

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

Additional items to this Agenda are shown as (Addendum #).

## **Declarations of Pecuniary Interest**

## **Presentations & Recognitions**

## **Deputations**

1. Mr. Steve Hinder, Chair - Run/Walk Committee - Southlake Regional Health Centre Foundation to address the Committee to launch the Municipal Challenge in support of the event. p. 1
2. Mr. Gary Worters to address the Committee regarding Council attendance record and paid vacation days. p. 3

## **Consent Items**

3. Correspondence from Ms. Lorraine LeBlanc, Executive Director, Alzheimer Society of Sudbury-Manitoulin requesting endorsement of a National Dementia Strategy. p. 5

Recommendations:

a) THAT the correspondence from Ms. Lorraine LeBlanc, Executive Director, Alzheimer Society of Sudbury-Manitoulin be received and the following recommendations be adopted:

b) THAT the Town of Newmarket endorse a resolution working towards adopting a National Dementia Strategy;

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

4. Correspondence dated January 3, 2014 from Beverly Verwey, Branch Council Chair, Canadian Red Cross requesting proclamation of March, 2014 as "Red Cross Month" in the Town of Newmarket. p. 8

Recommendations:

a) THAT the correspondence dated January 3, 2014 from Beverly Verwey, Branch Council Chair, Canadian Red Cross be received and the following recommendations be adopted:

b) THAT the Town of Newmarket proclaim March, 2014 as "Red Cross Month";

c) 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 November 27, 2013 from Ms. Natasha Bowes, Fundraising Coordinator, Autism Ontario requesting April 2, 2014 be proclaimed "World Autism Awareness Day" in the Town of Newmarket. p. 10

Recommendations:

a) THAT the correspondence dated November 27, 2013 from Ms. Natasha Bowes, Fundraising Coordinator, Autism Ontario be received and the following recommendations be adopted:

b) THAT the Town of Newmarket proclaim April 2, 2014 as "World Autism Awareness Day" in the Town of Newmarket;

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

6. Correspondence received January 23, 2014 from Ms. Karima Panjwani, Program and Outreach Coordinator, Epilepsy York Region requesting proclamation of March, 2014 as 'Epilepsy Awareness Month' and March 26, 2014 as 'Purple Day for Epilepsy' in the Town of Newmarket. p. 11

Recommendations:

a) THAT the correspondence dated January 23, 2014 from Ms. Karima Panjwani, Program and Outreach Coordinator, Epilepsy York Region be received and the following recommendations be adopted:

b) THAT the Town of Newmarket proclaim March, 2014 as 'Epilepsy Awareness Month' and March 26, 2014 as 'Purple Day for Epilepsy' in the Town of Newmarket;

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



7. Newmarket Public Library Board Minutes of November 20 and December 18, p. 13 2013.

The Newmarket Public Library Board recommends:

a) THAT the Newmarket Public Library Board Minutes of November 20 and December 18, 2013 be received.

8. Accessibility Advisory Committee Minutes of October 15, 2013 and April 16, p. 20 2013.

The Accessibility Advisory Committee recommends:

a) THAT the Accessibility Advisory Committee Minutes of October 15, 2013 and April 16, 2013 be received.

9. Heritage Newmarket Advisory Committee Minutes of December 17, 2013, p. 27 December 3, 2013 and November 5, 2013.

The Heritage Newmarket Advisory Committee recommends:

a) THAT the Heritage Newmarket Advisory Committee Minutes of December 17, December 2 and November 5, 2013 be received.

10. Item 1 of the Heritage Newmarket Advisory Committee Minutes of December 17, p. 39 2013 regarding Clock Tower Development.

The Operational Leadership Team recommends:

a) THAT the following recommendations be addressed through a follow-up report after the Statutory Public Meeting is held.

The Heritage Newmarket Advisory Committee recommends to Council:

a) THAT the three storey structure limit on development projects in the downtown core be upheld according to the Town of Newmarket Official Plan and the Heritage Conservation District Plan;

b) AND THAT the application for the Zoning By-law Amendment as submitted by Main Street Clock Inc., be rejected.

11. Joint NEDAC/Council Workshop Notes of January 16, 2014. p. 40

Recommendation:

a) THAT the Joint NEDAC/Council Workshop Notes of January 16, 2014 be received for information purposes.

12. Community Services - Recreation and Culture - Community Services - Economic Development Joint Report 2014-01 dated January 6, 2014 regarding Docs on Ice - Follow-Up. p. 43

The Commissioner of Community Services, the Director of Recreation and Culture and the Economic Development Officer recommend:

THAT Community Services - Recreation and Culture and Community Services - Economic Development Joint Report 2014-01 dated January 6, 2014 regarding Docs on Ice - Follow Up be received and the following recommendations be adopted:

a) THAT Council decline the original Docs on Ice donation request to waive the fees for the \$16,750.70 ice contract as presented at the September 9, 2013 Council meeting;

b) AND THAT Council direct staff to offer the following to event organizers:

c) The Town invest \$3,500 towards the event through economic development (advertising/positioning opportunity for the town, CreateIT, etc.) in exchange for a Gala Dinner and Player Lounge Sponsorship;

d) The Town reduce the ice contract by \$10,000 subject to an agreement being reached with organizers that \$10,000 from event proceeds be invested back to the Town to be held in a reserve account to financially assist youth at risk to participate in recreation and culture programming with funding criteria to be developed following the completion of the Recreation Master Plan process (Recreation Playbook);

e) The organizers be responsible to pay the remaining balance of the ice contract (\$3,250.70);

f) AND THAT Docs on Ice organizers be contacted to discuss and confirm this action.

13. Development and Infrastructure Services - Planning and Building Services Report 2014-01 dated January 16, 2014 regarding 2013 Year-End Servicing Allocation Capacity Monitoring Chart. p. 48

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

THAT Development and Infrastructure Services - Planning and Building Services Report 2014-01 dated January 16, 2014 regarding the 2013 Year-End Servicing Allocation Capacity Monitoring Table be received and the following recommendations be adopted:

a) THAT the Servicing Allocation Capacity Monitoring Table attached as Appendix 'A' be adopted;

b) AND THAT Gabrielle Hurst, Community Planning, Planning and Infrastructure Integration, York Region, 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this action.

14. Development and Infrastructure Services Report - Engineering Services 2014-02 dated January 23, 2014 regarding Southeast Newmarket - Parking Restrictions. p. 53

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

THAT Development and Infrastructure Services Report - Engineering Services 2014-02 dated January 23, 2014 regarding Southeast Newmarket - Parking Restrictions be received and the following recommendations be adopted:

a) THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be amended by adding the following:

b) AND THAT the necessary By-law be prepared and submitted to Council for its approval.

15. Development and Infrastructure Services Report - Engineering Services 2014-03 dated February 3, 2014 regarding Northwest Newmarket - Parking Restrictions. p. 57

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

THAT Development and Infrastructure Services Report - Engineering Services 2014-03 dated February 3, 2014 regarding Northwest Newmarket - Parking Restrictions be received and the following recommendations be adopted:

a) THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be amended by adding the following:

b) AND THAT the necessary By-law be prepared and submitted to Council for its approval.

16. Development and Infrastructure Services Report - ES 2014-04 dated February 3, 2014 regarding Proposed Sidewalk - Second Street. p. 60

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

THAT Community Services Report - ES 2014-04 dated February 3, 2014 regarding a Proposed Sidewalk on Second Street be received and the following recommendations be adopted:

a) THAT a sidewalk not be constructed on Second Street in accordance with the Town of Newmarket Sidewalk Installation Policy, PWES 1-01.

17. Development and Infrastructure Services Report - Engineering Services 2014-06 dated January 17, 2014 regarding Timothy Street - Temporary Parking Permit. p. 64

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

THAT Development and Infrastructure Services Report - Engineering Services 2014-06 dated January 17, 2014 regarding Timothy Street - Temporary No Parking by Permit Only be received and the following recommendations be adopted:

a) THAT the two westerly on-street parking spaces on Timothy Street west of Main Street be temporarily "No Parking by Permit Only" with the exception of the residents of 216 Market Square;

b) AND THAT the residents of 216 Market Square be issued two (2) parking permits to be displayed in the vehicles to permit parking in these two spaces;

c) AND THAT when legal access to 216 Market Square can be re-instated, the removal of the Temporary No Parking by Permit Only spaces be at the discretion of the Director of Engineering Services.

18. Development and Infrastructure Services - Public Works Services Report 2014-08 dated January 22, 2014 regarding Emerald Ash Borer Long Term Management Plan - Update. p. 67

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

THAT Development and Infrastructure Services - Public Works Services Report 2014-08 dated January 22, 2014 regarding Emerald Ash Borer Long Term Management Plan - Update be received and the following recommendations be adopted:

- a) THAT the staff continue to proceed with the proposed recommendations in the Town of Newmarket Emerald Ash Borer Long Term Management Plan;
- b) AND THAT staff report back to Council in the fall of 2014 with an annual update on the Emerald Ash Borer Long Term Management Plan;
- c) AND THAT annual EAB reports are provided to NEAC for comment.

19. Joint CAO/Commissioner - Corporate Services Report 2014-04 dated January 23, 2014 regarding the Draft Council Code of Conduct. p. 74

The Chief Administrative Officer and the Commissioner of Corporate Services recommend:

THAT Joint CAO/Commissioner - Corporate Services Report 2014-04 dated January 23, 2013 regarding the Draft Council Code of Conduct be received and the following recommendations be adopted:

- a) THAT the direction to refer the draft Council Code of Conduct to the new term of Council and the interim process for code complaints as set out in Information Report 2013-06 be approved;
- b) AND THAT the draft Integrity Commissioner appointment by-law (By-law 2014-04) be referred to the next Council meeting.

20. WITHDRAWN - (Revised) Corporate Services - Financial Services Report regarding ice storm cost recovery. (Related to Item 45)

21. List of Outstanding Matters.

p. 109

Recommendation:

THAT the list of Outstanding Matters be received.

## **Action Items**

### **Correspondence & Petitions**

### **Reports by Regional Representatives**

### **Notices of Motion**

### **Motions**

22. Councillor Di Muccio:

p. 113

A motion to direct staff regarding user fees for not-for-profit minor sports organizations.

THAT staff is directed to devise and implement a program to phase out all user fees for eligible not-for-profit minor sports organizations as per the following criteria:

a) THAT to be eligible for this program, a not-for-profit minor sports organization must have a minimum of 100 unique members comprising of at least 80% of all members being youth residents (aged 17 years or younger).

b) THAT each minor sports organization participating in this program be required to provide the Corporation of the Town of Newmarket the following:

Documentation confirming the number of unique members and the residency of its members;

Not for profit registration information;

Constitution and by-laws of the organization;

Minutes from its most recent AGM.

c) THAT facilities eligible for this program are to include the following facilities:

Arena ice pads;

Gymnasiums;

Diamond fields;

Soccer/football fields;  
Arena floor pads.

d) THAT the program be implemented in phases over the next 10 years;

e) AND THAT staff be instructed to fund this program through operational savings.

## **New Business**

### **Closed Session (if required)**

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

23. WITHDRAWN - Newmarket-Tay Power Distribution Ltd. regarding a proposed or pending disposition of land by the municipality.
24. CAO/Community Services Report - Economic Development and Development and Infrastructure Services - Planning Joint Closed Session Report 2014-06 dated January 29, 2014 regarding regarding a proposed acquisition of land by the municipality.
25. Corporate Services (Legal Services) Closed Session Report 2014-01 dated January 29, 2014 regarding potential litigation of a Committee of Adjustment Appeal to the Ontario Municipal Board.
26. Appointment Committee (Closed Session) Minutes of January 21, 2014 regarding personal matters about an identifiable individual. (if required)

### **Public Hearing Matters**

27. Public Meeting Notice, Development and Infrastructure Services Report - Planning and Building Services 2013-55 dated November 14, 2013 regarding Application for Zoning By-law Amendment - Main Street Clock Inc. p. 114
28. Mr. David Kempton, resident, to address the Committee regarding the Clock Tower development. p. 130
29. Ms. Peggy Stevens, resident, to address the Committee regarding the Clock Tower development. p. 131
30. Mr. Greg King, resident, to address the Committee regarding the Clock Tower development. p. 132

## Addendum

31. PowerPoint Presentation by Mr. Steve Hinder with respect to the Run or Walk for Southlake on April 27, 2014. (Related to Item 1) p. 133

32. Appointment Committee Minutes of January 21, 2014. p. 146

The Appointment Committee recommends:

THAT the Appointment Committee Minutes of January 21, 2014 be received.

33. Item 1 of Appointment Committee Minutes of January 21, 2014 regarding Vacancies. p. 148

Recommendation:

THAT the Appointment Committee recommends that Council maintain consistency with the past practice of not filling vacancies on any boards and committees during the last year of the term unless an appointment is needed to meet the committee's quorum requirements.

34. Joint Information Report 2014-01 dated January 24, 2014 regarding Post-Secondary Update. p. 149

The Chief Administrative Officer, the Commissioner of Community Services and the Economic Development Officer recommend:

THAT Joint Report Community Services/Economic Development and Chief Administrative Officer 2014-02 dated January 24, 2014 regarding an update on Provincial direction for post-secondary investment and subsequent local response be received for information.

35. Addendum 2 PowerPoint Presentation by Mr. Chris Bobyk, Forrest Group regarding Application for Zoning By-law Amendment - Main Street Clock Inc. (Related to Item 27) p. 151

36. Addendum 2 Correspondence received January 31, 2014 from Mr. David Kempton regarding Clock Tower development (Related to Item 28) p. 176

37. Addendum 2 Correspondence received January 31, 2014 from Ms. Peggy Stevens regarding Clock Tower development. (Related to Item 29) p. 177



- 38. Addendum 2 Correspondence dated January 29, 2014 from Mr. Paul Montador p. 178 regarding Clock Tower development. (Related to Item 27)
- 39. Addendum 2 Correspondence dated January 30, 2014 from Ms. Jackie Playter p. 180 regarding Clock Tower development. (Related to Item 27)
- 40. Addendum 2 Correspondence received January 31, 2014 from Mr. Don Jackson p. 182 regarding Clock Tower development. (Related to Item 27)
- 41. Addendum 2 Mr. Gerald Fox to address the Committee regarding Clock Tower p. 183 development. (Related to Item 27)
- 42. Addendum 2 Mr. Art Weis to address the Committee regarding Clock Tower p. 184 development. (Related to Item 27)
- 43. Addendum 2 Correspondence dated February 3, 2014 from Mr. Tim McClure p. 185 regarding Clock Tower development. (Related to Item 27)
- 44. Addendum 2 Correspondence dated January 31, 2014 from Mr. John p. 192 Blommestein regarding the elimination of user fees charged to sports leagues. (Related to Item 22)
- 45. Addendum 2 Resolution - Ice Storm Cost Recovery. p. 193

## **Adjournment**

Nature's  
EMPORIUM presents



Run or Walk for  
**SOUTHLAKE**  
REGIONAL HEALTH CENTRE  
10K • 5K • 2.5K • Kids Mini Mile



January 15, 2014

Mr. Andrew Brouwer  
Director, Legislative Services/Town Clerk  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328 STN Main  
Newmarket, ON L4G 6J1

Dear Mr. Brouwer,

I wish to delegate to Council at the February 3, 2014 meeting at 1:30 p.m. regarding the annual Run or Walk for Southlake to be held on Sunday, April 27, 2014 at the Aurora Community Centre.

I wish to inform Council of some changes with this year's event and encourage participation and support. Should you have any questions, please contact Cortney Cassidy, Special Events Officer (905) 836-7333, ext. 5106 or [cdcassidy@southlakeregional.org](mailto:cdcassidy@southlakeregional.org).

Sincerely,

Steve Hinder  
Chair, 2014 Run or Walk for Southlake  
[Steve.Hinder@stronachgroup.com](mailto:Steve.Hinder@stronachgroup.com)



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

www.newmarket.ca  
clerks@newmarket.ca  
905.895.5193

### Request for Deputation

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

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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE: February 3, 2014  
AGENDA ITEM NO. \_\_\_\_\_ SUBJECT: Run or Walk for Southlake  
NAME: Steve Hinder (Chair, Run or Walk Committee)  
ADDRESS: 102-581 Dan's Dr  
Street Address  
Newmarket L3Y 2P6  
Town/City Postal Code

PHONE: HOME: \_\_\_\_\_ BUSINESS: 905.836.7333 x. 5106  
FAX NO.: 905.836.5651 E-MAIL ADDRESS: cdcassidy@southlake.regional.org

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable)  
Southlake Regional Health Centre Foundation

#### BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

We wish to launch the Mayor's Challenge in support of the event and encourage participation.

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



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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE:

03.  
FEBRUARY 27, 2014

AGENDA ITEM NO. \_\_\_\_\_

SUBJECT:

PROPER ATTENDANCE RECORD OF COUNCILLORS

NAME:

GARY WORTERS

ADDRESS:

Street Address

NEWMARKET

Town/City

Postal Code

PHONE: HOME:

BUSINESS:

FAX NO.:

E-MAIL ADDRESS:

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

### BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

I WOULD ASK THAT A SYSTEM BE IMPLEMENTED TO KEEP ACCURATE RECORDS OF COUNCILLORS DAILY ATTENDANCE.

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

PRESENTATION TO FOLLOW AS PER BYLAW RULES



TOWN OF NEWMARKET  
Legislative Services Department  
395 Mulock Drive  
P.O. Box 328  
Newmarket, ON L3Y 4X7  
www.newmarket.ca  
clerks@newmarket.ca  
905.895.5193

### Request for Deputation

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

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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE:

03  
FEBRUARY 27, 2014

AGENDA ITEM NO. \_\_\_\_\_

SUBJECT:

Council to develop a Policy of Paid Vacation Days

NAME:

GARY WORTERS

ADDRESS:

Street Address

NEWMARKET

Town/City

Postal Code

PHONE: HOME: \_\_\_\_\_

BUSINESS: \_\_\_\_\_

FAX NO.: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

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

### BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

AT THE PRESENT TIME THERE DOES NOT  
APPEAR A PROPER POLICY AS TO HOW MANY  
PAID VACATION DAYS COUNCILLORS ARE ALLOWED.

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

PRESENTATION TO FOLLOW AS PER BYLAW REELS

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**From:** Brouwer, Andrew  
**Sent:** December-20-13 9:16 AM  
**To:** Moor, Linda  
**Subject:** FW: resolution request- National Dementia Strategy  
**Attachments:** Resolution Request- National Dementia Strategy.pdf; sample resolution.docx

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**From:** Bates, Tina **On Behalf Of** Mayor Van Bynen  
**Sent:** Thursday, December 19, 2013 4:54 PM  
**To:** Brouwer, Andrew  
**Cc:** Mayor Van Bynen  
**Subject:** FW: resolution request- National Dementia Strategy

Andrew,  
Please see request below and proceed accordingly.

*Tina Bates*

Assistant to the Office of the Mayor  
ext. 2003

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**From:** Jessica Bertuzzi-Gallo  
**Sent:** December 19, 2013 3:35 PM  
**To:** Jessica Bertuzzi-Gallo  
**Subject:** resolution request- National Dementia Strategy

Dear Honorable Mayor & Members of Council,

Attached you will find a letter of request for a resolution to be passed in your municipality in support of a *National Dementia Strategy*. It would be greatly appreciated if you could review and proceed as requested.

Thank you very much for your time and support, it means a great deal to us, our clients and all those affected by Alzheimer's disease and related dementias.

Sincerely,

*Jessica Bertuzzi-Gallo*  
**Public Relations/Community Developer**

Société Alzheimer Society Sudbury-Manitoulin  
960B Notre Dame Avenue  
Sudbury Ontario  
P3A 2T4  
Tel.: 705-524-2024 ext. 232  
Fax: 705-560-6938  
Toll free: 1-800-407-6369

# *Société Alzheimer Society*

## S U D B U R Y - M A N I T O U L I N

Dear Honourable Mayor and Members of Council,

In Ontario today, 200,000 Ontarians over the age of 65 are living with some form of dementia, with Alzheimer's disease being the most prevalent. That is 1 in 10 seniors. The current health care costs associated with this disease are over \$33 billion annually and this amount is expected to reach \$293 billion by 2040.

The Alzheimer Societies across Ontario are calling on the Ontario Government to show commitment to reducing the challenges in the 2014 Budget with these 3 movements:

1. **Make dementia clients and their families the priority** in the next round of community funding through explicit policies for the provision of dementia care in the community.
2. Establish a **fair and standardized wait time** for long term care so that persons with dementia have equal access and Ontarians do not wait longer in some parts of the province.
3. Provide for **more staff in long term care with specific skills** to support persons with dementia – Use Behavioural Supports Ontario as the model.

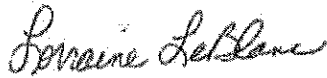
We are aware of the financial situation the province is in. We are not asking for new money, but targeted investment of already committed dollars. The 2013 budget called for a 5% increase in home and community care funding- with the growing number of people with dementia at home, in the community and in long term care, there needs to be a targeted policy directing funds to this population. Without this, people with dementia are classified as "harder to care for" resulting in longer waits and unequal access to care. We have attached a supporting document to further elaborate these issues.

Please show your support by discussing and passing a resolution in your municipality. These resolutions are being compiled and will be sent to members of parliament, Honourable Claude Gravelle, MP Bill 356 and Honorable Donna Cansfield MPP Bill 52, bringing a Dementia Strategy forth in legislature, working towards adopting a National Dementia Strategy.

Currently we have over 108 resolutions passed in Ontario and over 20 pending of 375 municipalities in Ontario. We cannot do this alone, your support will make a difference to our health care system and those affected. Attached you will find a sample resolution. Please mail your copy of the passed resolution to the address below.

Thank you for your time and support.

Sincerely,



**Lorraine LeBlanc, Executive Director**

Société Alzheimer Society Sudbury-Manitoulin  
960B Notre Dame Avenue  
Sudbury ON P3A 2T4



MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
JAN 14 2014		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		



**CANADIAN  
RED CROSS**

Region of York Branch  
13311 Yonge Street, Unit 204  
Richmond Hill, ON L4E 3L6  
Canada  
T: (905) 830-9565  
F: (905) 773-7587  
redcross.ca

January 3, 2014

The Town of Newmarket  
Mayor Tony Van Bynen  
395 Mulock Drive, P.O. Box 328  
Newmarket, ON, L3Y 4X7

Dear Mayor Tony Van Bynen,

When a community is in crisis, responding to the immediate needs of people takes top priority. Over the years, the Canadian Red Cross has responded to number of disasters not only in York Region but across Canada. In 2013, we saw a number of disasters in Canada which affected many communities such as the floods in Alberta and the Ice Storm in Ontario. Thanks to the generosity of Canadians, the Red Cross has been able to respond to disasters small and large in Newmarket as well as other areas in Canada.

The Canadian Red Cross also educates individuals and communities on emergency preparedness, first aid and CPR, babysitting skills, humanitarian issues and the prevention of abuse and violence for youth.

March is Red Cross Month and each year, the Canadian Red Cross runs a public awareness campaign to increase public awareness and gain support for our programs and services.

I would like to request your support through an official proclamation recognizing March as Red Cross Month. I have enclosed the 2014 template proclamation recognizing March as Red Cross Month for your review. We would also like to request that the Town of Newmarket make this proclamation in conjunction with a flag raising ceremony. You may contact Archana Pillai, Community Services Assistant, to schedule a Red Cross Representative to attend your flag-raising ceremony, to order a new Red Cross flag or to answer any questions you may have.

On behalf of the Region of York Branch Council I would like to thank you in advance for your continued support. Archana can be reached at 905-830-9565 or 1-800-361-9448 ext. 222 and would be pleased to provide you with more information concerning the Red Cross and the March is Red Cross Month campaign.

Sincerely,

Beverly Verwey  
Branch Council Chair

## **March is Red Cross Month 2014**

### ***Proclamation***

**Whereas**, the Canadian Red Cross Society has been engaged in preventing and alleviating human suffering across Canada and around the world, and

**Whereas**, the Canadian Red Cross Society has helped thousands of Canadians through its Disaster Relief and Community Services, including our own citizens of the **Town of Newmarket**, and

**Whereas**, the Canadian Red Cross Society is a reflection of the Canadian spirit of generosity, caring and selflessness,

**Therefore**, I, **Mayor Tony Van Bynen of the Town of Newmarket** hereby proclaim March 2014 as Red Cross Month here in the **Town of Newmarket**. I also urge all residents of the **Town of Newmarket** to support the Canadian Red Cross Society and our community by regularly volunteering their time or by financially supporting Red Cross programs, across the world and across the street.

**In witness whereof**, I have herewith set my hand and caused the great seal of the **Town of Newmarket** to be affixed.

November 27, 2013

TownNewmarket

395 Mulock Drive P. O. Box 328 Station Main  
Newmarket, ON L3Y 4X7

To Whom It May Concern:

April 2, 2014, marks a historic day in Canada for the autism community. For the second year, Canadians will officially recognize World Autism Awareness Day.

As a means of increasing public awareness about Autism Spectrum Disorder (ASD) and the day-to-day issues faced by people with autism and their families, Autism Ontario is inviting municipalities across the province to raise awareness of ASD by participating in our 2014 "Raise the Flag" campaign.

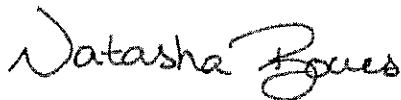
By officially proclaiming April 2, 2014 as World Autism Awareness Day and participating in Autism Ontario's "Raise the Flag" campaign, your message to the people and families affected by ASD living in your community and province-wide is loud and clear that their struggles matter to all Ontarians.

Autism Ontario is the leading source of information on autism and one of the largest collective voices representing the autism community in Ontario. Today, 1 in 94 children are diagnosed with autism in Canada. Through improved public awareness, Autism Ontario strives to increase opportunities and acceptance for over 100 000 people living with Autism Spectrum Disorder in Ontario, ensuring that each person with ASD is provided the means to achieve quality of life as a respected member of society.

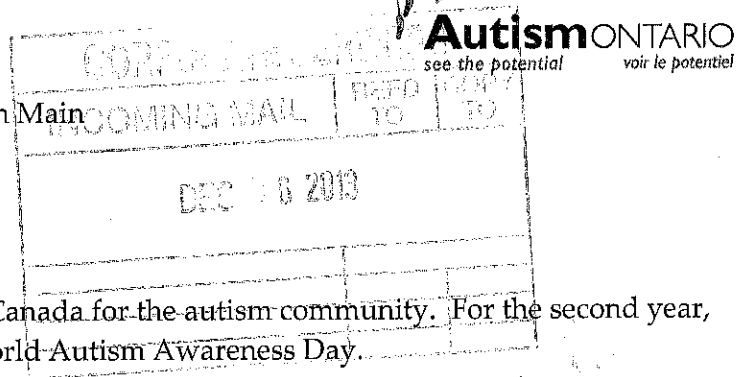
If your community is interested in supporting autism awareness by participating in Autism Ontario's "Raise the Flag" campaign on April 2, 2014, please register your municipality at [www.raisetheflagforautism.com](http://www.raisetheflagforautism.com) or email us at [Natasha@autismontario.com](mailto:Natasha@autismontario.com)

For questions regarding participation, please contact Autism Ontario at 1-800-472-7789 and ask to speak with Natasha Bowes (x233) or Shane Cunningham (x223).

Sincerely,



Natasha Bowes  
Fundraising Coordinator



To Whom it May Concern,

We would appreciate, if the Town of Newmarket would recognize March as Epilepsy awareness month and March 26<sup>th</sup> as Purple day, for Epilepsy. We have taken the liberty of attaching suggested proclamation.

Thank you

Karima Panjwani  
Program and Outreach Coordinator  
Epilepsy York Region  
11181 Yonge Street  
Richmond Hill, ON  
L4S 1L2  
905-508-5404

*Celebrating 25 years of service to people living with epilepsy*

CONFIDENTIAL	
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Date: 03/23/2011	
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Page: 1 of 1	

# Proclamation.

## Proclamation



## Epilepsy awareness month.

**Whereas:** March 26<sup>th</sup> is a Purple Day. It is a global effort dedicated to promoting epilepsy awareness in countries around the world, and

**Whereas:** Epilepsy is one of the most common neurological conditions, estimated to affect over 50 million people worldwide and over 300,000 thousand people in Canada, and

**Whereas:** One in ten persons will have at least one seizure during his or her lifetime, and

**Whereas:** March is Epilepsy awareness month, Purple Day will be celebrated on March 26<sup>th</sup> annually to increase understanding, reduce stigma and improve the quality of life for people with epilepsy throughout the country and globally.





Newmarket Public Library Board  
Regular Board Meeting  
Wednesday, November 20, 2013  
Newmarket Public Library Board Room

**Present:** Joan Stonehocker – Chair (*arrived at 5:22 pm*)  
Tom Vegh – Vice Chair  
Tara Brown  
Tom Hempen  
Wes Playter  
John Taylor

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

**Regrets:** Michael Castro

In the absence of the Chair, the Vice-Chair called the meeting to order at 5:00 p.m.

**1. ADOPTION OF AGENDA ITEMS:**

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

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

***Motion 13.11.268***

**MOVED BY JOHN TAYLOR  
SECONDED BY WES PLAYTER**

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

**CARRIED**

**2. DECLARATIONS**

None were declared.

**3. DEPUTATION**

A representative from the Newmarket-Aurora NDP Riding Association spoke to the Library Board regarding the IdeaMarket program. The Representative spoke to the Board asking that community groups be offered a room in the Newmarket Public Library free of charge to discuss public issues as part of the IdeaMarket program. The Board discussed the matter and reaffirmed that Library maintains control over program content and invitees.

*Motion 13.11.269*

MOVED BY TOM HEMPEN  
SECONDED BY WES PLAYTER

THAT the Library Board receive the Deputation from the Newmarket-Aurora NDP Riding Association.

CARRIED

4. CONSENT AGENDA ITEMS:

- i) Adoption of the Regular Board Meeting Minutes for Wednesday, October 23 , 2013
- ii) Strategic Operations Report for October, 2013
- iii) Library Statistical Data
- iv) Monthly Bank Transfer

*Motion 13.11.270*

MOVED BY TOM HEMPEN  
SECONDED BY TARA BROWN

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

CARRIED

5. MOTION TO CONVENE INTO A CLOSED SESSION

*Motion 13.11.271*

MOVED BY TOM HEMPEN  
SECONDED BY JOHN TAYLOR

THAT the Library Board move in to a Closed Session at 5:18 pm to discuss labour relation matters.

CARRIED

*Motion 13.11.272*

MOVED BY TARA BROWN  
SECONDED BY TOM HEMPEN

THAT the Library move out of Closed Session at 5:21 pm.

CARRIED

The Vice-Chair turned the meeting over to the Chair who arrived at 5:22 pm.

Motion arising from Closed Session confirming the following action:

***Motion 13.11.273***

**MOVED BY TOM VEGH  
SECONDED BY WES PLAYTER**

**THAT** the Newmarket Public Library Board receive the report on annual economic adjustments for non-union staff.

**CARRIED**

**6. REPORTS**

## i) Family Day February 17, 2014

The Library Board reviewed the report regarding opening the Library on Family Day, February 17, 2014. The Board agreed with the recommendation not to open the Library on Family Day but to concentrate programming efforts on Winterfest.

***Motion 13.11.274***

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

**THAT** the Library Board receive the report on Family Day, 2014 as presented.

**CARRIED**

**7. BUSINESS ARISING**

## i) Integrated Accessibility Standards Regulation (IASR)– Web Content

The CEO gave a verbal report on the status of the Library website compliance with respect to the IASR regulation.

## ii) Action List

The Board reviewed the Action List.

***Motion 13.11.275***

**MOVED BY JOHN TAYLOR  
SECONDED BY TOM HEMPEN**

**THAT** the Library Board receive the verbal report on the Action List as presented.

**CARRIED**



8. NEW BUSINESS

## i) Integration Accessibility Standards Regulation Training

Training for Library Board members on the Integration Accessibility Standards Regulation will be arranged for the next regularly scheduled Board meeting on December 18<sup>th</sup>. The Training will be held at the end of the Board meeting.

