

## **Additions & Corrections to the Agenda**

Additional items to this Agenda are shown under the Addendum header.

## **Declarations of Pecuniary Interest**

## **Presentations & Recognitions**

1. The Senior Planner - Policy to address the Committee with a PowerPoint presentation regarding the Newmarket Parkland Dedication By-law. (Related to Item 12)

## **Deputations**

2. Mr. Andrew Walasek, Manager, Municipal Engagement, Government Affairs, Canada Post Corporation to address the Committee with an update regarding mailbox conversion.

## **Consent Items (Items #3 to 18)**

3. Correspondence from Ms. Kathy Somers, Member, Canadian Trigeminal Neuralgia Association, requesting proclamation of October 7, 2015 as 'International Trigeminal Neuralgia Awareness Day' and light up in teal request in the Town of Newmarket. p. 1

### **Recommendations:**

a) THAT the correspondence from Ms. Kathy Somers, Canadian Trigeminal Neuralgia Association be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 7, 2015 as 'International Trigeminal Neuralgia Awareness Day';

ii) AND THAT the Riverwalk Commons be lit in teal (if feasible) on October 7, 2015;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

4. Correspondence from Ms. Debbie White dated May 6, 2015 requesting proclamation of June 1 to 8, 2015 as 'World Oceans Week' in the Town of Newmarket. p. 8

Recommendations:

a) THAT the correspondence from Ms. Debbie White be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June 1 to 8, 2015 as 'World Oceans Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

5. Correspondence dated May 1, 2015 from Ms. Sheila Nicholas, Chair, Teachers of English as a Second Language Association of Ontario requesting November 8 to 14, 2015 be proclaimed 'English as a Second Language Week' in the Town of Newmarket. p. 10

Recommendations:

a) THAT the correspondence from Ms. Sheila Nicholas, Chair, Teachers of English as a Second Language Association of Ontario be received and the following recommendations be adopted:

i) THAT November 8 to 14, 2015 be proclaimed 'English as a Second Language Week' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised on the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

6. Chief Administrative Officer Report 2015-05 dated May 14, 2015 regarding 'Council's Strategic Priorities'. p. 11

The Chief Administrative Officer recommends:

a) THAT Chief Administrative Officer Report 2015-05 dated May 14, 2015 regarding 'Council's Strategic Priorities' be received and the following recommendation be adopted:

i ) THAT Council approve the suggested wording of its strategic priorities for the 2014-2018 term, as outlined in Column 'B' of Attachment 'A'.



7. Joint Report - Development and Infrastructure Services - Public Works and Corporate Services Commission - Procurement Services Department Report 2015-12 dated May 7, 2015 regarding Natural Gas Consulting and Supply Agreement. p. 17

The Chief Administrative Officer, the Commissioners of Development and Infrastructure Services and Corporate Services and the Director of Public Works Services recommend:

a) THAT Joint Development and Infrastructure Services - Public Works Services and Corporate Services Commission Report - Procurement Services 2015-12 dated May 7, 2015 regarding Natural Gas Consulting and Supply Agreement be received and the following recommendations be adopted:

i) THAT the Director, Public Works Services be authorized to enter into contract with and retain Blackstone Energy Services, at a cost of approximately \$800.00 per month plus H.S.T. until July 22, 2017 with the option to extend for one-two (2) year period, as the Town's Contract Agent for the purchase of Natural Gas;

ii) AND THAT the Director, Public Works Services be authorized to enter into Natural Gas Supply agreements with the Royal Bank of Canada, Shell Energy North America (Canada) Inc. and any other Natural Gas Supplier, where it is in the best interest of the Town of Newmarket, provided the supplier has an equal to or better credit rating, in accordance with the Hedging Policy;

iii) AND THAT Director, Public Works Services shall report back to Council at least once each fiscal year, in accordance with the Hedging policy with respect to any and all commodity price agreements in place.

8. Development and Infrastructure Services Report - Engineering Services 2015-30 dated April 23, 2015 regarding Metrolinx/GO Transit Rail Corridor. p. 20

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

a) THAT Development and Infrastructure Services Report – ES2015-30 dated April 23, 2015 regarding Metrolinx/GO Transit Rail Corridor - Newmarket be received and the following recommendations be adopted:

i) THAT Metrolinx and York Region be forwarded a copy of this report and Town Council extract;

ii) AND THAT Metrolinx be requested to attend Committee of the Whole to provide a presentation regarding their planned rail enhancements within Newmarket including an estimated schedule for the works within Town.

9. Development and Infrastructure Services Report - Engineering Services 2015-31 dated April 27, 2015 regarding William Stickwood House (Fernbank Farmhouse) Update. p. 27

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-31 dated April 27, 2015 regarding William Stickwood House (Fernbank Farmhouse) Update be received and the following recommendations be adopted:

i) THAT Council not pursue a rental agreement with a potential community-based lease client due to the extensive renovations that would be required to accommodate this particular client and the capital costs associated with those renovations;

ii) AND THAT the potential community-based lease client be advised of Council's decision as soon as possible;

iii) AND THAT staff consider recommendations for the short-term and long-term use of the William Stickwood house and property as part of a long-term Facility Accommodation Plan being undertaken for the Town's Strategic Properties;

iv) AND THAT staff will come forward with a future amended capital budget request for the William Stickwood House consistent with the long-term plan as determined through the Accommodation Plan;

v) AND THAT the existing residence continue to be occupied by a residential tenant to maintain the security and integrity of the property.

10. Development and Infrastructure Services Report - Engineering Services 2015-32 dated May 12, 2015 regarding Cedar Manor Phase 1, 65M-4285 Final Acceptance and Assumption of Underground Works. p. 34

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

a) THAT Development and Infrastructure Services Report ES 2015-32 dated May 12, 2015 regarding the Final Acceptance and Assumption of Underground Works be received and the following recommendations be adopted:

i) THAT the request for Final Acceptance and Assumption of Underground Works of the Cedar Manor Residential Subdivision, Phase 1 as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT Mr. Mauro Baldassarra of Cedar Manor Home Corp., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffers Consulting Engineers Ltd. be notified of these recommendations.

11. Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2015-13 dated May 4, 2015 regarding the Coordinated Provincial Plan Review. p. 38

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

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Corporate Services - Financial Services Report 2015-13 dated May 4, 2015 regarding the Coordinated Provincial Plan Review, Proposed Bill 73 (Planning Act Amendments) and Development Charges System Review be received and the following recommendations be adopted:

i) THAT the comments and issues identified and addressed in this report be forwarded to the Province of Ontario as the Town of Newmarket's comments on the 2015 Coordinated Provincial Plan Review, Proposed Planning Act amendments and Development Charges System review;

ii) AND THAT the following be notified of this action:

1. Richard Stromberg, Manager, Ministry of Municipal Affairs and Housing, Ontario Growth Secretariat, 777 Bay Street, Toronto, ON M5G 2E5
2. Ken Petersen, Manager, Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing, 777 Bay Street, 13th floor, Toronto, ON M5G 2E5
3. Ms. Valerie Shuttleworth, Chief Planner, The Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1

12. Development and Infrastructure Services Report - Planning and Building Services 2015-11 dated May 25, 2015 regarding the Newmarket Parkland Dedication By-law. p. 47

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

a) THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2015-11 dated May 25, 2015 regarding the Newmarket Parkland Dedication By-law be received and the following recommendations be adopted:

i) THAT the Parkland Dedication By-law for the Town of Newmarket as contained in Attachment 1 be received;

ii) AND THAT staff be directed to provide notice to the public, the development community and BILD of the proposed by-law;

iii) AND THAT following public input that staff summarize in a report to the Committee of the Whole the issues identified and the comments received along with the final recommendation for the Parkland Dedication By-law for Council's approval;

iv) AND THAT staff be directed to report back to Committee of the Whole on the other funding strategies to address the identified shortfall of Town-wide parkland in conjunction with the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.

13. Development and Infrastructure Services - Planning and Building Services Report 2015-20 dated May 14, 2015 regarding a request to waive fees and charges for proposed hospice. p. 80

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

a) THAT Development and Infrastructure Services - Planning & Building Services Report 2015-20 dated May 14, 2015 regarding a request to waive fees and charges associated with Site Plan Approval be received and the following recommendations be adopted:

i) THAT the request from the Southlake Regional Health Centre Foundation for waived fees be received;

ii) AND THAT Council deny the request to waive the Security (performance guarantee) of \$65,000 and the Tree Security of \$12,020;

iii) AND THAT Council waive the requirement for a cash-in-lieu of parkland contribution;

iv) AND THAT Council deny the request to waive the following fees:

- a) Tree Compensation of \$9,450
- b) Engineering Review fees of \$37,309.80
- c) Finance Administration fee of \$3,250
- d) Town's Consulting Arborist peer review fees of \$1,040

v) AND THAT Mr. Paul Clarry, Vice-President, Clinical Support and Facilities, Southlake Regional Health Centre 596 Davis Drive Newmarket ON L3Y 2P9 be notified of this action.

14. Community Services - Recreation and Culture Report 2015-09 dated May 12, p. 88 2015 regarding Newmarket Theatre Operations.

The Commissioner of Community Services and the Director of Recreation and Culture recommend:

a) THAT Community Services - Recreation and Culture Report 2015-12 dated May 12, 2015 regarding Newmarket Theatre Operations in the Town of Newmarket be received and the following recommendations be adopted:

i) THAT Council endorse the Task Force Vision of: The Newmarket Theatre is a professional theatre dedicated to providing high quality entertainment. Community theatre will remain an important part of the cultural fabric through space at Old Town Hall or when space permits at the Newmarket Theatre;

ii) AND THAT Council endorse the recommendations of the Theatre Task Force, recognizing that recommendations that have budgetary impact will be reported on separately for consideration.

15. Corporate Services Report - Financial Services 2015-27 dated May 25, 2015 p. 97 regarding Property Tax Rates and By-law for 2015.

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

a) THAT Corporate Services Report - Financial Services 2015-27 dated May 25, 2015 regarding Property Tax Rates and By-law for 2015 be received and the following recommendations be adopted:

i) THAT the property tax rates for 2015, as applied to the assessment roll returned for taxation 2015, be set for Town purposes, as follows:

Property Class	Tax Rate
Residential	0.390965%
Multi-Residential	0.390965%
Commercial	0.436786%
Industrial	0.513102%
Pipelines	0.359297%
Farmland/Managed Forest	0.097741%

ii) AND THAT the applicable tax rate by-law attached as Appendix 'A' be forwarded to Council for approval.

16. Corporate Services Report - Financial Services 2015-31 dated May 6, 2015 p. 106 regarding the 2014 Capital Carry-overs Report.

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

a) THAT Corporate Services Report - Financial Services 2015-31 dated May 6, 2015 regarding the 2014 Capital Carry-overs be received for information purposes.

17. Corporate Services Report - Financial Services 2015-30 dated May 6, 2015 p. 110 regarding 2015 Reserves and Reserve Funds Budget.

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

a) THAT Corporate Services Report - Financial Services 2015-30 dated May 6, 2015 regarding 2015 Reserves and Reserve Funds Budget be received and the following recommendations be adopted:

i) THAT the projected revenues for the 2015 Reserves and Reserve Funds Budget, as set out in the attachment be approved.



18. List of Outstanding Matters. p. 123

Recommendation:

- a) THAT the List of Outstanding Matters be received.

## **Action Items**

## **Correspondence & Petitions**

## **Reports by Regional Representatives**

## **Notices of Motion**

## **Motions**

19. Councillor Sponga: p. 130

THAT staff prepare a report in 60 days on possible waste management solutions for the Main Street Area, specifically as it pertains to weekend waste storage and collection.

20. Councillor Sponga: p. 131

THAT staff review our Film Permit Policy and Permitting Process to include maps with designated locations for parking and production and that the cost of additional parking enforcement be added to the permit on a cost recovery basis.

## **New Business**

## **Closed Session**

21. Corporate Services (Legal Services) (Closed Session) Report 2015-02 regarding a the potential disposition of land by the municipality (Ward 2) as per the Municipal Act, Section 239 (2) (c)
22. Status Report regarding potential disposition of land by the municipality (Ward 3) as per the Municipal Act Section 239 (2) (c)

## **Public Hearing Matters**

## **Addendum (Additions and Corrections)**

23. PowerPoint Presentation regarding the Newmarket Parkland Dedication By-law. p. 132  
(Related to Item 1)

## **Adjournment**

My name is Kathy Somers. I am a member of the Canadian Trigeminal Neuralgia Association (CaTNA). I share the title of Group Leader for the Toronto/York region chapter with Sandra Arangio. It is the goal of our group to make "Trigeminal Neuralgia" better known in society. Below you will find a description of TN, as you requested. Our support group meets the last Sunday of every month at the Thornhill Community Centre, room 6B 9:30 a.m. (but not in DECEMBER)

We have recently joined forces with an on line group called "TNNME" this is an international group that also has many people who are in terrible pain and we are all working together internationally to bring awareness to tn to help others. October 7<sup>th</sup> has been declared International Trigeminal Neuralgia day. We are working together to have buildings and bridges all over the world to light up in TEAL on this day. This year October 7<sup>th</sup> 2015 is dedicated to the children and young people who have TN.

Can you imagine for one minute what it's like to not be able to wash your face, brush your teeth, be passionate about a topic and not participate because you can't speak. I'm not talking about a minute, hour etc. I mean start to speak and be in pain for hours or days and never be able to give your opinion. All Emotions you feel cause more pain. Heat cold, steam from the oven stove top, your dinner plate all set off tn. Drafts, fans, air conditioning any kind of air flow in a room can set off tn. No laughing, or smiling as most times it is impossible to change the expression on your face. No running, no jumping, I don't have time to tell you about bumpy roads if your tn is already bad. TN is isolation, loneliness, loss of friends, and depression. I want so badly to reach others who are in pain and don't know what to do about it. Or perhaps they were told it is all in their mind or some other ailment. Las year I had the privilege to participate in the volunteer fair held at Keswick library. By participating in this project 100 people went home knowing what TN is and I received 4 emails from people who have TN and wanted more information.

TN is one of the worse pains know to mankind. Although, there are many medications, and surgeries that TN patients can take, they can be quite unsuccessful for some of us. Sandra and I both have to types 1 & 2. We have all the pains described below in all branches on the right side of our face. Sandra's surgery was not successful as she is now classified as Idio pathic pain (means they don't know what it is caused by). My surgery was successful for my type 1, but not type 2 leaving me with pain most of the time with some good stages. But when it returns it is worse than the last time. The medication we take is antiseizure medication that works best for TN and causes terrible side effects. Some people are very allergic to the medication and have no choice but resort to surgery. And although it helps control the pain, we are still in terrible pain daily. 15% percent of MS patients will develop TN.

### **WHAT IS TRIGEMINAL NEURALGIA**

Trigeminal Neuralgia, also known as tic douloureux, is an excruciating facial pain that tends to come and go in sudden shock-like attacks. It is a chronic disorder of the trigeminal nerve (5<sup>th</sup> cranial nerve), which is the largest of the body's 12 pairs of cranial nerves. The trigeminal nerve has three branches, which conduct sensation from the upper, middle and lower portions of the face, and also the oral cavity, to the brain.

Upper – 1st Branch – Ophthalmic, Eye, eyebrow, forehead and frontal portion of the scalp.

Middle- 2<sup>nd</sup> Branch – Maxillary, Upper lip, upper teeth, upper gum, cheek, lower eyelid and side of the nose.

Lower- 3<sup>rd</sup> Branch – Mandibular. Lower lip, lower teeth, lower gum and side of the tongue. Also covers a narrow area that extends from the lower jaw in front of the ear to the side of the head.

The painful attacks of TN can involve one or more branches. Most commonly the middle branch or the lower branch either individually or in combination with each other are involved. Only about 4% of patients experience pain in the upper branch. In rare instances all three branches may be involved. The right side of the face is more frequently affected than the left. In a small percentage of patients, pain occurs on both sides of the face, but rarely at the same time. The area of the nerve branch involvement determines the type of symptoms the patient will describe to the physician. It is extremely important that the patient gives a clear description of the area where the

pain is being felt and the character of the sensation consists of it, jabbing, shock-like, burning etc. as this will help to confirm the diagnosis and recommendation for treatment...

Since the largest percent of patients have involvement of the middle and lower branches many of the initial symptoms are felt in the teeth and gums. Many patients experience a dull, continuous aching and gum sensitivity to heat and cold prior to the onset of the more intense, classical symptoms of TN. This period, sometimes referred to as pre-trigeminal neuralgia, presents a considerable diagnostic challenge, especially for the dentist since this is, quite often, the first health professional to see the patient. While true dental abnormalities do produce pain, the pain of TN is not caused by dental problems. What may appear, as a toothache may actually be an early symptom of TN. It is not unusual for a TN patient to see half a dozen or more dentists, oral surgeons, ear, nose and throat and TMJ specialists, etc. many modes of treatment - root canals, extractions oral surgeries, etc. – are pursued, to no avail, while the pain steadily worsens and more classic symptoms of TN develop.

I have attached our CaTNA flyer and our TNNME flyer. See [www.tnnme.com](http://www.tnnme.com) for more TN stories and information and the buildings and bridges around the world that will light up TEAL for us on October 7<sup>th</sup>, 2015

#### WEBSITES OF INTEREST

[http://www.umanitoba.ca/cranial\\_nerves](http://www.umanitoba.ca/cranial_nerves)

[www.tna-support.org](http://www.tna-support.org)

[www.tnnme.com](http://www.tnnme.com)

[www.catna2.ca](http://www.catna2.ca)

***'TOGETHER WE WILL END THE PAIN'***

## Our Light Up Teal Request for International Trigeminal Neuralgia Awareness Day.

Hello,

We're celebrating the Third Annual International Trigeminal Neuralgia Awareness Day on October 7th 2015

This year we're focus on awareness for our children and teenagers living with TN and Facial Pain Disorders

What is trigeminal neuralgia?

We would be thankful for your authorization to be able to "Light Up Teal" (or even near to it) on October 7th 2015. If you're not the main one to make this kind of authorization could you please forward this request towards the individual that provides this sort of permissions?

We are sending out the request early to give notice and time for the approval process to accommodate the "Light up Teal" for international bridges, buildings and structures which are taking part. All approvals will be mentioned on this web sites, social network sites as well as continuous press announcements, newspapers articles and/or blog posts.

We will make sure to send any coverage to help keep everyone posted.

We have mentioned the "Light Up Teal" regarding 2014 on this TNNME web site: <http://www.tnnme.com/2014-light-up-teal.html> and once we have your authorization for 2015 we will make sure they outlined on TNNME web site as well.

See below for details however please let me know should there be anything we could do to get your authorization and support...Thank you so much,Toni Saunders

Name of Organization: TNNME = (Trigeminal Neuralgia and Me) as well as (Non Profit) The Facial Pain Research Foundation

International Awareness: Education and Financing for Trigeminal Neuralgia and Facial Pains Disorders

Contact Person: Toni Saunders

Phone number: 617-619-1238

Email address: [tawareness@gmail.com](mailto:tawareness@gmail.com)

Reason related to submitting the illumination request: Third International Trigeminal Neuralgia Awareness Day October 7th 2015

Web site address: <http://www.tnnme.com>

If you would like to support Canada TNA you can become a member for \$10 per year. This money helps with mailing costs, establishing new support groups and maintaining the web site. We appreciate your support.

Please send this form along with a check or money order to:

**Canada TNA**  
**Jan Williams**  
**[www.catna2.ca](http://www.catna2.ca) or Kathy Somers**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Home Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Annual Membership fees \$10.00

Donations can be accepted by the local support group. Unfortunately, income receipts are not available at this time

### *Contact Information*

c/o jan williams  
[help@catna2.ca](mailto:help@catna2.ca)  
Toronto@catna2.ca

### **Ontario**

**Niagara Region**    [niagara@catna2.ca](mailto:niagara@catna2.ca)  
Brenda                (905) 937-6178

**Toronto**                [toronto@catna2.ca](mailto:toronto@catna2.ca)  
Kathy                (905) 853-9849  
Sandra                (905) 284-9215

*Patient Support  
and Information*

# Canada's Trigeminal<sup>4</sup> Neuralgia Association

Together we will end the  
pain

*Ontario*



- Focused radiation with the Gamma Knife or Linac machines.

TN can also be controlled by drugs. The drugs used are anticonvulsant drugs such as Carbamazepine, Oxycarbazepine, Gabapentin, Pregabalin or Phenytoin.

## ***Trigeminal Neuralgia***

Trigeminal Neuralgia is a facial nerve disorder that causes sudden and severe shock-like pains in the face. It is reported to be the most painful condition in the world.

The disease affects approximately 1.5% of the population mostly people over the age of 55 although it can affect people of any age.

There are several causes of TN. It is believed that in most people the disease is caused by the irritation of a blood vessel lying close to the nerve. Other causes include MS, tumors, infections and damage to the trigeminal nerve.

Most people can be helped and successfully treated by either drugs or by neurosurgery. There are three main kinds of surgery:

- The Microvascular decompression which protects the nerve by separating the offending blood vessel from the Trigeminal nerve
- Destructive procedures that damage the nerve to interrupt pain signals. These include the radiofrequency, glycerol and balloon Rhizotomies.

Thornhill

*No one should be left to suffer alone.*

## ***Education***

Canada TNA can arrange seminars presented by experts on the diagnosis and treatment of facial pain. These seminars are open to the general public and are free of charge.

## ***Support***

The Canadian TNA will provide information through its website which is open to everyone. Check it out at [www.catna2.ca](http://www.catna2.ca).

**5**

## ***References***

There are two excellent books recommended: Striking Back! The Trigeminal Neuralgia and Face Pain Handbook. Published by the TNA and written by George Weigel and Kenneth F. Casey, M.D.

Insights: The Facts and Stories Behind Trigeminal Neuralgia. Published by TNA and written by Joanna Zakrzewska, M.D.

TNA, 925 Northwest 56th Terrace, Suite C,  
Gainesville, FL 32605-6402;  
Phone: 1 (800) 923.3608.  
[www.tna-support.org](http://www.tna-support.org)

or

## ***Canada TNA***

This is a network of support groups for anyone with Trigeminal Neuralgia and/or facial pain. The goal of the association is to help patients understand their disease better and to help remove the feelings of isolation and hopelessness that many TN sufferers have experienced.

Canada TNA does not recommend treatment nor make referrals to specific Neurosurgeons or Neurologists.

Currently there are support groups in Alberta, BC, Manitoba, Ontario and Saskatchewan.

## ***Ontario Groups***

Groups meet monthly to provide an opportunity for members to share their experiences and to discuss various topics related to TN. From time to time guest speakers may be invited to speak. The meetings are open to everyone and are free of charge.

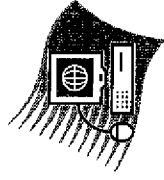
Meetings are held in:  
Niagara

Trigeminal neuralgia symptoms may include one or more of these patterns:

- Occasional twinges of mild pain
- Episodes of severe, shooting or jabbing pain that may feel like an electric shock
- Spontaneous attacks of pain or attacks triggered by things such as touching the face, chewing, speaking and brushing teeth
- Bouts of pain lasting from a few seconds to several seconds
- Episodes of several attacks lasting days, weeks, months or longer — some people have periods when they experience no pain
- Pain in areas supplied by the trigeminal nerve, including the cheek, jaw, teeth, gums, lips, or less often the eye and forehead
- Pain affecting one side of your face at a time
- Pain focused in one spot or spread in a wider pattern
- Attacks becoming more frequent and intense over time

#### When to see a doctor

If you experience facial pain, particularly prolonged or recurring pain or pain unrelieved by over-the-counter pain relievers, see your doctor.



The Trigeminal Neuralgia and Face Pain Handbook

By: George Weigel & Kenneth F. Casey, M.D.

#### The Facial Pain Research Foundation:

[www.facingfacialpain.org](http://www.facingfacialpain.org)

#### TNA Facial Pain Association:

[www.fpa-support.org](http://www.fpa-support.org)

#### Trigeminal Neuralgia Association UK

[www.tna.org.uk/](http://www.tna.org.uk/)

#### Facebook Support / Awareness Groups

[www.facebook.com/Oct7thTNawareness](http://www.facebook.com/Oct7thTNawareness)

[www.facebook.com/groups/532174223526996/](http://www.facebook.com/groups/532174223526996/)

[www.facebook.com/groups/infamily4all/](http://www.facebook.com/groups/infamily4all/)

[www.facebook.com/groups/2394464747/](http://www.facebook.com/groups/2394464747/)

Screen Name    tnnme (twitter)

Website        [www.tnnme.com](http://www.tnnme.com)

Email            [tnawareness@gmail.com](mailto:tnawareness@gmail.com)

Facebook       [facebook.com/tnnme.tn](https://facebook.com/tnnme.tn)

Designed By:

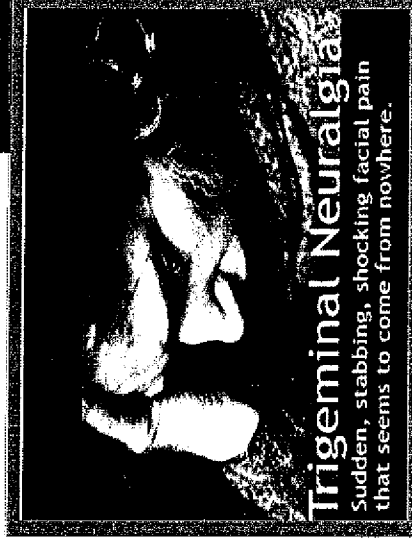
Rebecca D. Thorpe (Indiana Awareness Fighter)

Brochure approved by: TNNME

Could you  
have,

# Trigeminal Neuralgia?

So painful it's called  
"The Suicide Disease"

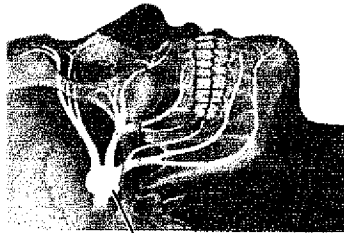


**Trigeminal Neuralgia**  
Sudden, stabbing, shocking facial pain  
that seems to come from nowhere.

[www.tnnme.com](http://www.tnnme.com)

# What is Trigeminal Neuralgia?

Trigeminal neuralgia is a chronic pain condition that affects the trigeminal nerve, which carries sensation from your face to your brain. If you have trigeminal neuralgia, even mild stimulation of your face — such as from brushing your teeth or putting on makeup — may trigger a jolt of excruciating pain.



You may initially experience short, mild attacks, but trigeminal neuralgia can progress, causing longer, more frequent bouts of searing pain. Trigeminal neuralgia affects women more often than men, and it's more likely to occur in people who are older than 50 although cases occur in people under 40, many are children.

Because of the variety of treatment options available, having TN doesn't necessarily mean you're doomed to a life of pain. Doctors usually can effectively manage trigeminal neuralgia with medications, injections or surgery.

## Triggers

A variety of triggers may set off the pain of trigeminal neuralgia, including:

- Shaving
- Stroking your face
- Eating
- Drinking
- Brushing your teeth
- Talking
- Putting on makeup
- Encountering a breeze
- Smiling
- Washing your face

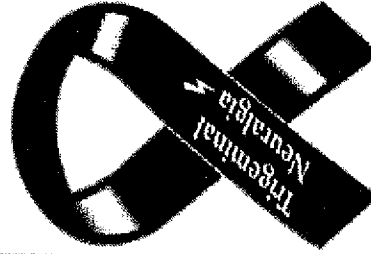
Your facial pain may be caused by many different conditions, so an accurate diagnosis is important. Your doctor may order additional tests to rule out other conditions.

Trigeminal Neuralgia

Make an appointment with your family doctor or primary care provider if you have symptoms common to trigeminal neuralgia. After your initial appointment, you may see a doctor trained in the diagnosis and treatment of brain and nervous system conditions (neurologist)

## What you can do to prepare

- Write down any symptoms you've been having, and for how long.
- Note the triggers, such as triggers that bring on your attacks of facial pain.
- Make a list of your key medical information, including any other conditions for which you're being treated and the names of any medications, vitamins or supplements you're taking.
- Take a family member or friend along, if possible. Someone who accompanies you may remember something that you missed or forgot.



Yearly Awareness Day  
October, 7th.

**Write down questions in advance, to ask your doctor at your appointment.**

**Creating your list of questions in advance can help you make the most of your time with your doctor.**

**From:** Bates, Tina on behalf of Mayor Van Bynen  
**Sent:** May-06-15 2:30 PM  
**To:** Clerks  
**Subject:** FW: World Oceans Day & World Oceans Week

Please see email below.

Tina Bates  
 Assistant to the Office of the Mayor  
 ext. 2003

World Oceans Day Canada  
[www.WorldOceansDay.ca](http://www.WorldOceansDay.ca)

May 6, 2015  
 Honorable City Mayor or Reeve

Re: WORLD OCEANS DAY

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
MAY 07 2015		

Dear Honorable Mayor or Reeve;

As you are aware, Canada played a key role in the United Nations declaration of June 8 as World Oceans Day each year. Please remember oceans generate 80% of our oxygen. The theme this year is "One Earth, One Ocean, Ours To Protect".

WORLD OCEANS WEEK CANADA asks you to take a leadership role in your community by:

1. Encouraging your residents to
  - a) Help our oceans and waterways by reducing their personal water usage
  - b) Help our marine life recover by avoiding sea foods on the endangered list
  - c) Keep the shores of our streams, rivers, lakes and oceans free of debris
  - d) Reduce their emissions and personal carbon footprint
2. Proclaiming June 1 to 8 World Oceans Week in your city  
 (wording below)

Municipalities are name on the Cities and Towns page under the "In Action" tab of our website. We will upload your Proclamation on the World Oceans Day Canada website; please email the pdf file. Thank you.

Together we can make a difference now and for future generations.

Sincerely,  
 Debbie White  
 Founding Board Member [www.WorldOceansDay.ca](http://www.WorldOceansDay.ca)  
 Toll free 866 415-8020 [Debbie@WorldOceansDay.ca](mailto:Debbie@WorldOceansDay.ca)

Proclamation Sample for Mayors

World Oceans Week June 1 to June 8  
In Recognition of World Oceans Day Awareness

Whereas, in 2009 the United Nations proclaimed June 8 to be World Oceans Day each year around the world; and

Whereas, since 1992 Canada played a key role in the United Nations recognizing World Oceans Day; and

Whereas, World Oceans Week Canada was founded to encourage all Canadians to honour, celebrate, protect and preserve our waterways and oceans as well as the habitat along and in our waterways and oceans where 80% of the oxygen we breathe is generated; and

Whereas, World Oceans Week Canada has designated June 1 to June 8 as World Oceans Week in Canada; and

Whereas, World Oceans Week Canada urges all Canadians to take action to conserve water, preserve waterways and shorelines, reduce emissions, reduce their carbon footprint and protect the habitat along and in our waterways; and

Whereas, World Oceans Week Canada urges all Canadians to help our marine life recover by avoiding sea foods on the endangered list ; and

NOW THEREFORE, I, Mayor ..... of ....., by virtue of the authority vested in me as Mayor of the City of ....., do hereby proclaim June 1 to June 8 as World Oceans Week in our city and encourage the residents of ..... to actively conserve, preserve and protect our waterways, oceans and habit

IN WITNESS THEREOF, I have set my hand and caused the Seal of the City of ..... to be affixed this .... day of ....., 2015.

\_\_\_\_\_  
....., Mayor



TEACHERS OF ENGLISH  
AS A SECOND LANGUAGE  
ASSOCIATION OF ONTARIO

27 Carlton Street, Suite 405  
Toronto, Ontario M5B 1L2  
T 416-593-4243 F 416-593-0164  
TF 1-800-327-4827  
administration@teslontario.org  
www.teslontario.org

May 1, 2015

His Worship Mayor Tony Van Bynen  
Town of Newmarket  
395 Mulock Drive - P.O. Box 328 - STN Main  
Newmarket, ON  
L3Y 4X7

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
<b>MAY 06 2015</b>		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		

Your Worship,

We thank you and your community for taking part in our Ontario-wide initiative to raise the awareness of the importance of English language learning opportunities for newcomers to Canada by declaring English as a Second Language (ESL) Week in the Fall of 2014 during the week in which our annual conference took place.

