to staff for further information and be brought back to Council for consideration at a later date. <p>Responsible Departments:</p> <ul style="list-style-type: none"> ➤ Financial Services 	Q2, 2020	
17.	<p>Meeting date: Committee of the Whole – March 19, 2018</p> <p>Subject: 500 Water Street Parking Information Report 2018-11 (Cachet Parking Lot)</p>	<p>Recommendation:</p> <ol style="list-style-type: none"> 3. That the Community Centre Lands Task Force work form the basis of a report back to Council, to be brought forward in Q1/Q2, 2019. <p>Responsible Department:</p> <ul style="list-style-type: none"> ➤ Engineering Services/ Community Centre Lands Task Force 	Q2, 2020	

Q3, 2020				
18.	<p>Meeting Date: (1) Committee of the Whole - November 6, 2017</p> <p>(2) Committee of the Whole – April 9, 2018 (Temporary Parking Exemption Report)</p> <p>Subject: Residential Parking</p>	<p>Recommendations: (1) 1. That Development and Infrastructure Services Engineering Services and Planning and Building Services - Report 2017-45 dated November 6th, 2017 regarding Residential Parking Review be received and the following recommendations be adopted:</p> <p style="padding-left: 40px;">c. That, subject to budget approval, staff be directed to undertake a review of the Parking By-law and report back to Committee of the Whole with recommendations on improvements to parking matters discussed in this report.</p> <p>(2) 5. That the Temporary Parking Exemption Program be implemented as a pilot project and reviewed as part of the overall residential parking review scheduled for Q1/Q2, 2019</p> <p>Responsible Department: ➤ Planning and Building Services / Legislative Services</p>	Q3, 2020	CW held on June 10, 2019
19.	<p>Meeting Date: Committee of the Whole – November 4, 2019</p> <p>Subject: Traffic Calming Measures/Speed Mitigation at William Roe Boulevard and Dixon Boulevard</p>	<p>Recommendation: 1. That the petition regarding Traffic Calming Measures/Speed Mitigation at William Roe Boulevard and Dixon Boulevard be referred to Staff.</p> <p>Responsible Departments: ➤ Engineering Services</p>	Q3, 2020	
20.	<p>Meeting Date: Committee of the Whole - February 26, 2018</p> <p>Subject: Newmarket Public Library Study Implementation</p>	<p>Recommendations: 2. That Council refer the further consideration and direction with respect to library facility needs study to the 2018 – 2022 Council Strategic Priority setting process.</p> <p>Responsible Department: ➤ Community Services/Newmarket Public Library</p>	Q3, 2020	

Q4, 2020				
21.	Meeting Date: Committee of the Whole - September 23, 2019 Subject: Town-Wide Mitigation Strategy - Traffic Calming Policy Public Consultation Report	Recommendations: 2. That Staff report back to Council in up to 12 months regarding various initiatives raised in this report. Responsible Departments: ➤ Engineering	Q4, 2020	
22.	Meeting Date: Committee of the Whole – November 4, 2019 Subject: Multi Use Pathways	Recommendation: 1. That Council direct Staff to report back in 2020 regarding the best practices and options for improving the signage and markings on the Tom Taylor Trail system. Responsible Departments: ➤ Public Works/Parks	Q4, 2020	
2021				
23.	Meting Date: Council – January 18, 2016 – Item 35 Subject: 2015-44 – Proposed Trail from Yonge Street to Rita's Avenue	Recommendation: 1. That staff provide alternate trail options for this area at a lower cost. 2. That Item 35 of the Council Minutes of December 14, 2015 being Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be reconsidered; and, 3. That staff provide alternate trail options for this area at a lower cost, including the option of extending the trail through George Luesby Park along Clearmeadow Boulevard to Yonge Street and further connecting the trail from Flanagan Court/Rita's Avenue to the George Luesby Park Trail; and, 4. That staff also include in the report the option of installing lighting along the George Luesby Park Trail. Responsible Department: ➤ Planning and Building Services ➤ Engineering Services	2021	Deferred subsequent to VivaNext construction

24.	Meeting Date: Committee of the Whole - November 4, 2019 Subject: Parking Enforcement Initiative - Pay It Forward Program	Recommendation: 3. That Staff report back to Council within 18 months Responsible Department: ➤ Legislative Services	2021	
25.	Meeting Date: Committee of the Whole – June 17, 2019 Subject: Single Use Plastics	Recommendation: 1. That Council direct staff to bring back a report which outlines the roles and responsibilities of the Province, the Region and the Town in relation to recycling and diversion and provides the following: a. information on what work is currently being done to address the reduction and eventual elimination of single use plastics; and, b. clear options for Council to consider to ensure the town is taking steps within its jurisdiction to reduce and eventually eliminate single use plastics. Responsible Departments: ➤ Public Works/Operations	TBD	
2022-2026 Term of Council				
26.	Meeting Date: Committee of the Whole – January 13, 2020 Subject: Ward Boundary Review	Recommendation: 3. That a Ward Boundary Review be deferred for consideration by the 2022-2026 term of Council Responsible Departments: ➤ Legislative Services		