## ii) Ontario Library Association (OLA) Superconference

OLA Superconference 2014 calendars were distributed to Library Board members. Board members were asked to advise the Administration Office if they are interested in attending by Friday, December 14<sup>th</sup>.

9. DATE(S) OF FUTURE MEETINGS

The next regular Library Board meeting will be Wednesday, December 18, 2013 at 5:00 pm in the Library Board room

10. ADJOURNMENT

*Motion 13.11.276*


**MOVED BY JOHN TAYLOR**

**SECONDED BY TOM VEGH**

**THAT** there being no further business the meeting adjourned at 5:40 p.m.

**CARRIED**

  
Joan Stonehocker  
Chair

  
Todd Kyle, CEO  
Secretary/Treasurer



Newmarket Public Library Board  
Regular Board Meeting  
Wednesday, December 18, 2013  
Newmarket Public Library Board Room

Present: Joan Stonehocker – Chair  
Tom Vegh – Vice Chair  
Tara Brown  
Michael Castro (*arrived at 5:25 pm*)  
John Taylor

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

Regrets: Tom Hempen  
Wes Playter

The Chair called the meeting to order at 5:05 p.m.

**1. ADOPTION OF AGENDA ITEMS:**

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

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

***Motion 13.12.277***

**MOVED BY TOM VEGH**

**SECONDED BY JOHN TAYLOR**

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

**CARRIED**

**2. DECLARATIONS**

None were declared.

**3. CONSENT AGENDA ITEMS:**

- i) Adoption of the Regular Board Meeting Minutes for Wednesday, November 20, 2013
- ii) Adoption of the Closed Session Meeting Minutes for Wednesday, November 20, 2013
- iii) 2014 Economic Adjustment for Non-Union Employees
- iv) Strategic Operations Report for November, 2013
- v) Library Statistical Data
- vi) Monthly Bank Transfer

*Motion 13.12.278*

MOVED BY JOHN TAYLOR  
SECONDED BY TARA BROWN

THAT Consent Agenda Item i) be received as amended and items ii) to iv) be received as presented.

CARRIED

4. MOTION TO CONVENE INTO A CLOSED SESSION

There were no Closed Session items.

5. POLICIES

i) Social Media Policies

The CEO advised the Library Board of the topics presented at a recent workshop on social media and workplaces issues. The Library Board was asked whether in light of the information from this presentation, should revisions be considered for the Library's Social Media and Public Relations Policies. The Library asked that the Town of Newmarket Human Resources Department and Town of Newmarket Legal Services be consulted before any revisions are made to these policies.

*Motion 13.12.279*

MOVED BY JOHN TAYLOR  
SECONDED BY TARA BROWN

THAT the Library Board consult with the Town of Newmarket Human Resources Department and Legal Services regarding Town of Newmarket Policies on the Library's Social Media and Public Relations Policies.

CARRIED

6. REPORTS

i) Overdue Fines for Seniors

The Library Board was advised that currently seniors are exempt from inter-library loan fines and late returns of inter-library loans are charged to the Library. The CEO proposed that the Membership Policy be revised to indicate that inter-library loan fines apply equally to seniors.

*Motion 13.12.280*

MOVED BY TARA BROWN  
SECONDED BY JOHN TAYLOR

THAT the Library Board approve a revised Membership Policy indicating that seniors (aged 65 and over) are subject to the same overdue fines for inter-library loan items as all other library patrons.

CARRIED

**7. BUSINESS ARISING****i) Action List**

The Board reviewed the Action List. The Library Board requested further information regarding Action Item 15-11 Quarterly Information Report to Town of Newmarket Council.

**8. NEW BUSINESS****i) Food for Fines Amnesty**

Library Board members discussed Food for Fines Amnesty and other events the Library could hold in support of the community.

**ii) Integrated Accessibility Training for Library Board Members**

Board members completed the Creating an Accessible Newmarket: Accessibility for Ontarians with Disabilities Act, 2005 Training Module

*Note that the training session to Library Board members was presented after the Board meeting adjourned at 5:40 pm.*

**9. DATE(S) OF FUTURE MEETINGS**

The next regular Library Board meeting will be Wednesday, January 15, 2014 at 5:00 pm in the Library Board room

**10. ADJOURNMENT**

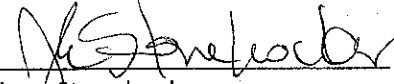
**Motion 13.12.281**


**MOVED BY JOHN TAYLOR**

**SECONDED BY MICHAEL CASTRO**

**THAT** there being no further business the meeting adjourned at 5:40 p.m.

**CARRIED**

  
Joan Stonehocker  
Chair

  
Todd Kyle, CEO  
Secretary/Treasurer



# Town of Newmarket MINUTES

## ACCESSIBILITY ADVISORY COMMITTEE

Mulock Room, 395 Mulock Dr.  
Tuesday, October 15, 2013 at 10:30 a.m.

- Present: Diane Bladec-Willett  
Steve Foglia (Chair)  
Ursula Rehdner  
Councillor Twinney  
Wendi Williams-Gordon
- Regrets: Naeem Bacchus  
Laura Charpentier
- Staff: Lisa Lyons, Deputy Clerk  
Sarah Niezen, Records and Projects Coordinator

The meeting was called to order at 10:37 a.m.

Steve Foglia in the Chair.

### **DECLARATIONS OF INTEREST**

None.

#### **1. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 1 APPROVAL OF MINUTES**

Moved by Wendi Williams- Gordon  
Seconded by Ursula Rehdner

**THAT the Accessibility Advisory Committee Minutes of April 16, 2013 be approved.**

**CARRIED**

#### **2. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 2 YORK REGION AREA ACCESSIBILITY ADVISORY MEETING – EAST GWILLIMBURY**

Discussion ensued regarding sending a representative to the York Region Area Accessibility Advisory Meeting in East Gwillimbury on October 26, 2013. As no committee members are able to attend, Wendi Williams-Gordon, Pat McIntosh, Recreation Programmer and Lisa Lyons, Deputy Clerk will see if they are able to attend. The representative will be asked to give a brief 3 – 4 minute presentation on the accomplishments or challenges of the Committee. If no staff is able to attend a brief report will be drafted by the Committee and sent.

**3. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 3  
YORK REGION TRANSIT FARE SUBSIDY PILOT PROGRAM**

Discussion ensued regarding the York Region Transit Fare Subsidy Program which transitions from a pilot program into a permanent program on January 1, 2014. The program is currently limited to those on Ontario Works or the Ontario Disability Support Program for transit costs related to employment.

**Moved by Wendi Williams-Gordon  
Seconded by Diane Bladek-Willett**

**THAT the Chair of the Newmarket Accessibility Advisory Committee congratulate the Regional Municipality of York on approving this program, and request that consideration be given to expanding the program to those on disability pensions and others on fixed incomes.**

**CARRIED**

**4. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 4  
INTEGRATED ACCESSIBILITY STANDARDS REGULATION POLICY**

The Deputy Clerk provided a verbal update on the Integrated Accessibility Standards Regulation Policy and current compliance progress. A staff working group will be assembled to implement the policy and a training program for all staff will be made available. The training program will consist of a training module similar to the one developed by the Region of York. The multi-year accessibility plan is due before the end of 2013 and staff is working to meet that deadline.

An update was provided regarding the e-agenda management suite currently being implemented for Council and Committee of the Whole. A brief discussion ensued regarding the use of two-way communication technology to allow the public who are physically unable to attend meetings to participate. Currently under the *Municipal Act* voting members are unable to participate in municipal meetings using such technology.

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

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

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

**The Newmarket Accessibility Advisory Committee recommends to Council:**

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

**CARRIED**

6. **ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 6  
ACTION ITEM LIST**

Discussion ensued regarding the draft action item list. A column should be added to the form to prioritize the items. The Committee will review the form and the items and provide their comments to staff by November 1, 2013.

7. **ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 7  
NATIONAL ACCESS AWARENESS WEEK – BUDGET REQUEST**

Discussion ensued regarding a budget for National Access Awareness Week. Ursula Rehdner advised that she would send staff the budget breakdown for the 2013 event.

**Moved by Ursula Rehdner  
Seconded by Wendi Williams-Gordon**

**The Newmarket Accessibility Advisory Committee recommends to Council:**

**THAT a \$1500 budget be requested for the annual National Access Awareness Week event.**

**CARRIED**

8. **ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 8  
NEWMARKET THEATRE – ACCESSIBILITY**

Discussion ensued regarding accessibility of the theatre seating at the Newmarket Theatre. There are no handrails available for navigating the steps of the seating area. Comparison was made to the handrails at the Markham Theatre. It was suggested that a thorough accessibility audit of all Town facilities be undertaken in 2014 and that the Newmarket Theatre form part of this.

9. **ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 9  
TANNERY – ACCESSIBLE WASHROOMS**

Discussion ensued regarding the accessibility of the washrooms at the Tannery, 465 Davis Drive. The Chair will write a letter on behalf of the Committee to the Management of the Tannery requesting that the washrooms be made more accessible.

10. **ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 10  
MEETING TIMES**

Discussion ensued regarding the scheduling of Committee meetings.

Moved by Diane Bladek-Willett  
Seconded by Ursula Rehdner

THAT the remainder of the Committee meetings for 2013 be moved from the third Tuesday of the month to the third Thursday, and that the meeting schedule for 2014 reflect this change as well.

**CARRIED**

**11. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 11 FAIRY LAKE AMPHITHEATRE / RIVERWALK COMMONS – ACCESSIBLE SEATING**

Discussion ensued regarding the accessibility of seating areas at the Fairy Lake amphitheatre and Riverwalk Commons. The Committee received a copy of a letter addressed to Councillor Hempen stating that there was a lack of accessible seating available for seniors at the Fairy Lake amphitheatre and Riverwalk Commons. It was suggested that an additional paved pathway to the amphitheatre be installed for those with visual disabilities.

Moved by Wendi Williams-Gordon  
Seconded by Councillor Twinney

The Newmarket Accessibility Advisory Committee recommends to Council:

THAT the correspondence from Mr. Al Hache regarding accessible seating be received and referred to staff.

**CARRIED**

**12. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – OCTOBER 15, 2013 – ITEM 12 TERMS OF REFERENCE**

Discussion ensued regarding the Committee Terms of Reference. This will be incorporated in an upcoming committee review by the Legislative Services department. The committee would like specific areas to be addressed such as committee membership, the recruitment of volunteers from the community to assist with planning activities, and the use of technology to increase inclusion in meetings.

Moved by Ursula Rehdner  
Seconded by Councillor Twinney

THAT the meeting adjourn.

**CARRIED**

There being no further business, the meeting adjourned at 12:27 p.m.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Steve Foglia, Chair





# Town of Newmarket MINUTES

## ACCESSIBILITY ADVISORY COMMITTEE

Mulock Room, 395 Mulock Dr.  
Tuesday, April 16, 2013 at 10:30 a.m.

- Present:** Diane Bladec-Willett  
Laura Charpentier (left at 11:50 a.m.)  
Steve Foglia (Chair)  
Ursula Rehdner  
Councillor Twinney (10:43 – 11:45 a.m.)  
Wendi Williams-Gordon
- Regrets:** Naeem Bacchus
- Guest:** Sandra Fox, Interpreter – Canadian Hearing Society
- Staff:** Lisa Lyons, Deputy Clerk (11:10 - 12:30 p.m.)  
Sarah Niezen, Records and Projects Coordinator

The meeting was called to order at 10:43 a.m.

Steve Foglia in the Chair.

### **DECLARATIONS OF INTEREST**

None.

#### **1. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 1 APPROVAL OF MINUTES**

The Accessibility Advisory Committee Minutes of February 16, 2013 were amended by removing “Newmarket Accessibility Awareness Week” contained within Item 2 and replacing it with “National Access Awareness Week”.

**Moved by Wendi Williams- Gordon**  
**Seconded by Councillor Twinney**

**THAT the Accessibility Advisory Committee Minutes of February 16, 2013 as amended, be approved.**

**CARRIED**

#### **2. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 2 MV-1 ACCESSIBLE VEHICLE PRESENTATION**

Joel Dembe, Community Relations Manager of MV-1 Canada gave a presentation and demonstration of the MV-1 accessible vehicle.

Discussion ensued regarding the vehicle and its possible uses in the transportation industry. Discussion ensued regarding the possibility of having the MV-1 introduced to the local taxi cab industry.

**3. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 3  
PROCLAMATION REGARDING NATIONAL ACCESS AWARENESS WEEK**

Proclamation regarding National Access Awareness Week for Submission to Committee of the Whole at its meeting of April 29, 2013.

**Moved by Wendi Williams-Gordon**

**Seconded by Ursula Rehdner**

**The Newmarket Accessibility Advisory Committee recommends to Council:**

- 1. THAT the Town of Newmarket proclaim June 2 – 8, 2013 as “National Access Awareness Week”;**
- 2. AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website [www.newmarket.ca](http://www.newmarket.ca)**

**CARRIED**

**4. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 4  
NAAW SUB-COMMITTEE UPDATE**

Planning for the June 4 event is continuing. The name of the event is “Celebrating Accessibility and Abilities”. A banner, signs and posters advertising the event are being made. The Community Centre and Lions Hall has been booked for the event. Staff is requested to issue invitations to the Mayor and Regional Councillor. There will be a Town of Newmarket booth advertising Town accessible services. The Committee would like to request that this be manned and that it advertise things such as the sidewalk policy, service pricing etc.

**5. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 5  
MAIN STREET – ON STREET ACCESSIBLE PARKING**

Engineering Services Report 2013-18 dated March 14, 2013 regarding on street accessible parking was discussed. The Committee commented favourably on the placement of parking spaces on both the east and west sides of the street and for providing parking near the Catholic Church. The Committee would like to commend staff and Councillor Sponga for addressing this issue.

The Committee would like to inquire as the background behind this report and whether or not any complaints from the public have been appropriately addressed.

**Moved by Ursula Rehdner**

**Seconded by Diane Bladec-Willett**

**THAT Engineering Services Report 2013-18 dated March 14, 2013 regarding on street accessible parking be received and that feedback regarding any existing complaints be reported back.**

**CARRIED****6. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 6  
TOWN HALL INTERIOR SIGNS**

The proposed design for new interior Town Hall signs were presented to the Committee and discussion ensued. The Committee recommends that issues such as glare from the finish, including braille on certain signs, and ensuring that the plaque signs are placed at the optimal height be addressed. The CNIB design elements for signage and the draft Regional Accessibility Design Guide were recommended as resources.

**7. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 7  
ACCESSIBILITY ADVISORY COMMITTEE FORUMS 2013**

Accessibility Advisory Committee Forum May 22, 2013 in Toronto at the Metro Toronto Convention Centre.

Discussion ensued regarding the possibility of several committee members attending the forum this year. Transportation costs will be covered by the Town for anyone wishing to attend.

**8. ACCESSIBILITY ADVISORY COMMITTEE MINUTES – APRIL 16, 2013 – ITEM 8  
NEW BUSINESS**

Discussion ensued regarding the upcoming Special Olympics. A promotional video was presented.

**Moved by Wendi Bladec-Willett  
Seconded by Ursula Rehdner**

**THAT the meeting adjourn.**

**CARRIED**

There being no further business, the meeting adjourned at 12:30 p.m.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Steve Foglia, Chair

Tuesday, December 17, 2013 at 7:00 p.m.  
Mulock Room, 395 Mulock Drive

The special meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, December 17, 2013 at 7:00 p.m. in the Mulock Room at 395 Mulock Drive, Newmarket.

Members

Present: Ross Caister  
Sandra Fuller  
Billie Locke  
Norm Friend  
Councillor Hempen

Absent: Athol Hart  
Malcolm Watts

Staff: Sarah Niezen, Records and Projects Coordinator

The meeting was called to order at 7:13 p.m.

Billie Locke in the Chair.

**1. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 17, 2013**  
**ITEM 1 – CLOCK TOWER DEVELOPMENT**

Discussion ensued regarding the proposed development at the corner of Main Street and Park Avenue. The height and overall size of the development, sightlines along Park Avenue and Main Street, compatibility of the proposed development with the Heritage Conservation District Plan, and the implications of the Zoning By-law Amendment currently before Council were discussed.

**Moved by Ross Caister**  
**Seconded by Sandra Fuller**

**The Heritage Newmarket Advisory Committee recommends to Council:**

**THAT the three storey structure limit on development projects in the downtown core be upheld according to the Town of Newmarket Official Plan and the Heritage Conservation District Plan;**

**AND THAT the application for the Zoning By-law Amendment as submitted by Main Street Clock Inc., be rejected.**

**CARRIED**

2. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 17, 2013  
ITEM 2 – TREASURER'S REPORT

The Treasurer provided a verbal report.

Moved by Sandra Fuller  
Seconded by Norm Friend

THAT the outstanding invoices as presented by the Treasurer be paid.

CARRIED

Moved by Norm Friend  
Seconded by Ross Caister

THAT the meeting adjourn.

CARRIED

There being no further business the meeting adjourned at 7:58 p.m.

Jan. 7, 2014  
Date

  
Billie Locke, Acting Chair

Tuesday, December 3, 2013 at 7:00 p.m.  
Mulock Room, 395 Mulock Drive

The regular meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, December 3, 2013, at 7:00 p.m. in the Mulock Room at 395 Mulock Drive, Newmarket.

**Members**

**Present:** R. Caister  
S. Fuller  
A. Hart  
B. Locke  
M. Watts  
N. Friend  
Councillor Hempen (7:08 – 9:08 pm)

**Absent:** Wes Playter

**Staff:** Barb Mendonca, Administrative Assistant  
Senior Planner – Community Planning

The meeting was called to order at 7:02 p.m.

Athol Hart in the Chair.

**PRESENTATIONS/DEPUTATIONS**

None.

**DECLARATIONS OF INTEREST**

None.

**ADDITIONS TO THE AGENDA**

None.

**1. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013  
ITEM 1 – HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES**

Heritage Newmarket Advisory Committee Minutes of November 5, 2013.

**Moved by Ross Caister  
Seconded by Billie Locke**

**THAT the Heritage Newmarket Advisory Committee Minutes of November 5, 2013 be approved.**

**CARRIED**

**2. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013  
ITEM 2 – CORRESPONDENCE**

- a) Nominations for the June Callwood Outstanding Achievement Award for Voluntarism in Ontario.

**Moved by Ross Caister  
Seconded by Billie Locke**

**THAT the Heritage Newmarket Advisory Committee nominate Athol Hart for the June Callwood Outstanding Achievement Award for Voluntarism in Ontario.**

**CARRIED**

- b) Notice of passing of zoning by-law 2013-50 for East Terminus of Newpark Blvd.

**Moved by Norm Friend  
Seconded by Ross Caister**

**THAT the notice of passing of zoning by-law 2013-50 for East Terminus of Newpark Blvd. be received as information.**

**CARRIED**

- c) Notice of passing of zoning by-law 2013-61 for Brixton Commerical Realty Advisors Limited, 487 Queen Street.

**Moved by Tom Hempen  
Seconded by Norm Friend**

**THAT the notice of passing of zoning by-law 2013-61 for Brixton Commercial Realty Advisors Limited, 487 Queen Street be received as information.**

**CARRIED**

- d) Ministry of Citizenship and Immigration 2014 Volunteer Service Awards.

**Moved by Tom Hempen  
Seconded by Billie Locke**

**THAT the Heritage Newmarket Advisory Committee nominates Sandra Fuller for the Ministry of Citizenship and Immigration 2014 Volunteer Service Award.**

**CARRIED**

- e) Revised submission regarding the application for Official Plan Amendment, Zoning by-law Amendment, and Draft Plan of Subdivision – Marianneville Developments Limited.

Moved by Tom Hempen  
Seconded by Billie Locke

THAT the revised submission regarding the application for Official Plan Amendment, Zoning by-law Amendment, and Draft Plan of Subdivision – Marianneville Developments Limited by received as information.

**CARRIED**

**3. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013  
ITEM 3 – FINANCIAL REPORT**

The Treasurer provided a verbal financial report.

Moved by Norm Friend  
Seconded by Ross Caister

THAT the verbal Treasurer's report of the Heritage Newmarket Advisory Committee be received.

**CARRIED**

**4. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013  
ITEM 4 – PLAQUES**

a) Site Plaques

The Chair provided an update regarding site plaques.

b) Residence Plaques

Discussion ensued regarding the residence plaques.

Moved by Billie Locke  
Seconded by Norm Friend

THAT Sandra Fuller proceed with the processing of the wording for five plaques.

**CARRIED**

c) Heritage Location Plaques

The Chair advised that there was no report regarding the heritage location plaque available at this time.

**5. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013  
ITEM 5 – INVENTORY SUB-COMMITTEE**

a) Discussion ensued regarding the Bonshaw property.

Moved by Sandra Fuller  
Seconded by Billie Locke



**THAT the sub-committee visit the owner to discuss their plans for the building;**

**AND THAT the prospect of financial aid be mentioned.**

**CARRIED**

- b) The Chair advised that the house at 55 Charles Street has been torn down.  
Discussion ensued regarding the house at 59 Charles Street.

**Moved by Malcolm Watts  
Seconded by Billie Locke**

**THAT the current owner of 59 Charles Street be approached for permission to photograph the inside and out of the building.**

**CARRIED**

- c) Discussion ensued regarding the Bogart House.

**Moved by Malcolm Watts  
Seconded by Billie Locke**

**THAT the Senior Planner – Community Planning contact the owner to find out the current plans for the building.**

**CARRIED**

**6. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013  
ITEM 6 – DESIGNATED MAINTENANCE PROPERTY AND CONCERNS**

The Chair advised that the Planning department has a student until December 31, 2013 updating the list.

**7. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013  
ITEM 7 – REPORTS OF COMMITTEE MEMBERS**

a) Historical Society

The historical society report was received.

b) Museum

The museum report was received.

c) A.R.C.H.

The Chair advised that Doors Open will be disbanded for the foreseeable future. Preparations have begun for the next Rebel Heartland event to be held as a two day program starting on September 27, 2014.

d) Street Naming Committee

There is currently nothing to report.

8. **HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 3, 2013**  
**ITEM 8 – NEW BUSINESS**

- a) The meeting dates for 2014 were set in the November 5, 2013 minutes.
- b) Discussion ensued regarding the Bogarttown blacksmith shop. Malcom Watts and Norm Friend (through the Historical Society) will locate information regarding the shop from the Whitchurch/Stouffville museum.

**Moved by Norman Friend**  
**Seconded by Billie Locke**

**THAT the meeting adjourn.**

**CARRIED**

There being no further business the meeting adjourned at 9:08 p.m.

\_\_\_\_\_  
Date

  
Athol Hart, Chair

Tuesday, November 5, 2013 at 7:00 p.m.  
Mulock Room, 395 Mulock Drive

The regular meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, November 5, 2013 at 7:00 p.m. in the Mulock Room at 395 Mulock Drive, Newmarket.

**Members**

**Present:** R. Caister  
S. Fuller  
A. Hart  
B. Locke  
M. Watts  
N. Friend  
Councillor Hempen (8:05 – 9:45 pm)

**Absent:** Wes Playter

**Staff:** Barb Mendonca, Administrative Assistant

The meeting was called to order at 7:00 p.m.

Athol Hart in the Chair.

**PRESENTATIONS/DEPUTATIONS**

None.

**DECLARATIONS OF INTEREST**

None.

**ADDITIONS TO THE AGENDA**

None.

**1. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013  
ITEM 1 – HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES**

Heritage Newmarket Advisory Committee Minutes of October 1, 2013.

**Moved by Ross Caister  
Seconded by Billie Locke**

**THAT the Heritage Newmarket Advisory Committee Minutes of October 1, 2013 be approved.**

**CARRIED**

**2. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013  
ITEM 2 – CORRESPONDENCE**

- a) Application for zoning by-law amendment and draft plan of subdivision, north side of Davis Drive between Yonge Street and Bathurst Street (Toth Farm).

**Moved by Sandra Fuller  
Seconded by Ross Caister**

**The Heritage Newmarket Advisory Committee's recommendation to Council:**

**THAT if and when a proposal is received by Council regarding the Toth Farm, the Heritage Newmarket Advisory Committee would like the building preserved.**

**CARRIED**

- b) Notice of complete application regarding north side of Davis Drive between Yonge Street and Bathurst Street (Toth Farm).
- c) Notice of passing of a by-law to designate the lower Main Street South Heritage Conservation District and adopt The Heritage Conservation District Plan for Lower Main Street South.
- d) Ministry of Citizenship and Immigration call for nominations for the June Callwood Outstanding Achievement Award for Voluntarism in Ontario.

**Moved by Ross Caister  
Seconded by Norman Friend**

**THAT the Heritage Newmarket Advisory Committee read the parameters for the nomination and make recommendations at the next scheduled meeting.**

**CARRIED**

- e) Request from the Senior Planner – Community Planning that a member of the Heritage Newmarket Advisory Committee sit on the Lower Main Street Advisory Committee.

**Moved by Ross Caister  
Seconded by Norman Friend**

**The Heritage Newmarket Advisory Committee's recommendation to Council:**

**THAT Athol Hart be appointed as a member of the Lower Main Street Advisory Committee.**

**CARRIED**

**3. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013  
ITEM 3 – FINANCIAL REPORT**

The Treasurer provided a verbal financial report.

**Moved by Billie Locke  
Seconded by Norman Friend**

**THAT the verbal Treasurer's report of the Heritage Newmarket Advisory Committee be received.**

**CARRIED**

**4. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013  
ITEM 4 – PLAQUES**

**a) Site Plaques**

The information to be placed on the site plaques are complete and will be forwarded to Council for their approval.

**b) Residence Plaques**

Discussion ensued regarding the number of plaques to be issued. The suggestion was made to make twenty blank plaques, before winter, that could be filled in at a later date.

**Moved by Sandra Fuller  
Seconded by Billie Locke**

**THAT the Heritage Newmarket Advisory Committee proceed with e-mail approval of the request for twelve plaques;**

**AND THAT the research regarding each plaque be forwarded to the Heritage Newmarket Advisory Committee via e-mail.**

**CARRIED**

**c) Heritage Location Plaques**

The Chair advised that there was no report regarding the heritage location plaque available at this time.

**5. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013  
ITEM 5 – INVENTORY SUB-COMMITTEE**

Nothing to report.

**6. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013**  
**ITEM 6 – DESIGNATED MAINTENANCE PROPERTY AND CONCERNS**

Discussion ensued regarding the Robertson House shutters. They have been changed with vinyl ones.

**Moved by Ross Caister**  
**Seconded by Sandra Fuller**

**THAT Ross Caister contact Community Heritage Ontario to obtain further information.**

**CARRIED**

**7. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013**  
**ITEM 7 – REPORTS OF COMMITTEE MEMBERS**

a) Historical Society

The historical society report was received.

b) Museum

The museum report was received.

c) A.R.C.H.

The Director of Recreation and Culture has advised of a contest for a logo for the next Rebel Heartland.

d) Street Naming Committee

Wes Playter advised via e-mail that five names from the old cenotaph were selected to go into the Metrus Phase 7 subdivision. More veterans' names are to be provided by both the Legion and the Newmarket Veteran's Association to re-populate the "reserve list".

**Moved by Tom Hempen**  
**Seconded by Billie Locke**

**THAT item a),b),c),d) be received as information.**

**CARRIED**

**8. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – NOVEMBER 5, 2013**  
**ITEM 8 – NEW BUSINESS**

a) Discussion ensued regarding the 2014 meeting dates for the Heritage Newmarket Advisory Committee.

**Moved by Norman Friend**  
**Seconded by Ross Caister**

**THAT the Heritage Newmarket Advisory Committee meet on the first Tuesday of the month in 2014.**

**CARRIED**

- b) Discussion ensued concerning the InfoSheet from the Ministry of tourism, Culture and Sport regarding Municipal Financial Incentives for Heritage Properties.

**Moved by Ross Caister  
Seconded by Norman Friend**

**THAT a sub-committee of the Newmarket Heritage Advisory Committee be formed to research other municipalities and report back to the Committee at the December 3, 2013 meeting.**

**CARRIED**

**Moved by Billie Locke  
Seconded by Malcolm Watts**

**THAT the Economic Development Officer for the Town of Newmarket attend a Heritage Newmarket Advisory Committee meeting in the new year regarding heritage funding.**

**CARRIED**

**Moved by Norman Friend  
Seconded by Billie Locke**

**THAT the meeting adjourn.**

**CARRIED**

There being no further business the meeting adjourned at 9:45 p.m.

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Date

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Athol Hart, Chair

**1. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – DECEMBER 17, 2013**  
**ITEM 1 – CLOCK TOWER DEVELOPMENT**

Discussion ensued regarding the proposed development at the corner of Main Street and Park Avenue. The height and overall size of the development, sightlines along Park Avenue and Main Street, compatibility of the proposed development with the Heritage Conservation District Plan, and the implications of the Zoning By-law Amendment currently before Council were discussed.

**Moved by Ross Caister**  
**Seconded by Sandra Fuller**

**The Heritage Newmarket Advisory Committee recommends to Council:**

**THAT the three storey structure limit on development projects in the downtown core be upheld according to the Town of Newmarket Official Plan and the Heritage Conservation District Plan;**

**AND THAT the application for the Zoning By-law Amendment as submitted by Main Street Clock Inc., be rejected.**

**CARRIED**





Thursday, January 16, 2014 at 5:00 p.m.  
Training Room, Operations Centre, 1275 Maple Hill Court

The NEDAC/ Council Workshop was held on Thursday, January 16, 2014 at 5:00 p.m. in the Training Room, Operations Centre, 1275 Maple Hill Court, Newmarket.

- Council: Mayor Van Bynen  
Regional Councillor Taylor (5:05 – 7:18 p.m.)  
Councillor Di Muccio (5:05 – 6:49 p.m.)  
Councillor Emanuel  
Councillor Hempen  
Councillor Kerwin  
Councillor Twinney
- Absent: Councillor Vegh
- NEDAC Members Present: Barbara Bartlett  
Beric Farmer  
Donna Fevreau  
Rick Henry  
Jim Lotimer  
Paul Montador  
Jackie Playter (5:05 – 7:20 p.m.)  
Gary Ryan  
Ian Proudfoot  
David White
- Absent: Jim Alexander  
Jim Gragtmans  
Michael Croxon
- SDI Group: Debra Scott  
Diane Salois-Swallow  
Karen Dubeau  
Tracy Walter  
Veronica Williams (5:05 – 7:20 p.m.)
- Facilitator: Jim Stewart, ProfitPath
- Staff: R.N. Shelton, Chief Administrative Officer (5:05 – 7:20 p.m.)  
A. Moore, Commissioner of Corporate Services  
R. Prentice, Commissioner of Development and Infrastructure Services  
R. Prudhomme, Director of Engineering Services  
R. Nethery, Director of Planning and Building Services  
S. Chase, Director of Information Technology  
T. Kyle, Chief Executive Officer, Newmarket Public Library

C. Kallio, Economic Development Officer  
M. Plaunt, Senior Planner, Policy (5:27 - 7:34 p.m.)  
R. Willatts, IT Client Services Coordinator  
S. Niezen, Records and Projects Coordinator

Guests: Rick Huijbregts, V.P., Industry Transformation, Cisco Canada (5:05 - 7:12 p.m.)  
Ted Maulucci, Chief Information Officer, Tridel Corporation  
David Sandel, Founder, Gigabit City Summit (via Go To Meeting)

Chris Kallio convened the workshop at 5:05 p.m.

Jim Stewart in the Chair.

## Notice

In accordance with the Town's Procedure By-law, no decisions are to be made but rather this meeting is an opportunity for Council to have informal discussion regarding various matters.

## Items

1. Introductions were made by those in attendance.

Mayor Van Bynen provided opening remarks.

Susan Chase, Director of Information Technology addressed those in attendance on behalf of the SDI Group with a PowerPoint presentation on the current status of broadband in Newmarket and the findings and recommendations of the York Region Broadband Strategy Report.

Rick Huijbregts, V.P., Industry Transformation, Cisco Canada addressed those in attendance with a PowerPoint presentation on "The Internet of Everything". The presentation addressed the changing connectivity of everyday objects and the growing amount of data and uses for that data.