I am writing on behalf of TESL Ontario (Teachers of English as a Second Language) to invite you to again take part in our province-wide initiative to recognize Ontario's ESL community and declare the week of November 8 - 14, 2015 as "English as a Second Language Week". Given the ever growing diversity of the population of Ontario, we hope you will continue to support our efforts and grant us this request. In 2014, 55 municipalities declared ESL Week and we anticipate that this number will continue to grow, helping the ESL community to celebrate and expand its development.

For 42 years, TESL Ontario has held its Annual Conference to provide professional development for educators, administrators, students and volunteers who make it possible for immigrants, refugees, citizens, and visitors to learn the English language. This year, our conference *"Expanding Horizons - Drawing on Experience and Knowledge"* will be held November 12 & 13, 2015 and we would be honoured if representatives of your Council could participate. If you are interested in participating please contact Kevin Gamble, Office Coordinator, at administration@teslontario.org for further details.

Last year's TESL Ontario Conference attracted more than 800 attendees. Our members travel from across the province and beyond to attend workshops, research symposia, a technology fair and publishers' displays. For many of us, this annual journey to Toronto marks a time when we can share our experiences, expand our skills, and reaffirm the positive contribution that our province makes to diversity.

Through a set of criteria developed to ensure measurable qualifications among ESL professionals, TESL Ontario demands the best of qualifications from our members, as well as the best of training from the TESL training programs accredited by TESL Ontario. As a result, we offer the finest in second language education to our students, who are capable of contributing a wealth of knowledge and experience to Ontario communities.

Attached, please find our suggested wording of the proclamation. If you have any suggestions or comments as to the content of this document, please contact our Executive Director, Renate Tilson, at 416-593-4243 ext. 203.

Thank you for your consideration,

Sincerely,

Sheila Nicholas,  
Chair

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
<b>MAY 07 2015</b>		





May 14, 2015

## **CHIEF ADMINISTRATIVE OFFICER REPORT 2015-05**

**TO:** Mayor Van Bynen and Members of Council

**SUBJECT:** Council's Strategic Priorities

**ORIGIN:** Office of the CAO

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### **RECOMMENDATIONS**

**THAT Chief Administrative Officer Report 2015-05 dated May 14, 2015 regarding "Council's Strategic Priorities" be received and the following recommendations be adopted:**

- 1. THAT Council approve the suggested wording of its strategic priorities for the 2014-2018 term, as outlined in Column "B" of Attachment "A".**

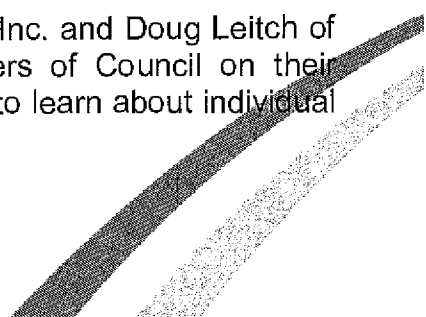
### **COMMENTS**

#### ***Background***

In recent terms of Council, the Town has had a practice of organizing a facilitated discussion with Council to identify its strategic priorities for the term. Council's strategic priorities may be projects, initiatives or areas of interest identified during the municipal election, a continuation of projects underway in the municipality or new initiatives which have been identified by Council. The Town has benefitted from such exercises to identify Council's strategic priorities to focus resources and provide a framework for Council and the community to measure successes and areas of improvement over the course of a term.

Council's strategic priorities are part of the overarching organizational "roadmap" to achieve the community vision, corporate mission, vision and values and to provide a guiding framework for administration to align corporate resources through its various strategies, such as the People Plan, organizational readiness, employee engagement plans and the recently-adopted Strategic Leadership Team vision for the work place.

Following a request for proposals, George Schrijver of WCM Consulting, Inc. and Doug Leitch of Tandem Thinkers, Inc. were hired to facilitate discussion with Members of Council on their strategic priorities. The consultants interviewed each Member of Council to learn about individual



areas of interest and on January 26, 2015 a Council Workshop was held to collectively identify and rank the importance of identified strategic priorities.

After the January 26, 2015 Council Workshop, the consultants worked with senior staff to classify the ranked strategic priorities and develop theme areas for combining like priorities. On March 30, 2015 a Special Committee of the Whole meeting was held to finalize the Council's draft strategic priorities. At this meeting, staff were directed to report back with recommendations on how the wording of their strategic priorities could be more clearly articulated if required and to include a draft communication plan to assist Council with informing the community. The meeting outcome identified 14 strategic priorities grouped into 5 "themes" being Community Engagement, Economic Development/Jobs, Efficiency/Financial Management, Enhanced Recreational Opportunities and Traffic Safety and Mitigation.

On May 12, 2015 the Strategic Leadership and Operational Leadership teams met to identify:

- ✓ Suggested wording for clarity of priorities and resultant actions;
- ✓ Existing, planned and new actions in support of Council's strategic priorities;
- ✓ How Council's strategic priorities can be integrated into the day-to-day activities of the organization, administrative priorities and the performance plans of staff at various levels; and,
- ✓ Internal and external communications activities.

The meeting also helped to ensure Council's strategic priorities will be embedded in the daily activities of the organization and are appropriately tracked and reported on to Council and staff.

Attachment "A" identifies Council's strategic priorities and recommended wording (in column "B") to characterize and clarify their meaning to the community and staff.

Staff are in the process of completing an exercise to identify existing, planned and new actions that implement Council's strategic priorities to be brought forward at the June 15, 2015 Committee of the Whole meeting. This meeting will also include impacts and references to the 2016 and future budgets. Ongoing progress and tracking will take the form of a "report card" to be provided to Council on a routine basis.

### ***Draft Communications Plan***

In June and July, 2015 staff will prepare and share with Council a final communications plan which will unfold over the term, including print materials and content which can be used by Council over the summer at events, Ward meetings, newsletters and social media to inform about Council's strategic priorities. Please see topline draft communications plan below for your input and collaboration.

**External Audiences:** Newmarket residents and businesses, community groups, media.

**Objective:** To build awareness and provide two-way communications opportunities to engage Newmarket stakeholders with Council's Strategic Priorities for the Town, for the term.

**Strategy:** Utilize a cross section of traditional and social media channels, communications tools and technology to engage our stakeholders.

**Tools & Tactics:**

- Create visually appealing, clear and concise, Council Strategic Priorities Plan and accompanying documents, including report cards on our progress for Council and public reference. Communicate and engage residents with the content via the web site, electronic and social media channels, and our e-distribution lists;
- Engage media through releases and progress reports;
- Link and label the plan when reporting on our initiatives, use consistently through Town materials and channels;
- Tweet out and post progress reports in the media, Town Page and Web; and,
- Consider using a crowd/idea sourcing application such as *UserVoice* to create engaging conversations on Council's Strategic Priorities and garner citizen ideas and feedback throughout the term for better, collaborative outcomes. Engage residents at events and facilities (e.g., Farmers' Market).

**Expected Outcomes/Evaluation:** Consider focus groups and/or call-out Interactive Voice Response (IVR) surveys and report cards to measure and communicate progress and awareness levels. Add questions to Community Survey to gauge satisfaction/success.

**Internal Audience:** Staff, Council.

**Objectives:** Align organizational business plans and resources with Council Strategic Priorities. Ensure Council's Strategic Priorities are understood by staff as they perform their day-to-day work and are entrenched in individual and organizational objectives and performance measurement.

**Strategy:** Utilize existing and new and creative communications methods to ingrain Council Strategic Priorities within the organization.

**Tools/Tactics:**

- Town Hall Events;
- Coffee With Events;
- NewsMarket (internal newsletter);
- Posting boards;
- Department/Commission meetings;
- Large visuals in meeting rooms and Council Chambers;
- Include linkages with organizational, departmental and individual goals and performance measurement; and,
- Link and label implementation and progress through staff and Council reports.

**Expected Outcomes/Evaluation:** Track progress and measure success with report card, progress reports and individual performance plans.

**BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The initiative relates to the Well-equipped and managed link of the Town's Community Vision-implementing policy and processes that reflect sound and accountable governance.

**BUDGET IMPACT (CURRENT AND FUTURE)**

Budget impacts related to Council's strategic priorities will be integrated into the 2016 and future budgets.

**CONTACT**

For more information on this report, please contact Peter Noehammer, Commissioner of Development & Infrastructure Services (SLT Lead, Council Strategic Priorities) at [pnoehammer@newmarket.ca](mailto:pnoehammer@newmarket.ca) or at 905 953-5300, ext. 2201.

  
Bob Shelton, Chief Administrative Officer

  
Peter Noehammer, Commissioner of Development  
& Infrastructure Services

## Appendix A

## Council Strategic Priorities

Theme	Column "A" Strategic Priority (as described at March 30, 2015 Special Committee of the Whole meeting)	Column "B" Strategic Priority (suggested wording)
<b>Economic Development / Jobs</b>	a. Completed broadband structure	a. Implementing affordable broadband in Newmarket
	b. Review economic development strategy & prioritization	b. Reviewing & prioritizing our Economic Development Strategy
	c. Community Centre lands (downtown parking)	c. Revitalizing our Community Centre Lands & addressing downtown parking needs
	d. Davis/Yonge redevelopment – optimized for living	d. Creating vibrant & livable corridors along Davis Drive & Yonge Street
	e. Innovation Centre: Southlake / post-secondary / Town	e. Supporting innovative projects & partnerships with various sectors
<b>Enhanced Recreational Opportunities</b>	f. Recreation & community facilities	f. Enhancing our recreation & community facilities
	g. Improve quality of life – community-based projects	g. Supporting community & neighbourhood projects
<b>Community Engagement</b>	h. Communications review & best practices	h. Aligning ourselves with communications best practices
	i. Community engagement – new residents	i. Engaging our changing resident demographics
<b>Efficiency / Financial Management</b>	j. Service delivery & operational optimization (partnerships)	j. Ensuring effective & efficient services
	k. Budget-activity based costing (benchmarking effectiveness & efficiency cost comparators)	k. Measuring our performance

Theme	Column "A" Strategic Priority (as described at March 30, 2015 Special Committee of the Whole meeting)	Column "B" Strategic Priority (suggested wording)
<b>Traffic Safety &amp; Mitigation</b>	l. Street safety (all modes including pedestrians & cyclists)	l. Ensuring safe streets
	m. Traffic congestion strategy (neighbourhoods)	m. Improving traffic congestion
	n. Transit readiness & advancement (vis a vis GO Parking, Viva, HUB, RER initiatives)	n. Supporting major transit service enhancements

**Notes:**

- No importance implied by order of theme or strategic priority
- Implementing actions to be brought forward at June 15, 2015 Committee of the Whole meeting





Corporate Services Commission  
Procurement Services Department  
info@newmarket.ca

May 7, 2015

**JOINT REPORT DEVELOPMENT AND INFRASTRUCTURE – PUBLIC WORKS AND  
CORPORATE SERVICES COMMISSION – PROCUREMENT SERVICES DEPARTMENT  
REPORT 2015-12**

TO: Committee of the Whole

SUBJECT: Natural Gas

ORIGIN: Manager, Facility Services and Manager, Procurement Services

**RECOMMENDATIONS**

**THAT Joint Development and Infrastructure – Public Works Service and Corporate Services Commission Report – Procurement Services Report 2015-12, dated May 7, 2015 regarding Natural Gas Consulting and Supply Agreement be received and the following recommendation(s) be adopted:**

1. **THAT the Director, Public Works Services be authorized to enter into contract with and retain Blackstone Energy Services, at a cost of approximately \$ 800.00 per month plus H.S.T until July 22, 2017 with the option to extend for one – two (2) year period, as the Town's Contract Agent for the purchase of Natural Gas**
2. **AND THAT the Director, Public Works Services be authorized to enter into Natural Gas Supply agreements with the Royal Bank of Canada, Shell Energy North America (Canada) Inc. and any other Natural Gas Supplier, where it is in the best interest of the Town of Newmarket, provided the supplier has an equal to or better credit rating, in accordance with the Hedging Policy;**
3. **AND THAT Director, Public Works Services shall report back to Council at least once each fiscal year, in accordance with the Hedging policy with respect to any and all commodity price agreements in place.**

**COMMENTS**

Newmarket Council at its meeting, Monday April 14, 2008 adopted the Policy and Goals relating to the use of commodity price hedging agreements to address commodity pricing and costs. See Joint Community Services –PWES Report 2008-22 attached.

Appendix "A", item ii h) of the Hedging policy states that the approval of both the Commissioner, Community Service (now Commissioner, Development and Infrastructure Services) and Council

**Newmarket's vision: A community well beyond the ordinary**

395 MULOCK DR., P.O. BOX 328, STN MAIN NEWMARKET, ON L3Y 4X7  
Direct Dial: 905-953-5335 General Information: 905-895-5193 Fax: 905-953-5137

**Joint Development and Infrastructure – Public Works Service and Corporate Services  
Commission Report – Procurement Services Report 2015-12 (May 7, 2015)**

Page 2 of 3

are required for staff to enter into Agency Agreements and/or other contracts and/or arrangements with Contract agents and/or electric or natural gas distribution utilities for the purpose of purchasing, securing and/or delivery of energy supply or commodities in accordance with this policy.

The Director, Public Works Services has already approved, in accordance with his authority under the Hedging Agreement, retaining the services of a Blackstone Energy Services, as the Town's Natural Gas "Contract Consultant", as a result of a competitively public bid through the Ontario Education Collaborative Marketplace (a cooperative of Ontario Universities and Colleges). Item 13.8 Cooperative Purchasing, of Newmarket's Procurement bylaw allows the Town to participate in cooperative purchasing, wherever it is in the best interest of the Town. However, Council approval is required to retain Blackstone Energy as our "Contract Agent" for natural gas, in accordance with item d) of the Hedging Policy.

In addition, staff is requesting Council approval to enter into contracts with both Royal Bank of Canada and Shell Energy North America (Canada) Inc, as recommended by Blackstone Energy Services. Blackstone anticipates that additional contracts with other providers may be required in the future, therefore staff are also requesting Council provide staff authorization to enter into contracts with other natural gas suppliers, where it is in the best interest of the Town and provided the supplier has an equal to or better credit rating, in accordance with the Hedging Policy. There is no obligation to enter into any purchases when a Base contract is executed and/or for however long it is in place, however having these contracts in place allows staff the flexibility to purchase natural gas immediately based on Blackstone's recommendations.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

Well Equipped and Managed – Efficient management of capital assets and municipal resources.

### **CONSULTATION**

The Senior Solicitor, the Director, Public Works Services and the Director, Financial Services / Treasurer have been consulted on this report.

### **BUDGET IMPACT**

#### **Operating Budget (Current and Future)**

Funding for all recommendations is within the Operating Budget.



### **CONTACT**

Harry VanWensem, Manager, Facility Services or  
Gord Sears, Manager, Procurement Services

For more information on this report, contact:

Joint Development and Infrastructure – Public Works Service and Corporate Services  
Commission Report – Procurement Services Report 2015-12 (May 7, 2015)  
Page 3 of 3

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Harry VanWensem  
Manager, Facility Services  
Gord Sears,  
Manager, Procurement Services  
Chris Kalimootoo, BA, P. Eng., MPA, PMP  
Director, Public Works Services  
Anita Moore  
Commissioner, Corporate Services  
Peter Noehammer, Commissioner, P.Eng  
Development and Infrastructure  
Robert Shelton  
Chief Administrative Officer



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

April 23, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
 ENGINEERING SERVICES 2015-30**

TO: Committee of the Whole

SUBJECT: Metrolinx/GO Transit Rail Corridor - Newmarket  
 File No.: T03 T.40.8.2

ORIGIN: Director, Engineering Services

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**RECOMMENDATIONS**

**THAT Development and Infrastructure Services Report – ES2015-30, dated April 23, 2015 regarding Metrolinx/GO Transit Rail Corridor - Newmarket be received and the following recommendations be adopted:**

1. **THAT Metrolinx and York Region be forwarded a copy of this report and Town Council extract;**
2. **AND THAT Metrolinx be requested to attend Committee of the Whole to provide a presentation regarding their planned rail enhancements within Newmarket including an estimated schedule for the works within Town.**

**BACKGROUND**

At its regular meeting of September 29, 2014, Town Council adopted the following motion:

‘THAT a staff report reviewing GO Train operations including east-west road connections, grade separations, speed within the downtown core, frequency of whistles at the train intersections located at Water Street, Timothy Street and Davis Drive and the implementation of a regulated Signaled Pedestrian Crossing at Water Street, Doug Duncan Drive and Fairy Lake be referred to the 2015 budget deliberations.’

The implementation of a regulated signaled pedestrian crossing at Water Street, Doug Duncan Drive and Fairy Lake has been dealt with under a separate report to the Committee of the Whole of March 23, 2015 (Development and Infrastructure Services Report - Engineering Services 2015-20 dated March 5, 2015 regarding Water Street Crossing – Update). The balance of the motion is being dealt with herein.

In addition to the above, at its regular meeting of January 19, 2015, Town Council adopted the following recommendation (under New Business from the January 12, 2015 Committee of the Whole):

‘That staff prepare an Information Report reviewing the implications of all-day GO Transit service from a municipal perspective and that the report address parking issues, specifically at the Tannery Mall and what can be done to expedite the process in the community, including the coordination with other municipalities’.

Although the latter Council request focusses more on future service and station enhancements near the Newmarket GO Station, and further information will be provided to Council in this regard, both requests are considered in this report.

The future rail service enhancements are controlled entirely by Metrolinx and GO Transit, and so it is premature for the Town to know exactly whether, where and when they may choose to locate grade separations and what impact this will have on our east-west road connections. It is prudent, however, at this point to request attendance by Metrolinx staff at an upcoming Town Committee of the Whole meeting to learn more about their commitment and timing for rail enhancements serving Newmarket, and to convey input and rationale for desired amendments to these plans. Staff will also be participating in meetings and technical reviews of Metrolinx’ plans alongside staff from the Region of York and in coordination with other local municipalities in a collaborative way.

## **COMMENTS**

The Metrolinx – GO Transit rail system is an essential public transit service for the Town. The future transportation systems of the Town will rely greatly upon the enhancement of this rail system. Not only does this rail service intersect with the future vivaNext rapidway on Davis Drive, but it also factors into the Town’s intensification plans for the areas outlined by Newmarket’s new Urban Centres Secondary Plan. Furthermore, plans for the recently announced Regional Express Rail (RER) program by the provincial government includes the enhancement of service on the Barrie GO line which will bring off-peak two-way hourly service to Newmarket during daytime, weeknight and weekend periods, as well as 30-minute peak-direction peak period service.

There are currently five (5) east-west road connections that cross the existing rail system through Newmarket. These belong either to York Region or to the Town of Newmarket. From North to South, they are:

- Davis Drive (York Region)
- Queen Street (Town of Newmarket)
- Timothy Street (Town of Newmarket)
- Water Street (Town of Newmarket)
- Mulock Drive (York Region)

If grade separations at Davis Drive, Water Street and Mulock Drive were to be implemented, it would allow for uninterrupted road traffic flow and the transit Rapidway would not be frequently stopped by rail traffic, especially if all-day rail service is provided. Prior to the vivaNext project, Davis Drive had an average daily traffic volume of approximately 25,000 vehicles per day. Mulock Drive exceeded this amount by having an average of 35,000 vehicles per day. Water Street counts are at about 8,000 vehicles per day, with frequent events and attractions resulting in considerable pedestrian traffic in the area. Queen Street is already grade separated with the rail tracks.

Based on these measurements, it is obvious that rail operations are impacting east-west vehicle and pedestrian traffic flow at those intersections even today. In the future, with the expected increase in rail service as a result of RER, roadway flows would be impacted on a more frequent basis.

According to industry guidelines, grade separations are considered when the cross-product index (i.e., the daily traffic volume multiplied by the number of daily trains) exceeds 200,000. Both the Davis Drive and Mulock Drive crossings meet this cross-product index now, and with all-day service, Water Street will very likely be meeting the index threshold as well. Timothy Street would probably not have sufficient traffic volume to meet the index threshold, but they will have to be addressed in some fashion to respond to the additional rail safety exposure and their proximity to adjacent crossings. If grade separations are implemented, train whistling will of course no longer be an issue due to the train operator not having to sound the horn.

As for the speed of trains going through the downtown core, there is currently a maximum limit of 80 km/h for passenger trains and 64km/h for freight trains. The legislated requirement for trains approaching a level crossing is to sound the whistle at 400 metres (the "quarter-mile" post) from each intersection. With the Timothy Street and Water Street crossings being located about 140 metres apart, the trains would have to whistle for the further street prior to crossing the first street, so residents and travelers would hear a double whistle on those combined crossings. Staff could explore whether slowing down the trains might result in less frequent whistling; however, in order to do so a consultant would have to be hired at a significant cost to conduct a safety audit, inspect the current sightlines and negotiate with Metrolinx/GO Transit to determine whether they would be open to slowing down the trains in the context of their service commitments on the Barrie GO line. This expenditure may prove to be a throw-away cost if Metrolinx/GO does not approve of slowing down the trains, or if grade separations are implemented at a future date. It must also be emphasized that, regardless of what improvements or speed adjustments are made, the train conductor has the ultimate uncontested right to sound the horn if he/she so determines necessary to ensure safety at the crossing.

While there are plans for GO Transit rail service enhancements in the Town, there are still several outstanding issues/concerns that need to be discussed with Metrolinx. To this date, it has not been possible to obtain a direct response to these concerns, and with the recent provincial commitment to the RER program, it is an opportune time to recommend that Metrolinx be invited to address Council directly regarding its future plans for Newmarket. A presentation by Metrolinx would be expected to address the following points:



1. Regional Express Rail (RER). The recent announcement by the Province has indicated that 15-minute two-way service on the Barrie GO line would be extended north to Aurora, and all-day hourly two-way service or better would be extended to Barrie, including through Newmarket. Electrification of the line is also being planned. It would be advantageous for the Town to learn about the business case for this extension and the process for considering amendments based on sound rationale, as well as when it will be implemented and how it will affect our road crossings.
2. Newmarket GO Station Area Mobility Hub Study. Metrolinx, in cooperation with the Town, will be undertaking a study regarding the Tannery and surrounding lands. This study would determine the future layout and design of the station, including new access points and recommended station and platform layouts, as well as intensification options to support redevelopment within the Urban Centres and Corridors. This is contemplated in the Town's Secondary Plan OPA #10.
3. Railway Safety Act Upgrades at Level Crossings. The Railway Safety Act and the associated Grade Crossing Regulations and Standards are under the governance of Transport Canada. Their purpose is to improve the safety of Canada's rail system, including where it intersects roads and pedestrian crossings. Essentially, when crossings are assessed for improvements, information is to be shared between the rail authority and the road authority within two years. By 2021, all grade crossings must conform to the safety regulations and standards. Bell/light/gate systems have been established at the crossings at both Timothy Street and Water Street (as well as Davis Drive and Mulock Drive, which are under York Region's jurisdiction). It is expected that improvements would not be required because of the existing gates/bells at these crossings. However, if rail enhancements are made, such as the Metrolinx RER, then access points too close to the crossings (like Doug Duncan Drive) may have to be closed off or their location shifted to improve sight lines and to minimize delays due to vehicle turning movements. Similarly, steeper grade approaches like Water Street may require lowering to improve stopping distances and to prevent vehicles from sliding onto the railway. It is anticipated that such improvements are not required unless rail enhancements are made.
4. Grade Separations. There has been some indication of potential grade separations along Metrolinx RER rail lines as a result of more frequent service. This will be an important consideration for the Town of Newmarket, given that future rail enhancements will increase the number of trains moving through the Town and will block traffic more frequently at Mulock Drive, Davis Drive, Water Street and Timothy Street.
5. Rail Noise / Train Whistling. The Town has been dealing with train whistling and rail noise for many years. In addition, there is a great deal of controversy that exists between adjacent residents and railways regarding train whistle bans. In the Town of Newmarket, although there is an old by-law dating back to 1943 that bans train whistles during night hours, the Town has recently been advised that this by-law cannot legally be enforced and is no longer binding. The recent information report dated January 8, 2015, entitled "2015-10 ES - By-law 837 – "A Bylaw to Prohibit the Sounding of Engine Whistles in the Town of

Newmarket at Certain Times”” addresses the reasons why the by-law cannot be enforced. With the future increase in rail traffic, it is likely that the train whistles and rail noise will increase, unless grade separations are constructed. Pursuing a whistle ban requires careful consideration by the Town. Many factors need to be evaluated. For example:

- a. **Capital Investment:** Anti-Whistling requires a very large capital investment. Although Newmarket's rail crossings are currently safe, they would need to be upgraded significantly to accommodate the higher safety requirements associated with a whistle ban.
  - b. **Liability & Risk:** If Anti-Whistling is enacted, all liability for rail accidents at road crossings must be assumed by the Town. An Anti-Whistling by-law involves an “Insurance Liability Waiver” where the railway authority will require the Town to accept full liability for any potential claims (third party and rail authority operations) arising as a result of the implementation of Anti-Whistling. An accident occurring at a crossing involving a vehicle, pedestrian or cyclist has the potential to be a substantial claim, according to our insurer, and they do not recommend adding this liability to our insurance portfolio. The Town's liability would also extend to York Region crossings within Town limits, such as Davis Drive and Mulock Drive. York Region has stated that it will not assume any liability for its crossings if a local municipality implements Anti-Whistling.
  - c. **Approvals:** The final decision to grant Anti-Whistling rests with GO Transit and Transport Canada. Even if all of the capital improvements are completed, the rail authority and Transport Canada may still decide not to grant the Anti-Whistling order. There is no guarantee, and the authorities will not provide pre-approval before the works are done.
  - d. **Train Operator's Discretionary Right to Sound the Whistle:** Anti-Whistling orders are never final. Regardless of the implementation of an Anti-Whistling by-law, the train operator still has the ultimate sole discretion to disregard the order and blow the whistle anyway.
  - e. **Other Municipal Efforts:** Many municipalities who originally sought to ban train whistles have abandoned their efforts due to high costs, safety risks, logistics, municipal liability and due to the fact that the operator may still decide to blow the whistle even if anti-whistling has been implemented.
6. **Mulock Drive Rail Facilities.** The Town has a policy in its Official Plan (2006) about a potential new station in the industrial area on Mulock Drive. It would be an opportunity to discuss this concept with Metrolinx in the context of the new RER program.
  7. **Water Street Crossing.** Town Council has recently adopted recommendations to proceed with a pedestrian refuge island on Water Street to accommodate pedestrians using the trail system or those trying to cross the road on busy traffic days. The design for the crossing will commence shortly, with the construction to begin in 2016, subject to approvals and budget.



8. Main Street Bridge. The Main Street bridge over the Tannery creek has been identified for rehabilitation in the near future. Bridge rehabilitations are costly and there would be a significant throw-away cost if the bridge would then need to be widened as a result of the recommendations of the Mobility Hub study at the Newmarket GO Station. The bridge project is currently on hold pending Metrolinx's plans and the hub study.

Based on the above, there are issues to discuss and opportunities to explore regarding the approximately six (6) kilometres of rail track through the Town. It is the Town's wish to be able to prepare in a pro-active way for the future rail service expansion so that it may provide an efficient transition and smooth implementation. The rail service expansion could require possible land acquisition, infrastructure improvements, relocations and/or closures that would be easier to implement and more cost effective if planned in advance.

It is recommended that this report be forwarded to Metrolinx for its consideration and that Town Council invite senior Metrolinx staff to make a formal presentation on the above items. This will help the Town plan for future rail service and will also allow the Mayor and Council to ask any additional questions they may have. The main purpose is to initiate a dialogue, seize potential opportunities, and make gradual and well-planned changes towards the ultimate goal of improved rail service for the Town.

## **PUBLIC CONSULTATION**

No public consultation was undertaken for the preparation of this report.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

## **HUMAN RESOURCE CONSIDERATIONS**

No impact.

## **IMPACT ON BUDGET**

### Operating Budget (Current and Future)

No impact.

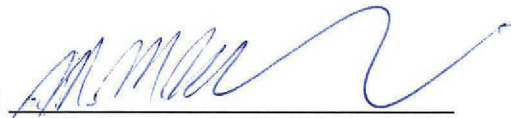
### Capital Budget

No impact, although there could be significant throw-away costs if the Town proceeds with certain capital projects such as the Main Street Bridge Rehabilitation project and then Metrolinx

## **CONTACT**

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

Prepared by:



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Senior Transportation Coordinator



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April 27, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES  
ENGINEERING SERVICES 2015-31**

TO: Committee of the Whole

SUBJECT: William Stickwood House (Fernbank Farmhouse) – Update

ORIGIN: Director, Engineering Services

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**RECOMMENDATIONS**

THAT Development and Infrastructure Services Report – ES2015-31, dated April 27, 2015 entitled “William Stickwood House (Fernbank Farmhouse) – Update” be received and the following recommendations be adopted:

1. THAT Council not pursue a rental agreement with a potential community-based lease client due to the extensive renovations that would be required to accommodate this particular client and the capital costs associated with those renovations;
2. AND THAT the potential community-based lease client be advised of Council’s decision as soon as possible;
3. AND THAT Staff consider recommendations for the short-term and long-term use of the William Stickwood house and property as part of a long-term Facility Accommodation Plan being undertaken for the Town’s Strategic Properties;
4. AND THAT staff will come forward with a future amended capital budget request for the William Stickwood House consistent with the long-term plan as determined through the Accommodation Plan;
5. AND THAT the existing residence continue to be occupied by a residential tenant to maintain the security and integrity of the property.



## **PURPOSE**

The purpose of this report is to provide an update to Council on the William Stickwood House (Fernbank Farmhouse). This report provides a brief history of Council direction to staff as well as an update on the current status of the project and a recommendation from Staff regarding how to proceed.

## **BACKGROUND**

The William Stickwood House (also known as Fernbank Farms and The Stickwood Walker Farm) was built in 1885 as an upgrade to the 1830 Bogart family home. In June 1998, the house received a Municipal Heritage Designation under the Ontario Heritage Act. This designation provides public recognition and promotes awareness of heritage properties. It also provides a process for ensuring that changes to a heritage property are appropriately managed and that these changes respect the property's heritage value. This includes protection from demolition.

Character-defining elements listed in the heritage designation which illustrate the heritage value of the William Stickwood house include:

- Representation of the Stickwood family and their importance in the development of Newmarket as the only local brick manufacturer
- Gothic Revival design, with a "T"-shaped floor plan and a cross-gable roof
- Construction consisting of grey/white brick that was manufactured by William Stickwood
- A four bay front façade with central gable
- Fenestration (windows) consisting of two-over-two, double hung sash with brick arches and louvered shutters
- Single storey veranda enclosing the principal entrance
- Stone rubble foundation
- One grey/white brick chimney located on the east side of the brick structure

Any change to these features requires the approval of the Newmarket Heritage Advisory Committee.

In January 2003 the Town of Newmarket purchased the property and entered into an agreement to preserve the property's rich heritage. As part of the agreement to purchase, the Town of Newmarket agreed to restrict the use of the house and outbuildings to either a heritage museum and/or a historical/agricultural interpretive centre for educational purposes or other similar or recreational public use for a period of 20 years. This agreement expires in January 2023, at which time the Town may alter the potential use of the home and property.

In 2008, Council approved a budget of \$450,000 to undertake renovations to the main house. In 2010, a building assessment was conducted, which concluded that there was insufficient budget for the amount of work required. Therefore, the Town proceeded to conduct only minimal work in order to maintain the building at a reasonable standard until such time as Council would decide on an appropriate use for the house.

In March 2013, Community Services Report 2013-05 was adopted as follows:

**THAT Recreation & Culture, Public Works Services, Engineering Services, Planning and Building Joint Report 2013 - 05 dated March 5, 2013 regarding the Future Use of the Fernbank Farmhouse be received and the following recommendations be adopted:**

- 1. THAT staff be authorized to issue a request for proposals with the intent of securing a suitable charitable and/or not for profit organization dedicated to serving Newmarket for use of the Fernbank Farmhouse;**
- 2. AND THAT staff report back recommending a tenant along with operating and capital projections.**

In November 2013, an information report by the Commissioner of Development Infrastructure Services (Information Report 2013-59) provided an update to Council regarding a Request for Proposals (RFP) to secure a suitable charitable and/or not for profit organization dedicated to serving Newmarket for use of the Fernbank Farmhouse who could assume the property effective January 1, 2015. Only one proposal was received. This proposal met all required criteria.

In preparation for moving ahead, the Commissioner of Development & Infrastructure Services provided a confidential information report (D&IS Commissioner Report 2014-27) in which he recommended that staff undertake a due diligence exercise to quantify the investment required to renovate and modify the facility to meet the needs of the potential community-based lease client. In keeping with this report, Staff retained the services of a qualified heritage architect (Lynch + Comisso Architecture) to provide information on the required renovations, as well as a cost estimate for the works.

### **CURRENT PROJECT UPDATE - WILLIAM STICKWOOD HOUSE AND OUT BUILDINGS**

To gather the information necessary to make an informed decision, staff divided the RFP for the heritage architect into the following two phases:

**Phase 1** - review all background materials, meet with potential community-based lease client and Town staff to determine the extent of required renovations with the intent of establishing a construction cost estimate. This phase would include:

- Pre-design services to assist the Town in analyzing the feasibility of the renovations
- Advice on measures to assist the Town in aligning the project requirements within the proposed budget
- A cost estimate (based upon a comprehensive list of project requirements (i.e. scope) and assumptions)
- A tentative Project Schedule



**Phase 2** - the detailed design and construction administration of the project and the calling of tenders for a contractor to conduct the renovation works. This phase would include:

- Complete schematic designs
- Complete design development
- Production of construction documents
- Assisting the Town through the Bidding/Negotiation of a Construction Contract
- Contract administration during the works

A report dated August 10, 2014, entitled “Fernbank Farmhouse Feasibility Report” was received from Lynch + Comisso Architecture, outlining the findings of Phase 1. The report was completed in consultation with the potential community-based lease client, the Newmarket Heritage Advisory Committee and Town staff. None of the works in Phase 2 have been undertaken to date.

During the course of Phase 1, it was discovered that the existing building poses significant challenges in terms of accessibility required by the potential community-based lease client. Firstly, there are many elevation changes on the ground floor, requiring a new floor or a series of ramps to be constructed to allow for wheelchairs and other assistive devices. Also, corridors would have to be widened and doors relocated to meet accessibility requirements. Additional accessible washroom facilities would also be required to accommodate this potential community-based lease client. The accessibility requirements would add significantly to the cost of the renovations.

Based on extensive investigations, including test pits to assess the depth of the existing foundations, as-built drawings were completed and two viable preliminary design concepts were costed out:

**Concept A:** Alteration of the main house, leaving the existing tail wing “as is” (see photo in Attachment 1) – Estimated investment required of **\$670,000** (including contingency and 10% architectural fees)

**Concept B:** Alteration of the main house and enhancing the “tail wing” as a multipurpose space – Estimated investment required **\$762,000** (including contingency and 10% architectural fees)

The architect’s cost estimates also include the following improvements:

- Improving access to the building and making the ground floor barrier-free;
- Expanding HVAC systems to eliminate reliance on the wood fired stove;
- Stabilizing the existing wood structure;
- Modifying the wooden portions of the structure to make them habitable;
- Waterproofing the foundation;
- Upgrading the mechanical and electrical systems;
- Enhancing the garage and the garden shed to increase their utility.

## **ADDITIONAL CONSIDERATIONS**

Staff has been in constant communication with the potential community-based lease client. Although the client has expressed its interest in an agreement to occupy the grounds if the renovations can be done to the required accessibility requirements, they insist that nothing is binding on either party at this time. If the Town was to go ahead with the potential community-based lease client's proposal, the client would still have to bring the matter back to its Property Committee for approval before being able to move ahead, so there is some uncertainty in whether or not an agreement could be executed. Timing is of concern and the potential community-based lease client is interested in pursuing other properties as well. The sooner the Town can provide a definite response on whether it wishes to move ahead with the potential community-based lease client's proposal or not, the sooner the client can move on to pursue other options.

## **CONSULTATION**

The Fernbank Farmhouse Feasibility Study involved a great deal of consultation with internal departments and external groups, including Procurement, Legal Services, Public Works, Facility Staff, Finance, the Newmarket Heritage Advisory Committee and the potential community-based lease client.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

Well Equipped and Managed

- ensuring that capital assets retain their value and are managed/funded accordingly to sustainable, lifecycle based principles and practices

Well-respected

- Strive to be respected and valued for our exceptional judgment and innovative programs and services while striving to preserve our heritage and environment.

## **HUMAN RESOURCE CONSIDERATIONS**

No impact to current staffing levels.

## **IMPACT ON BUDGET**

### **Operating**

In its proposal to the Town, the potential community-based lease client offered a monthly rental payment of \$1,500 excluding utilities (or \$18,000, annually) over 10 years. Annual rent increases would follow an escalation clause that is based on the Consumer Price Index.

The 2015 operating budget for the property is \$10,250. If this project moves ahead, additional revenue and subsequent cost avoidance associated with utilities is anticipated to have a favourable net operating impact of approximately \$7,750 for 2016, assuming no capital repayment is necessary.



In the meantime, staff is in the process of renewing a residential twelve month lease agreement complete with a payment schedule along with associated valuation being attributed for ensuring the historical residence is protected through an ongoing presence at the house. If Council chooses to not proceed with the proposal from the potential community-based lease client, it is recommended that the Town extend the existing residential tenant's lease agreement to ensure a rental income and the continued protection of the property.

If Council wishes to proceed with the proposal from the potential community-based lease client, Staff recommends that the agreement be structured similar to our existing lease with the Chamber of Commerce, whereby the Town would be responsible for building maintenance associated with the building envelope.

### Capital Budget

Considerable time has passed since the original budget of \$450,000 for the renovation of the Stickwood Walker Farmhouse was approved by Council in 2008. A building condition assessment from 2010 identified needs of \$575,000 to maintain the building, which is now 5 years old. Since then, the cost of construction materials and services has escalated. A request was being made as part of the 2015 budget exercise for an additional \$250,000, but this budget request was deferred for consideration until 2016, pending Council's decision as to whether to proceed with the proposal from the potential community-based lease client or not.

It is important to note that, in April 2006, the barn located on the parcel of land was destroyed by fire. A claim was processed through the Town's insurer and a settlement was received in the amount of \$ 250,049. The funds were set aside into a designated capital reserve for the purpose of rebuilding the barn. These funds can be re-appropriated for other purposes as deemed appropriate by Council at a later time.

### CONTACT

For more information on this report, please contact Rachel Prudhomme at 905-953-5300 extension 2501; [rprudhomme@newmarket.ca](mailto:rprudhomme@newmarket.ca).

Prepared by:



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Director, Engineering Services



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



Attachment 1





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May 12, 2015

## DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2015-32

TO: Committee of the Whole

SUBJECT: Cedar Manor Residential Subdivision, Phase 1– RP - 65M - 4285  
Request for Final Acceptance and Assumption of Underground Works

ORIGIN: Director, Engineering Services

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### RECOMMENDATIONS

**THAT Development and Infrastructure Services Report ES 2015-32 dated May 12, 2015 regarding the Final Acceptance and Assumption of Underground Works be received and the following recommendation(s) be adopted.**

- 1. THAT the request for Final Acceptance and Assumption of Underground Works of the Cedar Manor Residential Subdivision, Phase 1 as shown on the attached map be finally accepted and assumed by the Town;**
- 2. AND THAT Mr. Mauro Baldassarra of Cedar Manor Home Corp., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffers Consulting Engineers Ltd. be notified of these recommendations.**

### COMMENTS

We are in receipt of an application from Schaeffers Consulting Engineers Ltd. on behalf of the Cedar Manor Home Corp., pursuant to the Cedar Manor Residential Subdivision, Phase 1 Residential Subdivision Agreement wherein a request for final acceptance of underground works is made.

The maintenance period for works and services has been satisfied and all requirements for assumption have been met.

All required documentation has been provided and reviewed by our checking consultant, R.J. Burnside & Associates Ltd., who has confirmed that all engineering related obligations have been met. At this time, no recommendation to release the performance security has been made.

Legal and Financial Services have conducted a file review and have confirmed that all obligations of the Owner (Cedar Manor Home Corp.) under the Subdivision Agreement as they relate to Legal and Financial Services have been met.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

- Well Equipped and Managed...provides a thorough and timely consideration of applications for development and redevelopment in accordance with all statutory requirements;
- Well Planned and Connected...continues to improve the quality of the road network within the Town of Newmarket.

### **CONSULTATION**

There is no public consultation with this recommendation.

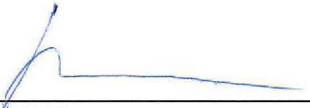
### **BUDGET IMPACT**

#### **Operating Budget (Current and Future)**

With this recommendation, the above-captioned Cedar Manor Residential Subdivision, Phase 1 will now be under the Town's Operating Budget (Underground Services Only).

**CONTACT**

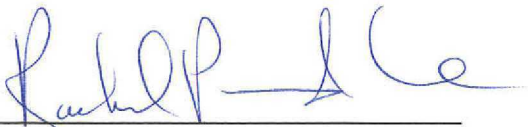
For more information on this report, please contact Victoria Klyuev at 905-895-5193 extension 2513, or by e-mail at [vklyuev@newmarket.ca](mailto:vklyuev@newmarket.ca)



V. Klyuev, C.E.T.,  
Senior Engineering Development Coordinator - Residential



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

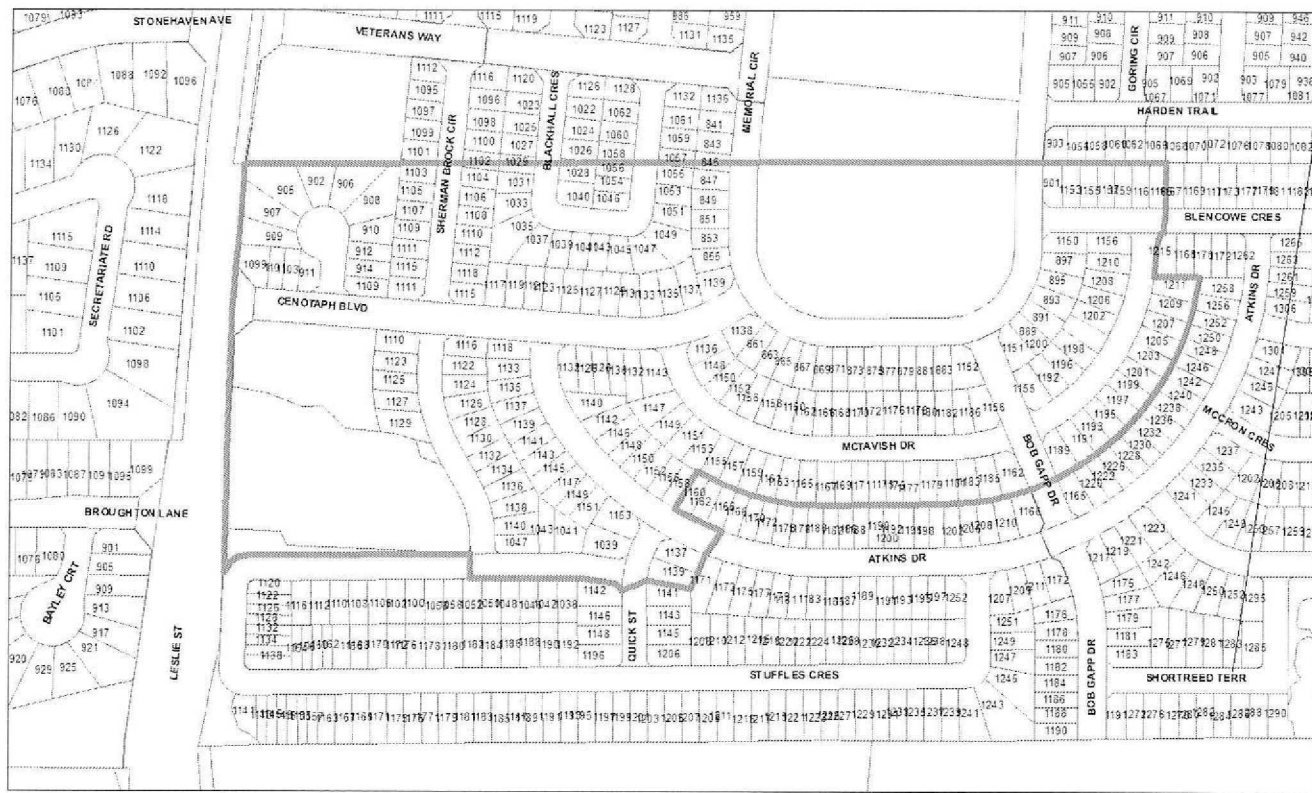


Rachel Prudhomme, M.Sc., P.Eng.  
Director, Engineering Services



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





Cedar Manor Residential Subdivision, Phase 1  
 RP 65M-4285-Request for Final Acceptance and Assumption of Underground Works

NOT TO SCALE. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A LEGAL DOCUMENT. THE CITY OF CHICAGO IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF CHICAGO IS NOT A PARTY TO ANY SUIT OR ACTION ARISING OUT OF THIS MAP.

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May 4, 2015

**JOINT DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES &  
 CORPORATE SERVICES/FINANCIAL SERVICES  
 REPORT 2015-13**

**TO:** Committee of the Whole

**SUBJECT:** 2015 Coordinated Provincial Plan Review, Proposed Bill 73 (Planning Act Amendments and Development Charges System Review)

**ORIGIN:** Development & Infrastructure Services & Corporate Services

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**RECOMMENDATIONS**

**THAT Joint Development & Infrastructure Services/Planning & Building Services & Corporate Services/Financial Services Report 2015-13 dated May 4, 2015 regarding the Coordinated Provincial Plan Review, Proposed Bill 73 (Planning Act Amendments), and Development Charges System Review be received and the following recommendation(s) be adopted:**

- 1. THAT the comments and issues identified and addressed in this report be forwarded to the Province of Ontario as the Town of Newmarket's comments on the 2015 Coordinated Provincial Plan Review, Proposed Planning Act amendments and Development Charges System review.**
- 2. AND THAT the following be notified of this action:**
  - i. Richard Stromberg, Manager, Ministry of Municipal Affairs and Housing, Ontario Growth Secretariat, 777 Bay Street, Toronto Ontario, M5G 2E5**
  - ii. Ken Petersen, Manager, Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing, 777 Bay Street, 13<sup>th</sup> Floor, Toronto, Ontario, M5G 2E5**
  - iii. Ms. Valerie Shuttleworth, Chief Planner, Region of York, 17250 Yonge Street, Newmarket, Ontario, L3Y 6Z1**

**COMMENTS**

**The Province has initiated a coordinated review of the Provincial Growth Plan, Oak Ridges Moraine Conservation Plan, Greenbelt Plan, and Niagara Escarpment Plan.**

Over the years, the Province has put in place policies and plans to guide growth, protect the natural and built environment, and protect public health and safety. The Province has recently initiated a coordinated review of four Provincial plans that, although developed at different times, work together to address these

matters and provide a framework for growth in the Greater Golden Horseshoe area. The following plans are under review in 2015:

- Niagara Escarpment Plan (1985) - revised in 1994 and 2005
- Oak Ridges Moraine Conservation Plan (2002)
- Greenbelt Plan (2005)
- Growth Plan for the Greater Golden Horseshoe (2006)

The 2015 Coordinated Review is currently listed on the Province's Environmental Registry (the Environmental Bill of Rights Registry), with comments due by May 28, 2015.

**The Town has previously commented on these plans, and it is recommended that these comments be reiterated and forwarded to the Province as part of the 2015 coordinated review.**

The Town of Newmarket has previously commented on these matters, either jointly with the Region of York and other area municipalities or directly to the Province, as follows:

Oak Ridges Moraine Conservation Plan (ORMCP)/Greenbelt Plan/Growth Plan (comments provided in 2004 and 2014)

- The Town supports a consolidated/coordinated review of these plans as they need to work together to appropriately direct growth in the Region and Greater Golden Horseshoe, and to promote consistency between definitions and overall land use planning, environmental, and economic development goals.
- A portion of the ORM lands within Newmarket is shown as "Settlement Area" in the ORMCP, but have been designated as Environmental Protection in Newmarket's Planning documents. As part of the ORMCP review, portions of the land within the ORM that are outside of the urban boundary as has been defined through our Planning documents, and that are not needed to support growth, could potentially be re-designated in the ORMCP from "Settlement Area" to be consistent with our Planning documents. A detailed analysis would need to be undertaken to determine which, if any, lands might apply.
- It may be appropriate, with the concurrence of East Gwillimbury and Whitchurch-Stouffville, to review land on the east side of Highway 404 adjacent to Newmarket with the purpose of removing it from the Greenbelt. The Growth Plan indicates that the use of existing infrastructure is to be optimized and encourages the use of existing infrastructure by promoting development where infrastructure expansions would be minimal and that employment lands be strategically located within urban areas near major transportation corridors. This was not intended to reflect a desire by Newmarket for municipal boundary adjustments; rather, it reflects an opportunity to support growth for employment lands in appropriate locations with minimal infrastructure expansion.
- There may be an opportunity to consider portions of the ORM lands within Newmarket as additional Greenbelt land.

Staff continues to support these positions and it is recommended that these comments be reiterated and forwarded to the Province as part of the 2015 coordinated review.

**The Town has also previously commented on proposed changes to the land use planning and appeal system.**

From October 2013 to January 2014 the Province undertook consultation on the land use planning and appeal system. The Town of Newmarket submitted the following comments as part of that process:

Review of Land Use Planning and Appeal System (comments provided in 2014)

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



**The Province has introduced Bill 73, being proposed amendments to the *Planning Act* and *Development Charges Act*.**

Bill 73 (first reading – March 2015) is the Province’s proposed response to the public consultation. Bill 73 is currently listed on the Province’s Environmental Registry, with comments on the proposed amendments due by June 3, 2015. York Region is also providing comments, however due to timing of reports/agenda deadlines, there was insufficient time to participate in this coordinated review.

The key proposed amendments and additions to the Planning Act that could impact Newmarket include:

**OMB to “Have Regard To” any information and material received by a municipal council whether or not a decision is made prior to an appeal**

The *Act* currently requires the OMB, when it makes decisions relating to planning matters, to “have regard to” decisions of municipal councils and approval authorities relating to the same planning matter, and to any supporting information and material they considered in making those decisions. The section of the *Act* is proposed to be rewritten to impose a similar requirement when the OMB deals with appeals resulting from the failure of a municipal council or approval authority to make a decision – that is, the OMB would be required to “have regard to” the information and material that the municipal council or approval authority received in relation to the matter, even though a decision was not made within the required timeframe. This information and material includes any written and oral submissions from the public related to the planning matter.

**2 Year Moratorium on appeals of Official Plan Amendments, Zoning By-law Amendments, and Minor Variance Applications**

During the first two years following the adoption of a new Official Plan or a comprehensive zoning by-law, no applications for amendments would be permitted. Similarly, during the two-year period following a site-specific rezoning, applications for minor variance on that property would only be permitted with Council approval.

**Limiting Appeals**

Bill 73 would remove the ability to appeal certain Official Plan matters to the OMB including:

- a) “Global” appeals of new official plans. Appeals must be specific and scoped;
- b) Appeals of any part of an OP that implements certain matters relating to vulnerable areas under the *Clean Water Act*, the lake Simcoe watershed; a Greenbelt, Protected Countryside or specialty crop area under the *Greenbelt Act*; the Oak Ridges Moraine Conservations Plan Area; Growth forecasts; or settlement area boundaries in lower-tier official plans. In Newmarket’s case, this would apply to certain lands within the ORM which are currently outside of the urban area.
- c) Appellants who argue that a decision is inconsistent with a provincial policy statement, provincial plan or upper-tier municipal plan would be required to identify these issues in their notices of appeal, failing which the OMB can dismiss all or part of the appeal without a hearing;

### **Additional Emphasis on Public Consultation and Consideration of Submissions from the Public**

Currently the *Planning Act* does not make it mandatory to include in an Official Plan the measures and procedures the municipality will undertake for informing and obtaining the views of the public for official plan amendments, zoning by-law amendments, plans of subdivision, etc. Bill 73 would make this mandatory. In addition, municipalities would be entitled to include the use of alternative forms of public consultations for plans of subdivision and consents. Further, as part of any decision on development approval applications, municipal councils will be required to explain the effect of written and oral submissions received with respect to their decision on an application.

The inclusion of this requirement increases the transparency in the Planning process as municipalities will need to specifically note what impact the public consultation process had on its decision. Newmarket staff reports have implemented this procedure for some time to explain how public input was considered during the review of a development application, however the formal Notice of Passing will also need to incorporate this requirement.

### **Extended time to review Official Plan Amendment applications**

Appeal timeframes of a non-decision of Council for official plan amendment applications may be extended up to 90 days provided written notice is given from the approval authority or the applicant. The timeframe before an appeal of a non-decision in respect of an official plan would then be 270 days (currently 180 days). Appeal timeframes for other types of applications such as zoning by-law amendment applications and subdivisions do not appear to be extended.

Newmarket had previously recommended to the Province that the time frame for Council to make a decision before an appeal may be launched should be doubled, e.g., expanded to 360 days for official plan amendments and plans of subdivision, 240 days for zoning applications and 60 days for site plans.

While Bill 73 partially addresses the Town's comments by providing for a longer review period for official plan amendment applications, in staff's opinion the proposed extended timeframe still does not provide sufficient time to adequately review and consult on such applications before an appeal may be launched. In addition, because Bill 73 does not appear to extend the review timeframe for other types of applications, it is recommended that the Town of Newmarket reiterate its previous recommendation to extend the timeframe to 360 days for official plan amendments and plans of subdivision, 240 days for zoning applications and 60 days for site plans.

It is also recommended that these extended timeframes be included in the *Act* as-of-right, as opposed to requiring the approval authority or applicant to provide written notice of its intention to extend the timeframe.

### **Dispute Resolution**

Bill 73 would allow the use of mediation and other dispute resolution techniques where appeals are made on official plan amendment applications, zoning by-law amendment applications, plan of subdivision applications, and consents. Where a municipality gives notice of an intention to use an alternative dispute resolution process, an additional 60 days beyond the current 15 days is provided before the decision maker must submit the appeal record to the OMB. Staff supports this proposed change.

Participation in the dispute resolution process by the persons and public bodies who receive invitations is voluntary.

## **Section 37 (Bonusing) Requirements**

In an effort to increase transparency in the manner in which Section 37 funds are spent, Bill 73 will require municipalities to establish a special account for money collected through Section 37 and any money paid out must be for services or matters specified in the by-law. Changes to the Act will also require an annual Treasurer's statement to Council relating to the special account.

## **Parkland Dedication**

Bill 73 proposes to amend the maximum parkland dedication amounts when using the alternative parkland dedication process from the current standard of 1 ha per 300 units to a lesser standard of 1 per 500 units. Further, before a municipality could adopt official plan policies allowing for the alternative parkland dedication approach, the municipality will have to prepare and make available to the public a parks plan that examines the need for parkland in the municipality.

Newmarket already has appropriate policies in its Official Plan allowing for the use of the alternative parkland dedication approach, and staff is currently preparing a Parkland Dedication By-law that will establish a new standard for parkland dedication for new developments. The Town also has a Council-adopted Parks Policy Manual that establishes open space and parkland targets within the municipality, and this document will inform, to a certain extent, the parkland standard that will be brought forward for Council's consideration through the Parkland Dedication By-law.

Similar to the Section 37 requirements outlined above, Bill 73 will require an annual Treasurer's statement to Council showing the opening and closing balances of the special account and including statements identifying and land or machinery acquired during the year with funds from the special account, any building erected, improved or repaired during the year with funds from the special account, details of the amounts spent, and for each of these, the manner in which any capital cost not funded from the special account was or will be funded.

## **Proposed Amendments to the Development Charges Act**

### **Development Charges System Review**

The *Development Charges Act, 1989* was the first of its kind in Ontario. The Act replaced the former lot levy regime, which evolved through OMB hearings. The Act standardized the practice of collecting growth related revenue. The Act also provided a standard for measuring service level standards and rules for public consultation. The *Development Charges Act, 1997* placed limitations on what services could be included where and additional rules and regulations surrounding approach and implementation. Bill 73 proposes amendments to the *Development Charges Act, 1997*.

The key proposed amendments and additions to the Development Charges Act that could impact Newmarket include:

#### **1. Administrative changes**

##### **Annual Reporting of the Treasurer**

These changes will add to the current reporting requirements. The treasurer will be responsible for identifying all assets whose capital costs were funded by development charges. For each asset the

treasurer must identify costs which were funded by other sources, includes a statement as to the municipalities compliance with the new limits on additional levies and require that report be made to the public.

#### Asset Management Plan

The Town will have to greatly expand its Asset Management Plan to include services that are eligible for development charge revenue. If services are not included in the Plan, the Town will not be able to collect development charges for the services.

This means that the Town's Plan will have to be expanded to include Stormwater, Fire, Outdoor Recreation, Indoor Recreation, Library and Parking Lot Services.

#### Area Specific Development Charges

The Town of Newmarket may be prescribed to have area specific development charges. This could mean, for example, having different development charges for inside and outside the Town's urban centres. The Town would not need to implement area specific development charges until the prescribed areas are determined and until the next background study is completed.

How the area specific development charges will be calculated is yet to be determined and may add complexity to the development charge calculation. Conceivably, there can be a cost that is incurred in one area can benefit the whole Town. Similarly, the pressure development puts on municipal services is in part determined by geography and urban form. For example, low density developments are more likely to use more water than rise development as they are more likely to use water for irrigation. How to determine the share of costs can add complexity to the development charge background study.

#### Comments

In general, the amendments will initially create additional administrative costs for the Town, however the future benefit of the reports are likely to outweigh the initial cost. They appear reasonable and there is no reason to object to them.

The province is proposing to give itself a new power to prescribe area-specific charges. The Town does not support this proposed amendment.

## **2. Potential Funding Enhancements**

#### Planned Service Level

Rather than looking backward to the 10 year average service level, this amendment would allow the Town to look forward 10 years for the desired service level. How the desired service level will be calculated is yet to be determined.

Based on the discussions of what services are likely to be able to use the planned service level calculation, there are indications that transit and solid waste are the only ones being considered at this time. The Town would not benefit from this.

#### Change in 10% Reduction

In addition to changing the way municipalities can calculate planned service levels, Bill 73 is also considering removing the mandatory 10% discount for Transit and Solid Waste. Again, neither removal affects the Town.

Ineligible Services

This change ensures that ineligible services are identified in the regulations, rather than partly in the Development Charge Act, 1997 and in the regulations. This change gives the Minister of Municipal Affairs and Housing much more discretion in removing ineligible services without having to go to provincial parliament to receive approval. Recycling is being considered for removal from the list of ineligible services.

Comments

These items – historic service levels, mandatory 10% reduction and ineligible services – limit a municipality's ability to have growth pay for growth. As a consequence, an unfair burden is placed on current taxpayers. At this time, it appears that only Transit and Solid Waste will benefit.

The Town recommends that these restrictions should be lifted.

**3. Voluntary Contributions**

This change will have no impact on development charges; however it will impact alternative means of collecting financial resources to pay for development related projects, including voluntary payments. Voluntary contributions are collected to fund the expansion of the Town's municipal services in order to accommodate new growth. Those who provide voluntary contributions are given priority to proceed with their development. The removal of the option for voluntary payments will likely increase the impact on tax payers.

The actual wording is:

*A municipality shall not impose, directly or indirectly, a charge related to a development or a requirement to construct a service related to development, except as permitted by this Act or another Act.*

The only exception would be for payments allowed by other provincial legislation. This would not be applied retroactively and would not affect agreements already in place.

Comments

Currently the Town accepts contributions for trails, public art and entrance signs – the last two items are not eligible for DC funding, but this does not appear to be an exclusion.

Until such time that growth fully pays for growth, the Town is opposed to the restrictions being placed on voluntary contributions. It places an unfair burden on the current property taxpayers

**OMB Reform**

Bill 73 does not contain any proposed amendments to the *Ontario Municipal Board Act* or any substantive issues regarding the OMB such as whether the Board should continue to exist, the composition and/or qualifications or requirements of the Chairs and Vice Chairs or the current powers of the Board.

**BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

Providing input on Provincial plans and legislation supports the *Well-respected* branch of the Community Strategic Plan by being an influential contributor to regional and provincial affairs.

**CONSULTATION**

The Legal and Finance departments provided information which is included in this report.

Staff has also reviewed the Region of York's report entitled "Proposed Amendments to the Planning Act and Development Charges Act under Bill 73" dated May 14, 2015 and is supportive of the Region's position taken in that report.

**HUMAN RESOURCE CONSIDERATIONS**

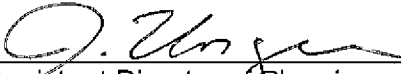
Not applicable to this report.

**BUDGET IMPACT**

There are no Capital or Operating budget implications associated with this report.

**CONTACT**

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Assistant Director of Planning

  
Director of Planning & Building Services

  
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Commissioner of Development & Infrastructure Services



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## **DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES – PLANNING REPORT 2015-11**

May 25, 2015

TO: Committee of the Whole  
SUBJECT: Newmarket Parkland Dedication By-law  
ORIGIN: Planning and Building Services

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### **RECOMMENDATIONS**

**THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2015-11 dated May 25, 2015 regarding the Newmarket Parkland Dedication By-law be received and the following recommendation be adopted:**

- 1. THAT the Parkland Dedication By-law for the Town of Newmarket as contained in Attachment 1 be received.**
- 2. AND THAT staff be directed to provide notice to the public, the development community and BILD of the proposed by-law.**
- 3. AND THAT following public input that staff summarize in a report to the Committee of the Whole the issues identified and the comments received along with the final recommendation for the Parkland Dedication By-law for Council's approval.**
- 4. AND THAT staff be directed to report back to Committee of the Whole on the other funding strategies to address the identified shortfall of Town-wide parkland in conjunction with the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.**

## PURPOSE OF THIS REPORT

The planning for parkland is an integral component of the urban landscape required to create healthy and complete communities.

The purpose of this report is to recommend a Town-wide Parkland Dedication By-law which includes:

- a) the alternative parkland dedication requirement for residential development or redevelopment to be phased as follows:
  - 0.6 hectares for each 300 dwelling units (1 ha per 500 dwelling units) before January 1, 2016;
  - 0.8 hectares for each 300 dwelling units (1ha per 375 dwelling units) before January 1, 2017;
  - 1.0 hectares for each 300 dwelling units after January 1, 2017.
- b) details of the Parkland Bylaw include:
  - provision for parkland credits
  - process for determination of value
  - eligible projects for cash in lieu
  - exemptions from parkland dedication.

## EXECUTIVE SUMMARY

1. The Town currently collects parkland or cash-in-lieu of parkland on the basis of 5% of the land for residential uses and 2% of the land for commercial and industrial uses.
2. In 2012 the Official Plan was updated through Official Plan Amendment #7 to permit the Town to implement the alternative parkland dedication provided for in the *Planning Act* as follows:
 

*“Residential development may be subject to alternative parkland conveyance provided for in the Planning Act based on a rate of one hectare for each 300 dwelling units, or at a lesser rate as may be specified in the [Parkland Dedication] by-law...” for parks and other public recreational purposes.*

Official Plan Amendment # 7 was not appealed to the Ontario Municipal Board and the provision has been in effect since 2012.

3. The recommended Parkland Dedication Bylaw implements the above cited provisions of the Official Plan and the provisions of the *Planning Act*.
4. The analysis of the parkland requirements have been based on the projected populations to build-out and the parkland standards established through the Parks Policy Development Manual (2012) prepared by Monteith & Brown as approved by Council in November 2012.



5. The analysis of the appropriate parkland dedication has considered the two parkland standards for within and outside the Urban Centres as established in the Parks Policy Development Manual, namely:
  - 1.2 ha per 1000 residents (includes Community and Neighbourhood Parks); and
  - 2.2 ha per 1000 residents (includes Town-wide Parks, as well as Community and Neighbourhood Parks).
6. The application of the 2.2.ha per 1000 residents parkland standard **cannot** be achieved within the maximum alternative parkland dedication of 1 ha per 300 units as permitted by the *Planning Act*.
7. The 1.2 ha per 1000 residents standard has been applied for the purpose of determining the required dedication under the Parkland Dedication By-law.
8. The calculation for the recommended by-law is based on the following:
  - The parkland land required to achieve the 1.2 ha per 1000 residents parkland standard town wide (45.9 ha);
  - incorporation of the cost of design and construction of the Neighbourhood Parks within the Urban Centres Secondary Plan (\$18.755 million);
  - Incorporation of the parkland shortfall of 9.2 ha outside the Urban Centres.
  - Applying the Parkland Dedication By-law Town-wide in order to more equitably distribute the cost of parkland.(See Table 1)
9. **This report recommends that the parkland dedication required through the Parkland Dedication By-law be established at:**
  - **1ha per 300 units, applied Town wide and phased in over three years.**
10. The Recommended By-law however, will not address the Town-wide parkland shortfall of 45 ha that is required to meet the Town standard of 2.2 ha per 1000 residents. This shortfall will need to be funded through other mechanisms including but not limited to, increased taxes to be dedicated to parkland reserves, donation, grants, etc.
11. Staff recommends that the Draft Parkland Dedication By-law be subject to public notice and input before final approval.