Ted Maulucci, Chief Information Officer, Tridel Corporation addressed those in attendance with a PowerPoint presentation on "Innovation and Smart Buildings". The presentation addressed how a fully networked building can be utilized and the challenges in constructing these types of buildings.

David Sandel, Founder, Gigabit City Summit addressed those in attendance virtually with a PowerPoint presentation on the "Economic Impact of Gigabit Communities". The presentation addressed the Kansas City Google Fiber project, St. Louis' Gigabit Main Street, the advantages of developing broadband infrastructure, and the possible funding models.

The Facilitator led a discussion on the information and ideas presented and how these could be implemented in Newmarket. Matters discussed included incorporating broadband into the planning for the reconstruction of Davis Drive and Yonge Street as the Viva Rapidway is built; the costs and financing options available; how to get buy in from private industry and the public, and including Newmarket-Tay Hydro in further discussions.

Next steps include engaging the public and the community, putting together a business case, branding the concept, and possibly engaging youth. Staff will put together a report to Council with recommendations for next steps.

## **Adjournment**

There being no further business the workshop adjourned at 7:34 p.m.

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Date

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Tony Van Bynen, Mayor



**COMMUNITY SERVICES – RECREATION & CULTURE**  
**TOWN OF NEWMARKET**  
 395 Mulock Drive  
 P.O. Box 328  
 Newmarket, ON L3Y 4X7

www.newmarket.ca  
 info@newmarket.ca  
 905.895.5193

January 6, 2014

**COMMUNITY SERVICES REPORT – RECREATION & CULTURE**  
**COMMUNITY SERVICES – ECONOMIC DEVELOPMENT**  
**JOINT REPORT # 2014-01**

**TO:** Committee of the Whole

**SUBJECT:** Docs on Ice: Follow-up Report

**ORIGIN:** Community Services – Recreation and Culture  
 Community Services – Economic Development

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**RECOMMENDATIONS**

**THAT Community Services – Recreation & Culture and Community Services – Economic Development Joint Report # 2014-01 dated January 6, 2014 regarding Docs on Ice: follow up be received and the following recommendation(s) be adopted:**

1. **THAT Council decline the original Docs on Ice donation request to waive the fees for the \$16,750.70 ice contract as presented at the September 9, 2013 Council meeting;**
2. **AND THAT Council direct staff to offer the following to event organizers:**
  - a) **The Town invest \$3,500 towards the event through economic development (advertising/positioning opportunity for the Town, CreateIT, etc) in exchange for a Gala Dinner and Player Lounge Sponsorship;**
  - b) **The Town reduce the ice contract by \$10,000 subject to an agreement being reached with organizers that \$10,000 from event proceeds be invested back to the Town to be held in a reserve account to financially assist youth at risk to participate in recreation and culture programming with funding criteria to be developed following the completion of the Recreation Master Plan process (Recreation Playbook);**
  - c) **The organizers be responsible to pay the remaining balance of the ice contract (\$3,250.70);**
3. **AND THAT Docs on Ice organizers be contacted to discuss and confirm this action.**

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## **COMMENTS**

The purpose of this report is to follow up on a deputation from Docs on Ice organizers. At the time, the deputation was received and, "referred to staff."

### **Event Summary**

Docs on Ice is the largest annual physicians ice hockey tournament in Ontario. It is rooted in three principles – charity, camaraderie, and sportsmanship. Since its inception in 1983, over 1 million dollars has been raised for local charities in the host community. In the past community fundraising ranges between \$100,000 - \$250,000 being invested back into host community charities.

### **2014 Event Summary**

The 2014 event (April 3 – 5) marks the 32<sup>nd</sup> annual event and the first time it has been brought to Newmarket. The event attracts 55 teams from across the province and close to 900 doctors/players. Event organizers consisting of physicians from Southlake Regional Health Centre have selected the local branch (York Region) of the Canadian Mental Health Association to be the charity partner. The impact of the funds raised will enable the creation of a mobile drop-in clinic for youth. It is reported that easy and early access is critical to preventing a life time of suffering.

### **Docs on Ice Request**

The deputation requested that the total ice contract be donated resulting in organizers seeking a donation amount of \$16,750.70. It is not recommended that this be approved as presented based on the following rationale:

- Ongoing financial pressures and the need to generate revenues;
- Ice rates are already subsidized in part by the tax base and waiving fees places a greater burden on the entire tax base;
- Potential precedence of determining when to support charitable requests to waive facility fees.

## Staff Recommended Options

**Economic Development:** Attracting over 900 doctors and medical personnel is a very positive thing for Newmarket. With Southlake Regional Health Centre being the community's largest single employer, healthcare innovation and health related industries are instrumental in the Town's economic development focus. Collaborative initiatives such as the CreateIT incubator can benefit significantly through promotion directly to the physician community. As a result of Hockey Helps the Homeless moving their event to Markham next year the funds that were previously invested (2012, 2013) in the media package buy associated with this event could be shifted to support the Docs on Ice event without any budget impact.

**Deferred Revenue Model:** A key support to assist youth living with mental illness is access to community based recreation and culture programming (both drop – in and registered). Recommendation 2 (b) supports the fundraising goals of the event while also creating a way for the Town budgets to still receive the full amount of the funds; albeit over a longer term as eligible recipients for financial assistance access a reserve fund (to be established) and funds are transferred from the reserve to program operating accounts as they are distributed. It is included in the recommendation that criteria, access, and implementation of any such reserve be included in a larger cost recovery/pricing discussion as part of the *Recreation Playbook* process to occur in 2014/15.

Staff can then also work in collaboration with Canadian Mental Health (York Region) to assist in promoting the eventual financial assistance program to their clientele.

## Conclusion

It is worth noting that there are dozens of valuable charitable fundraising events and organizations utilizing indoor and outdoor municipal community places and spaces annually. Supporting each of these events represents a cost to the municipality to support their success, however, revenues are also generated to help offset a portion of the operating costs in keeping with targeted cost recoveries.

Staff contends that if any revisions were to be made to this contract, that it be based on Council reviewing this against any sponsorship/community benefit perspective. In the absence of a sound business based rationale (e.g. potential spin off benefits of promoting Newmarket to 900 doctors and medical professionals), the Town runs the risk of setting precedent that may result in other equally worthy charitable events/initiatives seeking reduced fees.

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

### Living Well

- Emphasis on active lifestyles and recreational opportunities

### Well Balanced

- Recreational facilities and services
- Events that help shape identity and contribute to community spirit

## **CONSULTATION**

Staff have met with event organizers to learn more about the event and to outline the Council decision making process that is to occur following the deputation. No other public consultation has occurred.

## **HUMAN RESOURCE CONSIDERATIONS**

Staffing levels remain the same.

## **BUDGET IMPACT**

### Operating Budget (Current and Future)

Based on the current contract, approval of the recommendations would result in a budget impact of \$3,500 for sponsorship. The remainder of the contract would be covered through combination of a deferred revenue approach related to youth at risk programming (\$10,000) and ice contract revenues (\$3,250.70).

### Capital Budget

No impact

## **CONTACT**

For more information on this report, contact: Ian McDougall, Commissioner of Community Services @ 905 895 5193 x 2441 or [imcdougall@newmarket.ca](mailto:imcdougall@newmarket.ca).




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Colin Service  
Director, Recreation and Culture



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Chris Kallio  
Economic Development Officer



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Ian McDougall  
Commissioner, Community Services

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IM





DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES  
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January 16, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING  
SERVICES REPORT 2014-01**

TO: Committee of the Whole

SUBJECT: 2013 Year-End Servicing Allocation Capacity Monitoring Chart

ORIGIN: Planning and Building Services

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**RECOMMENDATIONS**

**THAT Development & Infrastructure Services/Planning & Building Services Report 2014-01 dated January 16, 2014 regarding the 2013 Year-End Servicing Allocation Capacity Monitoring Table be received and the following recommendation(s) be adopted:**

- 1. THAT the Servicing Allocation Capacity Monitoring Table attached as Appendix "A" be adopted.**
- 2. AND THAT Gabrielle Hurst, Community Planning, Planning and Infrastructure Integration, York Region, 17250 Yonge Street, Newmarket, Ontario, L3Y 6Z1 be notified of this action.**

**COMMENTS**

**York Region has adopted a standardized approach to monitoring servicing capacity**

In 2013 York Region implemented a standardized approach to monitoring and reporting on servicing capacity in an effort to better analyze future capacity assignments to the local municipalities. Each municipality is now required to complete the attached chart on an annual basis, and have the completed chart formally adopted by its local Council.

In January 2013 Council adopted the first of these monitoring tables, which showed that at the end of 2012 Newmarket had an uncommitted assignment (i.e. capacity from the Region that had not been registered or committed through draft plan approvals or other legal agreements) of 1461 people.

**At the end of 2013 Newmarket's uncommitted capacity is 3975 people, of which 1000 is to be directed to the Regional Centre**

In mid-2013 the Region granted Newmarket a post-2013 assignment of 2561 people plus an additional 1000 people to be dedicated to the Regional Centre (Provincial Growth Centre). Newmarket Council also granted allocation to a number of developments in 2013, resulting in a final 2013 year-end uncommitted capacity of 3975 people, of which 1000 is to be directed to the Regional Centre.

**The persons per unit values have been updated for the post-2013 capacity assignment**

The Region's capacity assignment is based on population (not units). The Region has updated the person per unit (ppu) values based on the 2011 Census, with the ppu values as shown in the attached table to be used for Newmarket's capacity allocation for post-2013 growth.

Housing Type	Persons Per Unit
Single	3.25
Semi-detached	2.88
Townhouse	2.63
Apartment	1.95

**The Town has active applications on file for which no allocation has been granted and that, if approved, would total approximately 9660 people**

Applying the new ppu values to the updated application list, the Town has applications on file for which no allocation has been granted totaling approximately 9660 people. Of this, approximately 4080 are in the urban centres (including the historic downtown centre) and 5580 are outside of the urban centres.

**2014 annual review of servicing capacity is expected in April/May**

The completion of the attached chart does not constitute the Town's annual review and distribution of servicing capacity in accordance with the Servicing Allocation Policy; rather the chart attempts to identify, in a consistent manner using consistent language across the Region, the total uncommitted servicing assignment for each municipality at the end of 2013.

The next annual review of servicing capacity is anticipated to be in April/May 2014, at which time staff will make recommendations regarding the potential distribution of the 3975 people worth of uncommitted servicing capacity, as well as the potential re-distribution of capacity from any developments that have not been moving forward in a timely manner.

**BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The on-going monitoring and distribution of servicing capacity is a growth management strategy that has linkages to the Town's Strategic Plan as follows:

*Living Well* – sustainable practices (traffic and growth management)

*Well-planned and Connected* – long-term strategy matched with short-term action plan

**CONSULTATION**

No public consultation was required for this report.

**HUMAN RESOURCE CONSIDERATIONS**

Not applicable to this report.

**BUDGET IMPACT**

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

**CONTACT**

For more information on this report, contact R. Nethery, Director, Planning & Building Services, ext. 2451, ([rnethery@newmarket.ca](mailto:rnethery@newmarket.ca)) or J. Unger, Assistant Director of Planning, ext. 2452, ([junger@newmarket.ca](mailto:junger@newmarket.ca)).

  
Assistant Director of Planning  
Director of Planning & Building Services  
Commissioner of Development &  
Infrastructure Services

Attachments: 2013 Year-End Servicing Capacity Monitoring Table  
2013 Year-End Servicing Capacity Monitoring Table Summary



## MODIFIED Attachment B - ALLOCATION CAPACITY MONITORING TABLE - (Year End 2013)

Sample - All previously Draft Approved Applications have been Registered

## SHEET - A - 2012 Year end Monitoring Reporting Table

Name of Development from YEAR END 2012 REPORT only	Subdivision, Condominium or Site Plan	Ground Related						Regional Initiative (Identified by Type)	Total		Stage in Application (Population)				Amount of Allocation Remaining from Previous Regional Assignments (Population)				Service Area		Status of Application in the Development Approval Process - Timeline to Registration	
		Single		Semi		Town			Apt.	POPULATION	UNITS	Applications Received (Uncommitted Allocation)	Draft Approved Allocation (Council Commitment)	Prelaid DC <sup>1</sup> Agreements, MFC's (Council Commitment, Reserve)	Registered or Executed Site Agreement (Allocation is Done) <sup>2</sup>	2010 to Post 2013 (uncommitted Allocation) Carried from Sheet B	Balance Post 2013	New Post 2013 Servicing Capacity Assigned in Sheet B below	Water	Wastewater		
		POPULATION	UNITS	POPULATION	UNITS	POPULATION	UNITS															
		PPU	POPULATION	UNITS	POPULATION	UNITS	PPU	POPULATION	UNITS	PPU	POPULATION	UNITS	PPU	POPULATION	UNITS	PPU	POPULATION	UNITS	PPU	POPULATION		UNITS
Orsi (Landmark Estates) Ph 4	19T-85086/07023	50	169	94	286	94	286	94	286	94		286	0	169	0	286	0	286	0	West	North	Permits/Occupancy in 2014
Ardee 19T-03N03		193	652		41	118	770	234	169	50		0	0	169	0	0	0	0	0	West	Green Lane	Under construction
Metrus Ph 7	19TN-2011-003	243	821	94	286	41	118	0	0	1,225	378	1,056	1,056	169	0	1,225	1,451	Carried forward to Year-end 2013 Report SHEET B	1,451	West	Green Lane	Registration expected in 2014
Allocation already committed (carried forward from Year end 2012 report)																						

4 - Transitional Year  
\* If DA/Preliminary applications are registered in 2013 (SHEET A - OLD PPU'S ARE USED)  
\* Uncommitted/Active Applications are carried forward to Year-end 2013 report, SHEET B

## SHEET - B - Modified Reporting table To Be Completed for year end 2013 Report

Name of Development (Includes All Active Developments Not Registered as of January 1 2013)	Subdivision, Condominium/Site Plans	Ground Related (New 2011 PPU's)						High Rise (2011 PPU's)		Total		Regional Initiative (Identified by Type)		Stage in Application (Population)				Amount of Servicing Capacity Provided by York Region (Population)				Service Area		Status of Application in the Development Approval Process - Estimated Timeline to Registration			
		Single		Semi		Town		Appt		POPULATION	UNITS	In-Region Centre/Corridor	SHIP LEED or LE Program	Applications Received (Uncommitted Allocation)	Draft Approved Allocation (Council Commitment)	Preliminary DC/ BFCQ/ Green Commitment Reserve	Registered or Executed Site Plan Agreement (Allocation is Done?)	Leave blank for allocation Use it or lose it	Balance	New Post 2013 Assignment	HOLD - Awaiting Finger Release (Forecast)	Water	Wastewater				
		UNITS	POPULATION	UNITS	POPULATION	UNITS	POPULATION	UNITS	POPULATION																		
		PPU	3.25	EFFU	2.65	PPU	2.65	EFFU	1.95																		
Mademont	ZBA					80	210			210	80												Central	South	Zoning approved, no site plan submitted, post 2014		
22 George/Davis	ZBA									770	395												Central	North	Zoning approved, no site plan submitted, post 2014		
National Homes	19TN-2005-004 (reactivated)	142	462								462	142			426								Central	South	Draft approved, 2014 registration		
Bridon-Baker	ZBA					105	276				276	105											Central	North	Revised application anticipated		
Kerbel (Yonge/Millard)	ZBA							360	702	702	360	702											Central	North	SPA in 2014		
Millford	OPA/ZBA					38	100	154	300	400	192			400		679							Central	North	Application under review, post 2014		
Mosaic	19TN-2012-002	123	400	62	179						579	185											West	Green Lane	Registration 2014		
Glenway	19TN-2012-10	219	712			219	576	292	569	1,857	730			1,857								W/C	North	Referred to OMB			
281 Main N	# not yet assigned			2	6	9	24			30	11			30									Central	North	Application under review, Registration post-2014		
Forest Green Homes	19TN-2013-001					214	563	304	593	1,156	518			1,156									East	South	Application under review, Registration post-2014		
Slessor	19TN-2012-001									858	1,673	898		1,673									Central	South	In progress, Phase 1 in 2014		
Sundial Homes/Toth	19TN-2013-003	111	361	46	133	571	1,502			1,996	728	1,996		1,996									West	Green Lane	Application submitted		
Clocktower	ZBA							150	258	268	150	268		268									Central	North	Application submitted		
487 Queen	ZBA							16	42		42	16			42								Central	North	Site Plan Approval in 2014		
Cougs	19TN-2013-002							27	71	71	27			71									Central	South	Application submitted		
Lorne Park Gardens	OPA/ZBA/SUB							85	224		224	85		224									East	South	Application submitted		
Total All Active Applications		595	1,934	110	317	1,354	3,688	2,513	4,866	2,513	4,866	2,513	4,866	2,513	4,866	2,513	4,866	2,513	4,866	2,513	4,866	2,513	4,866	2,513	4,866	2,513	4,866

Reviewed with KW &amp; MM On 7/26/13

2 - Requirement to report  
Building Permit Data has3 - Comments Column now  
estimates the timing  
development will proceed1 - New column identifies developments  
participating in Regional Initiatives, Identified by

2013 Revised MUNICIPAL ALLOCATION SUMMARY (POPULATION)	
Unused Assignment @ December 31, 2012	2,686
Less: Total Registered in 2013 (Sheet A)	169
Add: Balance from Post 2013 (if applicable)	0
Total Remaining Allocation Available	2,517
Add - 2nd Release of Post 2013 Assignment	2,561
New Assignment in Centres & Corridors	1,000
Savings from Inflow and Infiltration	0
Unused Assignment @ December 31, 2013	6,078
Less Allocation Committed under Legal Agreements	0
Less Draft Approved, Committed by Council	2103*
Total Uncommitted Assignment	3,975

\* 2012 (1056) plus 2013 (1047) = 2103



**ENGINEERING SERVICES**

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January 23, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
ENGINEERING SERVICES 2014-02**

TO: Committee of the Whole

SUBJECT: South-east Newmarket – Parking Restrictions  
File No.: T.30

ORIGIN: Director of Engineering Services

**RECOMMENDATIONS**

THAT Development & Infrastructure Services Report - ES 2014-02, dated January 23, 2014 regarding "South-east Newmarket – Parking Restrictions" be received and the following recommendation(s) be adopted:

1. THAT Schedule X (No Parking) of the Parking Bylaw 1993-62, as amended, be amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Shortreed Terrace	North/ West	Bob Gapp Drive to Art Westlake Avenue	Anytime
Art Westlake Avenue	North	Atkins Drive to McCron Crescent	Anytime
McCron Crescent	North/ East	Atkins Drive to cul-de-sac terminus	Anytime
Blencowe Crescent	North/ East/ South (outer)	Memorial Circle to Atkins Drive	Anytime
Bob Gapp Drive	East	Memorial Drive to terminus	Anytime
McTavish Drive	North	Cenotaph Boulevard to Blencowe Crescent	Anytime
Atkins Drive	North	Cenotaph Boulevard to Blencowe Crescent	Anytime
Quick Street	West	Atkins Drive to Stuffles Crescent	Anytime
Stuffles Crescent	South/ East/ North (inner)	Quick Street to Atkins Drive	Anytime
Cenotaph Boulevard	South	Leslie Street to Memorial Circle	Anytime
Sherman Brock Circle	West	Veteran's Way to Cenotaph Boulevard	Anytime
Blackhall Crescent	East/ West/ North (inner)	Veteran's Way to Veteran's Way	Anytime

**2. AND THAT the necessary Bylaw be prepared and submitted to Council for its approval.**

### **COMMENTS**

The roadways within the Cedar Manor Homes subdivision are subject to traffic management plans that designate No Parking Zones primarily on the sidewalk side of the street. The Town's Corporate Parking Policy regarding New Development Areas with traffic management plans therefore apply.

Therefore, it is recommended that No Parking restrictions be implemented on these streets as dictated by the traffic management plans.

### **PUBLIC CONSULTATION**

No public consultation was undertaken in the preparation of this report. This is similar to a housekeeping exercise as the approved subdivision plans contain the traffic management plans and a large number of homes are neither occupied nor built.

### **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 on current staffing levels.

### **IMPACT ON BUDGET**

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

No impact on the Operating Budget.


#### **Capital Budget**


There would be no impact on the budget since the developer is responsible for properly implementing the subdivision signage.

**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:

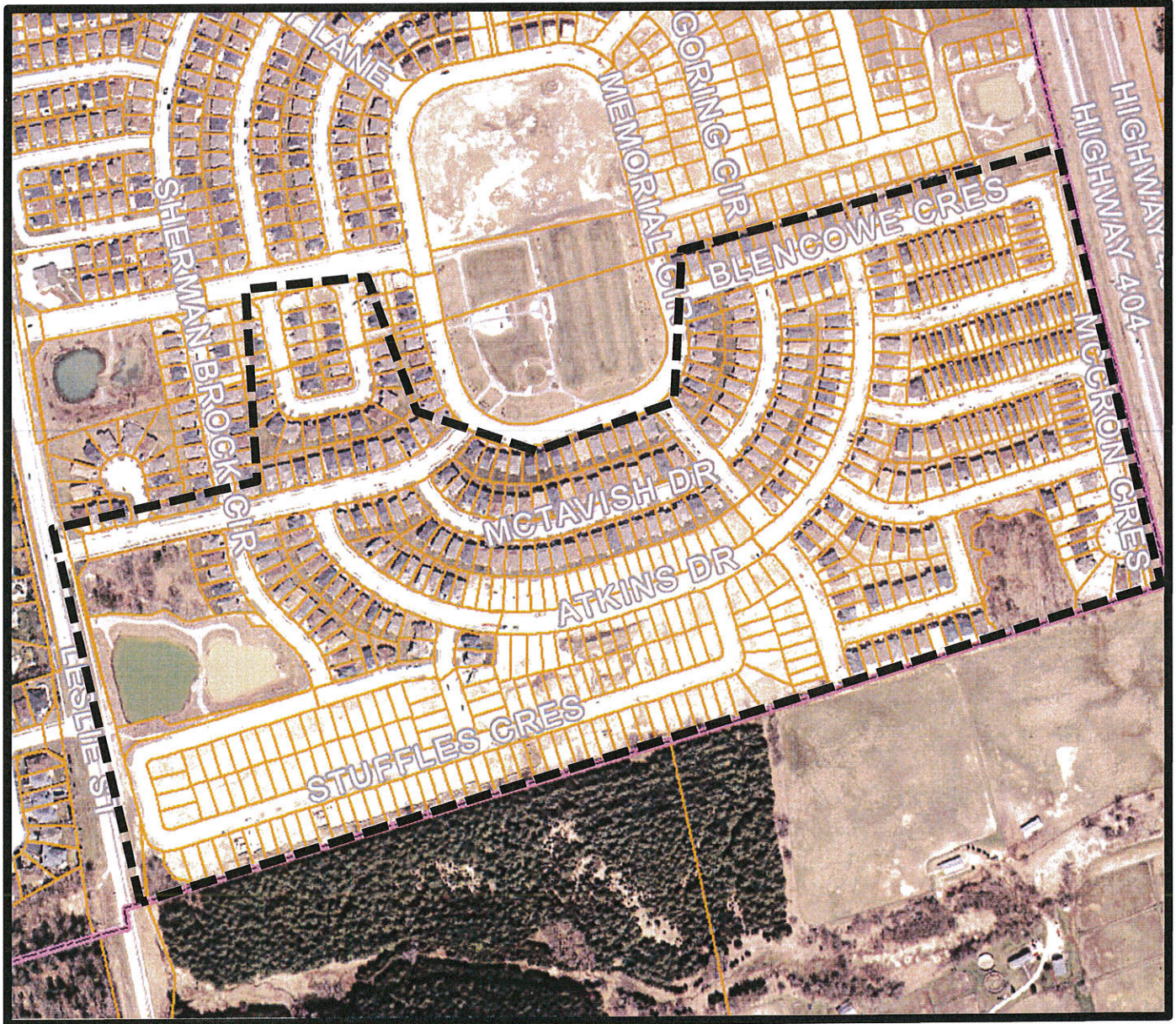
  
M. Kryzanowski, M.C.I.P., R.P.P.  
Senior Transportation Coordinator

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

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

  
R. Prentice, Commission of  
Development and Infrastructure Services





Parking Change Area  
(Cedar Manor Homes Subdivision)





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February 3, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
 ENGINEERING SERVICES 2014-03**

TO: Committee of the Whole

SUBJECT: North-west Newmarket – Parking Restrictions  
 File No.: T.30

ORIGIN: Director of Engineering Services

**RECOMMENDATIONS**

THAT Development & Infrastructure Services Report - ES 2014-03, dated February 3, 2014 regarding “North-west Newmarket – Parking Restrictions” be received and the following recommendation(s) be adopted:

1. THAT Schedule X (No Parking) of the Parking Bylaw 1993-62, as amended, be amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Fred Curran Lane	North/ West	Art West Avenue to terminus	Anytime
Clifford Perry Place	Both	Bathurst Street to Elvidge Trail	Anytime
Clifford Perry Place	South	Elvidge Trail to Lot #73	Anytime
Clifford Perry Place	West/ South (inner)	Lot #73 to Elvidge Trail	Anytime
Elvidge Trail	West	Clifford Perry Place to terminus	Anytime
Prest Way	North/ West	Clifford Perry Place to Elvidge Trail	Anytime
Luck Court	North	Prest Way to terminus	Anytime
Laker Court	North	Prest Way to terminus	Anytime
Gord Clelland Gate	East	Woodspring Avenue to Sloss Court	Anytime
Sloss Court	North/ West	Gord Clelland Gate to south terminus	Anytime

2. AND THAT the necessary Bylaw be prepared and submitted to Council for its approval.

**COMMENTS**

The roadways within the Woodland Hills and Ardree Phase 3 subdivisions are subject to traffic management plans that designate No Parking zones primarily on the sidewalk side of the street. The Town's Corporate Parking Policy regarding New Development Areas with traffic management plans therefore apply.

Therefore, it is recommended that No Parking restrictions be implemented on these streets as dictated by the traffic management plans.

**PUBLIC CONSULTATION**

No public consultation was undertaken in the preparation of this report. This is essentially an administrative exercise as the approved subdivision plans contain the traffic management plans and a large number of homes are neither occupied nor built.

**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 on current staffing levels.

**IMPACT ON BUDGET****Operating Budget (Current and Future)**

No impact on the Operating Budget.

**Capital Budget**

There would be no impact on the budget since the developer is responsible for properly implementing subdivision signage.


**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:

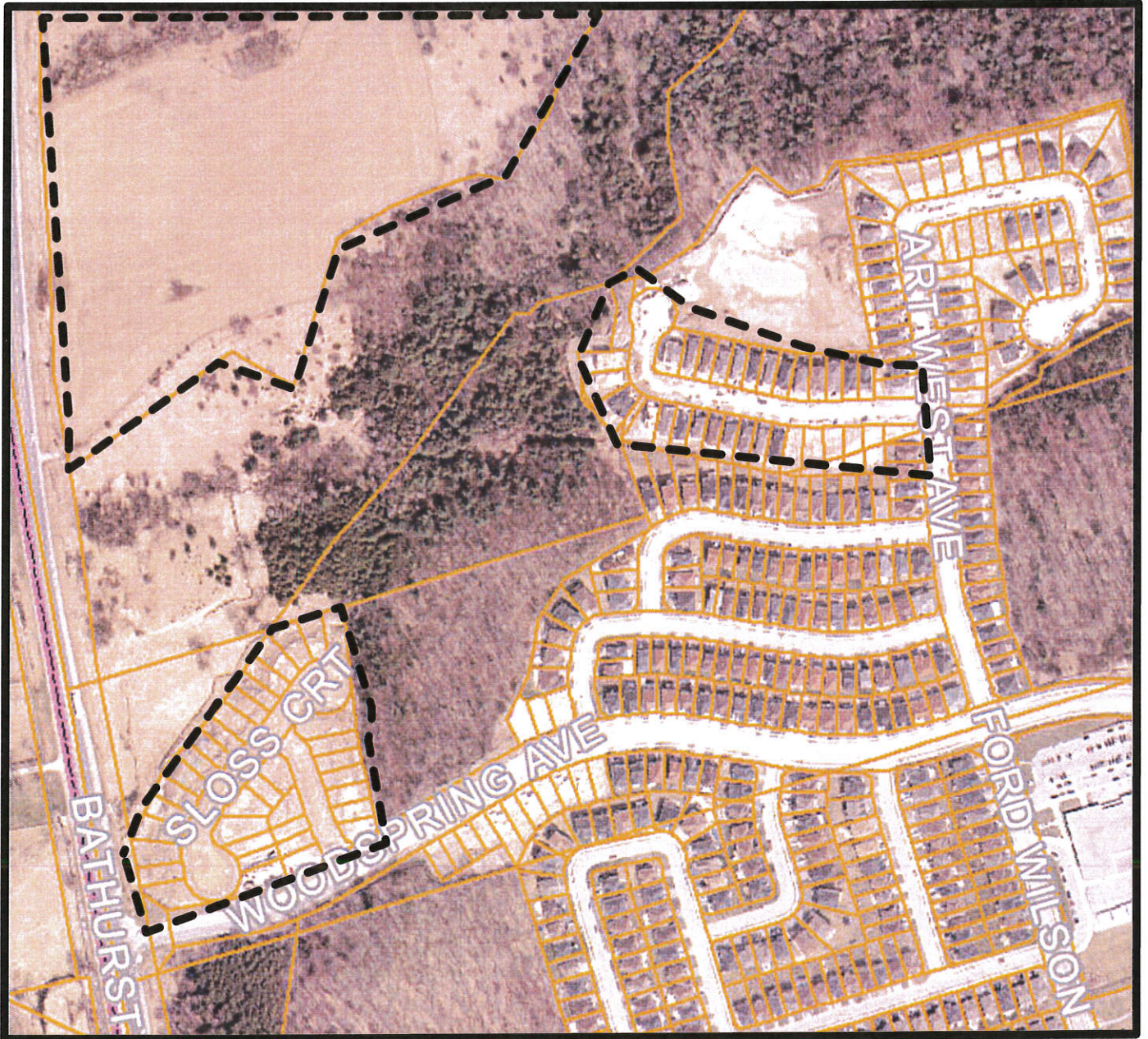
  
M. Kryzanowski, M.C.I.P., R.P.P.  
Senior Transportation Coordinator

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

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

  
R. Prentice, Commissioner  
Development & Infrastructure Services





Parking Change Area  
(Woodland Hills and Ardree Subdivisions)



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February 3, 2014

## COMMUNITY SERVICES REPORT ES2014-04

TO: Committee of the Whole

SUBJECT: Proposed Sidewalk – Second Street  
File No.: T04-2014-06 – 2014 Road Rehabilitation

ORIGIN: Director of Engineering Services

### RECOMMENDATION

**THAT Community Services Report – ES2014-04, dated February 3, 2014 regarding a Proposed Sidewalk on Second Street be received and the following recommendation be adopted:**

- 1. THAT a sidewalk not be constructed on Second Street in accordance with the Town of Newmarket Sidewalk Installation Policy (PWES 1-01).**

### COMMENTS

At its regular meeting of Monday July 18, 2005, Council adopted the Sidewalk Installation Policy, PWES 1-01. This policy was established to enhance pedestrian safety, to provide links between existing sidewalks and to promote safe routes for pedestrian traffic on streets that feed local school sites, public parks and recreation facilities. Since that time, the Province enacted the Accessibility for Ontarians with Disabilities Act (AODA) with the goal of making Ontario fully accessible by January 1, 2025. As part of the AODA, the "Built Environment Standards", which provide construction standards to ensure accessibility, are being developed and are expected to be in effect in 2015.

An important function of the street right-of-way is to safely accommodate pedestrians. Increased walking is healthy, environmentally friendly and reduces dependency on the automobile. Opportunities for safe walking leads to improved health, reduced greenhouse gas emissions from single occupancy vehicles and an enhanced community atmosphere. It is also known that walking promotes socializing in the community and it leads to opportunities for recreation, relaxation, independence and enjoyment of leisure time. The Town of Newmarket's Official Plan also supports the Town's policy for sidewalk and lists a number of benefits that it can provide.