## BACKGROUND

### 1. *Planning Act*

*Planning Act* was amended in 1990 to provide for alternative parkland dedication in recognition that the 5 % parkland dedication, which typically applied to ground related greenfield residential plans of subdivision, was not sufficient for higher density urban form development. It was apparent that parkland inequities were being created as significantly less park space was being provided to higher density development, despite the reduced private open space associated with this form of development (e.g., apartments and townhomes typically have limited private

amenity space in the form of balconies of backyards and therefore would have more reliance on public spaces).

Section 42 (3) and (4) of the *Planning Act* provides municipalities the legislative authority to include alternative parkland dedication requirements provided the alternative requirement provision is included in the local official plan. For residential development the *Planning Act* permits up to **1 ha per 300 dwelling units**, as follows:

*“in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the by-law.”*

Once the standard (1 ha per 300 dwelling units) is contained in the Official Plan, there is **no provision** under the *Planning Act* for the implementing Parkland Dedication By-law to be appealed to the Ontario Municipal Board (OMB).

Sections 42 (Site Plan) Section 51.1 (plans of subdivision) and Section 53 (consents) of the *Planning Act* makes provision for the conveyance of land to municipalities for parks and other public recreational purposes.

Although physical parkland is the desired form of dedication, cash-in-lieu may be received by the Town and where received, it must be placed in a dedicated parkland reserve fund and may be used for parkland and other public recreational purposes including:

- acquisition of land for parks and other public recreational purposes;
- the development of new public parks including any site preparation and drainage, play equipment, splash pads, site furniture, signage, sports fields;
- pathways, trails and associated infrastructure and furniture;
- erection, improvement or repair of buildings associated with Parkland and recreational purposes;
- the provision for recreational facilities such as community centres, indoor pools and areas;
- improvements to existing parks and recreational facilities designed to increase the capacity to accommodate more intensive public use due to increased development and redevelopment;
- acquisition of vehicles and machinery for parks and other public recreational purposes (Section 42 (15) of the *Planning Act*).<sup>1</sup>

Park and recreational projects already funded through Development Charges are **not eligible** for funding through parkland dedication.

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<sup>1</sup>...included only for the acquisition of land to be used for parks and other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for parks and other public recreational purposes.”

## 1.1 Town of Richmond Hill OMB and Divisional Court Case

The Town of Richmond Hill included in its Official Plan the standard allowed by the *Planning Act* of 1 ha per 300 dwelling units. This provision of the Official Plan was appealed by several developers. The OMB, made the decision that the Official Plan parkland requirement be limited to 0.25 ha per 300 dwelling units, despite the higher standard permitted by the *Planning Act*. Richmond Hill has sought leave of the Divisional Court to obtain a ruling whether the Board has erred in law by imposing a lower rate from what is prescribed by the *Planning Act*. The Divisional Court case and decision is pending.

## 2. Bill 73 an Amendment to the *Planning Act* “Smart Growth for Our Communities Act”

Bill 73 received first reading on March 5, 2015 and proposes changes to the *Planning Act*. The Bill is not in effect and is subject to 2<sup>nd</sup> and 3<sup>rd</sup> reading. Therefore, the timing and final wording of the Bill is uncertain and is provided for context of what is currently under consideration for potential changes to the *Planning Act*.

The changes proposed to Section 42 of the *Planning Act* are summarized below:

1. Before a municipality adopts official plan policies allowing it to pass a by-law under subsection 42 (3) (alternative parkland requirement), it must have a parks plan that examines the need for parkland in the municipality.
2. Where an alternative rate is already established in the Official Plan, the study required above **does not apply** retroactively.
3. Where payment in lieu is provided instead of land, the payment in lieu, is proposed to be at a lower rate of one hectare for each 500 dwelling units or such lesser rate as may be specified in the by-law (rather than 1 ha per 300 units).
4. A requirement that the Treasurer of the municipality provide an annual financial statement relating to the special account for the preceding year that includes:
  - statements of the opening and closing balances of the special parkland account and of the transactions relating to the account;
  - any land or machinery acquired during the year with funds from the special account;
  - any building erected, improved or repaired during the year with funds from the special account;
  - details of the amounts spent;
  - the manner in which any capital cost not funded from the special account was or will be funded; and
  - any other information that is prescribed.

The Town's current Official Plan provision for a maximum of 1 ha per 300 ha would not be affected by Bill 73, if passed in its current form.

The Town has completed the Parks Policy Development Manual which provides an inventory of the existing parkland, assesses parkland standards and identifies the needs and the parkland service standards based on the projected population to 2031. Therefore, the Town has already

addressed the proposed requirement in Bill 73 that the need for parkland be justified. This Manual, in part, provides the rationale for the recommended parkland dedication By-law as addressed in detail under Section 6 below.

The proposed provision for a lower parkland dedication rate for cash in lieu and the annual reporting to Council are new provisions to be included in the *Planning Act*.

### 3. Provincial Policy Statement

The Provincial Policy Statement (2005) provides direction on matters of provincial interest as it pertains to land use planning and development. Section 1.5 of the PPS in particular establishes policies for public spaces, parks and open spaces, and promotes healthy, active communities as follows:

- *Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling.*
- *Providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, open space areas, trails, and where practical, water-based resources.*

### 4. Region of York Official Plan

The Region of York Official Plan Intensification policies, which focus on the designated Centres and Corridors, direct that the following objectives be met:

5.3.7. *That open spaces shall be provided that include:*

- a. *active recreational facilities;*
- b. *passive parks and open spaces;*
- c. *meeting places and urban squares that incorporate art, culture and heritage; and,*
- d. *opportunities for community gardening.*

5.3.8. *That the Regional Greenlands System shall be protected and enhanced and include pedestrian-accessible green spaces and passive parks, where appropriate.*

Policy 5.4.4 6. j) requires that secondary plans shall include... *provisions for an urban public realm, including passive and active parks and meeting places, such as urban squares, which incorporate art, culture and heritage, and that contribute to a sense of place and clear identity.*

### 5. Official Plan Amendment # 7 to the Town's Official Plan

In August 2012, Amendment # 7 to the Town's Official Plan was approved and included the provision for alternative parkland dedication of **up to 1 ha per 300 dwelling units** for "parks or other public recreational purposes" as provided for in the *Planning Act* (Section 42(3)).



This provision is required to be contained in Official Plans to enable municipalities to implement an Alternative Parkland Dedication By-law. The inclusion of this provision in the Official Plan was not appealed to the OMB.

The recommended Parkland Dedication By-law implements the above cite provisions of OPA # 7 and the *Planning Act*.

The Parkland Dedication By-law cannot be appealed to the OMB.

## 6. The Parks Policy Development Manual and Calculation of Parkland Needs

The Parks Policy Development Manual prepared by Monteith+Brown on behalf of the Town was adopted by Council in November 2012 and establishes standards for active parkland to apply Town-wide, as follows:

- Town Parks – 1.0 ha per 1,000 residents
  - **Community Parks – 0.5 ha per 1,000 residents**
  - **Neighbourhood Parks – 0.7 ha per 1,000 residents**
  - Urban Squares and Plazas – are included with Neighbourhood Parks
  - Passive Green Space – Includes Natural Heritage System and flood plain and do not contribute to the active parkland standard. (therefore, not included in the 1.2 or 2.2 ha per 1000 residents standard).
- 

When developing the Newmarket Urban Centres Secondary Plan, the Neighbourhood Parks standard was applied to determine the minimum Neighbourhood Parks required to serve the planned 33,000 residents (to build out). It was determined that Neighbourhood scale parks, which are up to 5 ha in size, are the most appropriate scale that could realistically be accommodated within the Urban Centres.

Based on the Parks Policy Development Manual Neighbourhood Park standard of 0.7 ha per 1000 residents, approximately 23.1 ha will be required in the form of Neighbourhood scale parks to serve the future residents within the Urban Centres.

However, it is important to note that the residents within the Urban Centres will need to be served by Community and Town Parks outside the Urban Centres.

The Parks Policy Development Manual assumed a population increase of approximately 10,000 residents by 2031 (which was estimated predominantly outside the Urban Centres). To meet the Town's service level standards, the Manual identified a 10.5 ha shortfall for all parks Town-wide by 2031.

Since 2011 a number of parks have been dedicated to the Town thereby reducing this shortfall to 9.2 ha based on the 1.2 ha per 1000 residence parkland standard. This shortfall has been incorporated into the parkland needs for the purpose of determining the provisions for the Parkland Dedication By-law.

In order to analyze the parkland dedication provisions, both parkland standards were considered for within and outside the Urban Centres, namely:

- 1.2 ha per 1000 residents, which includes only Community and Neighbourhood Parks; and
- 2.2 ha per 1000 resident, which includes Town-wide Parks, and Community and Neighbourhood Parks. (See Table 1)

The application of the 2.2 ha per 1000 residence required an addition 45 ha and exceeded the maximum parkland dedication standard of the *Planning Act* of 1ha per 300 and therefore could not be applied for the purpose of calculating the parkland dedication. (See Appendix 1)

In order to meet the 2.2 ha per 1000 residents standard, other funding mechanisms will need to be implemented.

## 7. 2014 Development Charges Background Report and Urban Centres Implementation Strategy

Typically within the Town, the cost of studies and the physical development of parkland are funded through Development Charges. The *Development Charges Act* does not permit the acquisition of parkland to be funded through development charges.

The 2014 Development Charges Background Report and By-law do not fund the following:

- **10 % of cost of the parkland and recreational projects identified in the DC Background Study.**  
Staff considered including the 10% of the cost of the parks and recreation projects that is not eligible for funding through the Development Charges By-law, as an eligible cost for the determination of the parkland dedication to be recovered through Parkland Dedication. However, since the 10 % is not considered an eligible cost through the Development Charges By-law, it has not been included in the calculation for determining the appropriate parkland dedication standard.
- **The design and implementation of the Neighbourhood Parks within the Urban Centres at a cost of \$18.755 million.**  
The Development Charges Background Report for the 10-year gross capital forecast for Outdoor Recreation totals \$41.60 million. This exceeds the maximum allowable funding envelop by \$16.49 million<sup>2</sup> making it unlikely that the Neighbourhood Parks within the

<sup>2</sup> The Development Charges Background Report for the 10-year gross capital forecast for Outdoor Recreation totals \$41.60 million, of which \$200,000 is to be funded by grants or alternative sources. \$1.98 million is identified as a replacement or benefit to existing share, and the legislated 10 per cent discount totals \$3.94 million. These shares are netted off of the net municipal costs, leaving \$35.48 million as the total development related costs. \$6.69 million is available in the Outdoor Recreation development charges reserve fund balance to fund development-related projects. An amount of \$16.49 million represents the portion of the development-related cost which exceeds the maximum allowable funding envelope and is deemed to benefit growth beyond the 2014–2023 period. This

Urban Centres will be able to be funded through the DC By-law within the next two decades. Therefore, this \$18.755 million for the Neighbourhood parks has been included as an eligible cost to be recovered through the Parkland Dedication By-law.  
(See Table 1)

Although recreational facilities similarly exceed the maximum allowable DC funding for the 10 year time horizon, the costs of these facilities will continue to be recovered through Development Charges. No additional land requirements have been identified to date for recreational facilities through the development of the Recreational Master Plan (Recreational Play Book). The next 10 years of recreational projects have been included in the 2014 Development Charges Background Report.

The acquisition of land for parks and recreation purposes is required to be secured through the Parkland Dedication Bylaw and other available revenue streams including but not limited to: bonusing (provided that the land or cash in lieu is above the requirement of the Parkland Dedication By-law), donations, grants, municipal taxes, etc.

## ANALYSIS

### 1. Parkland Dedication

In order to determine the appropriate parkland dedication for inclusion in the By-law there are a number of considerations that have been addressed to provide the basis for the recommended parkland dedication, namely:

1. The projected new population both within and outside the Urban Centres to build out.
2. The Town's parkland standard identified in the Parks Policy Development Manual adopted in November 2012.
3. The inclusion of parkland design and development costs that are not included in the Development Charges By-law
4. The projected shortfall of parkland as identified in the Parks Policy Development Manual refined to take into account parkland dedication since development of the Manual.
5. Required parkland to meet the parks standard.
6. Parkland dedication scenarios.

Tables 1, 2 and 3 summarize items 1- 6 above, and the salient points are discussed below.

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share can be recovered through subsequent development charges studies.



**Table 1 Parkland and Other Recreational Needs to Build Out**

	Within the Urban Centres	Outside the Urban Centres	Town Wide
Projected New Population	31,000	7,255 <sup>3</sup>	
Projected Units	15,500 <sup>4</sup>	3,240 <sup>5</sup>	
Parkland Requirement based on 1.2 ha per 1000(1 ha per 416.6 units)	37.2 ha <sup>6</sup>	8.7 ha <sup>7</sup>	45.9 ha
Parkland Requirement based on 2.2 ha per 1000 (1 ha per 203 units)	68.2 ha	15.96 ha	84.16 ha
Design and Construction of Urban Centres Neighbourhood Parks currently not covered by DC Bylaw	4.7 ha (\$18.755 million equivalent)		4.7 ha
Shortfall or Surplus identified in the Parks Policy Development Manual (2011) refined to reflect Parkland Dedication with new development between 2011 and 2015 <sup>8</sup>		At 1.2 ha per 1000 = +9.2 ha (10.5 <sup>9</sup> - 1.3 <sup>10</sup> = 9.2 ha)	9.2 ha
		At 2.2 ha/1000 = + 15.93 ha <sup>11</sup> Shortfall	15.93 ha
<b>Total: 1.2 ha per 1000</b>	<b>41.9 ha (\$167.555 million)<sup>12</sup></b>	<b>17.9 ha (\$44.75 million)<sup>13</sup></b>	<b>59.8 ha</b>
<b>Total: 2.2 ha per 1000</b>	<b>72.9 ha (\$291.555 million)</b>	<b>31.9 ha (\$79.75 million)<sup>14</sup></b>	<b>104.8 ha</b>
<b>Shortfall between 1.2 vs 2.2 ha per 1000 residents</b>	<b>31 ha</b>	<b>14</b>	<b>45 ha</b>

<sup>3</sup> The projected population outside the Urban Centres is in the order of 10,000 however, since parkland has already been dedicated at the time of the registration of the plans of subdivision, the population has subtracted the projected population for those subdivisions that have been approved and have yet to be developed.

<sup>4</sup> Assumes average 2.0 ppu

<sup>5</sup> Assumes ppu of 2.24 on average

<sup>6</sup> 1.2 ha per 1000 residents = 37.2 ha

<sup>7</sup> 1.2 ha per 1000 residents = 7.255 x 1.2 = 8.7 ha plus the 10.5 ha shortfall in 2011 outside the Urban Centres = 19.2 ha

<sup>8</sup> Between 2011 and 2015 the Town has received 9.23 ha through development applications (Orsi 0.98 ha, Mosaic 0.61 ha, Goldstein/Trinison 4.3 ha and has acquired 3.34 ha that would be suitable for Parkland. In addition, the Town has received a total of \$450,790 in cash in lieu or 0.18 ha equivalent based on an estimated price of \$2.5 m per ha for a total of **9.41 ha**. The new growth between 2011 and March 2015 represents approximately 6,745 residents. At 1.2 ha per 1000 **8.1 ha** would be required to meet the Town standard. At 2.2 ha per 1000, **14.84 ha** would be required to meet the Town Standard. Applying the 1.2 ha per 1000 residents standard there is a **1.31 ha surplus**. Applying the 2.2 ha per 1000 residents standard there is a **5.43 ha deficit**

<sup>9</sup> Parks Policy Development Manual, Page 13 of all parks by 2031 (population of 97,133) to 2031 identified a shortfall of 10.5 ha town wide.

<sup>10</sup> Based on the parkland standard of 1.2 ha per 1000 residents recent development approvals between 2011 and 2015 have resulted in a surplus of 1.3.1 ha which has been deducted from the 10.5 ha shortfall

<sup>11</sup> Includes 5.43 shortfall as a result of new development between 2011 and 2015

<sup>12</sup> Assumes average price of \$4.0 million /ha

<sup>13</sup> Assumes average price of 2.5 million/ha

<sup>14</sup> Ibid.



## 2. Projected New Population to Build Out

As identified in Table 1, the projected new population within and outside the Secondary Plan Area is as follows:

Within the Urban Centres:	31,000
Outside the Urban Centres:	7,255
Total:	38,255

## 3. Projected Parkland Required Based on the Approved Parkland Standard by Build-Out

Table 1 identifies the parkland required to meet the Town's standard for parkland at 1.2 ha per 1000 and at 2.2 ha per 1000 residents. Through the evaluation of these two standards, it became apparent early in the process that the Town-wide standard for all active parks at 2.2 ha per 1000 residents would exceed the maximum parkland dedication permitted by the *Planning Act of 1ha per 300 units*. (See Appendix 1)

## 4. Parks Costs not included in the Parkland Dedication By-law

The cost of the design and development of the Neighbourhood Parks within the Urban Centres have not been included in the 2014 Development Charges Background Study. Therefore, the cost of the design and implementation of the Neighbourhood Parks within the Urban Centre, at a cost of \$18.755 million, has been included as an eligible cost to be recovered through Parkland Dedication. The rationale for this approach is addressed in detail under Section 7 of the Background.

## 5. The Shortfall of Parkland

The Parks Policy Development Manual identified a 10.5 ha shortfall Town-wide. However, since 2012 this shortfall has been reduced to 9.2 ha through more recent parkland dedications, e.g., Mosaik. This 9.2 ha shortfall has been included in the parkland dedication scenarios to be recovered through parkland dedication, and is discussed below. (See Table 1)

## 6. Implications of Not Applying Parkland Standard of 2.2 ha per 1000 Residents

It should be noted that by applying the parkland standard of 1.2 ha per 1000, instead of the full Town standard of 2.2 ha per 1000 residents, the Parkland Dedication By-law will not be able to fund the full parkland requirements.

There will continue to be a shortfall Town-wide of 45 ha. (See Table 1)

This 45 ha shortfall will need to be funded outside the Parkland Dedication By-law through other funding mechanisms, e.g., increased taxes, donation, grants, etc.

The possible mechanism for funding this shortfall will be addressed through the Parkland Implementation Strategy.

Although, additional parkland dedication will be achieved through commercial, industrial and office development and redevelopment at the current 2% of the value of the land. A full analysis has not been undertaken to determine the expected cash in lieu that may be achieved through commercial, industrial

and other forms of development. However, a preliminary analysis based on the projected development within the Urban Centres indicates that approximately 1.7 ha<sup>15</sup> or approximately \$6.8 million may be available by build-out. This dollar value estimate is based on 2015 land prices of approximately \$4 million per ha. The parkland dedication from these uses will not contribute sufficient funds to address the 45 ha shortfall.

## 7. Analysis of Parkland Dedication Scenarios and Recommended Parkland Dedication Bylaw

Based on the 1.2 ha per 1000 residents standard, Table 2 identifies the parkland dedication for four scenarios.

Appendix 2 provides the details.

This evaluation considered the effect on the parkland dedication within and outside the Urban Centres separately. The options also included the effect of excluding (Option A) and including the \$ 18.755 million (Option C) for the design and development of the Urban Centre parks not included in the Development Charges Background Report and By-law. Outside the Urban Centres the Option B excludes the 9.2 ha shortfall, while Option D includes this shortfall.

**Table 2 Summary of the Parkland Dedication Options Based on the 1.2 Hectares per 1000 Residents Parkland Standard**

Inside the Urban Centres	Outside the Urban Centres
<b>A. Parkland Dedication inside the Urban Centres NOT Including the \$18.755 million for the Design and Implementation of the Neighbourhood Parks in the Urban Centres not funded through the Development Charges By-law</b>	<b>B. Parkland Dedication Outside the Urban Centres NOT Including the 9.2 ha Shortfall</b>
0.72 ha per 300 units	0.81 ha per 300 units
\$9,600 per unit	\$6,713 per unit
<b>C. Parkland Dedication inside the Urban Centres Including the \$18.755 million for the Design and Implementation of the Neighbourhood Parks in the Urban Centres</b>	<b>D. Parkland Dedication Outside the Urban Centres Including the 9.2 ha Shortfall</b>
0.81 ha per 300 units	1.66 ha per 300 units
\$10,810 per unit	\$13,804 per unit

It should be noted that Option D, which included the 9.2 ha shortfall, exceeds the *Planning Act* maximum dedication of 1 ha per 300 units when applied to the outside the Urban Centre scenario.

<sup>15</sup> Projected Commercial and office space 849,437 sq. m = 84.9 ha X 2% = 1.69 ha (\$6.8mill equivalent)



This shortfall, however, includes community scale parks that will serve the residents both within and outside the Urban Centres. Since this 9.2 ha shortfall will impact residents both within and outside the Urban Centres, staff considered it more equitable to apply the parkland dedication standard Town-wide rather than to establish separate parkland dedication standards within and outside the Urban Centres.

Table 3 below summarizes the effect of applying the Parkland dedication Town-wide and analyses 4 scenarios.

<b>Table 3 Effect of Town-wide Application of the Standard on the Parkland Dedication By-law based on 1.2 ha per 1000 Residents</b>	
<b>Option A and B</b>  Inside and Outside the Urban Centres: <ul style="list-style-type: none"> <li>• <b>Excluding</b> \$18.755 Million cost of Design and Construction of Urban Centres Park; and</li> <li>• <b>Excluding</b> 9.2 ha shortfall outside the Urban Centres</li> </ul>	<b>Option C and B</b>  Inside and Outside the Urban Centres: <ul style="list-style-type: none"> <li>• <b>Including</b> \$18.755 Million cost of Design and Construction of Urban Centres Park; but</li> <li>• <b>Excluding</b> 9.2 ha shortfall outside the Urban Centres</li> </ul>
<b>0.73 ha per 300 units</b>	<b>0.82 ha per 300 units</b>
<b>\$9,101 per unit</b>	<b>\$10,102 per unit</b>
<b>Option A and D</b>  Inside and Outside the Urban Centres: <ul style="list-style-type: none"> <li>• <b>Excluding</b> \$18.755 Million cost of Design and Construction of Urban Centres Park; but</li> <li>• <b>Including</b> 9.2 ha shortfall outside the Urban Centres</li> </ul>	<b>Option C and D</b>  Inside and Outside the Urban Centres: <ul style="list-style-type: none"> <li>• <b>Including</b> \$18.755 Million cost of Design and Construction of Urban Centres Park; and</li> <li>• <b>Including</b> 9.2 ha shortfall outside the Urban Centres</li> </ul>
<b>0.88 ha per 300 units</b>	<b>0.97 ha per 300 units</b>
<b>\$10,327 per unit</b>	<b>\$11,328</b>

## 8. Recommended Parkland Dedication Bylaw

Option C and D is the recommended option and it includes the \$18.755 Million for the design and construction of the Urban Centres Neighbourhood parks as well as the 9.2 ha parkland shortfall. Staff further recommend that this option be phased in over the three years as follows:

- (a) where the Building Permit has been issued before January 1, 2016 an amount of land or cash in lieu of **0.6 hectares for each 300 dwelling units** (1 ha per 500 dwelling units).
- (b) where the Building Permit has been issued before January 1, 2017 an amount of land or cash in lieu of **0.8 hectares for each 300 dwelling units** (1 ha per 375 dwelling units).
- (c) where the Building Permit has been issued after January 1, 2017 an amount of land or cash in lieu of **1.0 hectares for each 300 dwelling units**.

The above recommendation is contained in the recommended By-law (See **Attachment 1**).

This option is recommended for the following reasons:

- 1 It provides the maximum parkland with the best value to both the development industry and the existing and future residents.
- 2 It recognizes the funding constraints under the Development Charges related to the funding envelop over the next couple decades by including the design and development of the Urban Centres Neighbourhood Parks with the eligible costs to be covered through Parkland Dedication.
- 3 It addresses the current shortfall for Community and Neighbourhood parks (based on 1.2 ha per 1000 residents standard) Town wide (9.2 ha) while allowing for other funding mechanisms to be explored through the Parkland Implementation Strategy to address the 45 ha shortfall over a longer time frame.
- 4 The phase-in of the Parkland Dedication By-law over the next three years allows the incremental increase of the parkland dedication, similar to the approach implemented through the increase in development charges, and provides certainty for the building industry and may stimulate earlier development.

## 9. Other Provisions of the Parkland Dedication By-law

The recommended Parkland Dedication Bylaw is contained in **Attachment 1**.

The following is a summary of the additional provisions contained in the recommended Parkland Dedication By-law.

### a. Parkland Credits

- i. Lands dedicated to the Town for underground hydro: 10 % credit of the value of the land.
- ii. Private outdoor space subject to a public easement: 20 % credit of the value of the land.
- iii. Cultural heritage conservation within Historic Downtown Newmarket and with respect to development or redevelopment of designated properties pursuant to Parts IV, V and VI of the *Ontario Heritage Act*: 20 % credit of the value of the land.

### b. Determination of Value

- i. Town and Owner to jointly commission and fund an appraisal.
- ii. If the Owner does not agree with the appraisal, the Owner may commission an Owner Appraisal at his/her expense.
- iii. Where the difference in the appraised value of the two appraisals is 10 % or less, the average of the two will be deemed the market value.
- iv. Where the difference between the appraised value is greater than 10 %, the Town and the Owner may elect to share the cost of a third independent appraisal.
- v. The value will be determined based on the average between the third independent appraisal and the value of whichever former appraisal is closest to the value of the third party appraisal.
- vi. If agreement cannot be reached either the Town or the Owner may elect to resolve the dispute through arbitration or an appeal to the OMB.

### c. Eligible Projects for Parkland Dedication or Cash-in-Lieu

Eligible costs will be based on the following, with land acquisition being the first priority.

- i. Land for parks and other public recreational purposes including, any site preparation and drainage, play equipment, splash pads, site furniture, signage, sports fields, etc.
- ii. The cost of the design and development of the Urban Centre Neighbourhood Parks identified in the Urban Centres Secondary Plan.
- iii. Park and other public recreational facilities not funded through Development Charges.
- iv. Pathways and trails and associated street furniture, including pedestrian mews identified in the Urban Centre Secondary Plan.

- v. Improvements to parks and other public recreational facilities designed to increase the parks and recreational capacity.
- vi. Vehicle and equipment used for parkland and other public recreational purposes.

**d. Exemptions from the Parkland Dedication By-law**

- i. Development or redevelopment of land owned by:
  - Town of Newmarket
  - Region of York
  - Provincial or federal governments
  - Boards of Education
  - A colleges, university or school defined in the Education Act
  - Newmarket Tay Power and related subsidiaries
  - Newmarket Library Board or similar local Boards
  - Southlake Regional Health Centre
  - Not for profit palliative care facilities.
- ii. The reconstruction of a building destroyed due to fire or other accidental cause provided no intensification of the use is proposed.
- iii. The enlargement of a single or semi-detached dwelling unit to permit an additional dwelling unit in accordance with the applicable municipal requirements.
- iv. Enlargement of an existing commercial industrial or institutional building provided the enlargement is 10% or less than the size of the building at the time of the first application.
- v. Temporary building or structure.

**NEXT STEPS**

Notice of the Draft Parkland Dedication Bylaw will be provided on the Town page and direct notice will be provided to the Building Community on record with the Town and BILD.

Following receipt of comments, staff will report back to the Committee of the Whole on the comments received and recommend the final By-law for approval.

**RECOMMENDATION**

Staff recommend the following:

1. THAT the Parkland Dedication By-law for the Town of Newmarket as contained in Attachment 1 be received.
2. AND THAT staff be directed to provide notice to the public, the development community and BILD of the proposed by-law.

3. AND THAT following public input that staff summarize in a report to the Committee of the Whole the issues identified and the comments received along with the final recommendation for the Parkland Dedication By-law for Council's approval.
4. AND THAT staff be directed to report back to Committee of the Whole on the other funding strategies to address the identified shortfall of Town-wide parkland in conjunction with the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The Parkland Dedication By-law reflects the following Strategic Directions and Mission Statements:

### **Strategic Directions:**

- **Living well** – means emphasis on active lifestyles and recreational opportunities
- **Well Balanced** - means providing recreational facilities and services
- **Well equipped & managed** – means:
  - implementing policy and processes that reflect sound and accountable governance
  - Clear vision of the future and align corporate/business plans
- **Well Planned and Connected** – means:
  - Long term strategy matched with a short term action plan(s)
  - Improving interconnectivity and interaction amongst neighbours and neighbourhoods
  - Walking and biking trails, paths and lanes
- **Well Respected** – means discovering innovative and creative solutions for future well-being.

### **Mission**

- Implementing forward-looking plans, policies and by-laws

## **CONSULTATION**

Consultation was carried out with Financial Services, Engineering Services, and Legislative Services.

## **HUMAN RESOURCE CONSIDERATIONS**

None directly applicable to this report.

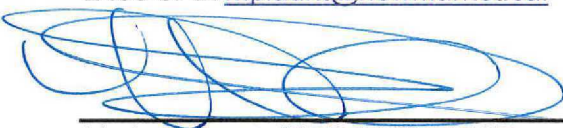
## **CAPITAL AND OPERATING BUDGET IMPACT**

Funding strategies will be necessary to address the 45 ha identified shortfall for Town-wide parkland through the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.




**CONTACT**

For more information on this report, contact Marion Plaunt, Senior Planner, Policy at 905 953-5300 x 2459 or at [mplaunt@newmarket.ca](mailto:mplaunt@newmarket.ca).





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Director of Planning & Building Services




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

**List of Attachments**

**Attachment 1** Town of Newmarket DRAFT Parkland Dedication By-law

**Appendix 1** Summary Table 2.2 Hectare per 1000 Residents Scenarios

**Appendix 2** Summary Table 1.2 Hectare per 1000 Residents Scenarios



**ATTACHMENT 1**

**The Corporation of the Town of Newmarket**

**Parkland Dedication By-law**

**CORPORATION OF THE TOWN OF NEWMARKET**

**BY-LAW NUMBER 2015-XX**

**A BY-LAW TO PROVIDE FOR THE CONVEYANCE OF LAND AND CASH-IN- LIEU  
THEREOF FOR PARK AND OTHER PURPOSES**

**WHEREAS** sections 42 of the *Planning Act*, as amended, authorizes local municipalities to pass by-laws requiring that land or cash-in-lieu thereof be conveyed to the local municipality as a condition of development or redevelopment of land;

**AND WHEREAS** sections 42, 51.1 and 53 of the *Planning Act*, as amended, authorize local municipalities to pass by-laws requiring that land or cash-in-lieu thereof be conveyed to the local municipality as a condition of development or redevelopment of land, the subdivision land, or the granting of provisional consent over land;

**AND WHEREAS** the Council for the Corporation of the *Town* of Newmarket has adopted policies within its Official Plan pertaining to the conveyance of land or cash-in-lieu thereof to the *Town* as a condition of development or redevelopment under the *Planning Act*, as amended;

**AND WHEREAS** Council for the Corporation of the Town of Newmarket deems it necessary and expedient to enact a by-law to provide for the provision of lands for park or other public recreational purposes and the use of alternative requirements therefor;

**NOW THEREFORE THE COUNCIL OF THE TOWN OF NEWMARKET ENACTS AS  
FOLLOWS:**

**Definitions:**

In this by-law:

- (a) "Building permit" means a building permit issued pursuant to the Ontario *Building Code Act*, as amended.
- (b) "Cash-in-lieu" means a payment of money for park or other public recreational purposes which is collected in lieu of a conveyance of land which would otherwise be required to be conveyed pursuant to the parkland provisions of the *Planning Act* as incorporated into this By-law.