In accordance with the Sidewalk Installation Policy, the Town of Newmarket endeavors to include the construction of sidewalks as part of any road rehabilitation or road reconstruction project. However, there are certain rare instances where constructing a sidewalk is not advisable due to safety concerns related to narrow roadway widths, steep slope gradients and general conditions of the site. This is the case with Second Street, as outlined in this report.

Second Street between Prospect Street and Cotter Street is scheduled for reconstruction in 2014 and has been included as part of the 2014 Road Rehabilitation program. Although Second Street meets some of the criteria for the installation of a sidewalk, not all criteria are met and there are major concerns related to safety and physical placement that make a sidewalk unfeasible in this location. The following reasons, as generally set out in clause 11 of the policy, apply:

- i) Insufficient Road Allowance: There is insufficient road allowance on Second Street to accommodate a sidewalk. The right-of-way width varies between 20.08 metres down to only 12.47 metres (in front of 330 Second Street). The Town's current standard for two-way traffic is a minimum of 18 metres for local road right-of-ways. This is not currently being met along the full length of Second Street, even without a sidewalk. If a sidewalk were to be forced within this narrow right-of-way, the travelled portion of the road would no longer be sufficient to accommodate two lanes of traffic.
- ii) Severe Geometrics or Grading Issues: There are two separate issues regarding grading that preclude the construction of a sidewalk:
  - a. Grade along the west side of Second Street: The situation above is exacerbated by the hazardous topography, which slopes steeply away from the road at a sharp angle on the West side. The severe slope abuts onto private properties where homes are located at an elevation that is considerably below the road grade. At one time, there was a stairway to divert pedestrians from Second Street onto Cotter Street below. The stairway was used mostly by students walking to Newmarket High School, which has since then closed its doors. The stairway, which was in disrepair, was therefore removed and it is not recommended that it be replaced as a result of the maintenance required and less usage due to the school closure.
  - b. Grade along Second Street Itself: In addition to the grade along the west side of the road, there is also a severe grading issue along the roadway itself. The existing road grade on a portion of Second Street is in excess of 17%. To ensure the safety of users, the current Town standard specifies a maximum slope of 8% for sidewalk. Constructing a sidewalk with a slope in excess of 8% will impede safety and will increase the Town's risk in terms of liability should a pedestrian slip and fall or should a mobility device such as a wheel chair lose control.

- iii) Excessive Costs: Installing a sidewalk in such adverse slope conditions would require a massive retaining wall along the west side of the road and additional safety considerations such as railings, resulting in large cost increases that cannot be accommodated with the present budget. Although such a wall could address the steep slope condition along the west side of the road, it still would not address the 17% grade on the Second Street roadway, resulting in an unsafe sidewalk that is not built according to our Town standard.
- iv) Other Consideration: If a sidewalk is constructed on Second Street, the reduced width would no longer support two-way traffic. Should the roadway be designated as one-way either in the Northbound or Southbound direction, this would trigger a Schedule 'B' Environmental Assessment under the Class Environmental Assessment Act, R.S.O. 1990, c. E.18. This would delay the project considerably to the point where construction would have to be delayed to 2015.

#### **CONSULTATION**

Not applicable at this time.

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

Not applicable at this time.

#### **HUMAN RESOURCE CONSIDERATIONS**

No impact to current staffing levels.

#### **IMPACT ON BUDGET**

##### Capital Budget

Not installing a sidewalk on Second Street would result in a considerable cost savings the amount of which is undetermined at this time.

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

Annual winter sidewalk maintenance service costs for the additional proposed curb face sidewalks will be included as sidewalk growth related items and form part of the annual sidewalk maintenance program performed by Public Works Services.

Operating Budget (Current and Future)

Annual winter sidewalk maintenance service costs for the additional proposed curb face sidewalks will be included as sidewalk growth related items and form part of the annual sidewalk maintenance program performed by Public Works Services.

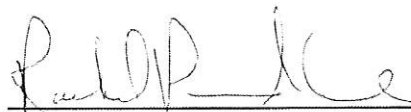
**CONTACT**


For more information on this report, please contact Meredith Goodwin at 905-953-5300 extension 2518; [mgoodwin@newmarket.ca](mailto:mgoodwin@newmarket.ca).

Prepared by:

  
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Capital projects Coordinator

  
Meredith Goodwin  
Manager of Capital Projects

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

  
R. Prentice,  
Commissioner of Community Services





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January 17, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
 ENGINEERING SERVICES 2014-06**

TO: Committee of the Whole

SUBJECT: Timothy Street – Temporary Parking Permit  
 File No.: T08 T.30 Timothy, P.50.12.2010 Old Town Hall

ORIGIN: Director, Engineering Services

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**RECOMMENDATIONS**

**THAT Development and Infrastructure Services Report ES 2014-06, dated January 17, 2014, regarding Timothy Street – Temporary No Parking by Permit Only be received and the following recommendation(s) be adopted:**

- 1. THAT the two westerly on-street parking spaces on Timothy Street west of Main Street be temporarily “No Parking by Permit Only” with the exception of the residents of 216 Market Square;**
- 2. AND THAT the residents of 216 Market Square be issued two (2) parking permits to be displayed in the vehicles to permit parking in these two spaces;**
- 3. AND THAT when legal access to 216 Market Square can be re-instated, the removal of the Temporary No Parking by Permit Only spaces be at the discretion of the Director of Engineering Services.**

**COMMENTS**

The Old Town Hall is currently under construction via the Town's Contract P.50.12.2010. As a result, lanes around the area had to be either restricted or closed for a period of time to ensure resident safety and/or to provide safe access for the required works. Due to the lane restrictions, some residents have lost legal access such as driveways to their properties. A choice of alternative parking arrangements was offered to residents. When presented with the options, the residents of 216 Market Square opted to park directly on Timothy Street on a 24 hour basis. Signage was therefore installed on Timothy Street to designate the two necessary on-street parking spaces to accommodate these residents. However, unauthorized vehicles are being parked in these spaces, contrary to the existing signage. The Parking Bylaw must be amended to allow Parking Enforcement Staff to ticket and/or tow unauthorized vehicles and to allow unobstructed parking access to the residents of 216 Market Square.

It is therefore recommended that a temporary “No Parking by Permit Only Zone” be created on the two (2) westerly on-street parking spaces on Timothy Street, west of Main Street, and that two (2) temporary parking permits be issued to the residents of 216 Market Square for the duration of the construction or until the time when legal access is reinstated as determined by the Director of Engineering Services.

## **PUBLIC CONSULTATION**

The affected residents and the Ward Councillor were consulted.

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

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

## **HUMAN RESOURCE CONSIDERATIONS**

No impact to current staffing levels.

## **IMPACT ON BUDGET**

### Operating Budget (Current and Future)

No impact to the Operating Budget.

### Capital Budget

The capital cost for the signage and installation is part of P.50.12.2010.

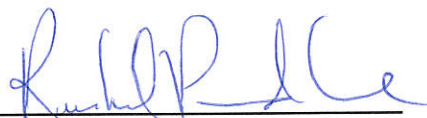
## **CONTACT**

For more information on this report, please contact Meredith Goodwin at 905-895-5193 extension 2518; [mgoodwin@newmarket.ca](mailto:mgoodwin@newmarket.ca).

Prepared by:



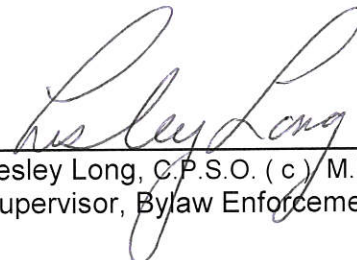
M. Goodwin, C.E.T., Manager,  
Capital Projects



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

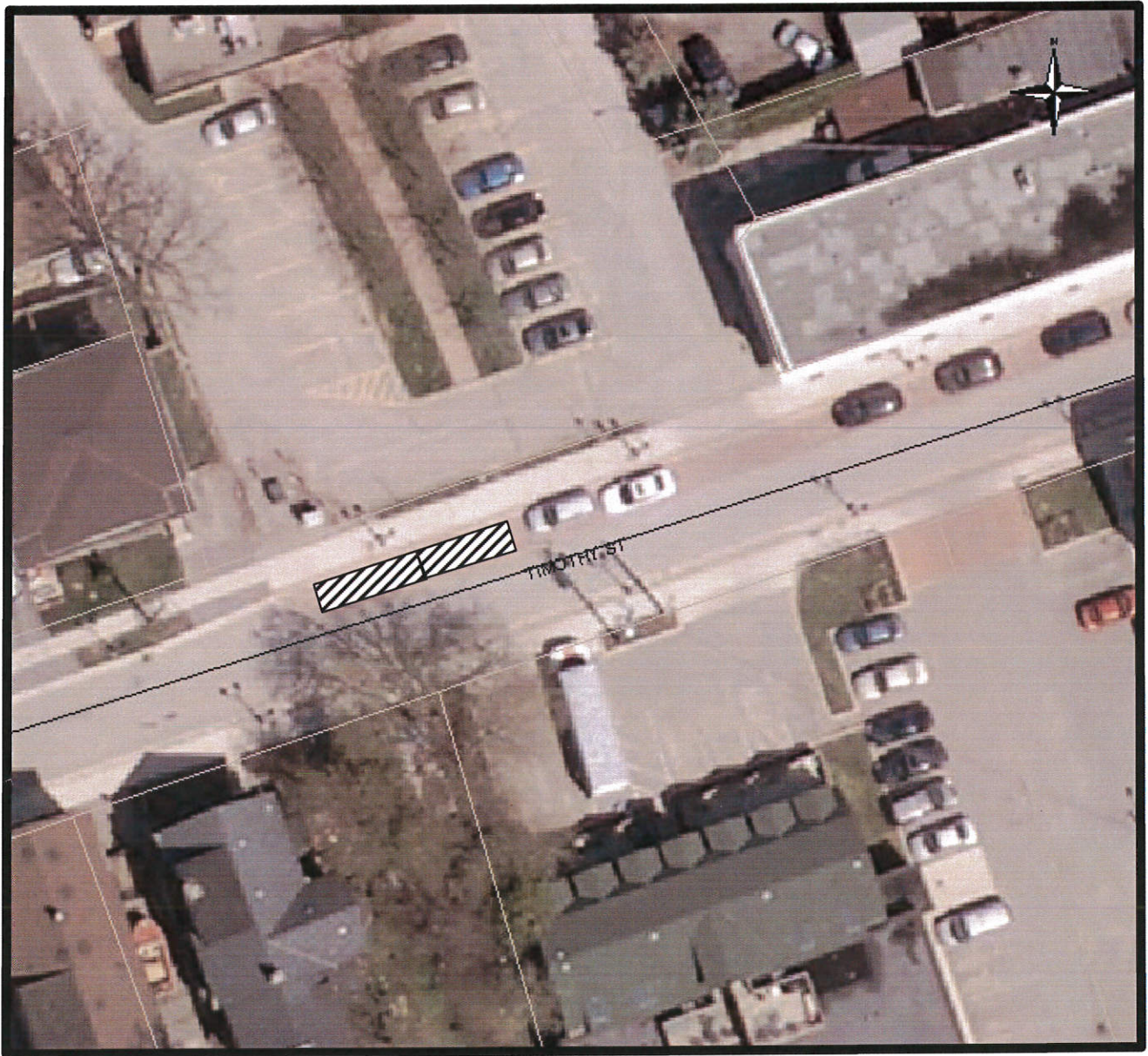


R. Prentice, Commissioner,  
Development & Infrastructure Services



Lesley Long, C.P.S.O. (c) M.L.E.O  
Supervisor, Bylaw Enforcement





Proposed Location of Temporary No  
Parking by Permit Only – Two (2) parking  
spaces

January 22, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT – PWS 2014-08**

TO: Committee of the Whole

SUBJECT: Emerald Ash Borer Long Term Management Plan - Update

ORIGIN: Director of Public Works Services

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**RECOMMENDATION**

**THAT Development & Infrastructure Services Report – PWS 2014-08, dated January 22, 2014 regarding the Emerald Ash Borer Long Term Management Plan Update is received and the following recommendations be adopted:**

- 1. THAT the staff continue to proceed with the proposed recommendations in the Town of Newmarket Emerald Ash Borer Long Term Management Plan.**
- 2. AND THAT staff report back to Council in the fall of 2014 with an annual update on the Emerald Ash Borer Long Term Management Plan.**
- 3. AND THAT annual EAB reports are provided to NEAC for comment.**

**PURPOSE**

The purpose of this report is to provide an update on the Emerald Ash Borer (EAB) management and long term strategy to address the impacts of Emerald Ash Borer.

**BACKGROUND**

**Emerald Ash Borer is a highly detrimental pest that is present and active in Newmarket.**

The Emerald Ash Borer (*Agrilus plannipennis*) is a wood boring beetle native to Asia, that kills all Ash (*Fraxinus sp.*) trees. In 2002 the beetle was identified in Ontario (City of Windsor), and in 2008 was discovered in York Region (City of Vaughan). Since first being identified in 2002, the Emerald Ash Borer (EAB) has killed hundreds of thousands of trees throughout Ontario. The Emerald Ash Borer has now been found in Newmarket and all municipalities within York Region.

Eradication of Emerald Ash Borer is not possible, and the approach by the Canadian Food Inspection Agency (CFIA) is to slow the spread of the pest. Two of the key strategies for slowing the spread are quarantine zones in infested areas and public education. York Region is part of a significant quarantine zone that extends from Durham Region to Essex County.

It is estimated that the Town has approximately 24,000 street trees. Approximately 2,600 of these trees are Ash (11%) and this does not account for trees currently located in parks, facilities, along trails and in woodlots. These numbers will be confirmed and added once a detailed tree inventory study is complete in the spring of 2014.

It is estimated that Ash tree mortality over the next 8-10 years will see a steady increase and a peak from 2016 through to 2019. Approximately 300 trees are expected to die over the next 2-3 years and 1800-2000 between 2016 and 2019 if no action was taken. These estimates are based on current time trends that are occurring in other municipalities that have experienced EAB infestations to date.

The Town continues to work in collaboration with the Region and surrounding municipalities. York Region has formed an Emerald Ash Borer Technical Working Group, which is comprised of staff from the Region, local municipalities, conservations authorities, and the Provincial and Federal Governments. Town staff form part of this group. The Region has prepared an Emerald Ash Borer Management Plan to guide the Region's collective response to managing the impact of this significant forest pest.

The Town of Newmarket has developed and implemented an Emerald Ash Borer Long Term Management Plan that will provide direction for managing EAB over the next 5-10 years. The long term plan has also helped provide direction for addressing the significant long term financial implications and the overall impact on the urban forestry canopy. This strategy was approved by Council in October of 2012, as outlined in report PWS 2012-73.

### **ACTION TO DATE**

**Emerald Ash Borer is now causing death in Newmarket's trees, however; Newmarket has protected 278 significant Ash trees to date.**

In March of 2012, report PWS 2012-14 was adopted by council. A short term strategy was adopted and direction was given to develop a long term strategy for EAB. Positive identification of the borer was found in traps throughout the Town (4 locations).

The Town had implemented the following components of the short term strategy:

1. Confirmed the Ash tree 'windshield' inventory count of street trees.
2. Monitored, tracked and detected EAB within Newmarket, in conjunction with the Region of York.
3. Injected 3000cm (DBH) of primarily larger Ash trees (68 Trees) with TreeAzin®.
4. Further developed communication with the public through enhancements such as the Town's website and Customer Service.

In October of 2012, report PWS 2012-73 was adopted by Council approving an Emerald Ash Borer Long Term Management Plan and allocating \$113,500 to fund injections, monitoring, removals, replanting and the first phase of a detailed tree inventory study.

The Town has implemented the following components of the long term strategy:

1. 278 significant Ash trees have been identified and treated with TreeAzin®
2. Removal and replacement of 12 Ash trees that have died due to EAB. (estimated to increase to 75 in 2014)
3. Development of a program for "Application to Inject TreeAzin® Into Town Owned Trees" which allows private owners to protect Town owned trees (ex. boulevard trees) that are not covered under the Town's injection program.
4. Ongoing communication strategies with the public.
5. Tender and award of a detailed tree inventory study that will see completion in the spring of 2014.
6. Defined a primary staff contact for handling all EAB related customer service requests, Injection programs, detailed tree inventory study, contract management for removals, stumping and re-planting, financial tracking of costs and collaboration with the Region's EAB Technical Working Group, related government authorities and surrounding municipalities.

### **ANALYSIS and PROPOSALS**

**Emerald Ash Borer will continue to have an ever increasing impact on the Town's urban canopy, which will kill an estimated 75-100 more trees in 2014. The balanced approach to management is still recommended at this time.**

EAB has just started to impact Newmarket's urban forestry canopy. As EAB continues to spread, Newmarket staff has been working closely with municipalities to better understand successes and failures of managing it. Many of the approaches continue to be refined and each year new research provides more information to allow better management techniques. The Town has agreed to a balanced approach which protects the most significant and healthy Ash trees within the Town and also removes and replaces trees that have succumbed to EAB. This balanced approach continues to provide a large degree of flexibility as the Town begins to deal with EAB.

The Town will be implementing the following components of the long term strategy for 2014:

1. Continued protection and injection of 278 significant Ash trees with TreeAzin® and the next phase of selecting approximately 200 more trees, as per criteria outlined in the long term strategy.
2. Estimated removal and replacement of approximately 75-100 trees (\$30,000) in 2014.
3. Detailed communication strategy to homeowners that specifically have a Town owned Ash tree within their boulevard, informing them of injections or notifying

them of the opportunity to inject it, if the Ash tree is not part of the Town's injection program.

4. Ongoing communication strategies with the public which include web site updates, education of front line customer service staff and printed material.
5. Completion of the detailed tree inventory study (to be completed in June of 2014) and a thorough review of the information. Staff will begin to assess the general canopy condition and begin to formulate an overall management strategy for our urban forest.
6. Continued support of a primary staff contact for handling all EAB related customer service requests, injection programs, detailed tree inventory study, contract management for removals, stumping and re-planting, financial tracking of costs, monitoring and collaboration with the Region's EAB Technical Working Group, NEAC, LEAF, related government authorities and surrounding municipalities.

#### New Developments and Research

There is ongoing development and research regarding managing EAB. There were two primary developments in 2013, however; both are still being researched.

In June of 2013, the Canadian Food Inspection Agency has approved the release of two small parasitic wasps from China for research. These wasps essentially eat the Emerald Ash Borer, which currently has no natural enemies. Some research out of Michigan and US Forestry Services suggest that these have the ability to play a critical role in suppressing (not eliminating) the Emerald Ash Borer. This research will be monitored closely as it continues as there is some promise that this may help suppress and control EAB.

A second change in research suggests there is current testing being done by the Canadian Food and Inspection Agency (CFIA) and the manufacturers of TreeAzin® to see if injections can be stretched from the required every two year injection, to every three years. Staff will continue to monitor and follow this development.

#### Impacts from Ice Storm and Cold Temperatures

The Town was impacted by a significant ice storm in December of 2013. The Town fared well through this storm, which can be partially attributed to proactive block pruning that has taken place in recent years. Overall there was some significant damage to individual trees and some losses. With Ash trees being a structurally weaker species they are prone to ice damage, which include some that were currently being treated for EAB. The detailed tree inventory will now be able to assess that damage to allow staff to analyze the impact of the storm on EAB, which is anticipated to be minor. Any trees that were being treated for EAB and have significant damage, will be reviewed on an individual bases to ensure they are still suitable candidates for continued treatment.

Recent cold temperatures are also being monitored for their impact on EAB. It is being suggested that the significantly consistent cold temperatures may have the ability to

reduce existing populations. There have been conflicting reports of this, however; this is something that is being monitored and will not be known until the spring emergence of EAB. Staff will follow this closely. If populations reduce as a result of the abnormally cold temperatures, there may be temporary delay in the progress and spread of EAB.

### **FINANCIAL IMPACT**

**Emerald Ash Borer is estimated to have a financial impact of \$125,000 for 2014 and over \$2 million for the next eight to ten years.**

Emerald Ash Borer is a financial challenge that is expected to have an impact over the next eight to ten years. The cost implications deal with a number of elements including the creation of a tree inventory, the removal and replacement of trees, injections and communication costs. The long term strategy recommends a balanced approach to dealing with EAB and anticipates an overall 10 year financial cost of \$2,043,000.00.

New research and developing strategies from other municipalities have indicated that a balanced approach is the most appropriate recommended direction for dealing with EAB in Newmarket. The balanced approach uses a combination of injections and removal strategies together in moderation. The investment into protecting trees will achieve two primary goals: 1) preservation of critical trees 2) reducing peaks/spikes in budget costs, thus making it easier for the municipality to manage financially. The proactive approach to injection minimizes the budget impact specifically during the period of greatest impact (years 2016-2019). At the same time, the cost of injection is not inexpensive; therefore concentration on critical trees is achieved while allowing removals/replacements to occur in that are not as vitally important. The net result is an anticipated savings when compared to a straight removal and replacement strategy. The long term management plan was approved in report PWS 2012-73. This plan outlined the approach and the criteria for which trees were selected for injection.

The long term strategy also recommends that existing forestry services should NOT be affected by the presence of EAB. All resources required to address EAB (ex. removals, plantings, stumping) are recommended to be contracted out and separated from current internal field resources. The contracting out of arboricultural services for EAB will allow the municipality flexibility to adjust if the approach to EAB were to change. Furthermore, it is anticipated that EAB is a temporary issue (7-10 years) and in 10 years will eventually naturally balance in the ecosystem, thus being manageable with current resources.

Currently the staff resource in place to manage and supervise EAB is being funded out of the Parks and Property Services operating budget. This will continue to be monitored as EAB progresses as we believe the staff impact to manage EAB will also increase. It is expected that during the peak years (2015-2018), supervision of EAB related work will approximately double the existing work load for the Supervisor of Forestry and Horticulture. Furthermore, data from the detailed tree inventory will outline the current condition of our canopy and help define a service level for forestry moving forward.



The proposed budget costs for the year of 2014 are as follows:

Tree Inventory	\$26,500.00
Public Education	\$5,000.00
TreeAzin® injections	\$50,000.00
Tree Removals	\$27,500.00
Stump Grinding	\$3,500.00
Replacement Plantings	\$12,500.00

**2014 Total: \$125,000.00**

**Summary costs from 2013-2017:**

2013 (Actuals)	\$92,100.00
<b>2014 (Projected)</b>	<b>\$125,000.00</b>
2015 (Projected)	\$203,000.00
2016 (Projected)	\$385,000.00
2017 (Projected)	\$478,000.00

The budget only considers street trees on public lands. It is anticipated that there will be pressure and/or numerous requests from private property owners to protect street trees on their abutting boulevard. Adjacent street trees fronting a property are often perceived as important to the private property. Staff have developed a program that allows private homeowners the ability to fund the injection of trees on the Town boulevard, that may not be captured within the Town's EAB injection program. Such a program may see property owners purchasing such services through the Town and Town's contractors administering the service at the tendered cost. This in turn will reduce the financial impact to the Town and reduce the impact of EAB as this program achieves a full cost recovery.

**BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

*Living Well: Deliver efficient, effective and environmentally sound maintenance services to an appropriate level that achieves Council and/or Provincially mandated services levels, which meet public health and safety requirements and enhances quality of life while ensuring that system capital assets retain their value and are managed and funded according to sustainable, lifecycle based principles and practices.*

**BUDGET IMPACT**

The Town of Newmarket Emerald Ash Borer Long Term Strategy and the 2014 budget have provided \$125,000 for continued management of EAB.

The funding requirements for future years will continue to be updated through the budget process and in annual updates of the Emerald Ash Borer Long Term Management Plan.


## **CONTACT**


For more information on this report, contact: Mark Agnoletto, Manager, Parks & Property Services at extension 2581.

Prepared by:

  
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Reviewed by:

  
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Robert Prentice  
Commissioner, Development and Infrastructure Services



## Corporate Services Commission

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January 23, 2014

**JOINT CAO/ COMMISSIONER, CORPORATE SERVICES REPORT - #2014-04**

TO: Committee of the Whole

SUBJECT: Draft Council Code of Conduct

ORIGIN: Commissioner, Corporate Services

**RECOMMENDATIONS**

**THAT Joint CAO/Commissioner Corporate Services Report – 2014-04 dated January 23, 2014 regarding the Draft Council Code of Conduct be received and the following recommendations be adopted:**

- 1) THAT the direction to refer the draft Council Code of Conduct to the new term of Council and the interim process for code complaints as set out in Information Report 2013-06 be approved;**
- 2) AND THAT the draft Integrity Commissioner appointment by-law (By-law #2014-04) be referred to the next Council meeting.**

**COMMENTS****Purpose**

This report is as a result of a request made at Council on January 20, 2014 to place Information Reports 2013-06 and 2014-02, draft By-law #2014-04 related to the appointment of an Integrity Commissioner and the draft Council Code of Conduct on the next Committee of the Whole agenda. The Procedure By-law provides that:

*Information Reports are circulated directly to Council Members and made available to the public on the Town's website. Information Reports are not published on a Committee of the Whole or Council agenda unless a Member of Council makes such a request.*

**Background**

The Information Reports noted above were provided to Members of Council via email on January 2 (#2013-06) and on January 16 (#2014-02) and both have been posted to the website. The approach the report set out - that the process would be referred to the new term of Council, took into account administrative and timing considerations such as the start of the election period combined with the significant Code changes. From a project management perspective, staff resources become more limited

leading up to and during an election period and there has recently been some significant matters before Council such as the 2014 budgets, alternate voting methods, the sign by-law review, the Marianneville application and a Code complaint.

Information Reports are subject to direction from Council and as per the recent request, attached to this report are the following documents:

**Appendix A** – Joint CAO/Corporate Services Information Report #2013-06 – Council Code of Conduct Matters. This report set out an interim process for filing Code complaints providing that the final Code review take place in the new term of Council. During the election year Code complaints would be received up to the end of June and any received before that date for which the investigation had not been concluded would be held until the new term of office. The Information Report also indicated that the residents who commented will be advised of the timeframe and a notice would be posted to the website.

**Appendix B** – Joint CAO/Commissioner Information Report #2014-02 – Public Feedback. This report provided the public feedback received regarding the Draft Code along with staff comments where appropriate and also unless directed otherwise, set out a procedure going forward for soliciting, publishing and/or considering comments about a specific policy or strategic direction.

**Appendix C** – Draft By-law 2014-04 – A draft By-law to Appoint an Integrity Commissioner (“IC”). This by-law relates to the appointment of Ms. Suzanne Craig as IC for the Town setting out certain duties until the end of this term of office or until a successor has been appointed. As was noted in Information Report 2013-06 the by-law appointment would provide continuity and is an efficient means of applying the Code as an IC would not have to be appointed for each assignment. In addition a Member of Council, staff or a member of the public could contact the IC simply for advice or an opinion on any Code related matter.

The draft Code identifies (and the wording is included in the draft IC appointment by-law) that in an election year, Code complaints received on or after June 30<sup>th</sup> are suspended until after the inauguration of the new Council.

An expanded approach with the hiring of an IC will be undertaken in the new term through a Quick Bid Request for Proposal initiative unless directed otherwise. It is suggested that the hiring process be delegated to staff as it enhances the independent, arms-length relationship of the IC who will be responsible for the application of the Code for Members of Council.

**Appendix D** – Draft Council Code of Conduct (including feedback from Members of Council as well as the results of community feedback that are specific to the Code (noted as Appendix D1). This schedule also offers options for consideration.

By way of background, the current Code was adopted by Council in April of 2007. In 2012 staff was directed to remove Part XI – Compliance with Code of Conduct as it relates to complaints between Members of Council. The scope of the review was expanded in March 2013 when Council referred the Integrity Commissioner’s comments on governance to staff for consideration. In addition, staff undertook research relative to best practices. In researching general municipal practices and based on the feedback received, staff would propose that if Council wishes to proceed with adoption of the new Code, further revisions could be considered, such as:

Include a provision to permit Councillor to Councillor Code complaints (as research conducted shows this to be common practice)

Assign a dollar value to what a nominal amount is (for example - \$100 and that concurrent, or on-going gifts from one source be considered to be cumulative).

#### Next Steps

Council may wish to:

1. Continue operating under the current Code with the appointment of an IC occurring as the need arises; or
2. Continue operating under the current Code and proceed with the direction outlined in Information Report 2013-06 that the Draft Code be referred to the next term of office (Council may consider adding a review and final disposition target – e.g. Q2 2015), including the interim process for filing complaints and refer the IC appointment by-law to the Council meeting of February 10; or
3. Proceed with final consideration and adoption of the Draft Code and refer the IC appointment by-law to the Council meeting of February 10 or instruct staff to immediately conduct a procurement proposal process for the hiring of an IC (on the terms as outlined on draft By-law 2014-04).

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

A Council Code of Conduct supports the Town's strategic direction of a well-equipped and managed municipality implementing policies and processes that reflect sound and accountable governance.

#### **CONSULTATION**

Community consultation has taken place and the draft Code was reviewed and updated by an internal staff team consisting of the Directors of Legal and Legislative Services, the Municipal Intern and the Commissioner, Corporate Services. The Integrity Commissioner has provided input and comments and the draft Code has been reviewed by the CAO.

#### **HUMAN RESOURCE CONSIDERATIONS**

There are no human resource considerations.

#### **BUDGET IMPACT**

Remuneration for Integrity Commissioners varies throughout the Province. Some municipalities have created a more permanent office; others hire on a retainer basis or retainer plus hourly/daily rate while others hire on an as needed basis. Rates of remuneration can be as high as \$100,000 + for the more permanent office and retainers vary significantly depending upon the size of the municipality. Staff believe that in Newmarket's case, the Integrity Commissioner should be hired on an as needed basis remunerated on an hourly or daily rate both for investigations and advice (similar to the current arrangement with Ms. Craig) and any procurement process would be framed as such.

An amount of \$10,000 has been included in the 2014 budget for the Office of the Integrity Commissioner and staff will review this line item over time to advise Council of any changes in the level of funding that may be required. Any unallocated funds will be carried forward in a reserve to assist in offsetting potential costs in future years.

**CONTACT**

For more information on this report, contact Anita Moore, Commissioner, Corporate Services.

  
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Anita Moore, Commissioner, Corporate Services  
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Bob Shelton, Chief Administrative Officer



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December 23, 2013

## JOINT CAO/CORPORATE SERVICES INFORMATION REPORT – # 2013-06

TO: Mayor Van Bynen  
Members of Council

SUBJECT: Council Code of Conduct Matters

ORIGIN: Commissioner, Corporate Services

### COMMENTS

#### Purpose

The purpose of this report is to provide information with respect to:

- a) the Draft Council Code of Conduct and timing of its approval
- b) process for filing Council Code of Conduct complaints in the interim, and
- c) requesting reimbursement of associated costs related to the Integrity Commissioner (IC).

#### Draft Council Code of Conduct (Code)

The draft Code was made available for public comment until the end of October. Comments from the public were received (+/- 12) and staff will review and take these comments into consideration prior to the final draft being brought back.

Given that we are in the last year of this term of office, staff suggest that the Draft Code now be held until the next term of Council where it can have fulsome discussion and input from members of the new Council. The residents who submitted comments will be advised of the revised schedule and a notice will be posted on the website.

#### Interim Process for Filing Council Code of Conduct (Code) Complaints

In the interim, should a Member of Council wish to file a Code complaint against another member then the current practice would continue whereby the request is made to Council who decides whether it proceeds to the Integrity Commissioner (IC) for investigation.

If a member of the public wishes to file a Code complaint against a member of Council then the complaint would be filed with the Director of Legislative Services/Town Clerk who will in turn provide it to the Integrity Commissioner for investigation. Instructions to complainants will be given so that the complaint is filed in a sealed envelope addressed to the IC and marked as confidential.

In either of the above scenarios, the complainant will first be encouraged to speak to the Member as an initial step. This may occur at the CAO's (or designate) level.

Staff propose that a by-law be brought forward to the Council meeting of January 20, 2014 appointing Suzanne Craig as the Integrity Commissioner for the Town of Newmarket for the remainder of the Council term and/or until a successor has been appointed. This provides continuity for the remainder of the term and an efficient means of applying the Code (e.g. not having to appoint an IC upon receipt of a complaint whether initiated by Council or a member of the public).