- (c) “Development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.
- (d) “Dwelling unit” means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.
- (e) “Land area” means the area of an entire *development* or *redevelopment* site, including the parcel of land which is to be conveyed for park purposes, but shall not include any natural heritage feature or hydrologic feature including the buffers identified in the Official Plan or Zoning By-Law in effect at the time of determination; or any natural heritage feature or hydrologic feature including the buffers identified by a required Environmental Impact Study and where lands are conveyed into public ownership; stormwater management areas; or floodplain lands.
- (f) “Owner” means the registered *Owner* of the land to be developed, redeveloped, or subdivided.
- (g) “Town” means the Corporation of the *Town* of Newmarket.

### **Part 1 Conveyance Required as a Condition of Development or Redevelopment**

- 1.1 As a condition of development or redevelopment of land, the *Town* shall require the conveyance of land to the Town or a cash-in-lieu equivalent to the value of the land required to be conveyed under this by-law for park or other public recreational purposes.
- 1.2 Conveyance, including the location and configuration shall be in the form of land, cash-in-lieu or a combination of cash and land, at the discretion of the *Town*.

### **Part 2 Applicability**

- 2.1 This By-law applies to all lands within the corporate limits of the Town of Newmarket.

### **Part 3 Calculation of Conveyance**

- 3.1 As a condition of development or redevelopment of land, the Town shall require the conveyance of land to the *Town* for parks and other public recreational purposes as follows:
  - (a) In the case of development or redevelopment for **commercial or industrial** purposes, an amount of land or cash-in-lieu equal to 2 per cent of the *Land area* proposed for developed or redeveloped.

- (b) In the case of development or redevelopment for mixed use purposes e.g., residential and commercial, the 2 per cent will be calculated based on the value of the land derived from the percentage of the gross floor area of the building dedicated to the commercial use. For example if 10 % of the gross floor area of the building is dedicated to commercial, 10 % of the land value shall be subject to the 2 per cent calculation.
  - (c) In the case of development or redevelopment for uses **other than commercial, industrial or residential** purposes, an amount of land or cash-in-lieu equivalent to 5 per cent of the *Land area* proposed for developed or redeveloped.
- 3.2 In the case of development or redevelopment for **residential uses**, the amount of *Land area* to be conveyed to the *Town* shall be calculated as follows:
- (a) Where the Building Permit has been issued before January 1, 2016, an amount of land or cash-in-lieu equivalent to 0.6 hectares for each 300 *dwelling units* (1 ha per 500 dwelling units).
  - (b) Where the Building Permit has been issued before January 1, 2017 an amount of land or cash-in-lieu equivalent to 0.8 hectares for each 300 *dwelling units* (1 ha per 375 dwelling units).
  - (c) Where the Building Permit has been issued after January 1, 2017 an amount of land or cash-in-lieu equivalent to 1.0 hectares for each 300 *dwelling units*.
- 3.3 In the case of land proposed for subdivision for commercial or industrial purposes, the amount of *land area* to be conveyed to the *Town* shall be calculated as follows:
- (a) an amount of land or cash-in-lieu equivalent equal to 2 per cent of the *land area* proposed to be developed or developed.
- 3.4 In the case of land proposed for a subdivision for any other purpose, the amount of land to be conveyed to the *Town* shall be calculated as follows:
- (a) an amount of land or cash-in-lieu equivalent equal to 5 per cent of the *land area* included in the plan of subdivision.

### **Parkland Credit**

- 3.5 Where land is dedicated to the *Town* for the purpose of the future burying of hydro and related utility facilities across the frontages of Yonge Street or Davis Drive, a credit of 10 % of the value of the land being dedicated shall be credited as a reduction in the land or the cash-in-lieu required for parkland.
- 3.6 Where private outdoor space is designed and secured through a public easement for public uses such as interior courtyards, private/public squares and pedestrian mews linkages designed to be open and accessible to the general public and maintained to *Town*

standards, a credit of 20 % of the value of the land secured through an easement for such uses shall be credited as a reduction in the land requirements or cash-in-lieu required for parkland.

- 3.7 Where development or redevelopment is within the Historic Downtown Heritage Conservation District or affects a property designated pursuant to Parts IV, V and VI of the *Ontario Heritage Act* and the identified cultural heritage resource is conserved, a credit equivalent to 20 % of the value of the land required for parkland shall be credited as a reduction in the land requirements or cash-in-lieu required for parkland.

#### **Part 4 – Determination of Value**

- 4.1 For development or redevelopment pursuant to Section 41 and 42 of the *Planning Act*, the value of the land or cash-in-lieu equivalent to be paid shall be determined as of the value the day before the day the building permit is issued and if more than one building permit is required, the value shall be calculated the day before the day the first building permit is issued.
- 4.2 For development or redevelopment pursuant to Section 51.1 and 53 of the *Planning Act* the value of the land or cash-in-lieu equivalent shall be determined the day before the day the approval of the draft plan of subdivision and the day before the day the provisional consent was given except where site plan approval is required at a subsequent stage, then the parkland dedication calculation will be subject to Part 4.1 above.
- 4.3 The value of the land for which payment is being made in lieu of a conveyance shall be established by way of an appraisal of the fair market value of the property by a certified professional appraiser of real estate, who is designated as an Accredited Appraiser Canadian Institute by the Appraisal Institute of Canada with experience appraising all types of real property.
- 4.4 The Town and the Owner shall commission an appraisal of the Property (the “Initial Appraisal”) which expense shall be shared equally between the parties. If the Owner does not agree with the market value of the Property according to the Initial Appraisal, the Owner may retain an appraiser, at the Owner’s expense, to prepare a separate appraisal report (the “Owner Appraisal”) on the market value of the property. The Owner will cause its appraiser to give a copy of such appraisal report to the Town not later than 30 days following the date on which the Initial Appraisal was delivered.
- 4.5 If the Owner fails to give to the Purchaser an appraisal report obtained by the Owner’s appraiser within the 30 day period, then it will be deemed that the Owner has accepted the Initial Appraisal and the market value of the property. If the Owner gives the Town the Owner’s Appraisal within the 30 day time limit set out above, and the average of the values of the Property in the two appraisal reports is an amount that is less than 10% more than the lowest of the two appraisal reports, then, the average of the values of the property in the two appraisal reports will be deemed to be the market value of the property.

- 4.6 If the Owner gives the Town the Owner Appraisal within the 30 day time limit, and the average of the values of the property in the two appraisal reports is an amount that is equal to or greater than 10% more than the lowest of the two appraisal reports, then, if mutually agreed between the parties, the Town and Owner will respectively instruct the two appraisers to select a third independent appraiser, the expense of such third independent appraiser to be shared equally by the Town and the Owner, to prepare an appraisal report on the market value of the property.
- 4.7 The third independent appraiser will present the appraisal report to the Owner and Town by no later than 45 days following the date on which the Owner delivered the Owner Appraisal to the Town. If the appraisal report of the third independent appraiser is obtained as aforesaid, then the market value of the property will be deemed to be the average of: (X) the value for the Property indicated by the appraisal report of the third independent appraiser, and (Y) the value for the Property indicated by whichever of the Initial Appraisal and the Owner Appraisal is closest to the value for the Property in (X).
- 4.8 If the Town's appraiser and the Owner's appraiser cannot agree on a third party appraiser within 15 days, either the Owner or the Town shall be entitled to submit the selection of the third appraiser to an arbitration under the provisions of the *Arbitration Act* or alternatively appeal to the Ontario Municipal Board pursuant to Section 42 (10) of the *Planning Act*.
- 4.9 All appraisals obtained pursuant to this by-law shall state the criteria used to determine value within the appraisal.
- 4.10 An appraisal shall remain current for a period of two years from the date of the appraisal.

## **Part 5 – Future Development or Redevelopment**

- 5.1 Subject to Part 4.3, where land has been conveyed or is required to be conveyed to the *Town* under this by-law, or a payment of money in lieu of such conveyance has been received by the *Town* or is owing to it under this by-law, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by the *Town* in respect of subsequent development or redevelopment applications, unless:
- (a) there is a change in the proposed development or redevelopment which would increase the density or number of dwelling units of the development; or
  - (b) land originally proposed for development or redevelopment for commercial or industrial purposes is now proposed for development or redevelopment for other purposes.



- 5.2 Where such increase in density and or dwelling units occur, the conveyance will be subject to the increase in density/dwelling units proposed and the value determined at the time of the applicable application e.g., at Site Plan, if the consent did not include the final density.

## **Part 6 Eligible Projects for Cash-in-lieu**

- 6.1 Where parkland is not provided, cash-in-lieu may be used for the following or similar purposes based upon the following priorities:
- (a) The first priority shall be the acquisition of land for public parks or other public recreational purposes.
  - (a) The second priority shall be the design and development of the Neighbourhood Parks identified within the Newmarket Urban Centres Secondary Plan not funded through Development Charges.
  - (b) The third priority shall be the development of parks and other public recreational facilities not funded through Development Charges including:
    - i. park and other recreational facilities including, any site preparation and drainage, play equipment, splash pads, site furniture, signage, sports fields, etc.;
    - ii. pathways, trails and associated infrastructure and furniture, including pedestrian mews as generally identified in the *Town's* Urban Centres Secondary Plan;
    - iii. improvements to existing parks and recreational facilities designed to increase the capacity to accommodate more intensive public use due to increased development and redevelopment;
    - iv. vehicle and machinery used for parks and other public recreational purposes.

## **Part 7 Exemptions**

- 7.1 This Bylaw shall not apply to any of the following:
- (a) Development or redevelopment of land, buildings or structures owned by and used for the purposes of the Corporation of the *Town* of Newmarket.
  - (b) Development or redevelopment of land, buildings or structures owned by and used for the purposes of the Region of York or provincial government.
  - (c) Development or redevelopment of land, buildings or structures owned by and used for the purposes of a Board of Education, Newmarket Tay Power and related subsidiaries, and Newmarket Library Board or other similar local Board.
  - (d) A college, university or a school defined in the *Education Act*.

- (e) Development or redevelopment of land, buildings or structures owned by and used for the purposes of Southlake Regional Health Centre.
- (f) Not for profit palliative care facilities.
- (g) The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause beyond the control of the *Owner* provided that no intensification or change in use is proposed, including but not limited to an increase in total *dwelling unit* count or total floor area.
- (h) The enlargement of an existing single detached or semi-detached *dwelling unit* provided the enlargement does not result in an additional *dwelling unit*.
- (i) An accessory *dwelling unit permitted* by the Official Plan and Zoning By-law in effect.
- (j) The enlargement of an existing commercial, industrial, or institutional building or structure if the total floor area of the enlargement is 10 % or less than the current size of the building(s) or structure(s).
- (k) A temporary building or structure.
- (l) Where the total cash-in-lieu payable for development or redevelopment is less than \$100.

## **Part 8            Lands not Acceptable for Parkland Conveyance**

8.1        The following lands shall not be acceptable for parkland conveyance:

- (a)        Lands designated as Natural Heritage in the Official Plan and any natural heritage feature or hydrologic feature defined by the Provincial Policy Statement (PPS) as significant, including the buffers as required by the PPS, Official Plan or Zoning By-law or as may be identified through an Environmental Impact Study.
- (b)        Flood plain lands as defined by the Lake Simcoe Region Conservation Authority.
- (c)        Stormwater management facilities; and where lands for parks purposes include storm water management facilities, that portion of the land that includes a stormwater management facility or infrastructure shall not be included in the area calculation for parkland conveyance.



## **Part 9 Disputes**

- 9.1 Notwithstanding the provisions of Part 4, and in the event of a dispute between the *Town* and the *Owner* on the value of the land as determined under Part 4 of this by-law is not satisfactory to either party, either party may apply to the Ontario Municipal Board to have the value of the land determined.
- 9.2 If there is a dispute between the *Town* and the *Owner* on the value of the land as determined under Part 4 of this by-law, the *Owner* may pay the amount required by the *Town* under protest and shall make an application to the Ontario Municipal Board in accordance with the *Planning Act*.

## **Part 10 General Provisions**

- 10.1 All lands conveyed to the *Town* under this by-law shall be in a condition satisfactory to the *Town* and in accordance with the requirements of the *Town's* Official Plan Policies respecting the acquisition of land, including a Record of Site Condition pursuant to the *Environmental Protection Act*.
- 10.2 All lands conveyed to the *Town* under this by-law shall be free of encumbrances.
- 10.3 Any conveyance or payment in lieu of a conveyance required to be made under this by-law shall be made prior to the issuance of any building permit for the land to be developed or redeveloped.
- 10.4 In the event that a section or a part of a section of this by-law is declared invalid by a court of competent jurisdiction, it is the intent of Council that the remainder of the by-law continue in full force and effect.

## **Administration**

- 10.5 This By-law will be jointly administered by the Director of Planning and Building Services and the Director of Financial Services.
- 10.6 The Director of Financial Services shall maintain a record of all lands and cash-in-lieu received and including all expenditures from the cash-in-lieu parkland reserve fund.

## **Effective Date**

- 10.7 This by-law shall come into force on the day it is enacted.

**Transition**

- 10.8 The provisions of this by-law shall apply to all development applications pursuant to the *Planning Act*, as amended, which have not received approval as of the Effective Date, or in the case of a plan of subdivision, draft approval, by the *Town* prior to the enactment of this by-law.

**Review of the By-law**

- 10.9 This By-law shall be reviewed with each Official Plan Review or at an earlier time as prescribed by Council.
- 10.10 Should any section or part of this By-law be declared or determined by a court or tribunal of competent jurisdiction to be invalid, that portion of this by-law shall be considered to be severed from the balance of this by-law, which will continue to operate in full force and effect.

ENACTED      THIS              DAY   OF                      ,                      2015.

\_\_\_\_\_  
Tony Van Bynen, Mayor

\_\_\_\_\_  
Andrew Brouwer, Town Clerk

## APPENDIX 1

## 2.2 Hectares Per 1,000 Population Inside and Outside the Urban Centres

<b>A. Inside Urban Centres Without 18.755 Million Cost Outside the Development Charge Funding Envelope</b>	
Total Cost	272,800,000
Cost Per Unit	17,600
Cost Per Hectare	4,000,000
Units Per Hectare	227
Hectares per 300 Units	1.32

<b>B. Outside Urban Centres Without 15.93 Hectare Shortfall According to 2.2 Hectare Per 1000 People Standard</b>	
Total Cost	39,900,000
Cost Per Unit	12,315
Cost Per Hectare	2,500,000
Units Per Hectare	203
Hectares per 300 Units	1.48

<b>C. Inside Urban Centres With \$18.755 Million cost Outside the Development Charge Funding Envelope</b>	
Total Cost	291,555,000
Cost Per Unit	18,810
Cost Per Hectare	4,000,000
Units Per Hectare	213
Hectares per 300 Units	1.41

<b>D. Outside Urban Centres With 15.93 Hectare Shortfall According to 2.2 Hectare Per 1000 People Standard</b>	
Total Cost	79,725,000
Cost Per Unit	24,606
Cost Per Hectare	2,500,000
Units Per Hectare	102
Hectare per 300 Units	2.95

Summary Table - 2.2 Hectares Per 1,000 Population

<b>A+B. Inside Urban Centres Without \$18.755 Million Cost Outside the Development Charge Funding Envelope and Outside Urban Centres Without 15.93 Hectare Shortfall According to 2.2 Hectare Per 1000 People Standard</b>	
Total Cost	312,700,000
Cost Per Unit	16,686
Cost Per Hectare	3,715,542
Units Per Hectare	223
Hectares per 300 Units	1.35

<b>C+B. Inside Urban Centres With \$18.755 Million cost Outside the Development Charge Funding Envelope and Outside Urban Centres Without 15.93 Hectare Shortfall According to 2.2 Hectare Per 1000 People Standard</b>	
Total Cost	331,455,000
Cost Per Unit	17,687
Cost Per Hectare	3,715,542
Units Per Hectare	210
Hectares per 300 Units	1.43

<b>A+D. Inside Urban Centres With 18.755 Million Cost Outside the Development Charge Funding Envelope and Outside Urban Centres With 15.93 Hectare Shortfall According to 2.2 Hectare Per 1000 People Standard</b>	
Total Cost	352,525,000
Cost Per Unit	18,811
Cost Per Hectare	3,522,080
Units Per Hectare	211
Hectares per 300 Units	1.42

<b>C+D. Inside Urban Centres With 18.755 Million cost Outside the Development Charge Funding Envelope and Outside Urban Centres With 15.93 Hectare Shortfall According to 2.2 Hectare Per 1000 People Standard</b>	
Total Cost	371,280,000
Cost Per Unit	19,812
Cost Per Hectare	3,522,080
Units Per Hectare	178
Hectares per 300 Units	1.69

## APPENDIX 2

## 1.2 Hectares Per 1,000 Population Inside and Outside the Urban Centres

<b>A. Inside Urban Centres Without 18.755 Million Cost Outside the Development Charge Funding Envelope</b>	
Total Cost	148,800,000
Cost Per Unit	9,600
Cost Per Hectare	4,000,000
Units Per Hectare	417
Hectares per 300 Units	0.72

<b>B. Outside Urban Centres Without 9.2 Hectare Shortfall According to 1.2 Hectare Per 1000 People Standard</b>	
Total Cost	21,750,000
Cost Per Unit	6,713
Cost Per Hectare	2,500,000
Units Per Hectare	372
Hectares per 300 Units	0.81

<b>C. Inside Urban Centres With 18.755 Million cost Outside the Development Charge Funding Envelope</b>	
Total Cost	167,555,000
Cost Per Unit	10,810
Cost Per Hectare	4,000,000
Units Per Hectare	370
Hectares per 300 Units	0.81

<b>D. Outside Urban Centres With 9.2 Hectare Shortfall According to 1.2 Hectare Per 1000 People Standard</b>	
Total Cost	44,725,000
Cost Per Unit	13,804
Cost Per Hectare	2,500,000
Units Per Hectare	181
Hectare per 300 Units	1.66

Summary Table - 1.2 Hectares Per 1,000 Population

<b>A+B. Inside Urban Centres Without \$18.755 Million Cost Outside the Development Charge Funding Envelope and Outside Urban Centres Without 9.2 Hectare Shortfall</b>	
Total Cost	170,550,000
Cost Per Unit	9,101
Cost Per Hectare	3,715,686
Units Per Hectare	408
Hectares per 300 Units	0.73

<b>C+B. Inside Urban Centres With \$18.755 Million cost Outside the Development Charge Funding Envelope and Outside Urban Centres Without 9.2 Hectare Shortfall</b>	
Total Cost	189,305,000
Cost Per Unit	10,102
Cost Per Hectare	3,715,686
Units Per Hectare	368
Hectares per 300 Units	0.82

<b>A+D. Inside Urban Centres Without 18.755 Million Cost Outside the Development Charge Funding Envelope and Outside Urban Centres With 9.2 Hectare Shortfall</b>	
Total Cost	193,525,000
Cost Per Unit	10,327
Cost Per Hectare	3,512,888
Units Per Hectare	340
Hectares per 300 Units	0.88

<b>C+D. Inside Urban Centres With 18.755 Million cost Outside the Development Charge Funding Envelope and Outside Urban Centres With 9.2 Hectare Shortfall</b>	
Total Cost	212,280,000
Cost Per Unit	11,328
Cost Per Hectare	3,512,888
Units Per Hectare	310
Hectares per 300 Units	0.97







DEVELOPMENT AND INFRASTRUCTURE SERVICES – PLANNING DIVISION  
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 Newmarket, ON L3Y 4X7

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 info@newmarket.ca  
 905.895.5193

May 14, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES  
 PLANNING AND BUILDING SERVICES - PLANNING REPORT 2015-20**

TO: Committee of the Whole

SUBJECT: Request to Waive Fees and Charges for the Proposed Hospice  
 Southlake Regional Health Centre Foundation  
 653 Queen Street  
 Planning File No.: D11-NP1313

ORIGIN: Request Submitted to the Town

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**RECOMMENDATIONS**

- a) **THAT Development and Infrastructure Services, Planning & Building Services Report 2015-20 dated May 14, 2015 regarding a request to waive fees and charges associated with Site Plan Approval be received and the following recommendations be adopted:**
- i. **THAT the request from the Southlake Regional Health Centre Foundation for waived fees be received;**
  - ii. **AND THAT Council deny the request to waive the Security (performance guarantee) of \$65,000 and the Tree Security of \$12,020;**
  - iii. **AND THAT Council waive the requirement for a cash-in-lieu of parkland contribution;**
  - iv. **AND THAT Council deny the request to waive the following fees:**
    - a) **Tree Compensation of \$9,450**
    - b) **Engineering Review fees of \$37,309.80**
    - c) **Finance Administration fee of \$3,250**
    - d) **Town's Consulting Arborist peer review fees of 1,040**

- v. **AND THAT Paul Clarry, Vice President, Clinical Support and Facilities, Southlake Regional Health Centre Foundation, 596 Davis Drive, Newmarket, L3Y 2P9, be notified of this action.**

## **BACKGROUND**

Southlake Regional Health Centre (SRHC) submitted applications for Official Plan and Zoning By-law Amendments and Site Plan Approval for a proposed one-storey, 10 bed residential hospice with storage, offices and common rooms. It is proposed on the 0.272 hectare parcel of land of 649, 653, and 657 Queen Street. The Official Plan and Zoning By-law Amendments were approved in 2010. The Site Plan Approval process is almost complete except for the signing of the agreement. A Building Permit application has not yet been made.

In 2014, SRHC submitted a letter requesting the refunding of their fees paid to date (planning application fees and demolition fees). In addition they requested the waiving of the Building Permit fees and Sign Permit fees. This request was granted by Council through Resolution 26 on September 8, 2014:

26. THAT Joint Planning and Building Services, Financial Services, and Legislative Services Report 2014-38 dated August 14, 2014 regarding a Development Charges Exemption and a request to waive Building Permit and Sign Permit fees and refund planning application fees be received and the following recommendations be adopted:
- i) THAT staff be provided with confirmation that the Hospice qualifies for the new Development Charges exemptions by By-law 2014-42, once it is in full force and effect;
  - ii) AND THAT Southlake Regional Health Centre Foundation be refunded the requested fees to be funded from the Rate Stabilization Fund;
  - iii) AND THAT staff be directed to undertake a review of the impacts of creating a policy to reduce fees for charitable foundations, community organizations, public agencies and other similar uses;
  - iv) AND THAT Dora Boylen-Pabst, Vice President, Philanthropy and Engagement, Southlake Regional Health Centre Foundation 102-581 Davis Drive Newmarket, L3Y 2P6 be notified of this action.

## **Request**

The Southlake Regional Health Centre Foundation submitted a second letter to the Town dated April 23, 2015 (see attachment) requesting that fees and charges associated with the Site Plan Approval be waived. The request is for the specific review and administrative fees arising from the

site plan agreement, not the Site Plan application fees. From their letter, Southlake understood that all fees and charges had been waived with a previous Council resolution from September 2014.

It is staff's understanding that the September 2014 resolution only dealt with the request from their previous letter which were:

1. That the Building Permit fees for the Hospice be waived;
2. That fees paid to date be refunded (specifically the Official Plan and Zoning By-law Amendment, the Site Plan Approval, and the Demolition Permit application fees); and
3. That the Sign Permit application fee related to two ground signs for the Hospice be waived.

Staff have started the process to refund the requested fees noted above as per Council's direction, \$50,835.12 will be returned. Staff have confirmed that the Hospice is exempt from Development Charges under the new Development Charges By-law.

The refund of the Building Permit and Sign Permit applications fees will be dealt with at the time of their application.

Southlake has now requested that the following fees and charges also be waived and refunded:

- Tree Compensation of \$9,450
- Cash-in-lieu of parkland contribution of \$6,624
- Security, performance guarantee, of \$65,000
- Engineering Review fees of \$37,309.80
- Finance Administration fee of \$3,250
- Tree Security of \$12,020
- Town's Consulting Arborist peer review fees of \$1,040.60

Total: \$134,693.86

If these additional requests are approved, the total amount of fees returned and/or waived to date would be \$185,528.92. This does not include the Building Permit fee or the Sign Permit fee as they have not yet been paid. There may be additional peer review fees from the Town's Consulting Arborist.

## **COMMENTS**

### ***Engineering Review fees, Finance Administration fee, and Arborist Peer Review fees***

At this time, staff do not support the waiving of the above noted fees as they represent cost recovery of staff time spent processing and reviewing the application as well as administration of the site plan agreement and security after it's execution.

Engineering Services collects a 6% engineering fee through the site plan review process, as approved in the Town's 'Fees and Charges Bylaw'. The fee is calculated based on the total estimated cost of external works, exterior of the building (i.e. grading, servicing, landscaping, etc.) and is collected as part of the Site Plan Agreement. The fee collected goes towards staff time to provide detailed engineering comments on technical submissions (conforms to Town standards, best practices, etc.), site plan agreement (establish security deposits, contributions, other requirements, etc.), field monitoring/inspections of the site and final inspections for the release of security upon completion of all required works.

The Finance Department collects a finance administration fee of 5% of the performance security to cover their costs of administering the security.

The Town employs a Consulting Arborist to peer review tree work submitted in support of development applications. These costs are initially covered by the Planning Department and then invoiced back to the applicant so that development is paid for by the developer and not the taxpayer.

### ***Tree Compensation***

Tree compensation is collected as per the Town's Tree Preservation, Enhancement, Protection and Replacement Policy. The money is collected when trees have to be removed in support of development and replacement trees cannot be planted on the property. The money collected is used to plant trees in Town to maintain and enhance the Town's urban forest. Staff do not support the waiving or refunding of this compensation money as it is important to continue to develop the Town's urban forest and the green canopy. Trees offer many benefits to all Town residents including improved air quality, reduced heat island effect, etc.

### ***Performance Guarantee and Tree Securities***

At this time, staff do not support a waiving of the securities required to be posted with the Site Plan Agreement. These securities act to mitigate risk to the corporation. The performance guarantee security provides the Town with funds in the event that the Hospice project is not completed and the site is left in an unsafe state. The Town can use these funds to either complete the project or return it to a safe condition.

The tree security provides the same risk mitigation but specifically for the trees which are to be retained on the property. If any of the trees are damaged during construction the Town will have the funds to replace the trees. This security protects some trees directly on the Hospice property as well as some trees on abutting properties.

When the site works have been completed in conformity with the approved site plan drawings, the performance guarantee is returned to the applicant. This can happen shortly after the project is completed. The tree security is typically held for three years after the completion of the site works to ensure the health of the trees. Damage to a tree can take several years to become known. However, it is ultimately also returned to the applicant.

Prior to this formal request from the Hospice, staff were asked to reconsider the amount collected for the performance guarantee security. The original security amount requested was \$113,000.00, based on 20% of their engineering estimate of exterior works (\$565,300.00). The engineering estimate appeared to be high for a site of this size, especially the landscaping component. As such, Engineering Services advised that the security could be reduced to \$65,000.00, which is based on 10% of the cost estimate for the landscaping works and the typical 20% for site grading and servicing.

### ***Cash-in-lieu of parkland dedication***

Public and not for profit facilities are often exempt from parkland dedication. Planning Report 2015-11, which recommends a Town-wide Parkland Dedication By-law, is to be considered at the Committee of the Whole meeting of May 25, 2015 and recommends that "development or redevelopment of land, buildings or structures owned by and use for the purposes of Southlake Regional Health Centre" and "not for profit palliative care facilities" be exempt from providing parkland dedication.

To be consistent with this approach, staff recommends that this application be exempt from parkland dedication.

### **COMMUNITY CONSULTATION POLICY**

If Council wishes to make any changes to the Fees and Charges By-law, public consultation will be required.

### **HUMAN RESOURCE CONSIDERATION**

Not applicable to this report.

### **BUDGET IMPACT (CURRENT AND FUTURE)**

The following summarizes the requested fees which could be reduced, waived or refunded, a total of approximately **\$134,693.86**.

Tree Compensation	\$9,450
Cash-in-lieu of parkland contribution	\$6,624
Security, performance guarantee	\$65,000
Engineering Review fees	\$37,309.80
Finance Administration fee	\$3,250
Tree Security	\$12,020
Town's Consulting Arborist peer review fees	\$1,040.06
<b>Total</b>	<b>\$134,693.86</b>



In September 2014, Council authorized a refund of fees paid to date of \$50,835.12. Should this second request be approved, the total amount of fees returned and/or waived to date would be **\$185,528.92** (this does not include the Building Permit fee or the Sign Permit fee as they have not yet been paid).

Reducing or waiving fees could be problematic. The most straightforward manner in which to deal with this issue, should Council decide to provide some relief, would be to refund fees through a grant. This would maintain the cost and pricing integrity of the departments involved and would be the easiest option to implement. Council could direct staff to refund all or a portion of the fees with funding from a reserve. As there is no directly related reserve, the Rate Stabilization Fund would be the recommended source. This was the direction provided by Council for the previous request by Southlake. There would be no immediate budget impact, but there would be fewer monies available for future uses.

## **CONCLUSION**

It is recommended that the requested waiving of fees with respect to the site plan agreement be denied as the fees represent cost recovery for staff's time spent processing the applications and the securities posted represent risk mitigation for the Town.

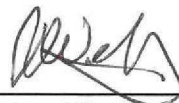
Staff are recommending the cash-in-lieu of parkland contribution be waived in accordance with the proposed Parkland Dedication By-law from Planning Report 2015-11.

## **CONTACT**

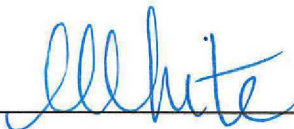
For more information on this report, contact: Meghan White, Planner, at 905-953-5321, ext 2458; [mwhite@newmarket.ca](mailto:mwhite@newmarket.ca).



Commissioner, Development and Infrastructure  
Services



Director, Planning & Building Services



Planner



## Attachment 1



**SOUTHLAKE**  
REGIONAL HEALTH CENTRE

596 Davis Drive  
Newmarket, Ontario  
L3Y 2P9

T: 905-895-4521  
F: 905-853-2220  
Website: [www.southlakeregional.org](http://www.southlakeregional.org)

April 24, 2015

Richard Nethery, B.E.S., M.C.I.P., R.P.P.  
Director, Planning and Building Services  
Town of Newmarket  
395 Mulock Drive  
PO Box 328 - Station Main  
Newmarket, ON L3Y 4X7

*Rich*  
Dear Mr. Nethery;

RE: Site Plan Agreement, 653 Queen Street, Newmarket  
York Region Residential Hospice at Southlake

We have received the March 9<sup>th</sup>, 2015 Site Plan Agreement for the Hospice. At the September 3, 2014 Council Meeting the motion to authorize the refunding of all permit fees paid-to-date related to the development and construction of the Residential Hospice on Southlake property was approved. As you know, this project will result in a much needed expansion of palliative care services to residents of York Region. The leadership of Newmarket Council to help make this a reality is gratefully acknowledged.

The minutes from the September 3<sup>rd</sup>, 2014 Council meeting include the following item number 26

*THAT Joint Planning and Building Services, Financial Services, and Legislative Services Report 2014-38 dated August 14, 2014 regarding a Development Charges Exemption and a request to waive Building Permit and Sign Permit fees and refund planning application fees be received and the following recommendations be adopted:*

- i) THAT staff be provided with confirmation that the Hospice qualifies for the new Development Charges exemptions by By-law 2014-42, once it is in full force and effect;*
- ii) AND THAT Southlake Regional Health Centre Foundation be refunded the requested fees to be funded from the Rate Stabilization Fund;*
- iii) AND THAT staff be directed to undertake a review of the impacts of creating a policy to reduce fees for charitable foundations, community organizations, public agencies and other similar uses;*
- iv) AND THAT Dora Boylen-Pabst, Vice President, Philanthropy and Engagement, Southlake Regional Health Centre Foundation 102-581 Davis Drive Newmarket, L3Y 2P6 be notified of this action.*

We appreciate the work that the Town's Planning team has completed on the current Site Plan Agreement including the reduction of some fees. It was our understanding from the September 2014 Council meeting that all fees would be waived or refunded. We would ask

Southlake Residential Hospice  
Town of Newmarket  
April 23, 2015

Page 2 of 2

that you review the fees currently included in the March 9<sup>th</sup>, 2015 version of the SPA documentation. In particular, the waiving of the following fees and security deposits:

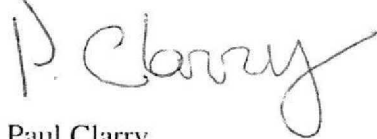
• 14.5 Tree Removal	\$9,450.00
• 22.1 Parkland Contribution	\$6,624.00
• 23.0 Engineering Fees	\$37,309.80
• 24.0 Finance Administration Fee	\$3,250.00
• 6.1 Security: Performance Guarantee	\$65,000.00 – Letter of Credit
• 14.1 Landscape Security	\$12,020.00 – Letter of Credit

In addition, we would ask for your assistance in the processing of the refunds related to the previous fees on the Hospice and waiving of the recent arborist invoice number 19740. We have summarized the previous fees that have been paid and recent fees requested by the Town:

Description	Invoice	Amount
<b>Costs To Date</b>		
Official Plan and Zoning Fees		\$ 33,198.73
Site Plan Fee		\$ 10,880.76
Site Plan - Town Arborist review fee	Invoice 17431	\$ 486.81
Site Plan - Town Arborist review fee	Invoice 18772	\$ 486.81
Sub-total - paid to date		\$45,053.11 plus HST
<b>Received but not yet paid by Southlake</b>		
Site Plan - Town Arborist review fee	Invoice 19740	\$ 66.38
<b>Total Fees Paid or to be Paid</b>		<b>\$45,119.49</b> Plus HST

Thank you for your consideration. Should you have any questions or concerns please feel free to contact me.

Yours Truly,  
SOUTHLAKE REGIONAL HEALTH CENTRE



Paul Clarry  
Vice President, Clinical Support & Facilities

Cc:	Robert Shelton	Town of Newmarket
	Meghan White	Town of Newmarket
	Angela Scriberras	MSH
	Peter Green	Southlake



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May 12, 2015

**COMMUNITY SERVICES – Recreation & Culture  
 COMMITTEE OF THE WHOLE REPORT #2015 - 09**

TO: Committee of the Whole  
 SUBJECT: Newmarket Theatre Operations  
 ORIGIN: Community Services – Recreation & Culture

**RECOMMENDATIONS**

**THAT the Community Services – Recreation & Culture, Report 2015 - 09 dated April 1, 2015 regarding Newmarket Theatre Operations in the Town of Newmarket, be received and the following recommendations be adopted:**

- 1. THAT Council endorse the Task Force Vision of: The Newmarket Theatre is a professional theatre dedicated to providing high quality entertainment. Community theatre will remain an important part of the cultural fabric through space at Old Town Hall or when space permits at the Newmarket Theatre;**
- 2. AND THAT Council endorse the recommendations of the Theatre Task Force, recognizing that recommendations that have budgetary impact will be reported on separately for consideration**

**COMMENTS**

The Newmarket Theatre is operated in partnership with the York Region District School Board (YRDSB). Located adjacent and attached to Newmarket High School, the Theatre operates year round with a combination of school use, community use and professional entertainment options. The partnership agreement with YRDSB stipulates that the school board covers all utility costs, caretaking and parking lot maintenance costs. The Town is responsible for all other aspects of operation including booking of venue, maintenance of technical systems and repair and replacement of equipment within the facility. As such, YRDSB is entitled to use during school days from 8 am to 6 pm. YRDSB and the Town of Newmarket meet at the beginning of each school year to determine school booking dates for the year.

The agreement has been in effect since 1996. The agreement was set for a five year term, renewing automatically for 5 year terms at the completion of each term. Should mutual consent to terminate the agreement occur, the Town of Newmarket is deemed to have leased the Theatre outright for a fee of \$10.00 per year for 50 years.

Currently, the Newmarket Theatre operates at an annual operating deficit of \$250,000 to \$300,000 annually. Please see appendix A for a detailed breakdown of the financial performance of the Theatre over the last five years. Novita Ltd., a consulting firm in the field of Cultural Programming who assisted with the Town of Newmarket with the development of the Cultural Master Plan, met with staff recently as they are conducting a review of the Richmond Hill Centre of the Performing Arts. They confirmed that an operating deficit in the magnitude of \$250,000 to \$300,000 was consistent with similar sized municipal venues.

In April, 2014 a deputation was presented to Council outlining a variety of operational concerns with respect to the Newmarket Theatre. Generally identified, there were financial concerns, concerns about the quality and variety of entertainment options available, number of productions that are not well attended, capacity of local community organizations to fill the number of seats, and the amount of school board use of the Theatre. With the Old Town Hall reopening, it was viewed that this could further impact use of the Newmarket Theatre.

A Task Force of community stakeholders was formed, including representatives from local theatre groups, dance community and passionate individuals in the performing arts community. The Task Force met numerous times to review existing operations, review industry best practices, and explore ways in which the Newmarket Theatre could move forward in a fiscally sound manner while delivering opportunity for the community to enjoy live performance.

The process utilized by the Task Force included conducting a SWOT (strengths, weaknesses, opportunities, threats) Analysis (see appendix B) and a Theatre Benchmarking questionnaire (see Appendix C). From there, the Task Force discussed various opportunities for improvement in order to develop key recommendations moving forward.

Based on the research and discussion, the Task Force has developed key recommendations based on the following themes:

- Booking Processes & Priorities
- Marketing & Sponsorship
- Atmosphere & Experience
- Staffing and Volunteers

All of these themes emerge from a fundamental shift in the operating philosophy – a new vision for the Newmarket Theatre: “The Newmarket Theatre is a professional theatre dedicated to providing high quality entertainment to the community and visitors to the community.” This involves transitioning from a Community Theatre to a Professional Theatre that could accommodate community use where time and space permits. This shift in philosophy is in consideration that most community use will be able to be accommodated within the Old Town Hall. This shift in focus will create capacity for the Theatre to become an economic generator for the Town of Newmarket.

The following table provides greater insight into the additional recommendations, including timelines and potential costs associated with the recommendations:

Recommendation	Suggested Timeline	Financial Implications
<b>Booking Processes &amp; Priorities</b>		
<p>Transition the Newmarket Theatre from a Community Theatre to a Professional Theatre where professional acts are actively pursued under the following guidelines:</p> <ul style="list-style-type: none"> <li>➤ The theatre season will be defined as September to June.</li> <li>➤ Professional acts will be secured 12 to 18 months in advance where possible.</li> <li>➤ Community Theatre will be accommodated at Old Town Hall.</li> <li>➤ Where booking space permits, Community use will be accommodated at Newmarket Theatre.</li> </ul>	<p>In order to make this type of transition, the process of looking for acts and aggressively pursuing them would begin immediately with an aim at the 2016-2017 season being impacted.</p>	<p>There is financial risk with this type of approach. The revenue stream moves to a more significant reliance upon seat sales and sponsorship and less upon rental revenue. However, if done successfully, could more than double current revenues. Staff will monitor performance closely and report back to Council regularly.</p>
<p>Transition the online ticketing system to a new system that enables the following:</p> <ul style="list-style-type: none"> <li>➤ A more dynamic, user friendly experience.</li> <li>➤ A more professional, branded appearance.</li> <li>➤ Ability to print tickets immediately.</li> <li>➤ Ability to utilize the system at any Town of Newmarket events that require purchase of tickets.</li> </ul>	<p>Staff will explore existing system capabilities and alternative platforms with a goal of including any possible enhancements within the 2016 budget process.</p>	<p>Financial implications are undetermined at this time but will be included within the 2016 budget process.</p>
<b>Marketing &amp; Sponsorship</b>		
<p>Develop a "Newmarket Theatre Brand" that speaks to the following:</p> <ul style="list-style-type: none"> <li>➤ Creates a distinguishable marketing and promotional feel while still complimenting the Town of Newmarket Branding.</li> <li>➤ Identifies the Newmarket Theatre as a Professional Theatre.</li> <li>➤ Identifies the Newmarket Theatre as the promotional piece rather than the focussing solely on the individual acts.</li> </ul>	<p>The Task Force would like to see an external consultant engaged to lead the brand development process. This will be included in the 2016 budget process – as such, the work is recommended for first quarter of 2016. If this is handled internally, work would begin in 2015.</p>	<p>This will be included within the budget 2016 process – though it should be noted that a branding exercise of this nature could cost in range of \$50,000 to \$75,000.</p>
<p>Develop a comprehensive marketing strategy that:</p> <ul style="list-style-type: none"> <li>➤ Identifies key and potential target markets and the desired live performance opportunities</li> <li>➤ Actively promotes the "Newmarket Theatre Brand" throughout the Community and beyond the borders of Newmarket.</li> <li>➤ Utilizes a variety of mediums and tactics to reach a wide audience pool.</li> </ul>	<p>The development of a Marketing Strategy will be an outcome of a branding exercise. Prior to the branding exercise staff will explore more effective use of marketing tools and tactics to improve marketing presence in 2015, with formal strategy developed in 2016.</p>	<p>This process will be done internally. Financial impacts of new marketing tools and tactics will be managed through the existing operating budget.</p>
<p>Develop a sponsorship recruitment and retention program that focusses on:</p> <ul style="list-style-type: none"> <li>➤ Securing naming rights for the Theatre and appropriate spaces within the Theatre.</li> <li>➤ Provides title sponsors for professional shows so that ticket prices remain competitive.</li> </ul>	<p>Staff will begin implementation of this recommendation through active sponsorship programs immediately.</p>	<p>Given the Town's extensive involvement in naming rights already, it is suggested that approximately \$25,000 to \$30,000 annually could be achieved for overall naming. Sponsorships for shows will range depending on the act.</p>
<b>Atmosphere &amp; Experience</b>		
<p>Engage a professional designer to redesign and repurpose the lobby and foyer space with the following objectives:</p>	<p>Ideally this would be considered after the branding exercise – completed by end</p>	<p>This will be included in the 2016 budget enhancement process – it is anticipated that</p>

<ul style="list-style-type: none"> <li>➤ Creating a professional theatre atmosphere that extends the live performance experience.</li> <li>➤ Improves traffic flow and maximizes ancillary revenue opportunities.</li> </ul>	of 2 <sup>nd</sup> quarter, 2016.	actual renovations coming out of this design would affect the 2017 budget process.
<p>Conduct a thorough review of Concession processes including:</p> <ul style="list-style-type: none"> <li>➤ Inventory and variety of items that are sold.</li> <li>➤ Ticketing and payment experience streamlined.</li> <li>➤ Balance of staff and volunteerism considered.</li> <li>➤ Flexibility to theme concessions with the production.</li> </ul>	<p>This recommendation will be completed in phases:</p> <p>Phase 1 – streamlining experience and variety and inventory of items will occur immediately.</p> <p>Phase 2 – Theming concessions will follow the branding exercise and redesign of the space to be implemented by end of 2017.</p>	It is anticipated these actions will result in an improvement in the overall financial performance of concessions within the Theatre.
<b>Staffing &amp; Volunteers</b>		
<p>Enhance the volunteer management program through:</p> <ul style="list-style-type: none"> <li>➤ Recruitment focus on a diverse pool of volunteers.</li> <li>➤ Enhancement of existing volunteer training and mentoring programs, focussing on customer service, and effectively promoting future events.</li> <li>➤ Utilization of educational internship and co-op experiences.</li> </ul>	This recommendation will be the focus of staff in Fall, 2015.	There are no financial implications anticipated with this recommendation.
<p>Improve the customer box office experience through taking the following actions:</p> <ul style="list-style-type: none"> <li>➤ Route all telephone calls during through the Customer Service Department where calls will be specifically answered providing a seamless experience for the caller.</li> <li>➤ Enable tickets to be printed and distributed at any Customer Service location.</li> </ul>	Staff will meet to explore ramifications of this recommendation and develop and implementation plan by end of year. It should be noted that some technological requirements may need to be met to satisfy those recommendations. A complete implementation plan and financial implications will be completed by end of 2015.	Financial implications will be explored in a separate report for Council consideration.
<p>Develop a Volunteer "Ideas Team" that will provide ideas and insight to staff on the following:</p> <ul style="list-style-type: none"> <li>➤ Provide advice on implementation of recommendations set forth in this report.</li> <li>➤ Provide recommendations on potential acts and any other operational opportunities for improvement.</li> </ul>	Staff will formulate the Ideas Committee and commence meetings immediately.	No financial implications.



## **CONSULTATION**

These recommendations came as a result of extensive consultation with a Community Task Force representing the various interests of the performing arts community.

Some of the recommendations suggested will require coordination through a variety of departments. These recommendations have been noted and will be reported on separately.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

### Well-balanced

- Striving for cultural harmony and ethnic diversity
- Events that help shape identity and contribute to community spirit

### Well-equipped & managed

- Small town feel with city amenities
- Clear vision of the future and aligned corporate/business plans

### Well-respected

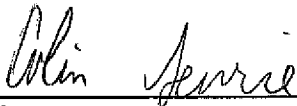
- Being well thought of and valued for our judgment and insight
- Discovering innovative and creative solutions for future well-being
- Being a champion for co-operation and collaboration
- Being tradition-based and forward-looking

## **BUDGET IMPACT**

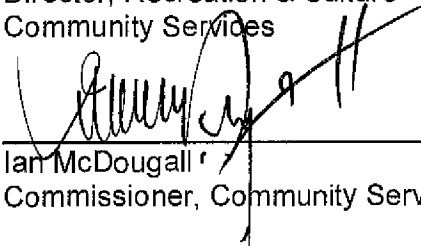
All items having budgetary impact will be reported on separately or will be identified as budget enhancements through the 2016 budget process and in future years as identified throughout the report. As such, the contents of this report do not have any specific, immediate budgetary impacts.

## **CONTACT**

For more information on this report contact Colin Service, [cservice@newmarket.ca](mailto:cservice@newmarket.ca) or extension 2601.



Colin Service  
Director, Recreation & Culture  
Community Services



Ian McDougall  
Commissioner, Community Services

## Appendix A – Financial Trending Performance at Newmarket Theatre

	Newmarket Theater Trending				
	2010 Actual	2011 Actual	2012 Actual	2013 Actual	2014 Budget
<b>71351 - Newmarket Theatre-General</b>					
4021 - Regular Salaries & Wages	187,166	178,401	185,483	189,651	194,055
4025 - Banked Overtime	-	-	-	-	-
4025 - Overtime	1,151	48	1,225	633	2,528
4028 - WSIB Reimbursements	-	-	-	-	-
4031 - Casual/Seasonal Wage	73,408	74,240	74,007	66,338	63,240
4035 - Regular Part-Time Wage	-	-	-	-	-
4109 - Direct Payroll Benefits	54,004	52,133	56,031	58,268	59,504
4198 - Payroll Burden	11	2	-	4	-
4216 - Stationery & Office Supplies	2,398	1,564	4,169	3,205	4,000
4217 - Photocopier Lease & Supplies	1,268	1,200	2,343	1,807	1,700
4228 - Ticket Printing Expenses	1,715	2,396	3,014	1,456	3,000
4230 - Other Supplies	-	-	-	-	-
4233 - Concession Supplies	23,135	16,124	17,473	17,178	20,000
4236 - Program & Project Costs	5,436	1,250	-	-	6,000
4267 - Rental Equipment	666	604	1,763	1,215	2,500
4278 - Equipment Repairs & Maintenance	8,090	4,493	2,435	6,981	6,000
4302 - Telephone	1,025	1,059	1,068	1,120	3,000
4411 - Postage, Freight & Machine Ren	49	-	-	-	600
4418 - Advertising	13,266	3,229	8,037	10,612	15,000
4435 - Purchase of Goods	24,584	24,901	18,762	24,607	30,000
4437 - Copyright fees	-	-	-	-	5,000
4437 - Services & Rents	1,145	-	-	-	2,000
4437 - Theatre Show #1	11,969	14,407	-	5,664	9,000
4437 - Theatre Show #2	9,146	13,919	-	23,185	12,000
4437 - Theatre Show #3	5,717	-	-	83	-
4437 - Theatre Show #4	9,199	-	-	6,750	-
4437 - Theatre Show #5	1,554	25,307	-	-	-
4437 - Theatre Show #6	16,607	-	-	-	-
4437 - Theatre Show #7	6,300	-	-	-	-
4437 - Theatre Show #8	13,592	-	-	-	-
4437 - Theatre Show #9	11,515	-	-	-	-
4438 - Equipment Rental	-	-	-	-	2,000
4471 - Mileage/Parking/Tolls	796	1,048	1,154	1,294	1,300
4472 - Memberships & Subscriptions	128	806	148	1,019	600
4478 - Conferences & Seminar Fees	-	1,217	829	550	2,500
4481 - Computer Hardware	-	-	-	-	-
4482 - Computer Software	8,040	1,800	5,948	12,285	2,000
4483 - Computer Purchase Incentive Pl	-	-	-	-	-
4484 - S.O.C.A.N.	1,877	2,027	873	1,088	6,000
4611 - Interest on Temporary Borrowin	-	-	-	-	-
4612 - Bank Charges	18,914	14,264	15,409	13,684	18,000
4668 - Cash Over/Short	-	0	2	6	-
4911 - Transfer to Capital	-	-	-	-	-
4922 - Transfer to Reserve Funds	48,000	86,046	57,375	58,565	75,000
4923 - Transfer To Reserves	-	-	-	-	-
4931 - Vehicle & Equipment (VER) Repl	-	-	-	-	-
4932 - Amortization	-	-	-	-	-
4936 - Asset Replacement Fund	50,235	50,235	50,235	50,235	50,235
7598 - Misc. Revenue	218	990	1,195	3,306	1,000
8214 - Card Activation Fee	142	60	5	-	-
8215 - Ticket Printing Revenue	18,310	15,180	18,250	19,332	20,000
8216 - Theatre Productions	4,024	1,201	2,499	1,850	-
8216 - Theatre Show #1	14,417	12,750	-	4,620	2,000
8216 - Theatre Show #2	3,240	17,700	-	20,405	2,000
8216 - Theatre Show #3	5,387	-	-	11,055	2,000
8216 - Theatre Show #4	7,840	-	-	2,615	2,000
8216 - Theatre Show #5	19,166	17,027	-	155	-
8216 - Theatre Show #6	24,297	-	-	-	-
8216 - Theatre Show #7	4,305	-	-	-	-
8216 - Theatre Show #8	12,890	-	-	-	-
8216 - Theatre Show #9	11,920	-	-	-	-
8229 - Special Event Revenue	-	-	-	-	10,000
8252 - Hall Rentals	109,048	116,220	98,129	98,685	110,000
8259 - Rentals	-	-	-	-	300
8266 - Concession Sales	23,832	20,437	19,306	20,758	25,000
8292 - C.I.F. Capital/Other Revenue	71,190	62,856	57,375	58,565	75,000
8294 - Advertising Revenue	-	-	-	-	3,000
8295 - S.O.C.A.N.	-	-	-	-	1,000
8299 - Other Revenue	-	-	-	-	-
8611 - Fees & Service Charge Rev.-Rac	23,482	17,599	17,852	16,125	17,500
8613 - On-line fees	10,816	4,290	10,917	5,087	15,000
8614 - Theatre set-up fee	708	300	150	-	2,000
8615 - Off-site ticketing fee	-	751	-	-	800
8616 - Copyright fees recovered	-	-	-	750	-
<b>TOTAL 71351 - Newmarket Theatre-General</b>	<b>246,873</b>	<b>285,359</b>	<b>282,106</b>	<b>295,663</b>	<b>308,162</b>

Appendix B – SWOT Analysis conducted by Task Force

<p style="text-align: center;"><b>Strengths</b></p> <ul style="list-style-type: none"> <li>- Good technically – lighting and sound</li> <li>- Acoustics are good for theatrical performances (speaking parts)</li> <li>- Sense of community among dedicated volunteers – volunteers fill roles that are paid in other theatres contributing to the operational model</li> <li>- Attached to highschool – volunteer opportunities</li> <li>- Box office set up and staff are great</li> <li>- Green room and dressing rooms are good</li> <li>- Great grand piano</li> <li>- Ample parking</li> </ul>	<p style="text-align: center;"><b>Weaknesses</b></p> <ul style="list-style-type: none"> <li>- Expensive – pricing structure and model</li> <li>- Availability</li> <li>- Size – too big for local, too small for high end shows</li> <li>- lack of storage and work space (set building)</li> <li>- Availability of rehearsal space</li> <li>- Same acts – lack of variety</li> <li>- lack of flexibility and ability to respond quickly to opportunities</li> <li>- lack of promotion, advertising or workable marketing strategy, lack of key connections</li> <li>- lack of marketing vision</li> <li>- automated phone system – people want to talk to a person</li> <li>- concession environment and strictly run by volunteers and hours for concessions services</li> <li>- ticket sale process for concessions</li> <li>- too dependent on volunteerism</li> <li>- line ups for washrooms during intermissions</li> <li>- lack of ancillary revenue generating opportunities</li> <li>- move in and move out as part of rental time</li> <li>- lack of relationship between user groups and volunteers</li> <li>- Acoustics are terrible for music</li> </ul>
<p style="text-align: center;"><b>Opportunities</b></p> <ul style="list-style-type: none"> <li>- professional stage management supporting user groups</li> <li>- shared knowledge by professionals</li> <li>- utilizing college or university internship programs to bring new life to the Theatre</li> <li>- explore naming rights</li> <li>- develop better relationships with local media</li> <li>- create a comprehensive marketing strategy</li> <li>- take advantage of cross promotional opportunities</li> <li>- create a multi dimensional experience (ie. Having concessions themed to match performance)</li> <li>- create programs that develop talent</li> <li>- leverage partnership opportunities with local businesses to create a whole experience</li> <li>- Develop a resident theatre company</li> <li>- Develop stronger sponsor relationships</li> <li>- Membership sales</li> <li>- Volunteer training program</li> <li>- Additional seating through construction of a balcony</li> <li>- Add sound baffles</li> </ul>	<p style="text-align: center;"><b>Threats</b></p> <ul style="list-style-type: none"> <li>- atmosphere around the Newmarket Theatre</li> <li>- increased competition from surrounding areas</li> <li>- other venues in Town are now drawing audiences (ie. Legion)</li> </ul>

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#### Appendix C – Bench Marking Questionnaire

The following questions were asked of 20 Theatres across Ontario with responses from 17. These were reviewed by the Task Force and utilized in the context of developing the report.

**Town of Newmarket  
Recreation & Culture Department  
Theatre Task Force**

***Benchmark Theatre Questionnaire***

#### Theatre Operations

1. Do you operate a concession stand?
2. How is the concession stand operated? ie: volunteers, rental group?
3. Do you do co-productions?

#### Staffing

4. Do you currently utilize volunteers?
5. What kinds of training do your volunteers receive?
6. What tasks do your volunteers perform?
7. What is your staffing structure?
8. What are your staffing needs?

#### Target Market/Audience

9. What demographics are you targeting?
10. How did you determine your demographics?
11. How did you gain an understanding of what your audience wanted in terms of the types of shows/productions you offer?
12. What are your usual marketing strategies?
13. What have you found to be really successful marketing initiatives?

#### Booking Contracts

14. Do you provide storage to rentals/contracts?
15. How much time do you allot for stage set-up/teardown?
16. Do you provide staff support such as stage managers, lighting and sound technicians?
17. Do you allow set construction on site?
18. Are there any restrictions for productions ex: sets sizes?
19. Do you have different rates and fees? What are your different rates?

#### Funding

- 20. What financial relationship does the theatre have with the municipality?
- 21. Do you receive funding through grants or sponsorships?
- 22. Do you have a donation process?
- 23. Do you offer memberships?
- 24. Do you offer an online ticket purchase option? Are there any extra fees charged for online purchases?
- 25. Have you conducted any unique fundraisers?



Mike Mayes, Director  
Financial Services/Treasurer

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May 15, 2015

## **CORPORATE SERVICES REPORT - FINANCIAL SERVICES - 2015-27**

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

SUBJECT: Property Tax Rates & Bylaw for 2015

ORIGIN: Supervisor, Property Tax & Assessment

### **RECOMMENDATIONS:**

THAT Corporate Services Report - Financial Services – 2015-27 dated May 15, 2015 regarding the Property Tax Rates & By-Law for 2015 be received and the following recommendations be adopted:

1. THAT the property tax rates for 2015, as applied to the assessment roll returned for taxation 2015, be set for Town purposes, as follows:

<u>Property Class</u>	<u>Tax Rate</u>
Residential	0.390979%
Multi- Residential	0.390979%
Commercial	0.436802%
Industrial	0.513121%
Pipeline	0.359310%
Farm/Managed Forest	0.097745%

2. AND THAT the applicable tax rate by-law attached as Appendix "A" be forwarded to Council for approval.

### **COMMENTS**

#### **Purpose**

The purpose of this report is to provide for the levy and collection of property tax for 2015.

#### **Budget Impact**

The proposed property tax rates for the Town will increase the tax levy by 3.50% and raise the necessary funds to cover the 2015 tax-supported operating budget as approved by Council on April 20<sup>th</sup>, 2015.

#### **Summary**

The *Municipal Act, 2001 as amended*, under s.312, requires that Council pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality.



### Town of Newmarket Tax Rates:

The property tax rates for Town purposes are determined using the approved tax ratios applied to the 2014 Assessment Roll as Returned for 2015 Taxation, and the approved 2015 Town Tax-Supported Operating Budget.

The tax ratios for 2015 as set by Regional Council, are consistent Region-wide, and must be used by all nine area municipalities in setting their respective tax rates for 2015. The tax ratios have been approved by the Region for 2015. Tax ratios establish the weighted level of taxation born by each property class in relation to the residential class. The Region has not made any adjustments to the tax ratios from 2014 to 2015 to adjust for tax shifting. The approved ratios remain:

Property Class	2015 Tax Ratio
Residential	1.0000
Multi-Residential	1.0000
Commercial	1.1172
Industrial	1.3124
Pipeline	0.9190
Farmland	0.2500
Managed Forest	0.2500

A combination of *The Assessment Act, R.S.O. 1990, as amended*, and the Municipal Act, require that tax discounts be given to several prescribed subclasses of property within the Commercial and Industrial classes. The tax rates for vacant/excess land within the commercial and industrial classes are discounted by 30% and 35% respectively. The higher discount for industrial vacant or excess land reflects the higher tax ratio applied to industrial properties.

Schedule "A" attached to the by-law lists the proposed tax rates required to raise the approved 2015 Town tax levy requirement of \$53.1 million. This results in an average municipal (Town) increase to a homeowner assessed at \$424,122 of 3.91% or \$62.36. The additional 0.41% is the result of tax shifting from the non-residential classes to the residential tax class. As previously mentioned, the Region has opted not to adjust the tax ratios to compensate for this shift.

### Region and Education Tax Rates:

The Region of York has set the property tax rates they require to fund their budgets as well. The Region will be raising \$55.2 million in Newmarket. This represents 5.90% of the total Regional levy as compared to 5.99% in 2014. This results in an average increase to a homeowner in Newmarket of 2.42% or \$40.75.

The Region's tax levy increase for 2015 is 2.97%, however, the impact in Newmarket is only 2.42% because our rates of growth are lower than other municipalities in York Region. Newmarket's share of the Regional levy dropped from 5.99% last year to 5.90% for 2015. For the average resident, this is a savings of 0.55% or \$9.26 as a result of tax shifting across the Region. Tax shifting is a change in the distribution of tax burden among all the municipalities within the Region.

The Ministry of Finance has provided the Education Property Tax Rates for 2015. The Residential tax rate has been reset to offset phased-in assessment increases and the uniform rate for 2015 is 0.195%, reduced from 0.203% in 2014. The average home assessment of \$424,122 will see an increase of \$7.23 or 0.88%. This results from the average assessment increase in Newmarket being higher than the overall Provincial average. Education tax rates for commercial and industrial properties are 5.2 and 6.1 times higher than the residential rate. The four school boards supported by Newmarket residents (English Public and Separate and French Public and Separate) will raise \$43.3 million in 2015.

#### Summary – 2015 Tax Rates:

The total final Residential Tax Rate for 2015 will be 0.992400%. An average residential property taxpayer, currently assessed at \$424,122 will pay \$4,208.99 for 2015. For comparison, the estimated assessment for this property in 2014 (assuming a 5.02% phase-in) would have been \$403,848 with a levy of \$4,098.65. Please see the chart below:

	2014	2015	\$ CHANGE	% CHANGE
Town Portion	\$1,595.87	\$1,658.23	\$62.36	3.91%
Region Portion	1,682.97	1,723.72	40.75	2.42%
<b>Municipal Sub total</b>	<b>\$3,278.84</b>	<b>\$3,381.95</b>	<b>\$103.11</b>	<b>3.14%</b>
School Board Portion	819.81	827.04	7.23	0.88%
<b>TOTAL</b>	<b>\$4,098.65</b>	<b>\$4,208.99</b>	<b>\$110.34</b>	<b>2.69%</b>

Within the Town's portion, there is a 3.50% increase (2.50% general levy increase and an additional 1% infrastructure levy). However, the rate of net growth (assessment loss from appeals plus supplementary and omitted assessments) in the commercial/industrial classes relative to residential was lower than expected and resulted in inter-class shifting. For the average resident, this is an additional 0.41% or \$6.39.

The sharing of the total property tax levy, for the three main classes will be;

CLASS	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Town of Newmarket	39.40%	23.06%	23.13%
Region of York	40.95%	23.71%	23.79%
Education	19.65%	53.23%	53.08%

There will be a total levy in excess of \$151 million that will be managed by the Town of Newmarket in terms of billing, collection and adjustments.

#### Other Levy's Included in Final Billing

In addition to the above levies, there will also be payments-in-lieu (PIL's) calculated and levied using the same tax rates, for the applicable class as outlined for taxable properties.

Railway rights-of-way and electrical corridors will be taxed based on the acreage shown on the assessment roll multiplied by the rate per acre as established by Regulation.

Properties identified within the Business Improvement Area (BIA) shall be levied a total of \$30,000, apportioned according to their commercial assessment, the funds to be provided to the Treasurer of the BIA.

#### Property Tax Due Dates

As noted in the attached by-law, the due dates for final three installments for the residential levy, in 2015 will be:

Tuesday, July 28<sup>th</sup>  
Tuesday, August 25<sup>th</sup>  
Thursday, September 24<sup>th</sup>

The due dates for the non-residential levy, as well as any supplementary billings will be established as they are processed.

#### Property Tax Assistance and Payment Program(s)

New in 2015, in order to assist Newmarket residents with budgeting for their property tax obligations, we have altered our Pre-Authorized Payment Plan to allow enrollment at any time. The account must be up to date at the time of enrollment and payments can only be made on the last business day of the month. The payment is calculated based on the number of months remaining to the end of October. For future years it will remain as 10 relatively equal payments (January through October).

Our Tax Assistance to the Elderly program, as previously authorized by Council in 2005, will continue this year with the amount being increased to \$284.00 from the 2014 level of \$274.00. This increase of approximately 3.5% is in line with the overall tax increase. Application forms are on the Town's website and will be accepted up to December 1, 2015.

All York Region Residents also have the opportunity to defer the property tax increase under the Region-wide Property Tax Deferral Program for Seniors (65+), Low-Income Seniors (55+) or Low-Income Disabled Persons (any age). Tax increases on the principal residence are deferred, penalty and interest free, and are only required to be repaid when the property is sold or transferred to a non-spouse. Full information on the assistance programs, as well as other Rebate programs for commercial and industrial properties, is available on the Town's website.

Additionally, there will be an insert with the final billing that will highlight the assistance programs. As we did with our interim billing, to ensure a broad distribution of this valuable information, we will ensure all residents on a pre-authorized or mortgage company payment plan receives the flyer as well. In order to facilitate this communication in a more efficient and cost effective manner, we are investigating the possibility of combining the pre-authorized payment amount adjustment notification, with the final billing and flyer mailing, as opposed to a separate letter as has been done in the past.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

## **CONSULTATION**


Region of York, 2015 Property Tax Rates Report and By-law, April 23, 2015  
Ministry of Finance letter dated March 16, 2015 for Education Tax Rates  
Municipal Property Assessment Corporation, Assessment Roll  
Online Property Tax Analysis (OPTA) for statistics

## **BUDGET IMPACT**

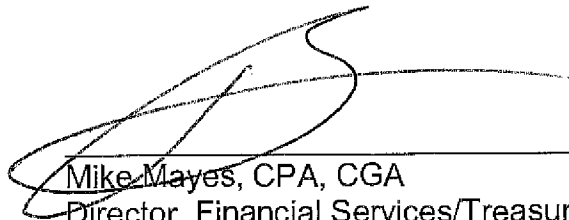
The property tax rates as per Schedule "A" in the accompanying by-law will raise the necessary tax dollars to fund the 2015 tax-supported operating budget approved by Council on April 20<sup>th</sup>, 2015.