Using language from the draft Code, complaints will be permitted up to the end of June 2014 and any subsequent ones would be held until the new term of office. A Code complaint received before June 30<sup>th</sup> for which the investigation had not been concluded on or before June 30<sup>th</sup> will be held as well.

At the beginning of the new term of office staff will conduct a Quick Bid RFP (or similar process) for an Integrity Commissioner and make recommendations to the new Council based on the findings. This could be finalized in the early part of 2015.

#### Associated Costs - Integrity Commissioner

Council at its meeting on October 21, 2013, adopted the following recommendation:

*THAT including this complaint and all future complaints:*

*Where a Councillor is not found to be in contravention of the Council Code of Conduct by the Integrity Commissioner, the Councillor who filed the notice of motion for consideration by Council on the matter be requested by Council to pay costs associated with the Integrity Commissioner's investigation; and*

*Where a Councillor is found to be in contravention of the Council Code of Conduct by the Integrity Commissioner, the contravening Councillor be requested by Council to pay the costs associated with the Integrity Commissioner's investigation from their salary.*

Staff have interpreted this to mean that requests of this nature are not automatic (given the motion wording "...be requested *by Council*") and that requests are dependent upon a specific Council motion to that effect being adopted. In the absence of any further direction, staff will proceed on this understanding with the most recent Code complaint.

#### BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Being well equipped and managed by implementing policy and processes that reflect sound and accountable governance.

#### CONSULTATION

None.

#### HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations.



### **BUDGET IMPACT**

The cost of the IC for the complaint finalized by Council on December 16 was slightly less than \$3,000, and there are sufficient funds in the Corporate Consulting reserve to cover this cost. Council may recall that the approved 2014 Operating Budget includes a \$10,000 line item for costs related to an Integrity Commissioner.

### **CONTACT**

For more information on this report, contact Anita Moore, Commissioner, Corporate Services at [amoore@newmarket.ca](mailto:amoore@newmarket.ca) or by phone 905 953-5300, ext. 2202.

  
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Anita Moore, Commissioner, Corporate Services

  
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January 15, 2014

## JOINT CAO/COMMISSIONERS INFORMATION REPORT - 2014-02

TO: Mayor Van Bynen and Members of Council  
SUBJECT: Draft Council Code of Conduct – Public Feedback  
ORIGIN: Commissioner, Corporate Services

### COMMENTS

Members of Council will recall that the Draft Council Code of Conduct went through a public consultation period and attached to this report in chart form is the feedback received. In addition to providing the feedback via this information report, staff felt it important to give some context around it and will set out a procedure going forward for reporting on public comments received.

#### Public Feedback - Draft Council Code of Conduct (Code)

As outlined in Joint CAO/Corporate Services Information Report #2013-06, the Code is being held until the next term of Council where it can have a full discussion and input from Members of the new term of Council.

The Code had been posted on the Town's website and made available for public comment for approximately one month. Individuals who provided comments will be advised of the new timeframe. The feedback received is attached along with where appropriate, staff comments. With little exception, the comments are being provided as submitted.

#### Public Feedback - Going Forward

There have been many times in the past that a public consultation process has been undertaken – whether staff initiated or Council requested. This has proven to be an extremely valuable exercise however, in some instances the comments received do not relate to the matter under review and/or the comments are frivolous or vexatious (intended to harass as an example). These types of comments are not a productive outcome of seeking public comment on policy and/or strategic direction setting for the municipality and there are more appropriate ways that the public can communicate directly with specific individuals (e.g. via personal meetings or emails) should they wish to.

In keeping with the Procedure By-law (Section 32 - Correspondence) and unless Council deems otherwise, staff will no longer publish and/or consider as part of the matter under review comments that contain statements that are defamatory in nature. This will also be the case with comments that do not relate to the subject matter.

There is an expectation by the public that their comments will be considered as part of the process and staff will via a message or statement at the outset, inform the public (e.g. on the website when the input opportunity is being advertised) that only comments that relate to the subject matter can be considered as part of the public process. In addition, it will include a statement advising that some or all comments

received may be reproduced verbatim (with the name of the commenter removed) in a public session for consideration by Council. This message will provide advance notice to anyone who may submit a comment that could still reveal the commenter's identity even after their name has been removed (should they for example, include the name of their workplace, occupation or affiliation).

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

This report links to Newmarket's vision of being:

- *Well Equipped and Managed* by implementing policies and processes that reflect sound and accountable governance; and
- *Well Respected* by inspiring partnerships and cooperation with stakeholders that revolve around well-being, synergy and balanced living.

### **CONSULTATION**

Consultation has taken place with the Legal and Legislative Services staff.

### **BUDGET IMPACT**

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

None.

#### **Capital Budget**

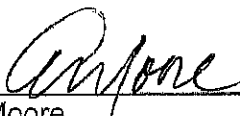
None

### **CONTACT**

For more information on this report, contact: Anita Moore at 905-953-5300, ext. 2202 or via e-mail at [amoore@newmarket.ca](mailto:amoore@newmarket.ca)



Robert N. Shelton  
CAO



Anita Moore  
Commissioner, Corporate Services

Council Code of Conduct – Public Feedback

Date Received	Feedback	Staff Comments / Response
October 25, 2013	<p>Section D - there is no concrete definition of the term "nominal". I suggest to avoid ambiguity and an on-going valuation of every potential gift, hospitality and benefit, that a set dollar value be included in the code as to what is acceptable for each category.</p> <p>-I further suggest that a section be added to the effect that cumulative gifts from a source for a single gift, event or hospitality not exceed the nominal value. (i.e. There can be more than one component to a gift or benefit; for example multiple tickets to an event, or a one day rental of ski equipment may fall under the nominal value, in combination with a one day pass it would conceivably exceed the amount.)</p> <p>-It has been my experience that nominal is an extremely ambiguous terms that can be defined on an as needed basis to justify any amount; as well by inserting the cumulative clause it avoids the attempt to spread the gifts over a period of time or components to take advantage of this loophole in the accepted amount</p>	<p>Staff conducted research on other municipal practices in this regard. Potential options will include assigning a nominal value and a cumulative value limit.</p>
October 30, 2013	<p>Section F – Confidentiality - I think this policy is too restrictive allowing for too many instances of confidentiality and too wide a range of matters that are kept from the public.</p> <p>Section G - Gifts, Hospitality, Benefits - I think this code as written is too generous. There should be no acceptance at all of gifts, food, beverages or other benefits, no matter how small.</p> <p>The 6 month filing requirement should not be required as it is too restrictive.</p>	
October 21, 2013	<p>Requesting clarification on current Council Code of Conduct:</p> <p>-That the currently effective Code of Conduct is the version that was enacted by bylaw 2007-42, as indicated on the town's webpage referenced above.</p> <p>-That bylaw 2007-42 defines (in part XI) the (currently effective) protocol that Council is to follow whenever there is an alleged contravention of any provision of the Code of Conduct.</p> <p>-That paragraph (e) within part XI stipulates that when council feels a breach of the Code may have occurred, but is unable to make its own determination, Council may pass a resolution requesting an investigation by a judge of the Ontario Superior Court of Justice, but does not provide an option for such matters to be investigated by any other person.</p> <p>-That there is presently a draft Code of Conduct that would grant Council the right to appoint an Integrity Commissioner, instead of a judge.</p> <p>-That, at present, neither this draft Code of Conduct nor any other version of the Code of Conduct has been brought into effect by the enactment of any bylaw, which supersedes or nullifies the provisions of bylaw 2007-42. In particular, that no presently enacted bylaw authorizes Council to deviate from the protocol mandated in part XI of bylaw 2007-42. I would be very grateful if you could confirm the accuracy of my understanding in regard to these five points.</p>	<p>Staff responded to the resident's questions explaining that the Municipal Act created an independent right of council to request an inquiry by an Integrity Commissioner, regardless of whether that right is specifically set out in a Code of Conduct. That right to appoint an Integrity Commissioner was intended to provide municipal councils with a more efficient, cost effective and less complicated way of conducting Code of Conduct investigations.</p>

October 31, 2013	<p>As you are aware today is the final official day allowing for public input with regards to "Council Code of Conduct" I therefore would like to see a major change regarding paragraph "g", Gifts, Hospitality, Benefits and Prerequisites. I find the clause totally out of line with the norm of today's business practices. I am surprised that Mayor Van Bynen would have ever allowed this clause to be included. Both the Mayor and myself come from similar backgrounds working for major banks. I'm confident he would be aware of these policies in the private sector. If you wish I can given time to go through my old contracts supply you with hard copy of the Bank of Nova Scotia's hardened policy on the receipt of gifts. As well as a sales agent who has practised for the last 25 years in the automotive private and commercial sectors these policies would not be condoned. To give just one example I deal with representatives from (various companies) just to name a few. Their policies regarding their staff or agents is totally plain, clear cut. They are not allowed to accept even token gifts. At the very most around the end of the year they are allowed to be taken out for a year end lunch. I therefore find the proposed policy to be direct conflict with the norm in today's business world. Our members of Council should never be in a position of a possible conflict of interests. This open policy as stated in my opinion should be totally removed from the code. I would honestly like to hear the rationale behind this clause.</p>		
October 23, 2013	<p>As you aware the Council of Newmarket has made two if not three modifications to the Bylaw regarding "Code of Conduct". The latest of these changes were introduced October 17, 2013. In view of these recommendations and modifications to the original proposed Bylaw I am hereby requesting a further extension beyond the October 31, 2013 deadline. This request is made on the grounds that because of these additional amendments the public has <i>not</i> had adequate time to review or study these changes and there implications. These latest changes or modifications have denied the public adequate time for review and input and concerns.</p> <p>On the onset it would appear that there could also be the possibility of infringements on our Charter of Rights Canada. Notwithstanding the possibility that a certain number of these changes may have a direct impact on the Municipal Act itself that lays out very clearly the conduct expected of a Councillor.</p> <p>Without giving the citizens of Newmarket consideration and a proper time frame in which to respond to these changes the Town could be faced with certain legal challenges that ultimately would cost the taxpayers of Newmarket. We are hereby formally requesting an extension of an additional 30 day grace to allow for further and adequate public input and response to this very important document.</p>	Staff responded to the resident outlining opportunities for input including deputations to Committee and Council. Clarified that the changes referenced were not included in the Council Code of Conduct that was currently posted for comments.	
October 24, 2013	<p>Regarding the draft code of conduct, can you specifically tell me which part of the new draft amendment relates to matters of serving council members being convicted of a criminal offence, and the sanctions imposed as a result? The draft code mentions "integrity", and "council members being held in the highest standard", but I cannot find specifically where it states being permitted to serve after being arrested or convicted as a result of a criminal act? Is this rule to be applied selectively, or what is the specific criteria? Does it not somehow seem inappropriate to have one member of council that has a criminal record allowed to speak and vote on matters of integrity and professionalism? Most places of work do specifically have rules or policies relating to this, and it would be beneficial to specifically have this mentioned in the current code so very important issues cannot be overlooked. I do have serious concern with a current member of council being criminally convicted of impaired driving after attending an official town function, and being permitted to continue to serve. I attended the subsequent motion and vote that followed this incident, however the Mayor and majority of Council apparently didn't feel that this was a breach of the code of conduct, and voted that no repercussions would be furthered as a result. Many residents were of course outraged with this decision. My question is, can you let me know specifically which parts of the new draft amendment will deal with such instances in the future. I do agree that all work places do need a code of conduct, however they must be applied equally and without bias.</p>	Staff responded to the resident advising that there isn't any legislative authority for a Code of Conduct or any municipal by-law to require a member of council who may have been charged or convicted of a criminal offence to be faced with a possible removal from office. Staff further outlined the process to lodge a Code of Conduct complaint and the associated penalties that may apply.	

October 7, 2013	<p>Let's hope this is not about the cry baby Mr. Mayor to have more of his own way. Make sure this is a legitimate CoFC which will look after those that break the law or misrepresent their constituents. It should not be something that the mayor or Regional Councillor hide behind when they don't get their way. I hope the staff are not going to be bullied into this!</p>	
October 8, 2013	<p>As a resident of Newmarket I am concerned that this initiative is taking place at a time when there is so much upheaval within the Council ranks. It is also disturbing to see this Code brought forward now when in 2011 Ward 7 Councillor was charged with DUI after attending a Public event and no mention was made of amending the Code or revisiting it. In my mind this is a ploy by certain members of Council to muzzle Ward 6 Councillor. I am disappointed with most members and suggest that members deal with Business at hand and not frivolous attempts at politicking.</p>	
October 26, 2013	<p>Regarding the proposed changes to the Code of Conduct:</p> <p>I am opposed to any changes to the code of conduct unless those changes were applied to curtail the use of the code of conduct to silence debate. It is an undemocratic tool when a point of order is called to censure another councillor. A perfect example of this occurred during the Honeywell debate. All councillors were in agreement to proceed with the project but called into question was the accounting procedure that council was implementing. One councillor inquired why the town was loaning itself the money with a 2% interest rate to fund the project, stating that this seemed like creative accounting. The visible anger and venom by another councillor, that seemed to take the comments personally, was channelled into a point of order. He then had the floor and in my view berated the councillor until this councillor apologised. Can you explain to me how the term creative accounting is not acceptable under the circumstance? It was not addressed to anyone nor was it an accusation. It was a question. That sir is my point! Who will decide what is appropriate? A majority of council members? Will a majority be able to silence other council members thus silencing their constituents? Do we blindly trust that a majority will not be more interested in pushing through their agenda's or at worst decide an issue is not worth debating for the sake of expediency? Why then do we continue a charade to elect council members if they cannot openly disagree or debate? This Council seems to be using an enormous amount of time and effort on the code of conduct and the only thing that is very transparent is the effort to silence Ms. Dimuccio. It is an unfortunate choice of words that Ms. Dimuccio used to convey her feelings of frustration. I find this incident not reflective of Ms. Dimuccio behavior in council, and find her to be very respectful and informative. The issues that arise come from Ms. Dimuccio's attempt to be transparent to her constituents. Calling for recorded votes, asking for clarifications and putting into the record her stand, all of which seem to irritate the other council members. While an integrity commissioner can add nothing more than an arbitrary ruling, a mediator may give both sides some perspective. If it is this council's intention to silence opposition, so that they can continue unimpeded, regardless of the concerns of it's citizens then this council has lost it's foothold in the democratic process.</p>	

October 31, 2013	<p>Pursuing Ms DiMuccio, for her comment towards the Mayor, is a waste of taxpayer dollars. While my jury is still out on the misogyny claim, Mr VanBynen's behaviour towards the Councilor, on this and during council meetings, is unacceptable. This is a personal issue, and not one that the taxpayer should have to bear. I have far more names I would use, face to face. BULLY being at the top of my list. She is not our Councilor, but has been very helpful to many outside her ward, and has a growing following around ALL of town. MY Councilor, Chris Emmanuel, SHOULD have resigned upon his drunk driving conviction, or been dismissed. Those with criminal records have NO place representing us. Drunk driving is disgraceful conduct, a bad example for our youth, and, as a footnote, I have lost many friends, and relatives, to drunk drivers over my lifetime, and, my wife, as a 32 year ER Nurse, has witnessed, the results, loss of life, and crippled for life victims. Mr Emmanuel DOES NOT have my vote, and that is echoed by most of my neighbours. I give you the "road to nowhere" Davis Dr, and the numbers of businesses that have been lost, forever, to East Gwillimberry. And the damage to the feeder streets, caused by same, to serve, what is acknowledged as "the worst conceived transit system, in the WORLD", and acknowledged by Councilor Taylor, and anyone I have spoken to, that rides VIVA. Heavy industry virtually GONE 20% + tax increases The highest water rates in Canada Food bank usage growing at an ever increasing rate. Affordable housing, non existent Nothing at all being done for the aging population crisis, that will soon be upon us. Old town hall reno, which is far overpriced, and totally irresponsible spending. A Soccer Club, which WILL end at a net LOSS to taxpayers And a Secondary Plan, which is, a JOKE, and yes, I have attended the meetings. A record number of "in Camera" meetings, unheard of in any other municipality in the Province Newmarket's logo used to be a beehive, representing a busy, growing place. Bring back the beehive.</p>
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**CORPORATION OF THE TOWN OF NEWMARKET****BY-LAW NUMBER 2014-04****A BY-LAW TO APPOINT AN INTEGRITY COMMISSIONER FOR THE TOWN OF NEWMARKET. (SUZANNE CRAIG)**

WHEREAS Council has adopted a Council Code of Conduct ("Code") through the enactment of By-law 2007-42;

AND WHEREAS the *Municipal Act, 2001*, s.223.3 and 223.4 provides the authority for the Municipality to appoint an Integrity Commissioner and deals with the conduct of an inquiry;

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

THAT Suzanne Craig be hereby appointed Integrity Commissioner on an as-needed basis for the Corporation of the Town of Newmarket for the remainder of the 2010-2014 Council term of office or until a successor has been appointed, for the purpose of:

- i) Conducting investigations regarding alleged breaches of the Code provided the complaint was received and concluded prior to June 30, 2014 (a complaint received after or not concluded before this date will be held until the following term of office begins);
- ii) Providing specific opinions and advice to Council as may be required on Town policies regulating the conduct of Members of Council and issues of compliance with those policies and protocols;
- iii) Providing written and oral advice as may be required to individual Council members regarding specific situations as they relate to the application of the Code;
- iv) Providing written and oral advice as may be required to individual Council members on other policies and procedures governing the ethical behaviour of members;
- v) Providing general comments as may be required to individual Members of Council and Town staff on issues of ethics and integrity that bridge the Code and Town policies, protocols and office procedures;
- vi) Providing advice and information as may be required to members of the public regarding the Code and obligations of members under the Code; and
- vii) Performing any other duties that may be assigned by the municipality from time to time.

ENACTED THIS XXTH DAY OF 2014.

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

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





## CORPORATE POLICY

Sub Topic:		Policy No.	
Topic:	Council Code of Conduct	Covered:	All Members of Council
Section:	CAO	Council Adoption Date:	
Effective Date:		Revision No.	Date:

### A. Policy Statement

Municipal Council Members hold positions of privilege. Therefore, they must discharge their duties in a respectful manner that recognizes a fundamental commitment to the well-being of the community, and regard for the integrity of the Town. In order to strengthen the role of Council and to enhance public trust, this Code of Conduct supplements existing statutes, by-laws and policies that govern the conduct of Members.

### B. Purpose

The Council Code of Conduct helps to ensure that the Members of Council share a common basis for acceptable conduct. The Code and related policies identify the Town of Newmarket's expectations of Members and establishes guidelines for appropriate conduct to ensure that:

- Decisions are made through appropriate channels of government structure
- Public office is not to be used for personal gain
- Members perform their duties in office and arrange their private affairs, in a manner that promotes public confidence and will bear close public scrutiny;
- Newmarket residents have confidence in the integrity of their local government
- The conduct of Members of Council is of the highest standard
- Members advance the common good of the Town as a whole while representing their constituents in a conscientious and diligent manner
- There is fairness and respect for differences and a duty to work together for goodwill and common good

### C. Scope of Policy

This policy applies to all Members of the Council of the Town of Newmarket.

**D. Definitions**

- a) **Code** - means this Code of Conduct as it applies to Members of Council
- b) **Committee** – means a Committee, Board, Task Force or other body constituted and appointed by Council, including the Committee of the Whole
- c) **Confidential Information** - includes the following:
  - 1. Any information in the possession of, or received in confidence by the Town, that the Town is prohibited from disclosing, or has decided to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act*, or any other applicable law.
  - 2. Information of a corporate, commercial, scientific or technical nature received in confidence from third parties: personal information, information that is subject to solicitor-client privilege; information that concerns any confidential matters pertaining to personnel matters, labour relations, litigation, negotiation, property acquisition, the security of the property of the municipality or a local board; any other information lawfully determined by Council or a Committee to be confidential, or required to remain or be kept confidential by legislation or order.
  - 3. A matter, the substance of a matter, and information pertaining to a matter, that has been debated or discussed at a meeting closed to the public, unless the matter is subsequently discussed in an open session of Council or open session of a Committee meeting or it is authorized to be released by Council or a Committee or otherwise by law.
  - 4. Reports of consultants, draft documents and internal communications, which, if disclosed may prejudice the reputation of the Town, its officers and employees, or its effective operation.
  - 5. Information, the publication of which may infringe on the rights of any person (e.g., source of a complaint where the identity of a complaint is given in confidence).
- d) **Integrity Commissioner** – means the person appointed by a by-law of Council in accordance with Section 223.3 of the *Municipal Act, 2001*, as amended from time to time, and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the application of the Code.
- e) **Gifts, Hospitality, Benefits & Perquisites** - means items, invitations, articles, services, offers, entrance fees or vouchers of more than a nominal value.
- f) **Member** – means a Member of the Council of the Town of Newmarket
- g) **Town** – means the Corporation of the Town of Newmarket
- h) **Town Clerk** – means the Clerk of the Town of Newmarket or his/her designate
- i) **Town Property**- includes, but is not limited to all real property, municipal vehicles, equipment, material, supplies, intellectual property and documents

**E. Statutory Provisions Regulating Conduct**

This Code operates as a supplement to existing statutes governing the conduct of Members, including, but not limited to the following, as amended from time to time:

- *the Criminal Code of Conduct*
- *the Ontario Human Rights Code*
- *the Municipal Act, 2001*
- *the Municipal Conflict of Interest Act, 1990*
- *the Municipal Elections Act, 1996*
- *the Municipal Freedom of Information and Protection of Privacy Act, 1990*
- *the Occupational Health and Safety Amendment Act, 1990*
- Town of Newmarket By-laws and Policies
- Any and all other Municipal, Provincial and Federal statutes that may from time to time govern the conduct of Members.

**F. Confidentiality**

No Member shall disclose, release or publish by any means to any person, corporate third party or to the public any confidential information, including personal information or any aspect of deliberations acquired by virtue of his or her office, in any form, except where Council or a Committee has determined or has been advised by staff that the matter or any part of the matter can be made public or as required by law.

Members shall abide by the provisions contained in the Town's Procedural By-law, as amended from time to time, addressing the confidentiality of matters discussed or materials distributed to Council or a Committee in closed session. Confidential information shall only be disclosed to the extent authorized by Council or a Committee.

No Member shall use confidential information for personal or private gain or benefit, or for the personal or private gain or benefit of any other person or body.

Members shall not access or attempt to gain access, to confidential information in the custody of the municipality, except to the extent that such access is necessary for the performance of their duties and such access is not prohibited by Council or otherwise by law.

**G. Gifts, Hospitality, Benefits and Perquisites**

Members may only receive tokens, mementos, souvenirs, or similar gifts that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office. Tokens, mementoes, souvenirs or gifts with a value of greater than nominal value, if accepted, shall be the property of the Town.

Members may accept hospitality or entertainment if the offer is infrequent and appropriate to the occasion.

Nothing in this section prevents the receipt of:

- Personal gifts, benefits, rewards, commissions or advantages from any person or organization not connected directly or indirectly with the performance or duties of office.

Members may also accept the following:

- Political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- Food and beverages at banquets, receptions, ceremonies or similar events;
- Services provided without compensation by persons volunteering their time;
- Food, lodging, transportation and entertainment provided by other levels of government or by other local governments, boards or commissions;
- A reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations;

Any gifts, benefits, hospitality or perquisites that exceed these guidelines shall be returned with an explanation of this Code.

#### **H. Use of Town Property**

Members must respect the use of Town property, acting in accordance with the following policies, as amended from time to time:

- Council-Staff Request for Information and Use of Resources Policy, CAO 1-01
- Use of Corporate Resources and Election Campaign Activities Policy, CORP 1-01
- Internet & Email Acceptable Use Policy & Guidelines, IT 1-01
- Technology Equipment Acceptable Use, IT 1-02

No Member shall use, or permit the use of, municipal land, facilities, equipment, supplies, services, staff or other resource, including any municipally-owned information, website or funds allocated for Member of Council expenses, for any purpose or activity other than the lawful business of the municipal corporation or associated community activities having the sanction of Council or its Committees.

Members shall not obtain financial gain from the use of Town developed intellectual property, computer programs, technological innovations, or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Town.

#### **I. Political Activity**

Members must ensure compliance with all legislative requirements related to political activity including the *Municipal Elections Act, 1996* and the Use of Corporate Resources and Election Campaign Activities Policy Corp 1-01, as amended from time to time.

#### **J. General Conduct**

As a representative of the Town, every Member has the duty and responsibility to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment.

A Member shall not use indecent, abusive or insulting words or expressions toward any other Member any member of staff or any member of the public. A Member shall not speak in a manner that is discriminatory to any individual based on a person's race

**SCHEDULE "A"**

ancestry, place of origin, citizenship, ethnic origin, creed, gender, sexual orientation, age, colour, marital status, family status or disability.

Any complaints of harassment in the workplace will be investigated in accordance with the procedures set out in the Harassment and Discrimination Free Workplace Policy, HR 13-04, as amended from time to time. The pursuit of a complaint under the above policy does not preclude a Member of staff from requesting that the complaint be dealt with in accordance with the complaint protocol in Appendix A of this Code.

**K. Conduct While Representing the Town**

Members shall make every effort to participate diligently in the activities of the Committees to which they are appointed.

**M. Respect for Town By-laws and Policies**

Every Member shall observe and comply with every provision of this Code as well as all other policies and procedures adopted or established by Council.

Members shall at all times encourage the public to abide by the Town's by-laws and policies.

**N. Conduct at Meetings**

Every Member shall conduct themselves with decorum in accordance with the provisions of the Town's Procedure By-law, as amended from time to time.

**O. Staff Relations**

Under the direction of the senior municipal administration, and in accordance with the decisions of Council, municipal staff are required to serve the municipal corporation as a whole. Mutual respect and cooperation are required to achieve Council's corporate goals and implement Council's strategic priorities through the work of staff.

Every Member shall be respectful of the role of staff to provide advice based on political neutrality and objectivity and without undue influence from any Member or group of Members. Accordingly, no Member shall maliciously or falsely injure or impugn the professional or ethical reputation of any member of staff. Members shall show respect for staff, and for their professional capacities and responsibilities.

No Member shall compel any member of staff to engage in partisan political activities, or subject any staff member to threats or discrimination for refusing to engage in any such activity. Accordingly, no Member shall use or attempt to further his or her authority to influence by intimidating, threatening, coercing, commanding or influencing improperly any staff member or interfering with that person's duties, including the duty to disclose improper activity.

Requests for information from Members to staff shall follow the protocols set out in the Council-Staff Request for Information and Use of Resources Policy, CAO 1-01, as amended from time to time.

**P. Business Relations**

No Member shall act as a paid agent for a third party before Council, its committees, or an agency, or board of the Town. A Member shall not refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.

No Member shall allow the prospect of his or her current or future employment by a person or entity to detrimentally affect the position of the Town.

**Q. No Improper Use of Influence**

No Member shall use the influence of his or her office for any purpose other than for the lawful exercise of his or her official duties and for municipal purposes

No Member shall use his or her office or position to influence or attempt to influence the decision of any other person, for the Member's private advantage or that of the Member's parent, child, spouse, staff member, friend or associate, business or otherwise. Members shall not attempt to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties. No Member shall hold out the prospect or promise of future advantage through the member's supposed influence within Council, in return for any action or inaction.

For the purposes of this provision, "private advantage" does not include a matter

(a) that is of general application

(b) that affects a Member of Council, his or her parents/children or spouse, staff members, friends or associates, business or otherwise, as one of a broad class of persons; or

(c) that concerns the remuneration or benefits of a member of Council.

**R. Compliance with the Code of Conduct**

All Members shall be aware of and comply with this Code.

Where Council, an employee of the Town or a member of the public has reasonable grounds to believe that a Member has breached this Code, a complaint may be filed in accordance with Complaint Protocol attached hereto as Appendix A.

In addition to any other consequence imposed by law, once the Integrity Commissioner has concluded the investigation and made a final determination, Council may impose the following penalties:

- A reprimand, or,
- Suspension of remuneration paid for his or her services as a Member, for a period of up to ninety (90) days.

The Integrity Commissioner may, at his or her sole discretion, make remedial recommendations to Council, which may include:

- return of a gift or benefit

- removal from a Committee, with the exception of Committee of the Whole
- removal of the member as chair of a Committee, with the exception of Committee of the Whole
- censure

### **S. Integrity Commissioner**

Council shall appoint an Integrity Commissioner by by-law once per term of Council. The Integrity Commissioner shall be responsible for performing the following duties as established by Council, in an independent and consistent manner:

1. Assessing and investigating formal written complaints with respect to alleged contraventions of the Code;
2. Providing Council with specific and general opinions and advice on the Town's policies and protocols regulating the conduct of Members and issues of compliance with those policies and protocols;
3. Acting as a mediator as requested under the informal complaint process.
4. Providing written and oral advice to individual Members about their own situation under the Code of Conduct and other policies and protocols governing the ethical behaviour of Council;
5. Determining whether a Member has in fact violated a protocol, by-law or policy governing their ethical behaviour; with the final decision-making authority resting with Council as to whether the recommendations of the Integrity Commissioner are imposed; and
6. Providing Council, through the Town Clerk, with reports resulting from investigations by the Integrity Commissioner and annual and other reports as deemed necessary by the municipality.

### **T. Reprisals and Obstruction**

Every Member must respect the integrity of the Code and inquiries and investigations conducted under it, and shall co-operate in every way possible in securing compliance with its application and enforcement. Any reprisal or threat of reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner or any other person is prohibited.

It is also a violation of the Code to obstruct the Integrity Commissioner, or any other municipal official involved in applying or furthering the objectives or requirements of this Code, in the carrying out of such responsibilities (e.g. providing inaccurate or misleading information to the Integrity Commissioner, refusing to answer inquiries or by the destruction of (records) documents or the erasing of electronic communications) or pursuing any such objective.

**U. Code of Conduct Complaint Protocol**

The Integrity Commissioner may provide for informal and formal complaint protocols and procedures, as required from time to time, attached hereto as Appendix A.

**V. Cross-References**

Council-Staff Request for Information and Use of Resources Policy, CAO 1-01  
Procedure By-law 2013-46  
Use of Corporate Resources and Election Campaign Activities Policy, Corp 1-01  
Elected Officials Expenses Policy, CORP 1-07  
Harassment and Discrimination Free Workplace Policy, HR 13-04  
Internet & Email Acceptable Use Policy & Guidelines, IT 1-01  
Technology Equipment Acceptable Use, IT 1-02

**X. Appendices**

Appendix A – Council Code of Conduct Complaint Protocol  
Appendix B – Council Code of Conduct - Complaint Form/Affidavit





**Town of Newmarket  
Council Code of Conduct Complaint Protocol**

This document entitled the Town of Newmarket Code of Conduct Complaint Protocol refers to the procedure to be followed when an individual has witnessed or identified behaviour by a Member of Council and/or who has reasonable grounds to believe a Member is in contravention of the Code of Conduct. Where the individual is a member of staff, they are encouraged to contact the Chief Administrative Officer to communicate their concerns regarding the prohibited behaviour prior to pursuing a complaint under the informal or formal process. This does not preclude a member of staff from pursuing a complaint under the informal or formal process.

No action will be taken on a complaint unless the alleged violation took place within 6 months of the filing of the complaint. Commentary in this Complaint Protocol will follow the Complaint Protocol rule and will be in italicized font. Commentary and examples are meant to be illustrative and not exhaustive. From time to time, additional commentary and examples may be added to this Complaint Protocol by the Integrity Commissioner, as he or she deems appropriate.

**I. Informal Complaint Process**

1. An individual (including Town employees, members of the public) who has witnessed or identified behaviour or activity by a Member of Council that they have reasonable grounds to believe is in contravention with the Code of Conduct may address the prohibited behaviour or activity themselves, by speaking to a Member, and participating in an informal process as follows:
  - i) Advise the Member in writing that the behaviour or activity they witnessed or identified appears to contravene the Code of Conduct;
  - ii) Identify, where possible, what rules in the Code of Conduct the behaviour or activity appears to contravene;
  - iii) Document the incident(s) including the date(s), time(s), location(s), other persons present and any other relevant information.
  