## **CONTACT**

For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at [mmayes@newmarket.ca](mailto:mmayes@newmarket.ca)



Grace Marsh, CMMIII, CMTP  
Supervisor, Property Tax & Assessment



Mike Mayes, CPA, CGA  
Director, Financial Services/Treasurer



Anita Moore, AMCT  
Commissioner, Corporate Services

GM/nh

Attachment:

- Appendix A (By-Law Number 2015 – xx) – 4 pages



# CORPORATION OF THE TOWN OF NEWMARKET

## BY-LAW NUMBER 2015-

### APPENDIX "A"

A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF THE SUMS REQUIRED BY THE CORPORATION OF THE TOWN OF NEWMARKET FOR 2015 AND TO PROVIDE FOR THE MAILING OF NOTICES REQUISITIONING THE PAYMENT OF TAXES FOR 2015.

WHEREAS Section 312 (2) of the *Municipal Act, 2001, as amended*, provides that the Council of a local municipality shall, after the adoption of estimates for the year, pass a by-law to levy a separate tax rate on the assessment in each property class;

AND WHEREAS Sections 307 and 308 of the said *Act* require tax rates to be established in the same proportion to tax ratios;

AND WHEREAS estimates have been prepared showing the sum of \$151,559,539 is required to be raised for the lawful purposes of the Corporation of the Town of Newmarket for the year 2015, which estimates are made up as follows:

1.	Town of Newmarket General Purposes	\$ 53,072,903
2.	Regional Municipality of York Purposes	\$ 55,169,058
3.	Ontario Education Purposes	\$ 43,317,578
		<u>\$151,559,539</u>

AND WHEREAS any special levy in the Town of Newmarket is based upon the Current Value Assessment as returned on the last revised Assessment Roll as determined by the Municipal Property Assessment Corporation in accordance with the *Assessment Act, R.S.O. 1990, as amended*, and summarized on Schedule "A" attached to this by-law;

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

1. THAT the following property tax class ratios are to be applied in determining tax rates for taxation in 2015:

Residential/Farm Property Class	1.0000
Multi-Residential Property Class	1.0000
Commercial Property Class	1.1172
Industrial Property Class	1.3124
Pipelines Property Class	0.9190
Farmlands Property Class	0.2500
Managed Forest Property Class	0.2500

2. AND THAT for the year 2015, the Corporation of the Town of Newmarket shall levy upon the Residential Assessment, Multi-Residential Assessment, Commercial Assessment, Industrial Assessment, Pipeline Assessment, Farm Assessment and Managed Forest Assessment the rates of taxation set out in this by-law. The

optional property classes allowable which were not adopted by the Region of York have been included within Schedule "A" for clarity, shown with the tax rates established for the default Commercial and Industrial Assessment classes for the respective optional classes. This presentation was selected to coincide with the property tax class codes and qualifiers used by the Municipal Property Assessment Corporation in its communication with property owners concerning their property assessments;

3. AND THAT the sum of \$53,072,903 be levied and collected for the Town of Newmarket's General Purposes as provided by the Corporation's 2015 Operating Budget, such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
4. AND THAT the sum of \$55,169,058 be levied and collected for the Town of Newmarket's share of the 2015 Budget for The Regional Municipality of York, such sum to be provided by applying the tax rates as summarized in Schedule "A" attached, to the taxable assessments;
5. AND THAT the sum of \$43,317,578 be levied and collected for the Town of Newmarket's share of the 2015 Ontario Education levy, such sum to be provided by applying to the taxable assessments the tax rates summarized in Schedule "A" which are the rates prescribed for use by Ontario Regulation 400/98 as amended by O.Reg. 75/15;
6. AND THAT for properties so assessed, payments in lieu of taxes shall be calculated using the tax rates in Schedule, "A" which would be applicable to the property if it were subject to tax;
7. AND THAT for the railway rights-of-way assessments and for the Utility Transmission and Distribution Corridor, assessments shall have their taxes due to the Corporation of the Town of Newmarket calculated in accordance with the Regulations as established by the Minister of Finance and the returned assessment roll;
8. AND THAT for the purpose of the business improvement area projects, the sum of \$30,000 shall be levied and collected from the property owners within the business improvement area.
9. AND THAT the Treasurer shall add to the Collector's Roll, all or any arrears for cutting weeds or any charges to fence viewers awards or water arrears or any other charges which should be collected pursuant to any statute or by-law to the respective properties chargeable thereto and that the same shall be collected by the Treasurer in the same manner and at the same time as all other rates or levies;
10. AND THAT the Interim Tax Levy pursuant to By-law Number 2015-03 shall be shown as a reduction on the final tax levy;
11. AND THAT all taxes levied under the authority of this by-law shall become due and payable in three installments; the first installment due July 28, 2015, the second installment due August 25, 2015 and the third installment due September 24, 2015, and all installments shall be payable to the office of the Treasurer of the Town of Newmarket;



These due dates are subject to amendment by the Treasurer, if required, to meet the statutory timing required following the tax demand date;

12. AND THAT the Treasurer for the Corporation of the Town of Newmarket may mail or cause to be mailed, the notice specifying the amount of taxes payable by any person liable for taxes, addressed to that person's place of residence as indicated on the Collector's Roll;
13. AND THAT taxes are payable at the Municipal Offices, 395 Mulock Drive, Newmarket, and at such other places as may be designated by the Town from time to time;
14. AND THAT residents who qualify for the Low Income Seniors and Low Income Disabled Tax Deferral Program need to apply to the Tax Office in accordance with the program policies as established by the Regional Municipality of York. The amount of deferral for 2015 will be determined once the application has been approved;
15. AND THAT if any section or portion of this by-law or of Schedule "A" is found by a court of competent jurisdiction to be invalid, it is the intent of Council for the Corporation of the Town of Newmarket that all remaining sections and portions of this by-law continue in force and effect;
16. AND THAT Schedule "A" attached hereto shall be and form a part of this by-law.

ENACTED THIS            DAY OF

\_\_\_\_\_  
Tony Van Bynen, Mayor

\_\_\_\_\_  
Andrew Brouwer, Town Clerk

## SCHEDULE "A"

## Corporation of the Town of Newmarket

## 2015 Schedule of Tax Rates for Taxable Property

PropertyAssessment Class	Code/Qual.	Town Rate	Region Rate	School Rate	Total Rate
Residential Taxable: Full	RT	0.390979%	0.406421%	0.195000%	<b>0.992400%</b>
Residential Taxable: Full Shared PIL	RH	0.390979%	0.406421%	0.195000%	<b>0.992400%</b>
Multi-Residential Taxable: Full	MT	0.390979%	0.406421%	0.195000%	<b>0.992400%</b>
Commercial Taxable: Full	CT	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Commercial Taxable: Excess Land	CU	0.305761%	0.317837%	0.713399%	<b>1.336997%</b>
Commercial Taxable: Full Shared PIL	CH	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Commercial Taxable: Excess Land, Shared PIL	CK	0.305761%	0.317837%	0.713399%	<b>1.336997%</b>
Parking Lot Taxable: Full	GT	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Commercial Taxable: Vacant Land	CX	0.305761%	0.317837%	0.713399%	<b>1.336997%</b>
Office Building Taxable: Full	DT	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Shopping Centre Taxable: Full	ST	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Shopping Centre Taxable: Excess Land	SU	0.305761%	0.317837%	0.713399%	<b>1.336997%</b>
Commercial (New Construction) Taxable: Full	XT	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Commercial (New Construction) Taxable: Excess Land	XU	0.305761%	0.317837%	0.713399%	<b>1.336997%</b>
Office Building (New Construction) Taxable: Full	YT	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Office Building (New Construction) Taxable: Excess Land	YU	0.305761%	0.317837%	0.713399%	<b>1.336997%</b>
Shopping Centre(New Construction) Taxable: Full	ZT	0.436802%	0.454054%	1.019142%	<b>1.909998%</b>
Industrial Taxable: Full	IT	0.513121%	0.533387%	1.190000%	<b>2.236508%</b>
Industrial Taxable: Excess Land	IH	0.513121%	0.533387%	1.190000%	<b>2.236508%</b>
Industrial Taxable: Excess Land, Shared PIL	IK	0.333529%	0.346701%	0.773500%	<b>1.453730%</b>
Industrial Taxable: Excess Land	IU	0.333529%	0.346701%	0.773500%	<b>1.453730%</b>
Industrial Taxable: Vacant Land	IX	0.333529%	0.346701%	0.773500%	<b>1.453730%</b>
Large Industrial Taxable: Full	LT	0.513121%	0.533387%	1.190000%	<b>2.236508%</b>
Large Industrial Taxable: Excess Land	LU	0.333529%	0.346701%	0.773500%	<b>1.453730%</b>
Industrial(New Construction)Taxable: Full	JT	0.513121%	0.533387%	1.190000%	<b>2.236508%</b>
Pipeline Taxable: Full	PT	0.359310%	0.373501%	1.458488%	<b>2.191299%</b>
Farm Taxable: Full	FT	0.097745%	0.101605%	0.048750%	<b>0.248100%</b>



Mike Mayes, Director  
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May 6, 2015

## **CORPORATE SERVICES REPORT - FINANCIAL SERVICES-2015-31**

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

SUBJECT: 2014 Capital Carry-overs Report

ORIGIN: Senior Financial Analyst

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### **RECOMMENDATION**

**THAT Corporate Services Report – Financial Services 2015-31 dated May 6, 2015 regarding the 2014 Capital Carryovers be received for information purposes.**

### **COMMENTS**

#### **Purpose**

This report is to advise on the 2014 capital carry-overs to 2015.

#### **Budget Impact**

A total amount of \$28,132,006 is to be carried over into 2015. Funding has been allocated for these carryovers in the original budgets.

#### **Summary**

The 2014 capital expenditures budget totaled \$51,414,125. The actual expenditures were \$20,362,371, including approved but non-budgeted amounts of \$390,990 for land purchase, redevelopment ready and Engineering for 2015 projects. A total amount of \$28,132,006 is to be carried over into 2015. A net amount of \$2,919,748 is not being carried over due to cancelled projects, project savings, and an amount of \$1,452,576 spent in 2013 for the Honeywell street lights retrofit project and the solar panel retrofit project.

## **Background**

The 2014 capital expenditures budget totaled \$51,414,125. The actual expenditures were \$20,362,371, including approved but non-budgeted amounts of \$390,990 for land purchase, redevelopment ready and Engineering for 2015 projects. A total amount of \$28,132,006 is to be carried over into 2015. A net amount of \$2,919,748 is not being carried over, of which \$1,467,172 is due to cancelled projects and project savings. The remaining \$1,452,576 is the pre-approved amount spent in 2013 for Honeywell street lights retrofit project and the solar panel retrofit project.

Carry-overs are the transfer of the unspent portion of capital budgets, to the following year. As such, the expenditures and financing already have Council approval. The budget amounts carried over are combined with the "new" budget amounts and are reported on the financial statements.

Capital projects may be incomplete for a number of reasons, such as:

- 1) A multi-year project may have had all of its budget allocated to one year
- 2) There can be delays in getting approvals, external funding, utility or Regional clearances, or in awarding tenders
- 3) Re-prioritization

Major carryover projects include:

- Old Town Hall restoration -\$1,136,480, excluding Council approved additional expenditures of \$4,888,309;
- Road pavement, rehabilitation, and reconstruction projects - \$8,231,825;
- Honeywell street lights retrofit project - \$3,061,712;
- Property acquisition and extension of trail along the Holland River - \$3,058,235;
- Watermain at Wilstead Drive & Yonge Street - \$998,647;
- Tom Taylor Trail – Davis Drive underpass - \$800,765;
- Community Centre Lands project - \$719,367;
- SWM Pond maintenance program - \$650,611;
- Fire Station 4-1 renovations - \$550,000;
- Library building maintenance/upgrades - \$341,101.

## **NEXT STEPS**

Further to recommendations included in the Hemson report on our Capital Financing Sustainability Strategy, our procedures and practices for capital budgeting and carryovers will be reviewed. A multi-year approach is being considered.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

## CONSULTATION

The 2014 capital carryover amounts are proposed by the departments that have capital projects.

## BUDGET IMPACT

### Operating Budget (Current and Future)

Not Applicable.

### Capital Budget

A total amount of \$28,132,006 is to be carried over into 2015. Funding is available for these carryovers according to the original budget.

## CONTACT

For more information on this report, please contact Frank Wu at 905-953-5300, ext.2105 or [fwu@newmarket.ca](mailto:fwu@newmarket.ca).



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Senior Financial Analyst



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Manager, Finance & Accounting



Mike Mayes, CPA, CGA  
Director, Financial Services/Treasurer



Anita Moore, AMCT  
Commissioner, Corporate Services

FW/nh

Attachment:

- a) 2014 Capital Variances & Carry-overs Summary (1 page)

## 2014 Capital Variances & Carry-overs Summary

Commission / Department / Area	Budget (\$)	Actual (\$)	Variance (\$)	Amount Cancelled/(Offset by other project savings) (\$)	Carry-over Amount (\$)
<b><u>General Government</u></b>					
	3,354,124	420,906	2,933,218	(277,103)	3,210,321
<b>Total</b>	<b>3,354,124</b>	<b>420,906</b>	<b>2,933,218</b>	<b>(277,103)</b>	<b>3,210,321</b>
<b><u>Corporate Services</u></b>					
Information Technology	2,176,259	633,302	1,542,957	-	1,542,957
Legislative Services	88,722	52,678	36,044	-	36,044
<b>Total</b>	<b>2,264,981</b>	<b>685,980</b>	<b>1,579,001</b>	<b>-</b>	<b>1,579,001</b>
<b><u>Community Services</u></b>					
Recreation & Culture Services	473,734	77,360	396,374	-	396,374
<b>Total</b>	<b>473,734</b>	<b>77,360</b>	<b>396,374</b>	<b>-</b>	<b>396,374</b>
<b><u>Development &amp; Infrastructure Services</u></b>					
Planning & Building	549,975	257,559	292,416	-	292,416
Roads	17,279,338	7,257,212	10,022,126	1,139,690	8,882,436
Water	1,904,189	304,396	1,599,793	(16,286)	1,616,079
Wastewater	839,256	156,232	683,024	14,602	668,422
Facilities	6,497,542	4,025,309	2,472,233	225,449	2,246,784
Parks	3,542,436	893,756	2,648,680	674,103	1,974,577
Trails	800,765	6,136	794,629	(6,136)	800,765
Other	10,273,974	4,789,886	5,484,088	1,140,748	4,343,340
<b>Total</b>	<b>41,687,475</b>	<b>17,690,486</b>	<b>23,996,989</b>	<b>3,172,170</b>	<b>20,824,819</b>
<b><u>Library Services</u></b>					
	1,287,192	234,408	1,052,784	-	1,052,784
<b>Total</b>	<b>1,287,192</b>	<b>234,408</b>	<b>1,052,784</b>	<b>-</b>	<b>1,052,784</b>
<b><u>Central York Fire Services</u></b>					
	2,346,619	1,253,231	1,093,388	24,681	1,068,707
<b>Total</b>	<b>2,346,619</b>	<b>1,253,231</b>	<b>1,093,388</b>	<b>24,681</b>	<b>1,068,707</b>
<b>GRAND TOTAL</b>	<b>51,414,125</b>	<b>20,362,371</b>	<b>31,051,754</b>	<b>2,919,748</b>	<b>28,132,006</b>





**Mike Mayes, Director  
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May 6, 2015

## **CORPORATE SERVICES REPORT - FINANCIAL SERVICES-2015-30**

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

**SUBJECT:** 2015 Reserves & Reserve Funds Budget

**ORIGIN:** Senior Financial Analyst

### **RECOMMENDATION**

**THAT Corporate Services Report - Financial Services - 2015-30 dated May 6, 2015 regarding 2015 Reserves & Reserve Funds Budget be received and the following recommendation be adopted:**

**THAT the projected revenues for the 2015 Reserves and Reserve Funds Budget, as set out in the attachment, be approved.**

### **COMMENTS**

#### **Purpose**

The purpose of this report is to seek Council approval of the projected 2015 Reserves and Reserve Funds Budget.

#### **Budget Impact**

This report has no direct impact on the operating and capital budgets for which the transfers have been previously approved.

#### **Summary**

The 2015 budgeted revenues for reserves and reserve funds, including obligatory reserve funds, are \$28.2 million. They include \$18.7 million in transfers from the operating budget, \$2.3 million from the gas tax grant, and \$4.6 million in Development Charges.

The projected December 31, 2015 balance of the reserves and reserve funds is a decrease of \$35.4 million from the beginning of the year. This is mainly due to a) \$9.8 million loan to capital for streetlights retrofit and water meter replacement; and b) the budgeted financing from the Asset Replacement Funds (ARF) exceeding the budgeted annual ARF contributions from the operating fund. \$11.8 million of this is for funding capital carryovers (see Corporate Services Report-Financial Services 2015-31).

Additional general background information on the Town's Reserves and Reserve Funds, terminology and categorization is provided by Corporate and Financial Services Report – Finance 2008-18, Guidelines for the Use of Reserves and Reserve Funds. This report is available in hardcopy at the Municipal Offices or online at:  
<http://www.newmarket.ca/en/townhall/otherreports.asp>

The Reserves and Reserve Funds Budget has been developed based upon the following:

1. The 2015 Capital Budget including carryovers – approved funding requirements
2. The 2015 Operating Budget – approved contributions and funding requirements
3. Interest earned on projected Reserve Funds balances
4. Estimated Reserve Funds revenues – Developer contributions, etc.
5. Application of the Reserves and Reserve Funds Guidelines approved by Council

The majority of this budget has already been established through the previous adoption of the 2015 Operating and Capital budgets. Reserves and reserve funds, including obligatory reserve funds (for Development Charges and parkland contributions, Gas Tax Grant, etc.), had a combined balance of \$71.1 million at the beginning of 2015, and are projected to have a balance of \$35.8 million at the end of 2015.

Total reserves and discretionary reserve funds are projected to be \$16.7 million at the end of 2015, or 14.8% of 2015 budgeted operating expenses (41.2% in 2014). The 2015 reserves and reserve funds budget by group is summarized below.

#### 1. Reserves and reserve funds for capital purposes

These reserves and reserve funds were set up for funding future capital projects. If all budgeted capital projects are completed, the projected balance of capital reserves will be -2.6% of the accumulated amortization of capital assets at the year end of 2015 (2014 actual ending balances were at 7.6%). Comparing capital reserves to accumulated amortization (also known as accumulated depreciation or the write down of assets over time) is a measure of the adequacy of capital reserves.

Category	Beginning Balance 2015	Revenues	Expenses	Ending Balance 2015	Change over 2014
General Capital	3,856,707	415,382	2,025,426	2,246,663	(1,610,044)
Loan to Capital	(8,714,270)	604,982	9,761,712	(17,871,000)	(9,156,730)
Designated Capital	8,208,953	658,837	3,763,973	5,103,817	(3,105,136)
Asset Replacement Funds	15,905,427	15,269,925	27,644,373	3,530,979	(12,374,448)
<b>TOTAL</b>	<b>19,256,817</b>	<b>16,949,127</b>	<b>43,195,484</b>	<b>(6,989,540)</b>	<b>(26,246,357)</b>

Revenues in the General Capital and Designated Capital reserve funds are mainly transfers from the operating fund for capital financing, environmental land purchases and the official plan.

The budgeted balance of the Asset Replacement Funds is projected to decrease by \$12.4 million. This is mainly due to budgeted financing from the Asset Replacement Funds exceeding the budgeted annual ARF contributions from the operating fund. \$11.8 million of this is for funding capital carryovers (see Corporate Services Report – Financial Services 2015-31).

## 2. Reserves and reserve funds for operating purposes

These reserves were set up for rate stabilization and operational contingencies. The projected balance will be 6.1% of tax revenues at the end of 2015 (2014-7.8%).

Category	Beginning Balance 2015	Revenues	Expenses	Ending Balance 2015	Change Over 2014
Operational Contingencies	1,117,025	-	247,442	869,583	(247,442)
Cyclical Expenses	245,291	110,756	-	356,047	110,756
Discretionary Operating	1,434,975	(906)	530,584	903,485	(531,490)
Operational Carry-overs	1,183,532	-	6,048	1,177,482	(6,050)
<b>TOTAL</b>	<b>3,980,823</b>	<b>109,850</b>	<b>784,074</b>	<b>3,306,599</b>	<b>(674,223)</b>

## 3. Obligatory reserves and reserve funds

These include cash-in-lieu contributions for parkland from developers, development charges, the unused portion of the Investing in Ontario grant received in 2007, gas tax grant, and engineering administration, design, review and field monitoring fees for development. They have statutory restrictions.

Category	Beginning Balance 2015	Revenues	Expenses	Ending Balance 2015	Change Over 2014
Parkland	1,332,231	239,922	1,307,000	265,152	(1,067,078)
Development Charges	21,668,361	4,810,982	9,027,593	17,451,751	(4,216,610)
Investing In Ontario	161,939	2,024	-	163,965	2,026
Gas Tax Grant	2,227,449	2,330,722	4,382,513	175,658	(2,051,791)
Engineering Administration	1,142,164	613,597	708,821	1,046,940	(95,223)
<b>TOTAL</b>	<b>26,532,144</b>	<b>7,997,247</b>	<b>15,425,927</b>	<b>19,103,464</b>	<b>(7,428,677)</b>

Revenue estimates for development charges and cash-in-lieu contributions for parkland are extrapolated from the trends of the preceding three years.

## 4. Other reserves and reserve funds

These are reserves and reserve funds not included in the above groups.

Category	Beginning Balance 2015	Revenues	Expenses	Ending Balance 2015	Change over 2014
Development Related Revenues	3,454,283	136,517	883,751	2,707,050	(747,234)
Restricted Operating	15,195,994	1,922,072	1,370,228	15,747,838	551,844
Growth Funds	2,719,108	1,130,288	1,953,958	1,895,438	(823,670)
<b>TOTAL</b>	<b>21,369,385</b>	<b>3,188,877</b>	<b>4,207,937</b>	<b>20,350,326</b>	<b>(1,019,060)</b>

Revenues in the Growth Funds include a projection of \$703,000 in voluntary trail contributions and \$400,000 in Recommending-- A-Strategy (RAS) surcharges. A detailed list of all the reserves and reserve funds is attached to this report.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

### **CONSULTATION**

The 2015 Reserves and Reserve Funds Budget has been created from the 2015 Capital and Operating Budgets which were developed by staff and have undergone extensive review by the public and Council.

Hemson Consulting's report on the Capital Financing Sustainability Strategy will help inform a review of reserves and reserve funds which will be undertaken in 2015. Recommendations, including a formal policy and the consolidation of some reserves, will be presented to Council for consideration later this year.

### **BUDGET IMPACT**

#### **Reserves and Reserve Funds Budget**

Projected reserves and reserve funds revenues, being interest earned, developer contributions, land sales and other items paid directly to the reserves and reserve funds, are being added to the consolidated budget.

#### **Operating Budget (Current and Future)**

This report has no direct impact on the Operating Budget. All transfers to or from the Operating Budget were previously approved by Council.

Capital Budget

This report has no direct impact on the Capital Budget. All transfers to the Capital Budget were previously approved by Council.

CONTACT

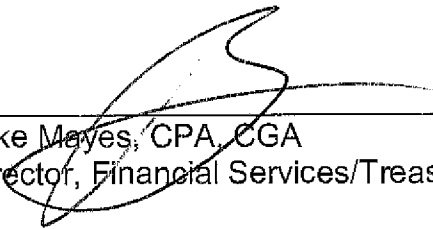
For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at [mmayes@newmarket.ca](mailto:mmayes@newmarket.ca)



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Senior Financial Analyst



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Manager, Finance & Accounting



Mike Mayes, CPA, CGA  
Director, Financial Services/Treasurer



Anita Moore, AMCT  
Commissioner, Corporate Services

FW/nh

Attachment:

- a) 2015 Reserves and Reserve Funds Budget (8 pgs.)

### Reserve Funds for Development-Related Revenues

Reserve/ Reserve Fund Account			Account #	Balance Forward Jan.12/015	REVENUES										EXPENDITURES					Closing Balance Dec. 31/2015
				\$	Bank & Investment Interest	Contrib- utions	From General Fund	Other	Total Revenue	To Capital Fund	To General Fund	Internal Transfers/ Other	Total							
RESERVE FUNDS:																				
Reserve Funds for Development-Related Revenues																				
Tree Planting	432300		337,765		3,628	30,000			33,628		125,000		125,000	246,393						
Paperless Maintenance	442170		1,483,361		17,055				17,055	250,000			250,000	1,256,416						
Planning Application Subdivision Fee	468110		1,146,347		12,235		73,600		85,835		408,751		408,751	823,431						
Reserve Funds for Cyclical Expenses																				
Election	413706		(5,098)		436		80,000		80,436					75,333						
Inauguration	413707		15,560		319		20,000		20,319					33,879						
Discretionary Operating Reserve Funds																				
NEER Support	410907		-		(906)				(906)		145,000		145,000	(145,906)						
Restricted Operating Reserve Funds																				
CYFS Reserve Fund	421240		851,896		10,917		55,000		65,917		12,000		12,000	905,813						
LTD - Town	410227		6,673,941		88,424		800,000		888,424					7,562,366						
LTD- Medical Benefits Plan	410228		130,533		2,025		63,000		65,025					195,558						
LTD- Dental Benefits Plan	410229		-		969		155,000		155,969					155,969						
LTD - Library	455107		325,359		4,313		39,210		43,523					368,922						
Seniors Fund	457371		1,147		14				14					1,162						
McLarty Fund	457790		2,854		36				36					2,890						
L.A.C.A.C.-Heritage Fund	458321		17,729		222				222					17,951						
Fire Training Costs	421230		85,194						-			85,194	85,194	0						
General Capital Reserve Funds																				
Capital Contingency Fund	410901		154,824		983				983	152,353			152,353	3,454						
Capital Financing Fund	410908		802,493		3,938		312,776		316,714	1,287,727			1,287,727	(168,520)						
Community Benefit	416909		71,511		895				895					72,506						
Designated Capital Fund	410903		1,725,359		20,336		50,000		70,336	246,845			246,845	1,548,830						
Investment Income Fund	410910		(2,868)		135		26,319		26,454					24,086						
Streetsight Retrofit Loan	410911		(5,577,794)				200,000		200,000	3,061,712			3,061,712	(8,439,506)						
Water Meter Replacement Loan	410913		-						-	6,700,000			6,700,000	(6,700,000)						
Solar Panel at R/JT	410912		(638,185)				23,717		23,717					(615,468)						
2013 Solar Panel	410902		(252,703)				10,077		10,077					(242,626)						
Loan to Capital Fund	410900		(2,244,587)		(96,503)		457,696		371,188					(1,873,399)						
Designated Capital Reserve Funds																				
Road Reconstruction	432215		249,765		3,122				3,122					252,887						
Purchase of Municipal Easement	432217		34,488		431				431					34,929						
Sidewalks	432170		244,866		3,055				3,055					247,441						
Pony Drive	432214		68,918		861				861					69,780						



## 2015 RESERVES AND RESERVE FUNDS BUDGET

Reserve / Reserve Fund Account	Account #	Balance Forward Jan. 1/2015	REVENUES					EXPENDITURES				Closing Balance Dec. 31/2015
			Bank & Investment Interest	Contributions	From General Fund	Other	Total Revenue	To Capital Fund	To General Fund	Internal Transfers/Other	Total	
Dawson Manor Blvd.	432216	12,803	160				160					12,963
Insurance Proceeds Barn	410905	253,515	1,798				1,798	219,317			219,317	35,996
Public Art	457215	255,395	3,192				3,192					256,588
Theatre CIE Fund	457352	725,598	9,183		75,000		84,183	56,942			56,942	752,839
Theatre	457351	28,807	380				380					29,167
Museum Board	457531	8,318	104				104					8,422
Museum Conservation	457532	11,112	139				139					11,251
Museum Exhibit	457533	8,673	108				108					8,782
SWM Pond Maintenance	442183	926,461	8,306				8,306	523,944			523,944	410,823
Downstream Storm Drainage	442182	4,145	52				52					4,197
Stormwater Erosion	442181	6,001	75				75					6,076
Environmental Green Fund	410960	49,437	605				605					49,043
Environmental Land Purchase	410971	957,304	9,874		372,000		381,874	425,386	281,322		706,708	632,471
All Our Kids Playpark	457840	2,765	35				35					2,789
Playground Equipment	457861	200,843	2,511				2,511					203,354
Fence	432132	9,396	117				117					9,513
Secondary Planning Study	468000	139,030	1,488				1,488	40,000			40,000	100,518
Official Plan	468115	400,590	5,820		130,000		135,820					536,410
Parking Purposes	422717	345,351	4,296				4,296	5,000			5,000	344,636
Downtown Parking	422710	37,840	439				439	5,000			5,000	33,079
Holland River Walkway	457861	135,879	1,698				1,698					137,577
Trail Contribution-Eden Oak	462150	30,430	380				380					30,810
Sale of Property	410970	1,587,049	10,665				10,665	1,487,695			1,487,695	120,019
Sickwood-Walker Property	410973	1,000,925	8,016				8,016	719,367			719,367	289,573
Rawluk Property	410972	387,593	4,845				4,845					392,438
Fiddlefest	457893	5,285	66				66					5,352
Festival of Lights	457892	3,540	44				44					3,584

## 2015 RESERVES AND RESERVE FUNDS BUDGET

Reserve / Reserve Fund Account		Account #	Balance Forward Jan. 1/2015	REVENUES					EXPENDITURES				Closing Balance Dec. 31/2015
			\$	Bank & Investment Interest	Contrib- utions	From General Fund	Other	Total Revenue	To Capital Fund	To General Fund	Internal Transfers/ Other	Total	\$
ASSET REPLACEMENT FUNDS													
CYFS	471117		(373,981)	(6,379)	111,040	850,000		954,661	1,318,965		(85,194)	1,233,772	(653,093)
IT	473628		3,050,935	22,763		790,204		812,967	1,894,578			1,934,878	1,937,024
Roads	482267		3,860,594	6,561		5,172,922		5,179,483	11,149,353	595,022		11,844,375	(2,804,298)
Water	482437		20,947,574	263,856		2,500,537		2,764,393	1,696,079	482,572		2,178,651	21,533,317
Sewer	482477		14,512,622	196,243		3,110,528		3,306,771	70,788	866,072		936,860	16,982,533
Parks	482817		(9,289,315)	(134,643)		760,259		625,616	2,255,532	1,466,000		3,724,532	(12,388,231)
Other	482917		1,894,669	19,967		503,182		523,149	422,874	675,000		1,097,874	1,319,943
Library	485127		1,072,433	7,699		223,550		231,249	1,136,636			1,136,636	167,046
Fire	487717		(162,563)	(7,832)		15,738		7,906	943,741			943,741	(1,098,398)
Facilities	487767		(19,715,542)	(255,779)		1,119,510		863,731	1,432,046	1,181,008		2,613,054	(21,464,865)
Growth Reserve Funds													
Growth Fund	490949		626,929	4,143				4,143	563,001	28,050		591,051	40,020
Recommending A Strategy	457306		1,137	264	400,000			400,264		360,000		360,000	41,401
Trail Voluntary Levies	462100		1,980,416	22,881	703,000			725,881	1,002,907			1,002,907	1,703,389
TOTAL RESERVE FUND			31,764,619	291,046	1,244,040	17,999,825	-	19,534,911	39,108,089	6,728,797	-	45,836,886	5,462,644
RESERVES:													
Reserves for Operational Contingencies													
Legal Services	322110		280,448					-				-	280,448
HR Reserve	322510		81,860					-		35,000		35,000	46,860
Corporate Consulting	322710		122,275					-		10,000		10,000	112,275
Waste Management	323442		100,000					-				-	100,000
Strategic Planning	327911		28,214					-				-	28,214
Strategic Planning	327910		68,119					-	175,000			175,000	-
Streetlighting	323730		175,000					-				-	204,000
Winter Control	323832		204,000					-	27,442			27,442	100,000
Reserves - Energy	328010		127,442					-				-	90,000
Corporate Contingency	327210		90,000					-				-	(160,333)
Insurance Claims	325413		(160,333)					-				-	