2. An individual may:
  - i) Contact the Integrity Commissioner to communicate their original concerns regarding the prohibited behaviour and, their satisfaction with the response of the Member, or if applicable; and
  - ii) In the absence of a successful resolution, discuss the matter with the Integrity Commissioner, who will advise whether the matter must be addressed in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

### Commentary

*Individuals are encouraged to pursue the informal complaint process as a first step towards stopping and remedying behaviour or an activity that they believe contravenes the Code of Conduct. Where the Complainant and the Member of Council agree, the Integrity Commissioner may act in the role of a mediator with the parties to reach an informal settlement of the matter.*

*Often, the impetus of the alleged prohibited behaviour is unknown to the Complainant and an informal mediated discussion assists both parties to understand the purpose and application of the Code rule and the context of the behaviour or activity of the Member of Council.*

*However though the Integrity Commissioner will always recommend that the informal process be followed, participation in the informal process is not a pre-condition for an individual to file a formal complaint in relation to a Member of Council.*

*If an informal complaint is brought to the attention of the Integrity Commissioner on or after June 30<sup>th</sup> in any year in which a regular municipal election will be held, the Integrity Commissioner may answer questions regarding Code rules, however, the informal process will be suspended until after the inauguration of the newly elected Council.*

## II. Formal Complaint Process

1. An individual (including Town employees, members of the public) who has witnessed or identified behaviour or activity by a Member of Council that they have reasonable grounds to believe is in contravention with the Code of Conduct, may file a formal complaint. All formal complaints shall be filed with the Town Clerk who shall forward the complaint documents to the Integrity Commissioner for an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Town policies.
2. All formal complaints received by the Integrity Commissioner shall be screened upon receipt to determine if on its face it meets the preliminary requirements of a Code complaint. The Integrity Commissioner shall dismiss a formal complaint on a summary basis if, based on the complaint affidavit and any supporting documentation, it is the view of the Integrity Commissioner that:
  - i) The Complainant has not established a reasonable basis that there has been a Code violation; and/or,
  - ii) The issue subject of the complaint is frivolous or vexatious, or has already been resolved, or in the view of the Integrity Commissioner, can be more appropriately addressed through another applicable judicial or quasi-judicial process or complaint procedure; and/or,
  - iii) The subject of the complaint is a question regarding the administration or a decision of Council, a Committee of Council or a Local Board.

Where the Integrity Commissioner concludes that no investigation shall be commenced, the Integrity Commissioner shall notify the Complainant in writing and no report will be issued.

3. A formal complaint must be filed with the Town Clerk, together with the required information on the Complaint Form Affidavit, attached as Appendix B, in accordance with the following guidelines:
  - i) A request for an investigation of a complaint that a Member has contravened the Code of Conduct shall be on a Complaint Form Affidavit and shall be dated and signed by an identifiable individual.
  - ii) The complaint must include an explanation of why the behaviour or activity of the Member may be a contravention of the Code of Conduct, the rule or rules to which the contraventions applies and evidence in support of the allegation.
  - iii) The name and contact information of any witnesses that the Complainant wants to use in support of the complaint must be listed.
  - iv) The Integrity Commissioner may provide the name of the Complainant to the Respondent upon receipt of the complaint and include the name of the Complainant in the formal report to Town Council, unless the Integrity Commissioner decides, in her discretion, that the name of the Complainant should be confidential.
  - v) Despite subsection (i), the Integrity Commissioner may waive the requirement for a Complaint Form Affidavit if the complaint is from Council. A request for an investigation from Council will come to the Integrity Commissioner by way of a formal motion of Council.
  - vi) The Integrity Commissioner shall give the complaint and supporting material to the Member whose conduct is in question, with a request that a written response be provided within 14 days, and give a copy of the Member's response to the Complainant with a request for a written reply within 14 days.
  - vii) Upon completion of the investigation, the Integrity Commissioner shall provide a copy of the complaint investigation report to the Member and the Complainant and provide a copy to the Town Clerk for inclusion on the next available Committee of the Whole agenda.
  - viii) In a municipal election year, any Code of Conduct complaint received after June 30<sup>th</sup> will be held in abeyance until the date of inauguration of the new Council. Any Code of Conduct complaint received before June 30<sup>th</sup> for which the investigation has not been concluded on or before June 30<sup>th</sup> will be held in abeyance until the inauguration of the new Council.

### Commentary

*Subsection 223.5(1) of the Municipal Act provides that the "Commissioner and every person acting under the instructions of the Commissioner shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part". Subsection 223.6(2) states that if the Commissioner reports her opinion about whether there has been a contravention of the Code of Conduct, "the Commissioner may disclose in the report such matters as in the commissioner's opinion are necessary for the purposes of the report".*

*The Integrity Commissioner may elect to investigate a complaint by exercise of the powers of a commission under sections 33 and 34 of the Public Inquiries Act.*

### III. No Jurisdiction

1. If, in the sole discretion of the Integrity Commissioner, the complaint is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint is, in the view of the Integrity Commissioner, more appropriately addressed by other legislation or a complaint procedure or Town policy, the Integrity Commissioner shall advise the complainant in writing, that the complaint is with reference to an allegation or matter consistent with non-compliance with a separate procedure or legislation and that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process. The Integrity Commissioner may provide additional reasons and referrals to appropriate areas of the Town, as appropriate.
2. The Integrity Commissioner may report to Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner and provide recommendations in the report for appropriate referral and/or disposition of the matter.

### IV. Refusal to Conduct an Investigation

1. If, in the sole discretion of the Integrity Commissioner, the complaint is found to be frivolous, vexatious or not made in good faith, or that there are insufficient grounds for an investigation or that the matter has been resolved or may be more appropriately addressed by a separate procedure or legislation, the Integrity Commissioner shall not conduct an investigation, or, where the above becomes apparent in the course of an investigation, terminate the investigation and close the file, without a requirement of a report to Council.



Newmarket

## Council Code of Conduct - Complaint Form/Affidavit

## AFFIDAVIT OF

[Full Name]

I, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in  
 [Full Name] [City, Town, etc.] [Municipality of Residence]  
 the Province of Ontario

MAKE OATH AND SAY [or AFFIRM]:

1. I have personal knowledge of the facts as set out in this affidavit, because:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ [Insert reasons e.g. I work for... I attended the meeting at which ... etc]

2. I have reasonable and probable grounds to believe that a member of Town of Newmarket Council,

\_\_\_\_\_ has contravened section(s) \_\_\_\_\_ of the Code of Conduct  
 [specify name of Member]

for Members of Council (the "Code of Conduct"). The particulars of which are as follows:

*[Set out the statements of fact in consecutively numbered paragraphs in the space below, with each paragraph being confined as far as possible to a particular statement of fact. If you require more space, please use the attached Schedule A form and check the box below. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B, etc. and attach them to this affidavit.]*

3. I acknowledge that at the time of the Integrity Commissioner's report to Council in this matter, and as between the parties, the identity of a complainant and the identity of the person who is the subject of the complaint shall not be treated as confidential information.

☐ Please see Schedule "A" attached

4. I make this Affidavit for the purpose of requesting that this matter be reviewed and for no other purpose; and

5. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

\_\_\_\_\_  
 Signature

SWORN [or AFFIRMED] by the said \_\_\_\_\_ at \_\_\_\_\_  
 [City of, Town of, etc.]

In the Province of Ontario on \_\_\_\_\_  
 [Date]

\_\_\_\_\_  
 [Signature of Commissioner] A Commissioner for taking Affidavits, etc.

**Code of Conduct Complaint Protocol s. II. Formal Complaint Process.** Please note that signing a false affidavit may expose you to prosecution under Sections 131 and 132 or 134 of the *Criminal Code*, R.S.C. 1985, c. C-46, and also to civil liability for defamation.

Personal information on this form is collected to determine any concerns with the conduct of members of Council. This information is collected in accordance with 223.5 of the *Municipal Act*. Section 223.5 of the *Municipal Act* prevails over the *Municipal Freedom of Information and Protection of Privacy Act*. Questions about this collection can be directed to the Town Clerk, 395 Mulock Drive, Newmarket, Ontario L3Y 4X7 (905) 895-5193

## Schedule A

### Additional Information

To the Affidavit required under subsection 2(3) of the Formal Complaint Procedure.

[If more than one page is required, please reproduce this blank page and mark each additional page as 2 of 2, 2 of 3, etc.  
at the bottom right corner.]

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

This is Schedule 'A' referred to in the Affidavit of:

\_\_\_\_\_ [Full Name]

Sworn [or Affirmed] before me on this \_\_\_\_\_ [Day] of \_\_\_\_\_

\_\_\_\_\_ [Month] \_\_\_\_\_ [Year]

(Signature of Commissioner) A Commissioner for taking Affidavits, etc.

**Council Code of Conduct**  
**Summary of Comments, Comparative Research and Options**

Date Received	Feedback Received	Comments	Comparative Research	Potential Options (other than status quo)
<b>C. Scope of Policy</b>				
Special COW Meeting September 9, 2013	Clarify scope of code application; forum, venue, circumstances (i.e. social media)	Social Media Consultant will be addressing Council in Q1 2014 regarding the Organization's Social Media Policy. Council may wish to engage the consultant at this time in a discussion around guidelines for the use of social media by Members of Council.	<ul style="list-style-type: none"> <li>Scope of the code is largely undefined in most Ontario municipalities, as to provide for broad application. The code could be enhanced to include wording that speaks directly to its application:               <p>"A member must comply with this Code whenever they act, claim to act or give the impression they are acting in their official capacity as a Member of Council"</p> </li> </ul>	Include an additional provision such as "A member must comply with this Code whenever they act, claim to act or give the impression they are acting in their official capacity as a Member of Council"
<b>D. Definitions</b>				
Public Feedback October 25, 2013	There is no definition included for the word "Nominal" used in relation to Section G – Gifts, Benefits and Perquisites	See options outlined in Section "G"		
<b>F. Confidentiality</b>				
Public Feedback October 30, 2013	Section is too restrictive, allowing too many instances of confidentiality and too wide a range of matters that are kept from the public	<i>Municipal Act</i> provides a framework for open/closed meetings.		

**Council Code of Conduct  
Summary of Comments, Comparative Research and Options**

Date Received	Feedback Received	Comments	Comparative Research	Potential Options (other than status quo)
<b>G. Gifts, Hospitality, Benefits and Perquisites</b>				
Special COW Meeting September 9, 2013	Compare wording in Code pertaining to the receipt of Gifts, Hospitality and Benefits, to that contained in the Members of Council Expenses Policy. Consider amending current wording i.e. Nominal is very subjective		The common practice among comparative municipalities is to set a limit per gift and cumulative value limit for individual donors. Any gift in excess of the limits up to a maximum allowable limit must be reported within 30 days of receipt on a disclosure statement to be filed with the Clerk. The disclosure statement sets out: 1 the nature of the gift or benefit 2 its source and date of receipt 3 the circumstances under which it was given or received 4 its estimated value 5 what the recipient intends to do with the gift and, 6 whether any gift will at any point be left with the Municipality	1. Assign a nominal value and cumulative value limit to the term "nominal". Code would remain the same with respect to gifts/benefits/perquisites that exceed this limit (i.e. return of gifts or assumption by the Town).  2. Assign a nominal value and cumulative value limit to the term "nominal". Require a disclosure statement to be filed with the Clerk within 30 days of receipt of gifts that exceed the value limits.
Public Feedback October 25, 2013	A set dollar value limit should be included to mitigate ambiguity from the use of the term "nominal" and to indicate what is acceptable for each category. A limit should also be established for cumulative gifts from one source.		<i>City of Kitchener:</i> Nominal value limit \$100.00 Cumulative value limit \$300.00 per source. Where gift received exceeds limits, a disclosure statement must be filed with the Clerk within 30 days of receipt of the gift.  <i>City of Guelph:</i> Nominal value limit and cumulative value limit \$300.00 Any value in excess of these limits must be reported through a disclosure statement up to the maximum allowable \$500 from anyone source per year.	
Public Feedback October 31, 2013	Receipt of gifts by Council members should not be permitted under Code. Proposed policy is in direct conflict with norms of corporate organizations.		<i>City of Vaughan:</i> Nominal Value limit and cumulative value limit \$500.00 Disclosure statement required within 30 days of receipt if value of gift exceeds limit.	



**Council Code of Conduct  
Summary of Comments, Comparative Research and Options**

Date Received	Feedback Received	Comments	Comparative Research	Potential Options (other than status quo)
Public Feedback October 30, 2013	No acceptance of gifts, benefits, food, beverages or other benefits should be permitted.			
<b>H. Council Expenses</b>				
Special COW Meeting September 9, 2013	Remove reference to Use of Council Expenses in this section. Guidelines for use of Council expenses should be provided in Members of Council Expenses Policy.	Section has been removed in final draft of the Code. Cross-reference to Elected Officials Expenses Policy to remain in the Code.		
<b>I. Use of Town Property</b>				
Special COW Meeting September 9, 2013	Request to expand provisions under Use of Town Property Section. Does this section apply to charity work?		<p><i>City of Brampton:</i> includes a section under Use of Corporate Resources heading respecting charitable association involvement:</p> <p>As community leaders, Members of Council are called upon to assist and support various charities, service clubs, and other non-profit and community-based associations. For example, Members support their communities in a variety of ways including, but not limited to: accepting honorary roles in organizations lending their names to organizations and events to assist in fundraising; and encouraging community donations to registered charitable, not-for-profit, or other community-based groups.</p> <p>Members supporting these community endeavours will respect the need for transparency with respect to their involvement, performing their community service in a manner that promotes public confidence.</p>	<p>1. Include section respecting charitable association involvement under Use of Town Property section.</p> <p>2. Revise wording of section to speak to broad categories of City property, equipment, services or supplies.</p>
	Provide clear wording about charities that Council Members may be a part of and the ability of those charities to rent and use Town facilities			

**Council Code of Conduct**  
**Summary of Comments, Comparative Research and Options**

Date Received	Feedback Received	Comments	Comparative Research	Potential Options (other than status quo)
			<p><i>City of Guelph:</i>            No member shall for personal purposes or profit, permit the use of any City property, equipment, services, or supplies other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised, unless such use is permitted by one of the following exceptions:</p> <ul style="list-style-type: none"> <li>• Reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, blackberries, etc., where the City incurs no additional costs relating to such use, and the use is of limited duration and frequency.</li> <li>• Use of City property and facilities where such use is universally known to be available to other residents upon request and on equal terms.</li> </ul>	
<b>O. Staff Relations</b>				
Special COW Meeting September 9, 2013	Is there a provision within the Employee Code of Conduct that addresses the political neutrality of staff?	See Employee Code of Conduct: Employee Behaviour (Professionalism) – Section 2b)		
<b>P. Business Relations</b>				
Special COW Meeting September 9, 2013	Clarify Business Relations Section specifically provision addressing the referral of third parties by members in exchange for payment or other personal benefit	This section applies to situations in which a referral of a third-party results in payment or other personal benefit. Therefore in circumstances where the member is simply referring a party to a process		

**Council Code of Conduct**  
**Summary of Comments, Comparative Research and Options**

Date Received	Feedback Received	Comments	Comparative Research	Potential Options (other than status quo)
		and not deriving any sort of benefit from such referral, they would be acting in compliance with the code.		
<b>S. Integrity Commissioner</b>				
Special COW Meeting September 9, 2013	Consider the cost implications of Section 5 Duty 4 enabling the Integrity Commissioner to provide advice to Members of Council, on an as requested basis.	In conversation with a municipality which has employed this approach, specifically the City of Waterloo, it has been found that regular access/contact with the integrity commissioner can assist in reducing the number of formal complaints, as questions of conflict are better understood by elected officials, pre-empting the need for formal action.	<p>Procedure for obtaining advice from Integrity Commissioner varies. Some municipalities formalize process – request for advice must be submitted on a written form. Others including the City of Guelph recognize the potential immediacy of these requests and provide the option of requesting more expedient advice without the requirement of the form.</p> <p>The Cities of Guelph, Mississauga, Kitchener and Town of Richmond Hill are examples of municipalities who have assigned an advisory function to their Integrity Commissioner.</p>	
	Consider cost control measures (i.e. periodic reporting to advice Council of costs to date)	Integrity Commissioner is required to provide annual reports and other reports as requested by Council. Periodic reporting could be implemented to monitor costs.	None of the municipalities researched imposed access limits to Integrity Commissioner (set number of times that Members of Council can access free advice from Integrity Commissioner). Advisory capacity is communicated as a tool to assist in clarifying issues around appropriate conduct and has demonstrated results in reducing the number of formal complaints.	

**Council Code of Conduct**  
**Summary of Comments, Comparative Research and Options**

Date Received	Feedback Received	Comments	Comparative Research	Potential Options (other than status quo)
<b>U. Code of Conduct Complaint Protocol</b>				
<b>Public Feedback October 30, 2013</b>	The six month filing requirement should not be included as it is too restrictive.			
<b>Special COW Meeting September 9, 2013</b>	Suggested consideration to revisit the eligibility of Councillor to Councillor complaints under the Code		Staff conducted research on codes across provincial and national jurisdictions. No codes were found to restrict the ability for members to file a complaint against another member, where a perceived contravention has taken place.	Include the provision for a Councillor to file a complaint.
	Explore alternative processes for Councillor to Councillor complaints (i.e. refundable deposit where the return of funds is contingent upon the complaint meeting pre-qualification criteria)	Council adopted a motion (October 21, 2013) that in certain circumstances Members be requested by Council to pay costs associated with an IC's investigation.	At the Special Council Meeting a suggestion was made to investigate the merits of instituting a refundable deposit exclusively for members of council who wish to file a complaint against another member. Staff have conducted further research on this approach and can conclude that while some municipalities charge a refundable fee for code complaints it is not limited to applications related to member to member conflicts.  In jurisdictions that impose a refundable application fee the typical amount ranges from \$100.00 - \$125.00. All fees are refundable subject to the application meeting all pre-qualification criteria. Municipalities who actively employ this approach include the City of Hamilton, Town of Caledon, Town of Fort Erie and Township of South Stormont.	
<b>Special COW Meeting September 9, 2013</b>	What checks and balances are in place within the formal process to prevent abuse of process and vexatious complaints?	The pre-screening process which is undertaken independently by the Integrity Commissioner provides the mechanism through which abuse of process can be		

Last Updated: January 21, 2014

**Council Code of Conduct**  
**Summary of Comments, Comparative Research and Options**

Date Received	Feedback Received	Comments	Comparative Research	Potential Options (other than status quo)
		addressed. The Integrity Commissioner will apply the criteria as provided in the Code, which includes determining whether or not the complaint is vexatious, has already been resolved, addresses a decision made by the administration or other local board, etc. prior to initiating a formal investigation. Where a complaint does not meet all of the designated criteria it will be dismissed and the complainant will be notified.		
<b>Other Comments</b>				
Special COW Meeting September 9, 2013	Did Integrity Commissioner's comments address 1) social media and/or 2) Councilor to Councilor conduct disputes?	1) Comments received from IC indicate that Members are generally held to a higher standard with the test being "is it reasonable that the rules of public office apply?" 2) IC's comments support research conducted	Research indicates that Councilor to Councilor conduct disputes are permitted in other jurisdictions.	Include the provision for a Councilor to file a complaint.



**TOWN OF NEWMARKET**  
**Outstanding Matters**  
**Reviewed by Operational Leadership Team**  
**January 21, 2014**

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
1. Committee of the Whole Minutes – August 30, 2010 – Item 41 Legal and Development Services Report – Joint Legal and Planning 2010-29; Ontario Municipal Board Appeals - Town of Newmarket Comprehensive Zoning By-Law 2010-40	<ul style="list-style-type: none"> <li>THAT staff seek clarification regarding Ontario Municipal Board hearing timelines and report back.</li> </ul>	Matter joint with Glenway matter Pre-hearing December 10, 2013	
2. Committee of the Whole Minutes – March 21, 2011 – Item 6 Community Services Report – ES 2011-15 Northwest Newmarket Quadrant – Traffic Monitoring Status Update	<ul style="list-style-type: none"> <li>THAT Engineering Services staff bring a report back to Town Council with the results of all studies including mitigation measures if required, and next steps.</li> <li>AND THAT the On-street Bicycle Lane Implementation Plan be brought back to Town Council for review and adoption including a phasing plan in consideration of budgetary requirements and implementation.</li> </ul>	Q1 2014	Waiting for report from NWQ developer's group Waiting for feedback from developer Part of Active Transportation Plan coordinated by Planning Dept.
Committee of the Whole Minutes – February 28, 2011 – Item 7 Community Services Report – ES 2011-07 Official Plan – Schedule D – Bicycle Lane Implementation Plan			
3. Committee of the Whole Minutes – April 30, 2012 – Item 16 Corporate Services Report – Legislative Services 2012-13 – Canadian Coalition Of Municipalities Against Racial Discrimination (CCMARD) Membership	<ul style="list-style-type: none"> <li>AND THAT staff report to Committee of the Whole with a draft Action Plan in support of the Ten Common Commitments in 2013, following input from the Inclusivity Advisory Committee;</li> </ul>	Q1 2014	Inclusivity Advisory Committee Review before coming back to Committee of the Whole

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 January 17, 2014  
 (Updated and including Special Committee of the Whole Minutes of January 13, 2014)

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
4. Committee of the Whole Minutes – February 25, 2013 – Item 16 Development and Infrastructure Services Report – Public Works Services 2013-09 Graffiti Removal Services – Update	<ul style="list-style-type: none"> <li>THAT staff continue to contract Graffiti removal services, in the amount of \$15,000 for 2013;</li> <li>AND THAT staff continue to evaluate the program's impact for 2013 and report back to Council on the effectiveness of the program in one year;</li> </ul>	February 2014	Information Report circulated
5. Committee of the Whole Minutes – April 8, 2013 – Item 13 Community Services – Recreation and Culture Development and Infrastructure Services – PWS/ES Planning & Building Services Joint Report 2013-05 Future use of Fernbank Farmhouse	<ul style="list-style-type: none"> <li>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;</li> <li>AND THAT staff report back recommending a tenant along with operating and capital projections.</li> </ul>	Q1 2014	
6. Committee of the Whole Minutes – April 29, 2013 – Item 17 Hospital Parking Charges	<ul style="list-style-type: none"> <li>AND THAT the request to endorse the resolution regarding reduction and capping of parking charges be referred to staff to obtain feedback and input from Southlake Regional Health Centre and report back.</li> </ul>	Q1 2014	CAO to follow-up
7. Committee of the Whole Minutes – May 21, 2013 – Item 14 Motion – Asset Replacement Fund	<ul style="list-style-type: none"> <li>THAT staff be directed to bring forward a policy to define and restrict the use of the Asset Replacement Fund to major repair, maintenance and replacement of tangible capital assets defined by regulatory accounting standards.</li> </ul>	Q2 2014	
8. Committee of the Whole Minutes – June 10, 2013 – Item 12 Borland Court – Repaving Request	<ul style="list-style-type: none"> <li>THAT the deputation by Ms. Sidor regarding a request to repair and repave Borland Court be received;</li> <li>AND THAT the matter of repairing and repaving Borland Court be referred to staff to report back at the earliest opportunity on the feasibility of accelerating this particular road rehabilitation project.</li> </ul>	Q1 2014	Included in Budget
9. Committee of the Whole Minutes September 23, 2013 – Item 22 Development & Infrastructure Services Report – Planning & Building Services 2013-40 Cash In Lieu of Parking	<ul style="list-style-type: none"> <li>THAT Development &amp; Infrastructure Services Report – Planning &amp; Building Services 2013-40 dated September 12, 2013 regarding Cash In Lieu of Parking be referred to a future Committee of the Whole (possibly November 2013) meeting;</li> <li>AND THAT the report be circulated to BILD (Building Industry and Land Development Association) Canada</li> </ul>	Q1 2014	

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
<p>10 Committee of the Whole Minutes – June 10, 2013 – Item 16 Development and Infrastructure Services Report – ES 2013-28 Davis Drive and Yonge Street Streetscape Design and Entrance Features</p>	<ul style="list-style-type: none"> <li>• THAT Recommendations 1 and 2 of Development and Infrastructure Services Report ES 2013-28 dated June 6, 2013 regarding the Davis Drive and Yonge Street Streetscape Plans be referred back to staff and subsequently to members of the Newmarket Economic Development Advisory Committee to obtain comments, including reduced cost and design feedback;</li> </ul>	Q1 2014	
<p>11 Committee of the Whole Minutes – June 10, 2013 – Item 24 – New Business f)  Committee of the Whole Minutes – November 4, 2013 – Item 13 - Development &amp; Infrastructure Services Report – ES 2013-48 – Millard Avenue Parking Review – Forest Glen Road to Lorne Avenue</p>	<ul style="list-style-type: none"> <li>• THAT approval be granted to proceed with the conceptual Urban Place Making designs for the following intersections at a combined estimated cost of \$18,650.00 and to report back through the VIVA Task Force:               <ul style="list-style-type: none"> <li>• i) Yonge Street and Davis Drive</li> <li>• iii) Yonge Street and Eagle Street</li> </ul> </li> <li>• AND THAT Recommendation 3 ii) (Davis Drive and Main Street) of Development and Infrastructure Services Report ES 2013-28 dated June 6, 2013 regarding the Davis Drive and Yonge Street Streetscape Plans be referred to the Heritage Newmarket Advisory Committee and the Newmarket Historical Society to obtain feedback.</li> </ul>	Q1 2014	
<p>12 Special Committee of the Whole – August 1, 2013 – Item 4 Development and Infrastructure Services Report – Commissioner 2013-34 Old Town Hall Renovations</p>	<ul style="list-style-type: none"> <li>• THAT staff review the parking restrictions currently in place on Millard Avenue between Lorne Avenue and Forest Glen with a view to implement a three hour limit and no overnight parking.</li> <li>• THAT Development &amp; Infrastructure Services Report – ES 2013-48 dated October 15, 2013 regarding Millard Avenue Parking Review – Forest Glen Road to Lorne Avenue be referred back to staff for further review.</li> <li>• AND THAT staff authorize a peer review on the due diligence aspect of the project within a 120 day time frame.</li> </ul>	Q1 2014	



Item Subject	Recommendation	Date to come back to Committee	Staff Comments
<p>13 Committee of the Whole Minutes – November 4, 2013 – Item 12 Development &amp; Infrastructure Services Report – ES 2013 – 44 Davis Drive – vivaNext Construction Traffic Infiltration Status Report # 2.</p>	<ul style="list-style-type: none"> <li>• THAT staff continue to work with York Region and vivaNext staff to address issues that arise from construction and continue to carry out traffic counts for Gotham St., Gladman Ave., Park Ave., Willard Ave., Carol St., Sandford St. and Berman Drive;</li> <li>• AND THAT town staff in coordination with York Region and York Regional Police; focus speed management program resources on the streets noted in Appendix A;</li> <li>• AND THAT a report on the town wide traffic mitigation policy come forth in the first quarter of 2014 with a feasibility study of an advanced green signal going south on Prospect St.</li> </ul>	Q2 2014	
<p>14 Committee of the Whole Minutes – November 25, 2013 – Item 24 – Motion</p>	<ul style="list-style-type: none"> <li>• THAT staff bring back a report to Committee of the Whole within 120 days exploring a change to our procurement process to include recognition/points in our tendering process recognizing the environmental benefit of the bidders' proximity to Newmarket.</li> <li>• AND THAT information be provided to all Members of Council on an overall point system on various factors in regards to procurement;</li> <li>• AND THAT the memorandum dated January 2012 be referred back to staff to incorporate into the report back exploring a change to the procurement process;</li> <li>• AND THAT the report be circulated to the Chamber of Commerce, the Economic Development Advisory Committee and the Environmental Advisory Committee for input.</li> </ul>	March/April 2014	

**A motion to direct staff regarding user fees for not-for-profit minor sports organizations.**

That staff is directed to devise and implement a program to phase out all user fees for eligible not-for-profit minor sports organizations as per the following criteria:

1) To be eligible for this program, a not-for-profit minor sports organization must have a minimum of 100 unique members comprising of at least 80% of all members being youth residents (aged 17 years or younger).

2) That each minor sports organization participating in this program be required to provide the Corporation of the Town of Newmarket the following:

- documentation confirming the number of unique members and the residency of its members
- Not for profit registration information
- Constitution and bylaws of the organization
- Minutes from its most recent AGM

3) That facilities eligible for this program are to include the following facilities:

- Arena Ice pads
- Gymnasiums
- Diamond fields
- Soccer/ football Fields
- Arena floor pads

4) That the program be implemented in a phases over the next 10 years.

5 And that staff be instructed to fund this program through operational savings.



## PLANNING &amp; BUILDING SERVICES

Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, STN Main  
Newmarket, ON L3Y 4X7

www.newmarket.ca  
planning@newmarket.ca  
T: 905.953.5321  
F: 905.953.5140

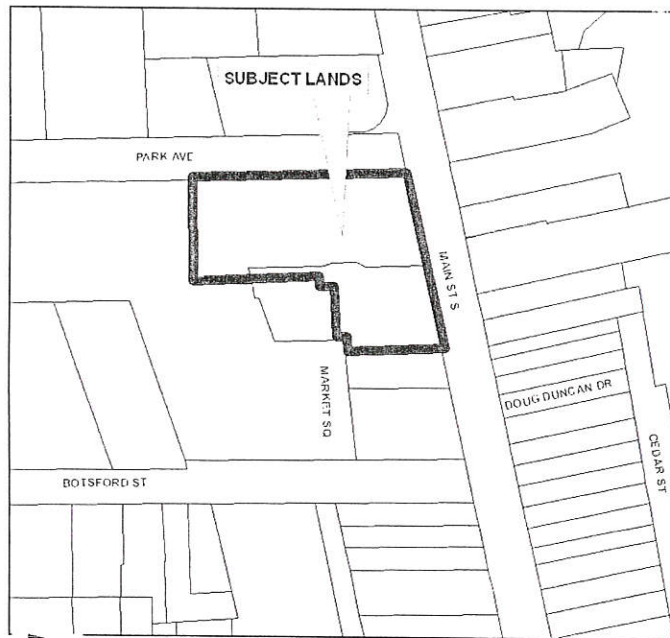
**PUBLIC MEETING CONCERNING A  
PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Town of Newmarket will hold a Public Meeting on:

**MONDAY FEBRUARY 3, 2014 AT 7:00 P.M.**

in the **Council Chambers at the Municipal Offices, 395 Mulock Drive**, to consider a proposed Zoning By-Law Amendment under Section 34 of the Planning Act, RSO 1990, c. P. 13 as amended.

An application has been submitted for a Zoning By-Law Amendment to amend the existing Historic Downtown Urban Centre (UC-D1) Zone to permit a mixed use building of 9 storeys (29.48m) along the Park Avenue Frontage and 3 Storeys (12.13m) along the Main Street Frontage on the subject lands being 178, 180, 184, 188, 190 AND 194 Main Street South.



**ANY PERSON** may attend the public meeting to make written or verbal representation either in support of or in opposition to the proposed Zoning By-Law Amendment. If you wish to use the Town's audio/visual system, please contact the Clerk's Office not later than noon on the day of the meeting to make the appropriate arrangements. Should you be unable to attend the public meeting, your written submission will be received up to the time of the meeting.

**IF YOU WISH TO BE NOTIFIED** of the adoption of the proposed Zoning By-Law Amendment, you must make a written request to the Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN MAIN NEWMARKET, ON L3Y 4X7

**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting or make written submissions to the Town of Newmarket before the by-law is passed; the person or public body is not entitled to appeal the decision of the Town of Newmarket to the Ontario Municipal Board.

**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting, or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there is reasonable grounds to do so.

**ADDITIONAL INFORMATION** relating to the proposed Zoning By-Law Amendment is available for inspection between 8:30 a.m. and 4:30 p.m. on weekdays at the Municipal Offices, 395 Mulock Drive, Newmarket.

Dated JANUARY 14, 2014

Direct any inquiries to the  
Planning Department 905-953-5321  
Please refer to File No. D14 NP 13-19

**Bondi, Janice**

**From:** Bondi, Janice  
**Sent:** December-13-13 2:45 PM  
**To:** Ruggle, Dave; Unger, Jason; Mercer, Wendii; Mendonca, Barbara  
**Subject:** Council Extract - Item 35, Council Minutes December 2, 2013 - Planning 2013-55 - Application for Zoning By-law Amendment - Main Street Clock Inc.

## Town Council Electronic Extract - Date: December 2, 2013

35. Development and Infrastructure Services Report - Planning and Building Services 2013-55 dated November 14, 2013 regarding Application for Zoning By-law Amendment - Main Street Clock Inc.

An amendment was made by removing recommendation a) vii) of item 19 of the Committee of the Whole Minutes of November 25, 2013.

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2013-55 dated November 14, 2013 regarding Application for Zoning By-law Amendment - Main Street Clock Inc. be received and the following recommendations, as amended, be adopted:

i) THAT the Application for Zoning By-law Amendment, as submitted by Main Street Clock Inc., for lands being located at the southwest corner of Main Street South and Park Avenue, municipally known as 178, 180, 184, 188, 190 and 194 Main Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through the agency and departmental circulation of the application be addressed by staff in a comprehensive report to the Committee of the Whole, if required;

iii) AND THAT Mr. Chris Bobyk, The Forrest Group, 590 Alden Road, Suite 211, Markham, ON LR 8N2 be notified of this action;

iv) AND THAT the Memorandum from Director of Planning dated November 22, 2013 regarding Development and Infrastructure/Planning and Building Services Report 2013-55, Application for Zoning By-law Amendment 178, 180, 184, 188, 190 and 194 Main Street listed as an (ADDED) item on the agenda (Item 25) regarding the Main Street Clock application be received;

v) AND THAT the Sub-Committee Report listed as an (ADDED -2) item on the agenda (Item 26) from the Heritage Newmarket Advisory Committee regarding Clock Tower Development Re-zoning Request be received;

vi) AND THAT with respect to the heritage designation on Main Street, that a peer review of the application be conducted.

**Janice Bondi**

Council/Committee Coordinator  
 Legislative Services Department  
 905-953-5300, press 2, ext. 2207  
 905-953-5100 (fax)  
 905-955-1374 (cell)

[jbondi@newmarket.ca](mailto:jbondi@newmarket.ca)

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

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Newmarket: A Community Well Beyond the Ordinary



"The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. The message may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection of Privacy Act. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you."



November 14, 2013

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2013-55**

TO: Committee of the Whole

SUBJECT: **Application for Zoning By-Law Amendment,  
178, 180, 184, 188, 190 and 194 Main Street  
Main Street Clock Inc.  
Files: D14 NP 13-19**

ORIGIN: Application Submitted to the Planning Department

---

**RECOMMENDATIONS**

THAT Development and Infrastructure Services – Planning and Building Services 2013-55 dated November 14, 2013 regarding application for zoning by-law amendment be received and the following recommendation(s) be adopted:

1. THAT the application for zoning by-law amendment, as submitted by Main Street Clock Inc. for lands being located at the southwest corner of Main Street South and Park Avenue, municipally known as 178, 180, 184, 188, 190 and 194 Main Street be referred to a public meeting;
2. AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;
3. AND THAT Chris Bobyk, The Forrest Group 590 Alden Road, Suite 211, Markham, ON L3R 8N2 be notified of this action.

**COMMENTS**

**Location**

The subject lands are located on the southwest corner of Main Street South and Park Avenue municipally known as 178, 180, 184, 188, 190 and 194 Main Street (See Location Map attached).

**Proposal**

Main Street Clock Inc. have submitted an application for zoning by-law amendment to amend the existing Historic Downtown Urban Centre (UC-D1) zone to permit a mid-rise 6 storey mixed use building on the subject property consisting of 150 Residential units above 10 units of ground floor commercial and two levels of underground parking (173 spaces) while retaining the historic Post Office/Clock Tower building. The three buildings south of the Clock Tower are proposed to be demolished and redeveloped. The proposal also contemplates the conveyance of a parcel of Town owned land in the northeast corner of Market Square. This parcel is currently grassed and used for utility boxes. The proposed two storeys of

underground parking would extend under the existing library parking and a portion of the Market Square parking lot. If deemed appropriate, it will be necessary to provide easements to allow the underground parking garage to extend into Town owned property.

### **Site Description**

- the Subject lands currently contain the two storey post office building at the corner of Main Street South and Park Avenue and addition that runs along Park Avenue. The subject lands also contain the 3 two storey commercial buildings fronting on Main Street, south of the above noted former Post Office building.
- total lot area is approximately 0.27 hectares with a frontage on Main Street of  $\pm 55$  metres and a frontage on Park Avenue of  $\pm 87$  metres.
- the surrounding land uses are:
  - North: Trinity United Church and low density residential further west along Park Ave.
  - South: Existing Commercial with residential apartments above.
  - West: Newmarket Public Library and the Market Square parking lot.
  - East: Existing Commercial and urban park land.

### **Preliminary Review**

#### **Official Plan Considerations**

One of the goals and strategic directions of the Plan is the protection and enhancement of the natural and cultural heritage of the Town. Section 1.3.2 indicates that the protection of the Town's cultural heritage will be a priority for the Town and that the preservation, restoration and utilization of the Town's heritage resources is vital for the retention of the Town's cultural identity.

Section 1.3.6 under the strategic directions entitled *Revitalization of the Historic Downtown* indicates that the Historic Downtown is the traditional Central Business District of Newmarket and that there is significant opportunity for growth and change that would facilitate the achievement of the Plan's strategic directions. Additional development in this area would achieve the sustainability goal by providing an opportunity to live close to services without the need to burden the road system. The Official Plan goes on to indicate that with additional development, the rich history of the area will be protected for the enjoyment of residents as the Plan builds on the Newmarket Historic Downtown Community Improvement Plan. The mix and design of retail and service, office, institutional, entertainment, recreational and residential uses located along Main Street will continue to foster a sense of vibrancy and community in the Historic Downtown at an Urban Scale in harmony with the rich heritage of the surrounding residential neighbourhoods.

The Subject Property is designated Historic Downtown Centre on Schedule A - Land Use Plan to the Town's Official Plan.



The Historic Downtown Centre designation permits a number of uses including residential uses up to 80 units per net hectare. The Official Plan allows for greater densities provided background studies demonstrate that the proposed development will not create an unacceptable level of traffic, and will be compatible with the existing surrounding development. To demonstrate this, the Official Plan requires a number of studies to be submitted including a Shadow Impact Study, Traffic Impact Study, Heritage Impact Assessment, Environmental Site Assessment, Functional Servicing Report and Planning Justification Report discussed further in this report.

One of the Official Plan's primary goals is to revitalize the Historic Downtown. Policies related to this portion of Main Street encourage improvements in the form of infill development and rehabilitation that is at a scale that retains the historic character of the area. The plan encourages retail uses along Main Street with residential units on the upper floors and encourages pedestrian activity by providing adequate links to Main Street and landscaped sidewalks.

In summary, the Official Plan would encourage appropriate residential and commercial redevelopment in scale with the historic character of Main Street South.

### **Zoning Bylaw Considerations**

The subject property is currently zoned Historic Downtown Urban Centre Zone (UC-D1) by comprehensive zoning By-Law 2010-40. The UC-D1 zone includes an apartment building as a permitted use. The performance standards for this zone have a minimum height of 2 storeys and a maximum height of 3 storeys, a minimum floor space index of 0.5 and a maximum floor space index of 1.0. There are no yard setbacks in this zone category as many of the existing buildings are built to the lot lines.

The applicant is proposing to amend the existing zone of the property to allow for a 6 storey building stepped back from Main Street with a floor space index of 4.25. Relief from the parking requirements is also being requested. The current zoning By-law would require 1.75 parking spaces per unit which equals 263 spaces for the proposed 150 apartment units. The applicant is proposing 173 spaces which amounts 1.15 spaces per unit.

The proposed commercial units that are replacing existing units will not have parking requirements associated with them. However, the newly proposed commercial units would be required to provide parking or cash in lieu of same. The current rate for cash in lieu of parking for the Downtown area is \$1500 per space. This can be applied to the deficient parking spaces for the residential units as well as the newly proposed commercial units if this application is approved.

### **Provincial Policy Statement**

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

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

## Heritage Conservation District

Council have recently passed a By-law to implement the Heritage Conservation District Plan for Lower Main Street South. The by-law is currently in the Notice of Appeal period which ends on December 2, 2013. If there are no appeals received, the HCD Plan will be in full force and effect on December 3, 2013. While these applications have been made prior to the Heritage Conservation District being in full force, the development proposal will be reviewed against the policies and objectives of the Plan.

### *Purpose*

The purpose of the Heritage District Plan is to establish a framework for assessing and guiding proposals by private property owners and the municipality's proposals for public works to ensure that change contributes to the district character. The Plan also list the types of proposals requiring heritage review, offers guidance on building conservation, gives guidance on adapting existing buildings and identifies where new compatible construction would be appropriate.

### *Types of Buildings*

The Plan identifies three types of buildings and provides guidelines for each building in the proposed district. The building hierarchy are those that are Historic, those that are complementary to the district and other buildings that are neither historic nor complementary. The Clock Tower building at the southwest corner of Main Street South and Park Avenue is identified as a Historic Landmark Building. The remainder of the buildings under this application are designated Historic Commercial buildings with the exception of a small infill building at 190 Main Street filling in what used to be an alley space between 188 and 194 Main Street which is designated as neither historic nor complementary.

### *Goal of the Plan*

The overarching goal of the Plan is to revitalize the Lower Main Street South District while preserving its historic character. The Plan has a number of objectives and policies to achieve this goal. The policies of the Plan, specifically as they relate to buildings identified as historic (Historic Landmark buildings and Historic Commercial Buildings), supports the retention of historic buildings in the district. If a property owner proposed to demolish a building, a heritage impact assessment may be required to ascertain whether there are alternatives to demolition. The Town is not obligated to issue a demolition permit.

### *Plan Policies*

The HCD Plan also contains policies in relation to new construction. This section of the Plan indicates that the Town will favour proposals for new construction that propose:

- building height is not less than two storeys and not more than three storeys and is complementary to adjacent historic buildings and the streetscape;
- there is zero front yard setback and zero side yards;
- the facade shows a vertical orientation (or vertical directional emphasis) by segmenting the mass of the building into units of two or three bays across and by placing windows that are taller than they are wide in the upper floor;
- the ground floor of the facade is mostly taken up by plate glass display windows, the upper floor (or floors) shows a rhythm of windows spaced across the wall, and clay brick of light buff or red colour clads ground-floor piers and the upper-floor wall;
- floors align, or align approximately, with floors of adjacent historic buildings, allowance being made for changes in grade on the Main Street South hill;



- the facade is surmounted by a flat roofline, either a decorative brick cornice or a decorative brick parapet;
- signage is integrated into the ground floor design; and,
- at corner locations, the design addresses the corner and presents two street facades.

The appropriateness of any new design would be demonstrated through a heritage impact assessment in which the impact of the new design on adjacent historic buildings, the streetscape and the district is assessed. A heritage impact assessment has been submitted for this application and discussed further below.

#### *Views*

The HDC Plan discusses the importance of the protection of views to, from and within the district. Specifically, the Plan indicates the Town will review application for their potential impact on existing views including views of the districts four landmark buildings, one of which being the Clock Tower.

#### *Guidelines*

The HDC Plan also contains a number of Guidelines identifying minor improvements to the Post Office building such as filling in holes in the brick work where flag poles and window shields were once mounted. The Guidelines also provide a four step process for approaching improvements or restoration of Historic Commercial Buildings. Section 5.6 of the Plan identifies guidelines for New Construction which are based on the policies for new construction identified above.

The HDC Plan provides a number of suggestions for buildings within the district which are provided below for the properties that form this application. The applicant has indicated that they will integrate heritage facades as part of the redevelopment where feasible. It is noted that the submitted Heritage Impact Assessment also recommends that some form of integration of the existing heritage structures/facades into the development be considered. Further, a structural investigation and a Conservation Plan will be required to determine the appropriate conservation strategy.

184 Main Street South – The Plan recommends that after the siding is removed from the storefront and upper floor and the roughcast plaster beneath is exposed, restoration based on historic photographs and the fire insurance plans should occur. This is one of the district's few buildings where a plaster finish – authentic roughcast and not synthetic EIFS – is recommended. The restored plaster finish should be left in its natural state and not tinted with colour, as was typical, unless there is evidence in the underlying roughcast plaster of a colour tint.

188 Main Street South – The Plan recommends that the siding on the ground floor and upper floor should be removed. If the underlying brick veneer is not irretrievably damaged, restoration based on historic photographs should occur.

194-196 Main Street South – Historic photographs shows at No. 194 an identical building to No. 196. The siding covering No. 194 should be removed, and restoration of the upper floor and storefront should proceed if the underlying brick is not irretrievably damaged.

#### *Comments*

The proposal by the applicant for redevelopment of these buildings on Main Street South would assist in the revitalization of Downtown Newmarket by providing a number of residential units in the core and

providing additional commercial units along Park Avenue as encouraged by the Plan. However, the proposal does not meet significant policies of the Heritage Conservation District Plan by exceeding the 3 storey height limitation and not preserving in situ Historic Commercial Buildings. To assist in the on-going review of the application against the HCD Plan, a Heritage Impact Assessment has been submitted. Staff will provide further analysis of this proposal against the HCD Plan in a comprehensive report after the required Statutory Public Meeting has occurred.

### **Heritage Impact Assessment**

A heritage impact assessment is a report prepared by a qualified heritage specialist to assess the impacts demolition, removal, significant alteration or new construction may have on the character of the building, property, its surrounding context and/or a historic area. Submitted with the application is a Heritage Impact Assessment for 180-194 Main Street South prepared by Goldsmith Borgal & Company Architects.

The HIA provides a historical and contextual background and an architectural review for for Main Street and specifically the structures under this application. The report provides a review of the Town's Official Plan and the Lower Main Street South Heritage Conservation District Plan and the relevant policies.

The report asserts that the proposal addresses the Town's policies by:

- Developing a site within the Historic Downtown which has been identified as an area with a significant opportunity for growth as it would achieve the sustainability goal of providing an opportunity to live close to services without the need to burden the road system.
- Including a multi-unit residential and commercial uses to achieve a mix of uses within the Historic Downtown.
- Proposing a use that has the potential to revitalize the Historic Downtown.

The report also acknowledges that the proposal does not meet the Town's policies and objectives related to heritage, such as;

- Maintaining the historic scale in the Historic Downtown at Two, two-and-one-half, or three stories.
- Protecting heritage by retaining and restoring existing buildings.

The Heritage Impact Assessment continues by providing specific details on the proposed development against the policies of the Heritage Conservation District Plan. The report indicates how these policies can be achieved, and where there is conflict, recommendations are made on how to mitigate the impact increased density would have on the heritage aspects of the District.

The Town is in the process of securing a peer review consultant to review the HIA and comment on the submitted plan. Final comments on the HIA will be provided in a future report to Committee of the Whole.

### **Shadow Study**

A shadow study has been prepared for the proposal that details impacts of shadowing on the surrounding neighbourhood at the spring and fall equinoxes and summer solstice. The shadow impacts are shown at 9am, 12pm, 2pm and 4pm. Shadow Studies illustrate the impact of development in terms of sun and



daylight access to the surrounding context including surrounding buildings, the public realm, public and private open space.

The shadow studies submitted show little impact on the low density developments to the west of Main Street. There appears to be significant shadowing on the public streets of Park Avenue and Main Street. Staff have requested a current condition shadow study be submitted to clarify the cumulative impacts the proposed building would have over the existing situation.

### **Departmental and Agency Comments**

*Heritage Newmarket* have completed a preliminary review of the proposal and provided comments to staff. The comments relate to questions of clarification on the submitted Heritage Impact Assessment as well as providing photographs of existing views to landmark buildings (The Old Post Office, Trinity United Church and Old Town Hall) that would be impeded if this proposal were to be approved in its current state. It is intended that that applicant and heritage consultant will attend Heritage Newmarket on December 3<sup>rd</sup> to present the proposal and answer any questions the committee have. Further comprehensive comments will be included in a report to Committee of the Whole after the public meeting is held.

The Town has received comments from various utilities that will be addressed throughout the planning process.

Engineering services have reviewed the Traffic Impact and Parking Study, Functional Servicing Report and Phase 1 and 2 Environmental Site Assessments and have the following comments to offer:

### **Traffic Impact Study and Parking**

The Traffic Impact and Parking Study (TIPS) only analyses traffic operations on week-days – Saturday traffic operations should also be considered.

The Report assumes no traffic generation from the Commercial Retail Units (CRU). Vehicle traffic is likely to be generated from the CRU and therefore some traffic generation should be forecast.

Additional sight distance work needs to be completed based on a design speed of 50km/h opposed to the 45km/h in the report.

The adequacy of the parking supply proposed for the residential use should be further reviewed within the context of all of the uses proposed including the CRU.

Insufficient justification is provided to support the conclusion that no parking is required for the proposed CRU.

The TIPS does not provide any analysis of the impacts of the site redevelopment based on the replacement of the existing uses. Further consideration of these factors may result in the need for additional parking.

### **Sanitary Sewage**

Sanitary sewage from this development as proposed will discharge to the existing sanitary sewer on Main Street. The capacity of only the sanitary sewer on Main Street fronting this property has been reviewed in the FSR. No analysis has been carried out to confirm that adequate capacity exist in the downstream

system for the flows generated by this development. The applicant will be required to carry out a study to confirm that adequate capacity exists or determine what downstream improvements are required to the sanitary system. All cost for the study and any downstream improvements necessary will be the sole responsibility of the applicant.

**Water Supply**

The report did not provide any hydrant flow information or modelling to confirm if the existing watermain is adequate to service the proposed development. The consultant should provide either modelling or a hydrant flow test on the watermain where the connection is proposed to confirm that the existing watermain is adequate.

Additional analysis for the Fire Underwriters Survey calculation is required (projected fire flow rate).

**Storm Drainage**

The existing site is generally impervious. The proposed development will have minimal impact on the quantity of storm water flow which discharges from the property. Water captured and discharged from the roof is inherently clean and therefore the quality of the storm water discharging from the property will be improved from the existing condition. The final design should demonstrate that the water quality from this site meets Enhanced Protection Criteria as defined by MOE Guidelines.

**Phase 1 and Phase 2 Environmental Site Assessments**

Engineering Services have reviewed the Phase 1 and Phase 2 Environmental Site Assessments and have indicated a number of comments that require addressing. The reports identify that contamination exists in the soils above residential standards. Remediation work and the filing of a Record of Site Condition (RSC) will likely be required. Sufficient environmental work has been carried out to demonstrate that it should not be an undue hardship to remediate the site. We require confirmation from the MOE on whether or not an RSC will be required.

**COMMUNITY CONSULTATION POLICY**

A statutory public meeting will be required as part of the Planning Act requirements for the proposed changes to the zoning bylaw. A number of comments/letters have been submitted to date including a petition against the existing proposal for redevelopment of these buildings on Main Street South citing design, obstruction of views, traffic increase and parking as issues to be addressed.

**BUDGET IMPACT (CURRENT AND FUTURE)**

Application fees have been received, and the Town will receive revenue from assessment fees from any land use decisions made on the subject properties. Should the application be referred to a public meeting, there will be the typical costs associated with providing notice and holding the public meeting.

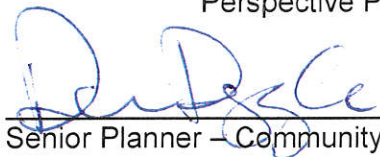
**HUMAN RESOURCE CONSIDERATION**

Not applicable to this report as staffing levels remain the same.

**Conclusion**

It is appropriate to refer this application for zoning by-law amendment to a statutory public meeting to hear comments/questions from the public.

Attachments: Location Map  
Site Plan  
Elevations  
Perspective Plan

A blue ink signature, appearing to read "D. Dylke", written over a horizontal line.

Senior Planner – Community Planning

A blue ink signature, appearing to read "C. M. Bentie", written over a horizontal line.

Commissioner of Development and  
Infrastructure Services

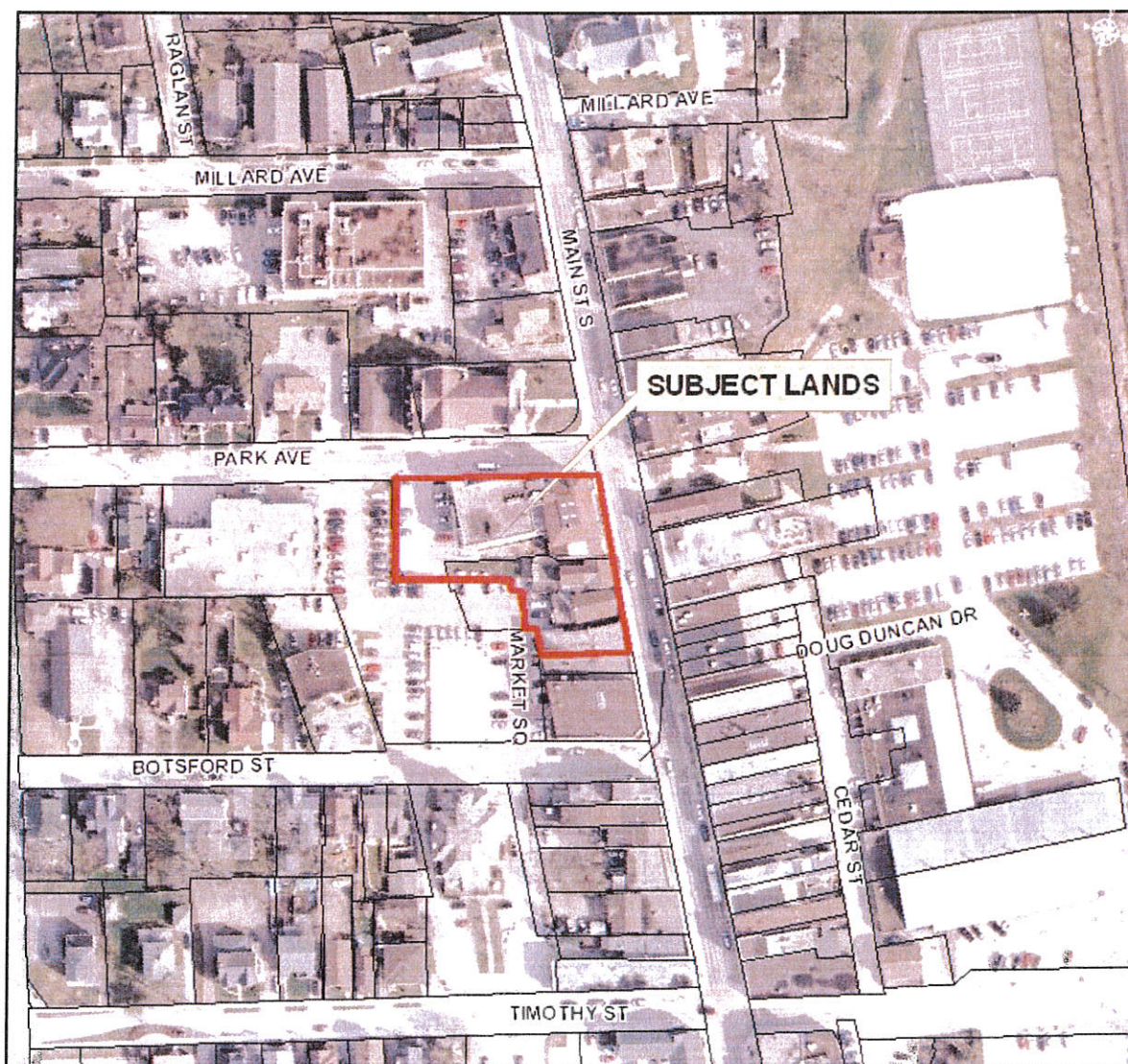
A black ink signature, appearing to read "M. H.", written over a horizontal line.

Director of Planning and Building Services



## LOCATION MAP

### 178, 180, 184, 188, 190 and 194 MAIN STREET (CLOCK TOWER)



**TOWN OF NEWMARKET PLANNING DEPARTMENT**

Design & Production: Information Technology, - GIS: Corine; 2007; Coburn; Images, - © J.D. Sauer, United, 2007; Orthophotography; Land Parcel Boundaries - © Town of Newmarket and its suppliers. All rights reserved. NOT A PLAN OF COURSE. 2009; Municipal Services, - Geomatics Division, Planning and Development Services Department © The Regional Municipality of York, 2009. DISCLAIMER: This mapping is based on the POLARIS parcel data product compiled using Land Registry, System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. It is not a substitute for a legal survey.



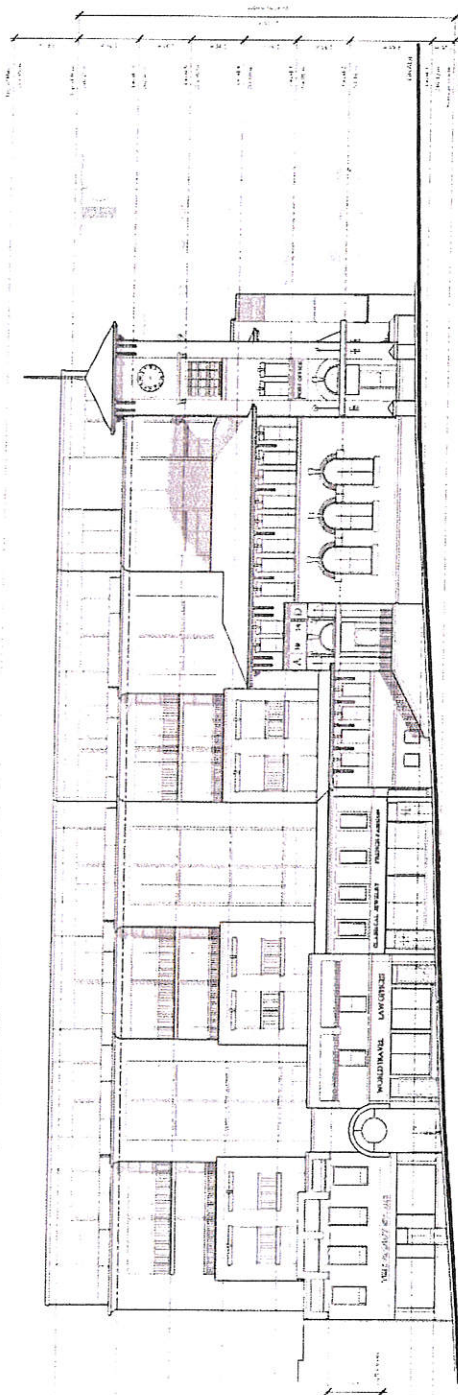


**WEST COAST**  
 COMPOSITE 150.00  
 CARGO TANKS 10.00  
 DATE AREA  
 25.76 SQ.  
 2.655 X 2.544 X 656 AC/4.21  
 GAS AREA 16,000 GALLONS  
 14,000 SQ. FT. 200.00

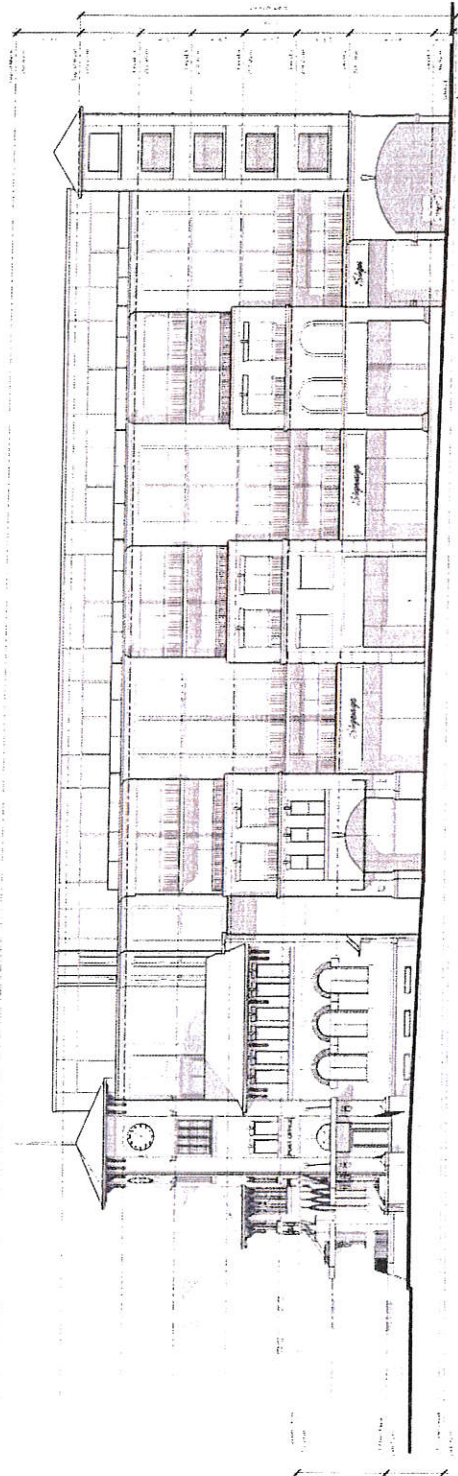
**CONCRETE**  
 24.78 SQ. FT. 76.7%  
**DRIP AREA**  
 121.63 SQ. FT. 78.7 X 230  
 Excludes Lower Level Deck House

**COMMON AREA**  
 15.304 SQ. FT. 429.0 SQ.  
 Excludes Lower Level Deck House

PROPOSED PARKING		REQUIRED PARKING	
LEVEL	0	1-5' ALL GRADE	170 REQUIRED
SURFACE	36	5-10' ALL GRADE	200 REQUIRED
P1	37	10-15' ALL GRADE	175 REQUIRED
P2	175	TOTAL	545 TOTAL
TOTAL			

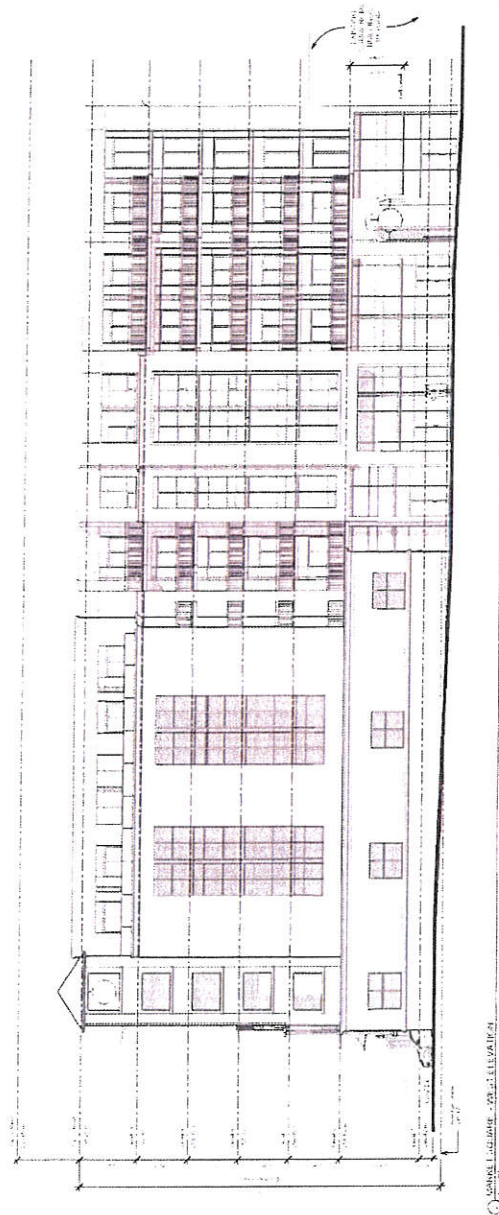
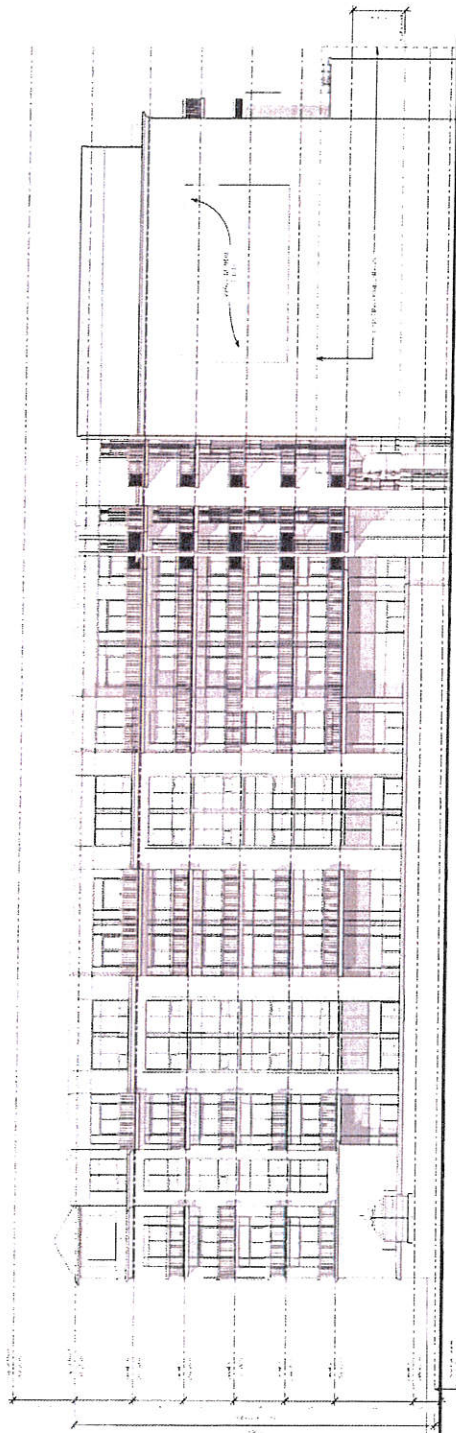