Reserve / Reserve Fund Account		Account #	Balance Forward Jan. 1/2016 \$
<b>Reserves for Development-Related Revenues</b>			
Street Signs	322230	68,153	
Finance Admin. Of Developments	324314	368,189	
Anti-Tampering Devices	325162	48,467	
<b>Reserves for Cyclical Expenses</b>			
Customer Survey	322313	16,196	
Wages and Benefits	322810	205,104	
Computer Incentive Program	324210	13,530	
<b>Discretionary Operating Reserves</b>			
Continuous Improvement	324011	44,000	
Hydro Dividend Reserve	329110	761,000	
Corporate Rate Stabilization Fund	325210	536,551	
Efficiency / Enhancement Fund	325310	93,424	
<b>Reserves for Operational Carry-Overs</b>			
NDDC Incentive	323268	277,911	
HR Consulting	323310	144,750	
Customer Service	322314	-	
IT	323113	50,000	
Grants	324414	5,649	
Financial Services	324514	3,000	
Reserve - Communications	324710	23,412	
Operational Carry-Overs	328710	674,956	
Wellness Reserve	328210	2,924	
Charity - Golf Donations	328310	431	
ERIC	324513	500	

## 2015 RESERVES AND RESERVE FUNDS BUDGET

Reserve / Reserve Fund Account		Account #	Balance Forward Jan. 12/2015 \$	REVENUES					EXPENDITURES					Closing Balance Dec. 31/2015 \$
				Bank & Investment Interest \$	Contrib- utions \$	From General Fund \$	Other \$	Total Revenue \$	To Capital Fund \$	To General Fund \$	Internal Transfer/ Other \$	Total \$		
<b>Restricted Operating Reserves</b>														
Fire Services		327821	(0)											(0)
Building Permits		324116	5,316,860							979,314		1,254,314		4,062,546
Main St BIA		325110	12,803											12,803
NEAC		327168	5,800											5,800
Library		325591	488,755							18,720		18,720		470,036
Library-Fund Raising		325592	1,665											1,665
Library-Strat. Plan Implemtn		325596	42,021											42,021
Library-Strategic Plan		325594	1,257											1,257
Library-Insurance		325595	10,000											10,000
Maintenance - Water		324942	60,648											60,648
Water Rate Stabilization Fund		327642	539,765			467,448		467,448						1,007,213
Sanitary Sewer Rate Stabilization F		327744	549,685			236,494		236,494						786,179
Apprenticeship Grants		328010	1,916											1,916
Youth Reserve		325274	15,053											15,053
Public Works Services		325332	61,068											61,068
<b>General Capital Reserves</b>														
Unexpended Capital		341010	1,104,803						338,501			338,501		766,307
<b>Designated Capital Reserves</b>														
Minor Capital		323610	16,500											16,500
Digital Initiative		328913	50,000											50,000
Community Service Group		323552	2,000											2,000
<b>Growth Reserves</b>														
Historic Downtown Centre		328410	15,122											15,122
Regional Healthcare Centre		328510	58,179											58,179
Regional Urban Centre		328610	37,326											37,326
<b>TOTAL RESERVES</b>			<b>12,842,406</b>			<b>712,942</b>		<b>712,942</b>	<b>975,075</b>	<b>1,375,534</b>		<b>2,350,609</b>		<b>11,204,739</b>

Reserve / Revenues Fund Account		Account #	Balances Forward Jan.1/2015		\$	
SUMMARY BY FUNCTION						
Operational Contingencies			1,117,025			
Development-Related Revenues			3,454,283			
Cyclical Expenses			245,291			
Discretionary Operating			1,434,975			
Operational Carry-Overs			1,183,532			
Restricted Operating			15,195,594			
General Capital			(4,857,563)			
Designated Capital			8,208,953			
Asset Replacement Funds			15,805,427			
Growth Funds			2,719,108			
TOTAL RESERVE FUNDS AND RESERVES			44,607,025			

REVENUES					EXPENDITURES				
Bank & Investment Interest	Contrib- utions	From General Fund	Other	Total Revenue	To Capital Fund	To General Fund	Internal Transfers/ Other	Total	
\$	\$	\$	\$	\$	\$	\$	\$	\$	
-	-	-	-	-	202,442	45,000	-	247,442	
32,917	30,000	-	-	136,517	250,000	633,751	-	883,751	
756	-	-	-	110,756	-	-	-	-	
(908)	-	-	-	(908)	153,084	377,500	-	530,584	
-	-	-	-	-	6,048	-	-	6,048	
106,920	-	1,815,152	-	1,922,072	275,000	1,010,034	85,194	1,370,228	
(70,221)	-	1,090,585	-	1,020,364	11,787,138	-	-	11,787,138	
81,837	-	-	-	658,837	3,482,551	281,322	-	3,763,973	
112,455	111,040	-	-	15,269,925	22,360,893	5,369,674	(85,194)	27,644,373	
27,288	1,103,000	-	-	1,130,288	1,565,908	389,050	-	1,953,958	
291,046	1,244,040	18,712,767	-	20,247,853	40,083,184	8,104,331	-	48,187,495	

Closing Balances	
Dec. 31/2015	
\$	
	869,593
	2,707,050
	356,047
	903,495
	1,177,464
	15,747,858
	(15,624,337)
	5,103,817
	3,530,979
	1,885,438
	16,667,384

# 2015 DEFERRED REVENUE BUDGET

Reserve / Reserve Fund Account	Account #	Balance Forward Jan. 1/2015
		\$

REVENUES					Total Revenue
Bank & Investment Interest	Contributions	From General Fund	Other		
\$	\$	\$	\$	\$	\$

EXPENDITURES					Total
To Capital Fund	To General Fund	Internal Transfers/Other			
\$	\$	\$	\$	\$	\$

Closing Balance Dec. 31/2015
\$

## Parkland

Parkland	457815	1,332,231
<b>Development Charges</b>		
General Government	460100	328,373
Library	460200	1,906,972
Fire	460300	354,527
Recreation Facilities	460400	6,456,893
Outdoor Recreation	460500	6,962,706
Yards & Fleet	460600	552,160
Town-Wide Engineering	460700	3,622,987
Dev. Charges-Parking	460800	734,907
Area Specific DC - Rotundo	460101	64,438
Area Specific DC - Rawluk Farm	460102	7,084
Area Specific DC - Block 9	460103	18,009
Area Specific DC - Walker Farm	460104	19,522
Area Specific DC - Goldstein	460105	639,785

9,922	230,000			239,922
3,089	123,000			126,089
23,991	367,000			390,991
5,413	157,000			162,413
84,217	1,675,000			1,759,217
79,070	1,395,000			1,474,070
7,652	170,000			177,652
21,213	543,000			564,213
8,976	138,000			146,976
805				805
89				89
225				225
244				244
7,997				7,997

1,057,000	250,000		1,307,000
229,500	56,000		285,500
217,348	125,000		342,348
			-
176,850	937,140		1,113,990
2,669,200			2,669,200
50,000			50,000
3,838,803	556,124		4,394,927
171,628			171,628
			-
			-
			-
			-
			-

265,152
168,962
1,955,615
516,940
7,102,121
5,767,576
679,812
(207,728)
710.2
65.2
7,172
18,235
19,766
647,783

121

<b>Total DC's</b>		<b>21,668,363</b>
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242,982	4,568,000	-	-	4,810,982
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7,353,329	1,674,264	-	-	9,027,593
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17,451,752
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## Investing In Ontario

Investing In Ontario	470100	161,939
<b>Engineering Administration</b>		
Engineering Admin.-Subdivision	469991	1,142,164

2,024				2,024
13,597	600,000			613,597

				-
	708,821			708,821

163,963
1,046,939



# 2015 DEFERRED REVENUE BUDGET

Reserve / Reserve Fund Account		Account #	Balance Forward Jan. 1/2015	REVENUES										EXPENDITURES				Closing Balance Dec. 31/2015
			\$	Bank & Investment Interest	Contrib- utions	From General Fund	Other	Total Revenue					To Capital Fund	To General Fund	Internal Transfers/ Other	Total		
			\$	\$	\$	\$	\$	\$					\$	\$	\$	\$	\$	
Federal Gas Tax Grant																		
Gas Tax		432250	2,227,449	14,926	2,315,796			2,330,722					4,382,513			4,382,513	175,658	
TOTAL DEFERRED REVENUE			26,532,144	283,451	7,713,796	-	-	7,997,247					12,792,842	2,633,085	-	15,425,927	19,103,464	
								Increase/(Decrease) Deferred Revenue Fund				Budget				(7,428,680)		
TOTAL RESERVE FUND & RESERVES & DEFERRED			71,139,169	574,497	8,957,836	18,712,767	-	28,245,100					52,876,006	10,737,416	-	63,613,422	35,770,848	
								Increase/(Decrease) RF & R/Def Revenue Fund				Budget				(35,368,322)		

## TOWN OF NEWMARKET

### Outstanding Matters

	Item Subject	Recommendation	Date to come back to Committee	Comments
1.	<b>Committee of the Whole Minutes – April 8, 2013 – Item 13 Community Services – Recreation and Culture Development and Infrastructure Services – PWS/ES Planning &amp; Building Services Joint Report 2013-05 Future use of Fernbank Farmhouse</b>	<ul style="list-style-type: none"> <li>• <b>THAT staff be authorized to issue a request for proposals with the intent of securing a suitable charitable and/or not for profit organization dedicated to serving Newmarket for use of the Fernbank Farmhouse;</b></li> <li>• <b>AND THAT staff report back recommending a tenant along with operating and capital projections.</b></li> </ul>	<b>May 25, 2015</b>	<b>Report and Lease arrangements to be reported back Successful proponent on hold, further information to follow update. Information Report forthcoming</b>
2.	<b>Committee of the Whole Minutes – April 7, 2014 – Item 2 – Deputation – Newmarket Theatre</b>	<ul style="list-style-type: none"> <li>• <b>THAT the deputation by Mr. John Dowson regarding the financial details associated with Newmarket Theatre and the Very Useful Theatre Company be received and referred to staff for a comprehensive review along with a comparison of how much sports facilities are subsidized;</b></li> <li>• <b>AND THAT such review include consultation with key stakeholders including members of the theatre community to be reported back to Committee of the Whole within a 60 day time frame.</b></li> </ul>	<b>May 25, 2015</b>	<b>Approach outlined in Joint CAO/Commissioner's Report 2015-01 dated February 10, 2015 and under report review by Task Force</b>

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

Bold indicates that the item will be on the upcoming agenda

Last revisions made on May 13, 2015

(Updated and including the Committee of the Whole Minutes of May 4, 2015)

	Item Subject	Recommendation	Date to come back to Committee	Comments
3.	Council - January 20, 2014 – Item 33	<p>D &amp; I Services Report – ES 2013-49</p> <p>Checking Consultant Professional Consulting Services Contract Extension</p> <hr/> <p>THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside Associates Ltd. for a period of up to two (2) years from the date of Council approval to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;</p> <p>AND THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services Contract.</p>	Q3, 2015	Engineering Services working with Procurement to research the history of the contract.
4.	Council - May 5, 2014 – Item 54	THAT staff report back to Council on the implementation of improved signage and advertising for notification regarding Official Plan and Zoning By-law Amendments.	June 2015	
5.	<del>Council – May 5, 2014 – Item – 13</del>	<p><del>Marianneville Developments</del></p> <hr/> <p><del>THAT Council direct staff to organize a public meeting after the Ontario Municipal Board releases its written decision and within this term of Council, on what has been learned about the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Marianneville Developments Limited (Glenway) process and the effects of future development as York Region prepares for growth.</del></p>	June 2015	<p><del>Facilitated public meeting to be arranged</del></p> <p>Meeting scheduled for June 23, 2015</p>
6.	Council – June 23, 2014 – Item 3	<p>Mr. Scott Cholewa regarding a petition for a splash pad in the Copper Hills subdivision (Ward 1).</p> <hr/> <p>THAT the deputation of Mr. Scott Cholewa regarding a petition for a splash pad in the Frank Stronach Park be received;</p> <p>AND THAT the request for a splash pad in Frank Stronach Park be referred to the 2015 budget process and added to the Recreation Master Plan.</p>	2015	Item to be referred to as part of the Recreation Playbook process.

	Item Subject	Recommendation	Date to come back to Committee	Comments
7.	<b>Council - September 8, 2014 – Item 31</b>	<b>Gigabit Corridor Pilot Project</b>  <b>THAT staff provide a further report to Council with RFP results, including alternate options if necessary, implementation recommendations and budget impact.</b>	<b>Q2, 2015</b>	<b>Matter addressed at Special Committee of the Whole meeting held on May 19, 2015</b>
8.	<del>Council – September 8, 2014 – Item 32</del>	<del>Tom Taylor Crescent Proposed Walkway</del>  <del>THAT staff explore all options associated with alternate treatments including conveyancing and naturalization for that area and report back to Committee of the Whole.</del>	<del>Q2, 2015</del>  <del>See # 17</del>	
9.	<b>Council - September 29, 2014 – Item 32 Motion</b>  <b>Committee of the Whole – May 4, 2015 – Item – New Business</b>	<b>Motion</b>  <b>THAT a staff report reviewing GO Train operations including east-west road connections, grade separations, speed within the downtown core, frequency of train whistles at the train intersections located at Water Street, Timothy Street and Davis Drive;</b>  <del>AND THAT the implementation of a regulated Signaled Pedestrian Crossing at Water Street, Doug Duncan Drive and Fairy Lake be referred to the 2015 budget deliberations.</del>  <b>Councillor Sponga requested an update regarding mitigation methods of train whistle blowing. The Commissioner of Development and Infrastructure Services advised that a status update report will be forthcoming to the June, 2015 Committee of the Whole meeting.</b>	<b>Q2, 2015</b> <b>May 25, 2015</b>         <b>May 25, 2015</b>	Referenced in Joint CAO/Commissioners Report 2015-01 dated February 10, 2015

	Item Subject	Recommendation	Date to come back to Committee	Comments
10.	Council – December 15, 2014 – Item 7	<p>Corporate Services Report - Financial Services 2014-36 dated November 24, 2014 regarding 2015 User Fees and Charges - Water and Wastewater Rates.</p> <p>a) THAT Corporate Services Report - Financial Services 2014-36 dated November 24, 2014 regarding 2015 User Fees and Charges - Water and Wastewater Rates be received and the following recommendations be adopted:</p> <p>i) THAT the attached Schedule 'A' being the Town of Newmarket Water and Wastewater Rates be approved and adopted by By-law;</p> <p>ii) AND THAT the Water and Wastewater Rate adjustments come into full force and effect as of January 1, 2015;</p> <p>iii) AND THAT staff be directed to update the 6-Year Water and Wastewater Financial Plan and to include further review of the rate structure in this update.</p>	<p>Master Plan Update and 2015 Water Rate Review</p> <p>Q3, 2015</p>	
11.	<del>Committee of the Whole – January 12, 2015 – Item 3</del>	<p><del>a) THAT By-law 2010-40 as it relates to Recreational Vehicles be reviewed and that alternate options be investigated;</del></p> <p><del>b) AND THAT staff report back on alternate options in March or April, 2015.</del></p>		

	Item Subject	Recommendation	Date to come back to Committee	Comments
12.	Committee of the Whole — January 12, 2015 — Item 15	<p>a) <del>THAT Joint Development and Infrastructure Services — Public Works Services and Corporate Services — Financial Services Report 2015-08 dated January 5, 2015 regarding 2015 Pre-Budget Approval for Vehicles and Equipment be received and the following recommendations be adopted:</del></p> <p>i) <del>THAT Council provides pre-budget approval for the equipment listed on Appendix 1 with the exception of all items years 2008 to 2011, excluding the three rotary mowers for health and safety reasons and the John Deere 3320 with transmission failure;</del></p> <p>ii) <del>AND THAT staff provide a report on the remaining items;</del></p> <p>iii) <del>AND THAT staff be authorized and directed to do all things necessary to give effect to these recommendations.</del></p>		<p>Addressed through the 2015 budget process and a review by the Auditor for best practices</p> <p>Remaining items were considered with Budget Report</p>
14.	Committee of the Whole – March 23, 2015 – Item 18 – Main Street District Business Improvement Area Board of Management Minutes of November 18, 2014	THAT the request for an additional accessible parking space to be added to Main Street between Botsford Street and Timothy Street be referred to staff.	Q3, 2015	Analysis and Review to be undertaken
15.	Council – March 30, 2015 – Item 32 Correspondence from the Town of Aurora regarding Interchange at Hwy. 404 and St. John's Sideroad.	<p>THAT the ongoing request of the Town of Newmarket for a Mulock Drive full interchange at Hwy. 404 be supported;</p> <p>AND THAT a third lane be constructed both northbound and southbound from the current termination in Aurora north to Green Lane.</p> <p>Discussion ensued regarding preparation of a staff report and resolution at a later date.</p>	June 22, 2015	<p>Follow-Up correspondence sent to Town of Aurora on April 23, 2015</p> <p>Council Resolution to June 22, 2015 Council meeting</p>

	Item Subject	Recommendation	Date to come back to Committee	Comments
16.	Council – March 30, 2015 – Item 33 Corporate Services Report – Financial Services 2015-20 regarding Decision Packages and Infrastructure Levy.	<p>THAT Council direct staff to bring back a report providing phasing options that allow for achieving Council enhancement priorities related to traffic mitigation, sidewalk plowing and CreateIT at Southlake while maintaining the Council motion to target a budgeted tax increase of 2% to 2.5%;</p> <p>a) AND THAT staff provide a report within 120 days on the use of the funds budgeted for the Business Development Officer;</p> <p>b) AND THAT staff advise of the recommended approach for realignment of the added resource and provide goals, timelines, implementation and projected outcomes for each of the next five years;</p> <p>c) AND THAT staff provide a report outlining the cost of increasing the frequency of the Community Survey to an annual basis for the period of 2015 to 2018;</p> <p>d) AND THAT staff provide a report within 90 days outlining the required resources, related costs and sources of funding available to implement a targeted marketing program to advance the redevelopment of Davis Drive properties for implementation by Q4 2015;</p> <p>e) AND THAT the report include how this can be accomplished without impacting the current and proposed economic development plans initiatives.</p>	<p><del>July, 2015</del> August, 2015</p> <p>August, 2015</p> <p>June, 2015</p> <p>June, 2015</p> <p>June, 2015</p>	
17.	Committee of the Whole – April 13, 2015 – Item 28 Joint Development and Infrastructure Services Report – Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.	THAT staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.	Q2/Q3, 2015	



	Item Subject	Recommendation	Date to come back to Committee	Comments
18.	Council – April 20, 2015 – Item 7	THAT staff provide a report within six months related to internet voting.		Comments Workshop and/or Special CoW to be scheduled October, 2015

Councillor Sponga: Motion

THAT staff prepare a report in 60 days on possible waste management solutions for the Main Street Area, specifically as it pertains to weekend waste storage and collection.

Councillor Sponga: Motion

THAT staff review our Film Permit Policy and Permitting Process to include maps with designated locations for parking and production, and that the cost of additional parking enforcement be added to the permit on a cost recovery basis.





# Newmarket Parkland Dedication By-law

Marion Plaunt, Senior Planner - Policy

**May 25, 2015**



# Presentation Overview

1. Town's Current Parkland Requirements
2. *Planning Act* and Official Plan provisions
3. Town Standard for Parkland
4. Methodology for Calculating the Recommended Parkland Dedication
5. Recommended Parkland Dedication
6. Other Provisions of the By-law

# Town's Current Parkland Dedication Requirement

## Residential

- 5 % of the land or cash in lieu

## Commercial and Industrial

- 2% of the land or cash in lieu





# Planning Act and Official Plan Provisions

## Planning Act (1990)

Authorizes Official Plans to provide for an Alternative Residential Parkland Dedication of up to:

- 1 ha per 300 units; or
- a lesser rate as may be established in a Parkland Dedication By-law

## Official Plan Amendment # 7 (Approved 2012)

Incorporated the alternative residential rate of up to 1 ha per 300 units

## Proposed Parkland Dedication By-law

Implements the Planning Act and the OPA # 7 policy

## Richmond Hill Official Plan Appeal to OMB

Appealed of the Official Plan Provisions – There is no authority to appeal to OMB the Parkland Dedication Bylaw

## Bill 73 – Draft Planning Act Proposed Changes

Proposing 1 ha per 500 units – Not approved and subject to 2<sup>nd</sup> and 3<sup>rd</sup> reading



# Town Standard for Parkland

**Parks Policy Development Manual prepared by Monteith & Brown (approved by Council Nov. 2012)**

- 1.2 ha per 1000 residents (Community and Neighbourhood Parks)
- 2.2 ha per 1000 residents (Town-wide Parks, Community and Neighbourhood Parks)

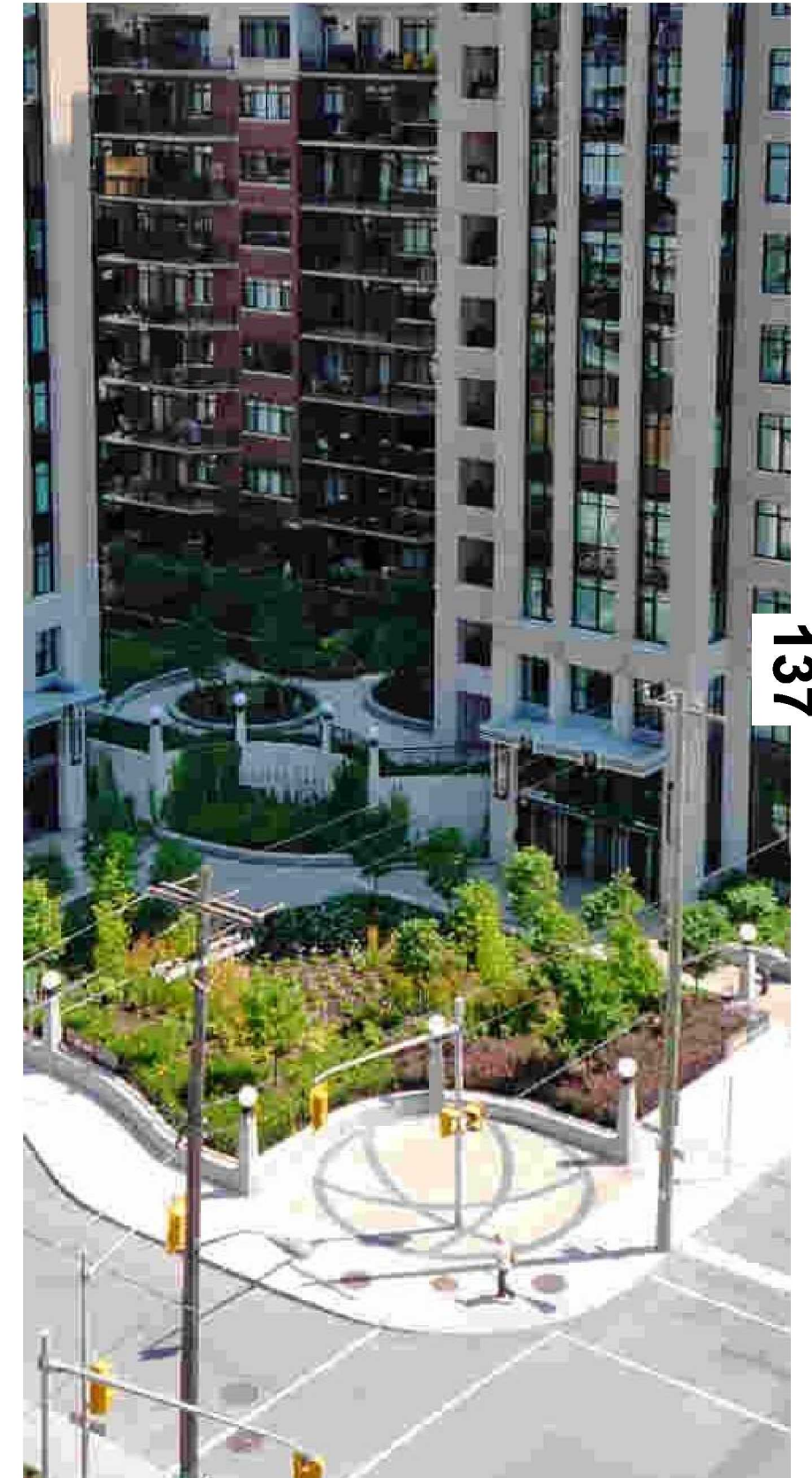
## **Methodology for Determining Parkland Dedication By-law**

- Projected new population
- 1.2 ha per 1000 residents (Community and Neighbourhood Parks)
- Parkland shortfall of **9.2 ha** identified by Monteith & Brown modified to take into account recent dedications (e.g., Mosaik)
- the cost of design and construction of the Neighbourhood Parks within the Urban Centres Secondary Plan (\$18.755 million) not funded by Development Charges

# Recommended Parkland Dedication Standard

**1 ha per 300 units, applied Town wide - phased in over three years**

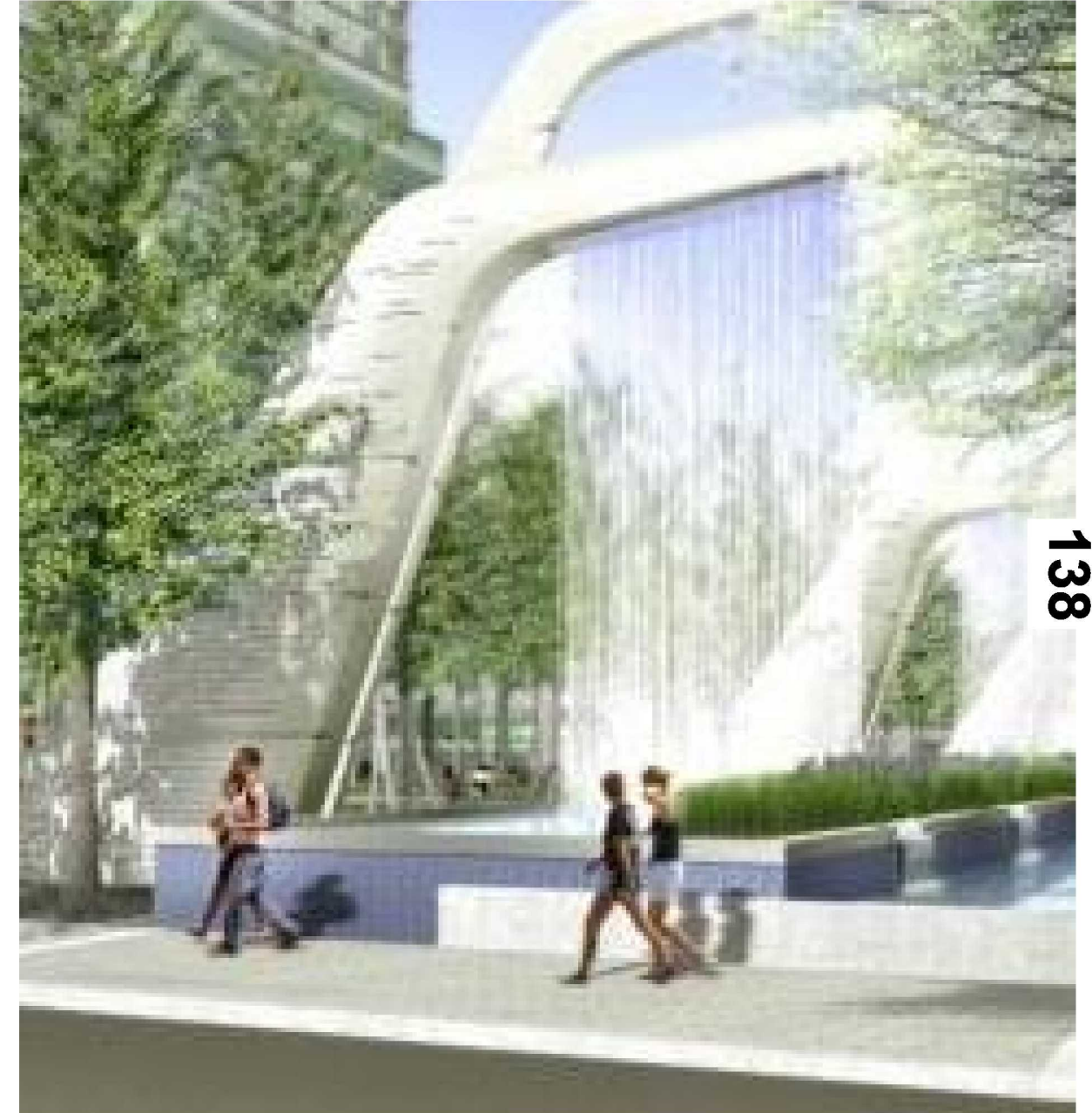
- Before January 1, 2016 - **0.6 hectares / 300 units**  
(1 ha per 500 dwelling units)
- Before January 1, 2017 - **0.8 hectares/300 units**  
(1 ha per 375 dwelling units)
- After January 1, 2017 - **1.0 hectares/300 units**





# Parkland Shortfall to meet 2.2 ha per 1000 Residents

- 45 ha shortfall to meet the Town standard of 2.2 ha per 1000 residents.
- This shortfall **cannot** be achieved through the Parkland Dedication Bylaw
- Need to be funded through other mechanisms including but not limited to, increased taxes to be dedicated to parkland reserves, donation, land exchanges, etc.





# Other Provisions of the By-law

## Parkland Credits

- 10 % credit for land dedicated to Town for Underground Hydro
- 20 % credit for private/public outdoor space
- 20 % credit for conservation of designated heritage properties and properties within the Historic Downtown Heritage Conservation District

## Process for Determining Value

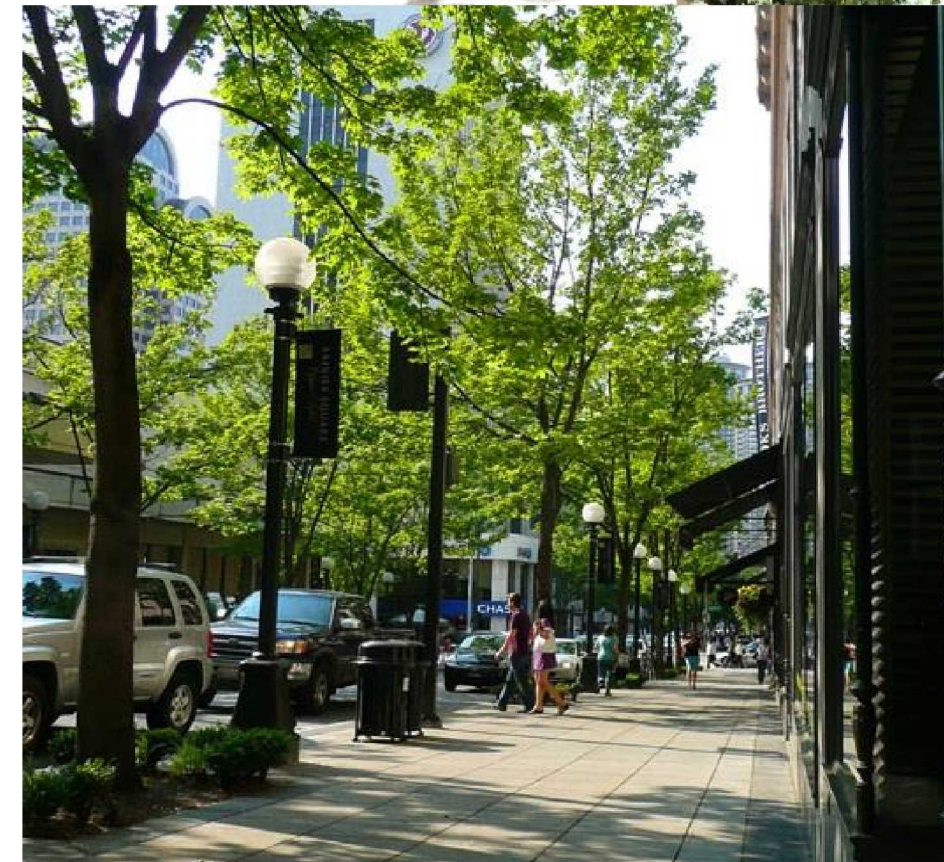
## Eligible Projects for Parkland

## Exemptions from Parkland

- Town of Newmarket
- Region of York
- Provincial or federal governments
- Boards of Education
- A college, university or school
- Newmarket Tay Power and related subsidiaries
- Newmarket Library Board or similar local Boards
- Southlake Regional Health Centre
- Not for profit palliative care facilities



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**Next Steps:** Notice in Town Page (June 3, 2015)  
Notice to Stakeholders (June 3, 2015)

**Questions?**