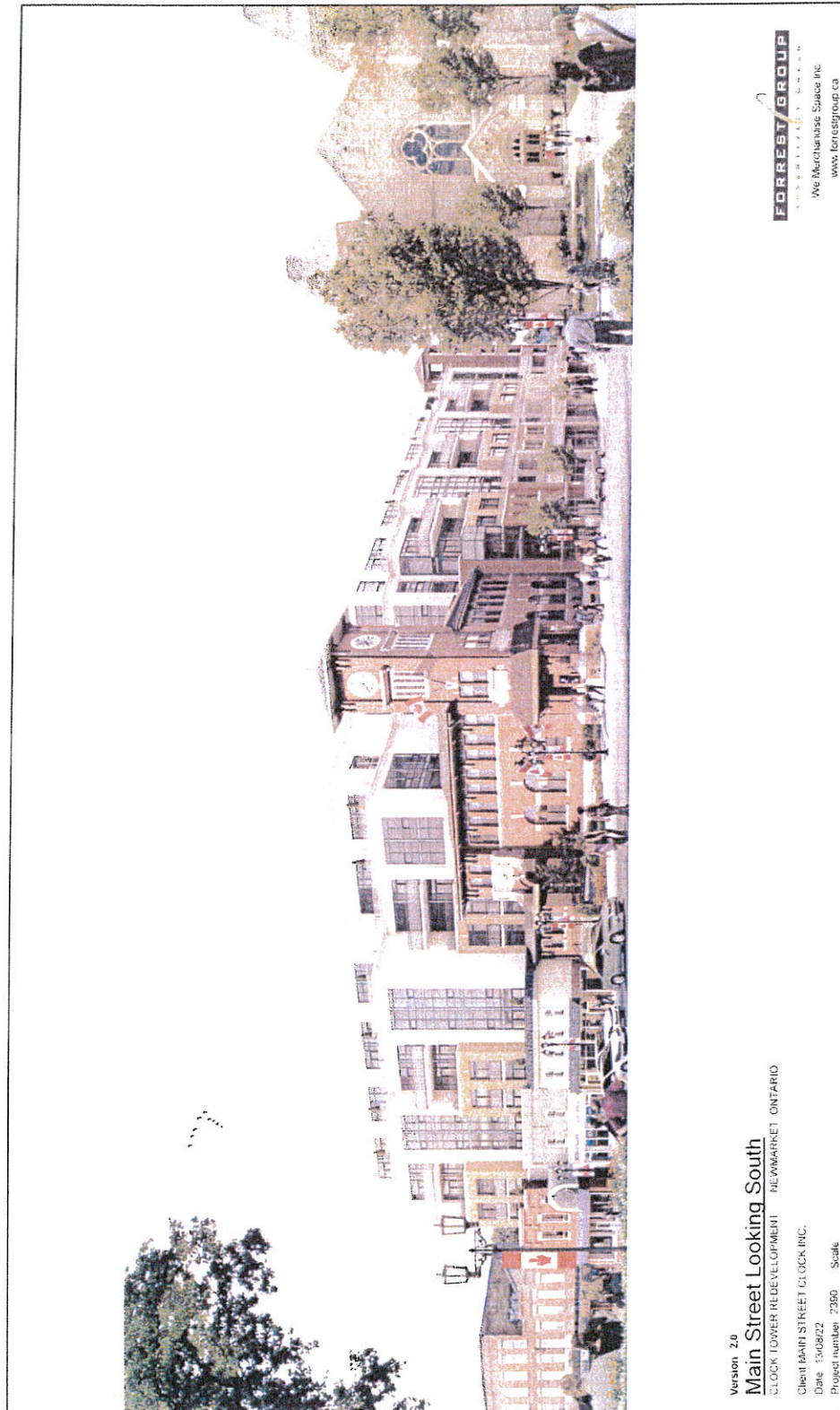
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TOWN OF NEWMARKET  
 Legislative Services Department  
 395 Mulock Drive  
 P.O. Box 328  
 Newmarket, ON L3Y 4X7

www.newmarket.ca  
 clerks@newmarket.ca  
 905.895.5193

## DEPUTATION REQUEST

*If you wish to speak at this evening's Session, please complete the following information:*

PLEASE PRINT

COUNCIL/COMMITTEE DATE: Feb 3, 2014

AGENDA ITEM NO. \_\_\_\_\_ SUBJECT: Clock Tower development

PUBLIC MEETING: YES ☒ NO ☐

NAME: David Kempton

ADDRESS: \_\_\_\_\_  
Street Address

Newmarket

Town/City

Postal Code

PHONE: HOME: \_\_\_\_\_ BUSINESS: \_\_\_\_\_

FAX NO.: \_\_\_\_\_ E-MAIL ADDRESS: kempton@pixsilver.com

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

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

Various reasons to support Clock Tower development

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



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## DEPUTATION REQUEST

***If you wish to speak at this evening's Session, please complete the following information:***

PLEASE PRINT

COUNCIL/COMMITTEE DATE: Feb 3, 2014

AGENDA ITEM NO. \_\_\_\_\_ SUBJECT: Clock Tower development

PUBLIC MEETING: YES ☒ NO ☐

NAME: Peggy Stevens

ADDRESS:

*Street Address*

Newmarket

*Town/City*

*Postal Code*

PHONE: HOME: \_\_\_\_\_ BUSINESS: \_\_\_\_\_

FAX NO.: \_\_\_\_\_ E-MAIL ADDRESS: peggystevens1@hotmail.com

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

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

Speaking in support of the Clock Tower development

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

## Clock Tower Redevelopment

Oral deputation by Greg King at the February 3<sup>rd</sup>, 2014 Town Council Meeting

Good evening Mr. Mayor, Councilors:

I am here tonight to voice my support for the Clock Tower redevelopment project put forward by the Forrest Group. As a property owner and resident of Main Street for over 21 years, this project impacts me directly.

Throughout my years on Main Street I would describe the environment as quaint but run down. In truth, it was a place that people avoided. Lately, it has started changing for the better. With the closing of the bars and the opening of restaurants as well as Riverwalk Commons, families are now starting to come to Main Street. But this is only a start, retailers are still struggling and there are still vacant storefronts.

We need more people living on the street for Main Street to really come alive. Customers are necessary for the businesses to be viable and more local residents would support and attract businesses on Main Street. As all available land has been built on, the only way to add more residents is to build up. A mid-rise project would attract younger people and empty nesters. As well, higher density dwellings will be more affordable. The higher density is both economically and environmentally desirable.

In order for Main Street to flourish it must be a living entity and not a fossil. Successful communities evolve. A sustainable heritage district links the past with the present or else it becomes irrelevant. The Newmarket of today is not the Newmarket of the past and won't be of the future.

This is not to say that heritage preservation is not desirable but it is expensive and someone must pay for it to happen. Property owners must be able to make a return on their investment as well compensation for higher on-going operating expenses. Otherwise, they will just let their properties decay: "Demolition by neglect." We must remain practical and not be guided totally by ideology, as life is compromise.

I am looking forward to meeting my new neighbours.

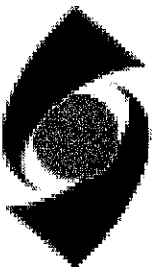
Thank you Mr. Mayor.

Greg King

Newmarket ON

**Nature's  
EMPORIUM**

*presents*

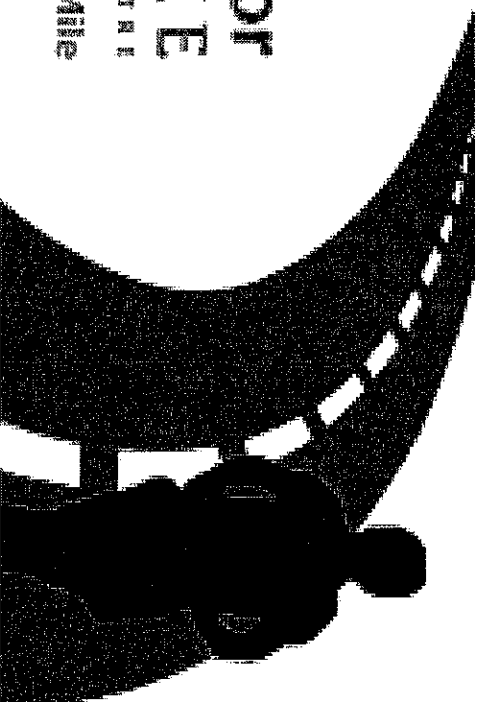


**Run or Walk for**

**SOUTHLAKE**

REGIONAL HEALTH CENTRE

10K • 5K • 2.5K • Kids Mini Mile



**Sunday, April 27, 2014**

**Aurora Community Centre**

**[runforsouthlake.ca](http://runforsouthlake.ca)**



## Meet Sal...

**An annual participant in the Run or Walk for Southlake since 2010.**

On July 18, 2012, while filling water bottles for the family to head out to his daughters' soccer game, Sal went into cardiac arrest, collapsing in his kitchen.

Rushed to Southlake, staff saved his life again as he went into a second cardiac arrest in the Emergency department.

After 10 days at Southlake, physicians implanted a defibrillator under Sal's clavicle, which monitors the rhythm and deliver a shock if he is in danger, allowing him to reclaim his life as a husband, father and avid runner.

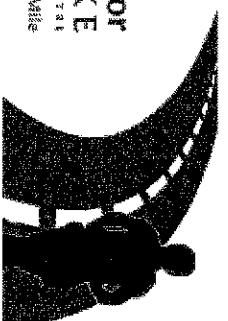
AND...

In 2013, Sal ran the 5K with his wife and their kids ran the Mini Mile.



Nature's  
EMPORIUM  
presents

**Run or Walk for  
SOUTHLAKE  
REGIONAL HEALTH CENTER  
10K • 5K • 2.5K • Kids Mini Mile**



**"You realize how lucky you  
are when you're at your  
child's birthday party."**



“We’re lucky we live so close to Southlake. You never know when you might need its services. It could happen to anyone. I was 36 when it happened to me and there was no indication that it would happen.”

- Sal Polito

Nature's  
EMPORIUM  
presents



Run or Walk for  
SOUTHLAKE  
REGIONAL HEALTH CENTRE  
10K • 5K • 2.5K • Kids Infant Mile

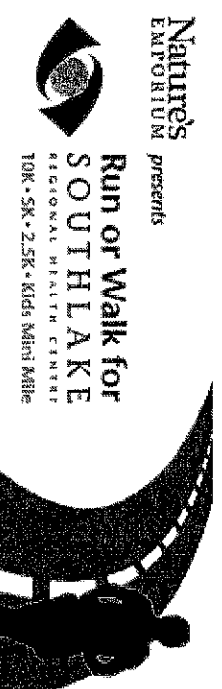
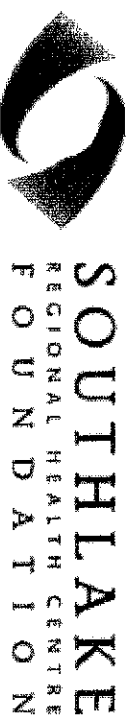




# Excellence in Health Care...for your family, friends and neighbours

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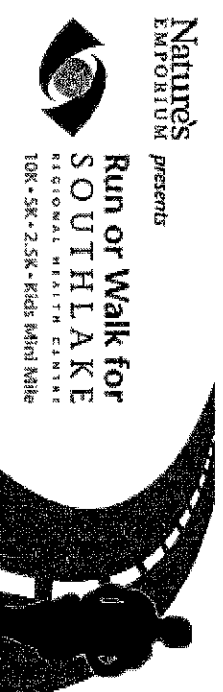
- Since opening in 2010, The Stronach Regional Cancer Centre has had more than **161,000 patient visits** for treatment, representing **8,541 patients** who got cancer care close to home rather than travel to Toronto.
- The ER's **90,000 patients per year** have the fastest time to seeing a doctor in the GTA!
- With the **3rd largest cardiac program** in the province, more than **8,000 people** per year come to Southlake for advanced cardiac procedures.
- Southlake has been named the **Best Hospital in Ontario to have a baby!**



# Built by our Community

---

- Government funding assumes community contribution for capital construction and 100% community funding for equipment
- Community members like local businesses, citizens and organizations like you!
- Our Interventional Radiology Suite (IRS) opened in 2012 and was funded completely by community donations and fundraising.



# Run or Walk for Southlake...

## *something for everyone!*

---

- 10K Run
- 5K Run or Walk
- 2.5K Run or Walk
- Kids Mini Mile and KidZone with entertainment, face painting, bouncy truck and more!



**SOUTHLAKE**  
REGIONAL HEALTH CENTRE  
FOUNDATION

Nature's  
EMFORIUM  
presents



**Run or Walk for  
SOUTHLAKE**  
REGIONAL HEALTH CENTRE

10K • 5K • 2.5K • Kids Mini Mile



# 2013 Participant Demographic Info

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- 1,460 participants
- Ranging from 3 years to 80 years of age
- Gender: 61% female, 39% male
- Hundreds of supporting spectators
- 150 volunteers
- 88 Teams
- More than 200 people participated on Hospital Teams

# How do YOU fit in?



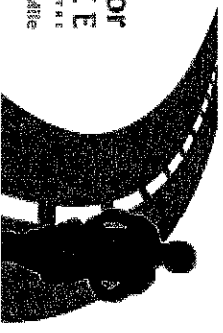
**SOUTHLAKE**  
REGIONAL HEALTH CENTRE  
FOUNDATION



Nature's  
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REGIONAL HEALTH CENTRE  
10K • 5K • 2.5K • Kids Mini Mile



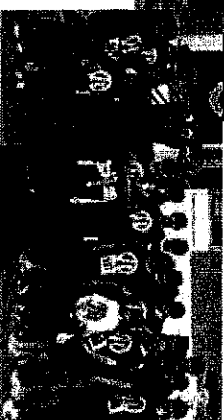
# The TEAMS Challenge!

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Teams in the following categories vie for the title of

## TOP TEAM

- Bank
- Community Groups and Sports Teams
- Corporate
- Friends and Family
- Hospital Staff
- Mayors and Municipalities
- Schools
- Seniors and Grandparents (*new this year!*)



*Which team can raise the most?!*

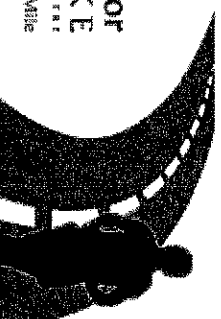


**SOUTHLAKE**  
REGIONAL HEALTH CENTRE  
FOUNDATION



Nature's  
EMPORIUM  
*presents*

**Run or Walk for  
SOUTHLAKE**  
REGIONAL HEALTH CENTRE  
70K • 5K • 2.5K • Kids Mini Mile

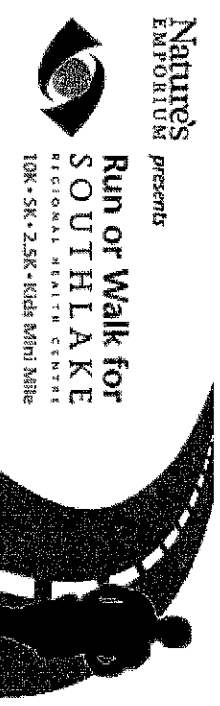


# Teams – why are they so great?

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***Not only do teammates help keep each other motivated, they also help to...***

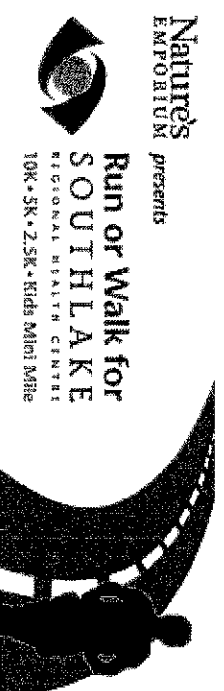
- Honour a friend, co-worker or loved one
- Foster excellent employee engagement
- Build a culture of wellness at your organization
- Start showing youth about the importance of philanthropy and community support
- Spread the word about the excellent health care we receive at Southlake!



# How can your Municipality Help?

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- Enter a Town Team in the Challenge
- Help us create awareness through communication avenues available in your Town
- Host a lunch and learn or an opportunity for us to speak to staff

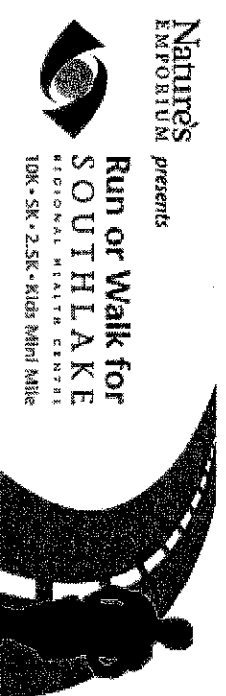




# What do you do now?

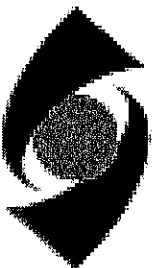
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- Elect a Team Captain (*or volunteer as one*)!
- Register the team online at [runforsouthlake.ca](http://runforsouthlake.ca)
- Work as a team to spread the word to friends, family, co-workers and clients.
- Visit [runforsouthlake.ca](http://runforsouthlake.ca) or visit our Facebook page for lots of great stories and tips.

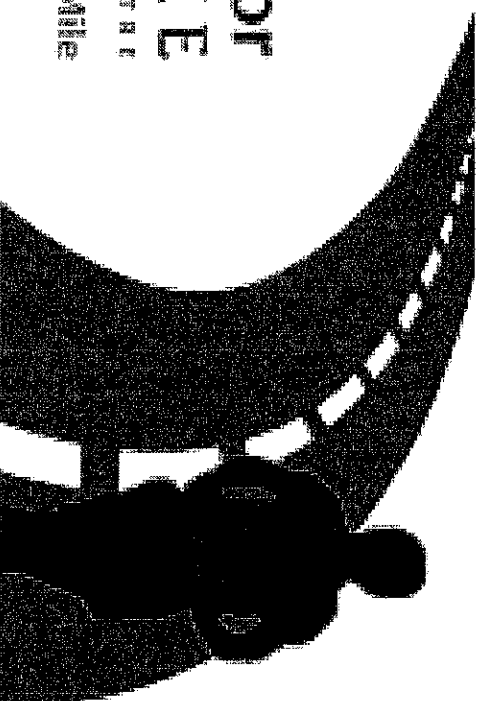


**Nature's**  
EMPORIUM

presents



**Run or Walk for**  
**SOUTHLAKE**  
REGIONAL HEALTH CENTRE  
10K • 5K • 2.5K • Kids Mini Mile



**Sunday, April 27, 2014**

**Aurora Community Centre**

**runforsouthlake.ca**

**facebook.com/southlakefoundation**

**twitter.com/SouthlakeFndn**

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The meeting of the Appointment Committee was held on Tuesday, January 21, 2014 at 2:00 p.m. in the Cane Room, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen  
Regional Councillor Taylor  
Councillor Twinney

Staff: L. Lyons, Deputy Clerk

Councillor Twinney in the Chair.

The meeting was called to order at 2:00 p.m.

**ADDITIONS TO THE AGENDA**

None.

**DECLARATIONS OF INTEREST**

None.

**CLOSED SESSION**

Moved by Mayor Van Bynen  
Seconded by Regional Councillor Taylor

**THAT the Appointment Committee resolve into a Closed Session for the purpose of discussing personal matters about an identifiable individual, including municipal employees or local board employees (Accessibility Advisory Committee Appointment).**

**CARRIED**

The Appointment Committee resolved into a Closed Session at 2:05 p.m.

The Appointment Committee (Closed Session) Minutes are recorded under separate cover.

The Appointment Committee resumed into public session at 2:33 p.m.

Moved by Regional Councillor Taylor  
Seconded by Mayor Van Bynen

THAT the Appointment Committee recommends that Council maintain consistency with the past practice of not filling vacancies on any boards and committees during the last year of the term unless an appointment is needed to meet the committee's quorum requirements.

**CARRIED**

Moved by Mayor Van Bynen  
Seconded by Regional Councillor Taylor

THAT the meeting adjourn.

**CARRIED**

There being no further business the meeting adjourned at 2:35 p.m.

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Date

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Councillor Twinney, Chair

Item 1 of Appointment Committee Minutes of January 21, 2014 regarding Vacancies.

Recommendation:

THAT the Appointment Committee recommends that Council maintain consistency with the past practice of not filling vacancies on any boards and committees during the last year of the term unless an appointment is needed to meet the committee's quorum requirements.



**COMMUNITY SERVICES – ECONOMIC DEVELOPMENT**  
 TOWN OF NEWMARKET  
 395 Mulock Drive  
 P.O. Box 328  
 Newmarket, ON L3Y 4X7

www.newmarket.ca  
 info@newmarket.ca  
 905.895.5193

January 24, 2014

**JOINT INFORMATION REPORT 2014-02  
 COMMUNITY SERVICES – ECONOMIC DEVELOPMENT  
 CHIEF ADMINISTRATIVE OFFICER**

TO: Mayor Van Bynen and Members of Council

SUBJECT: Post-secondary update

ORIGIN: Chris Kallio, Economic Development Officer

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**RECOMMENDATIONS**

**THAT Joint Report Community Services/Economic Development and Chief Administrative Officer 2014-02 dated January 24, 2014, regarding an update on Provincial direction for post-secondary investment, and subsequent local response, be received for information.**

**COMMENTS**

This report updates a number of reports over the past two years with respect to post-secondary developments and potential opportunities for the Town of Newmarket, most recently confidential information report 2013-42 dated November 25, 2013. Since last fall, the Post-Secondary Community Collaborative Working Group (CCWG) has been established, and with the assistance of the Delta Consulting Group, is in the midst of developing a Newmarket-specific strategy for post-secondary investment. Both Mayor Van Bynen and Regional Councillor Taylor sit on the CCWG, and ongoing monthly meetings are occurring with the goal of delivering this strategy by April, 2014.

The Provincial government release of the post-secondary "Major Capacity Expansion Policy Framework" the week of December 16, 2013 has accelerated the expected time lines for a Provincial call for proposals for new post-secondary institutions, which is now likely within 60 days. Highlights of the policy framework include:

- All existing colleges and universities will be invited to submit proposals for new campuses or facilities—i.e., the process will be institution-led not community-led. This is now a post-secondary institution driven process that means interested communities will require a willing post-secondary partner in order to be considered.
- Confirmed significant support in the form of financial and/or land contributions from local municipalities (upper and/or lower tier) is part of the criteria and will likely be a required component of any successful proposal.
- Substantial land capacity is required to accommodate 1,000 students in the short-term and up to 10,000 students long term. This means communities will need to identify sites capable of supporting these targets.

The policy framework provides a checklist of considerations that must be met in order to begin the process leading to an approved location. It is anticipated post-secondary institution submissions that meet the checklist

criteria will then be afforded an opportunity to submit a detailed proposal to the Province for further consideration.

Numerous meetings have occurred since the release of the Ministry policy framework to determine Newmarket's suitability as a post-secondary location in relation to the new criteria, and to explore external partnerships. These have involved the Mayor and Regional Councillor, senior staff, and outside parties that could positively influence our standing/alignment with the Ministry checklist. York Region initially indicated it would not lead post-secondary attraction efforts but only support local communities as needed, however, this position may be changing given the importance of post-secondary education to the future growth and stature of the Region.

### **Next Steps**

In summary, the post-secondary issue is evolving rapidly as a result of recent Ministry directives. Communities in Ontario with an interest in post-secondary investment, including Newmarket and other York Region communities, are assessing their competitive positions in preparation for an imminent Provincial proposal call. As we receive further information of both a confidential and non-confidential nature, further reports to Council will follow.

### **BUDGET IMPACT**

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

This initiative is currently being carried out through existing staff resources and budgets. Any future financial impacts, if and as appropriate, will come to Council for review as part of a formal business case and financial model.

### **CONTACT**

For more information on this report, contact:

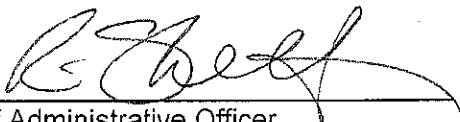
Chris Kallio, Economic Development Officer, (905) 953-5131, ext. 2, [ckallio@newmarket.ca](mailto:ckallio@newmarket.ca)



Economic Development Officer



Commissioner, Community Services



Chief Administrative Officer



CLOCK TOWER  
AND  
184-194 MAIN STREET  
ZONING BY-LAW AMENDMENT

February 3, 2014



# MAIN STREET CLOCK INC.

590 Alden Road, Suite 211  
Markham, ON L3R 8N2  
[www.forrestgroup.ca](http://www.forrestgroup.ca)

Bob Forrest  
[bobfor@bobfor.com](mailto:bobfor@bobfor.com)  
(905) 752-6776 x230

Chris Bobyk  
[chris.bobyk@bobfor.com](mailto:chris.bobyk@bobfor.com)  
(905) 752-6776 x232



# TODAY'S OBJECTIVES

- Review Zoning By-Law Amendment requested
- Provide an update on the community consultation process



## TODAY'S OBJECTIVES *Continued*

- Review the Development Concept
- Address fit with Heritage Guidelines and Main Street character preservation
- Summarize community benefits



## ZONING BY-LAW AMENDMENT

- Re-development of 178-194 Main Street South for a mixed use building of 3 storeys along Main Street and 9 storeys along Park Avenue comprised of:
  - About 150 unit condominium building
  - Ground level commercial
  - Below grade parking
- By-law amendment required for increased density and height



# COMMUNITY CONSULTATION PROCESS

- June 2012 – Initial concept presented
- June 2012 – Heritage Committee consultation commenced, resulting in alternative designs
- April 2013 – Alternative 7 storey concept presented at Public Open House
- June 2013 – Alternative 6 storey concept inclusive of municipal parking opportunity presented



# COMMUNITY CONSULTATION PROCESS

*Continued*

- August 2013 – Concept revised further for application submission, 6 storey reduced foot print
- November 2013 – Heritage and resident comments to COW received
- December 2013 – Application/concept amended to further address Heritage principles and guidelines



## REVISED DEVELOPMENT CONCEPT

- Building height has been reduced from 6 storeys to 3 fronting Main Street consistent with current Zoning By-Law and Heritage guidelines
- To accommodate Main Street height change, Park Avenue increases from 6 to 9 storeys
- 178-194 Main Street commercial designed to preserve historic character of Main Street inclusive of height



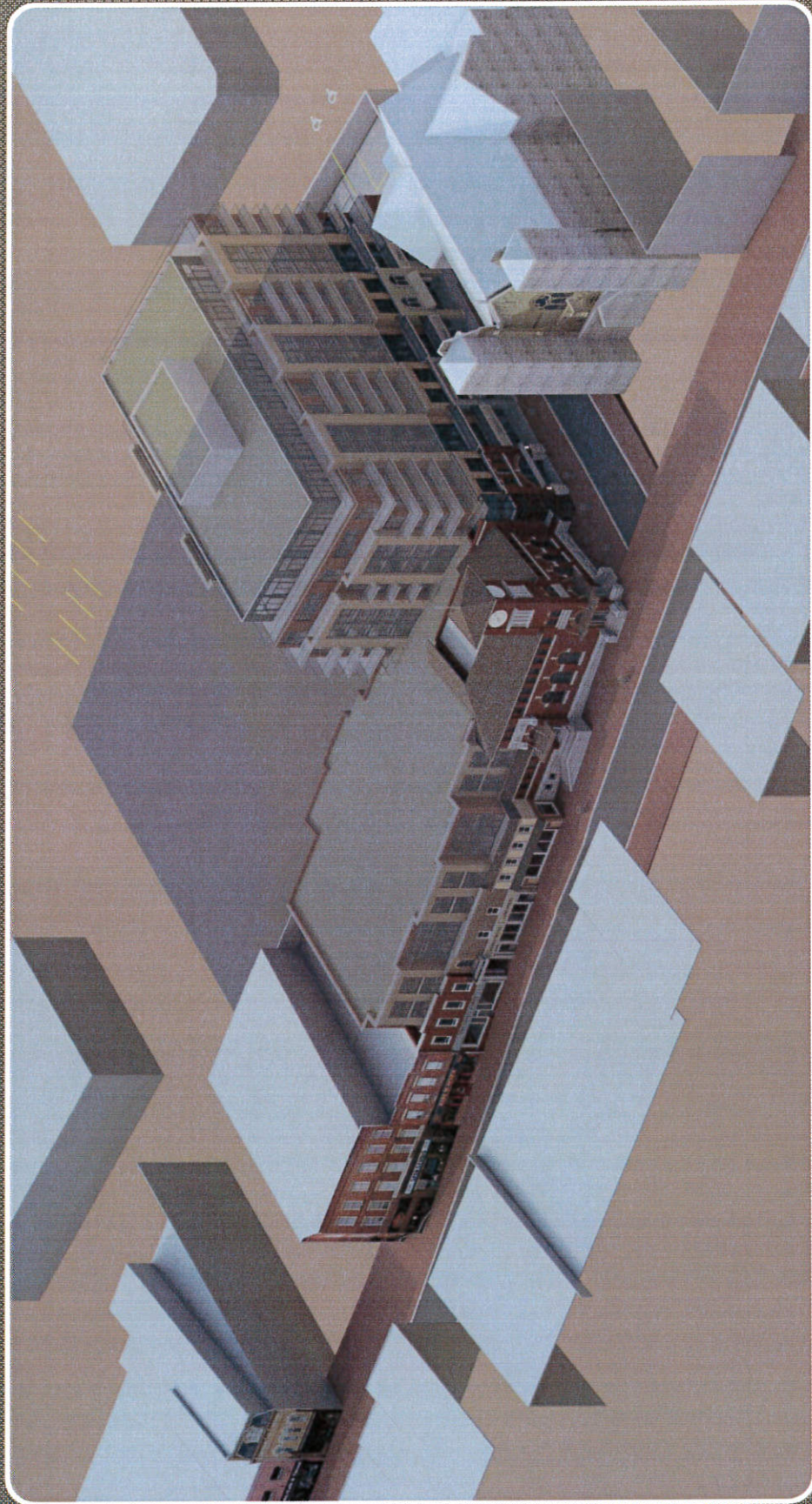
# REVISED DEVELOPMENT CONCEPT

*Continued*

- Design focused on Heritage principles and guidelines
- Building step backs increased from Clock Tower
- Revised condominium building design/materials introduced
- Building and façade articulation remains consistent with previous designs



# CONCEPT ISOMETRIC VIEW

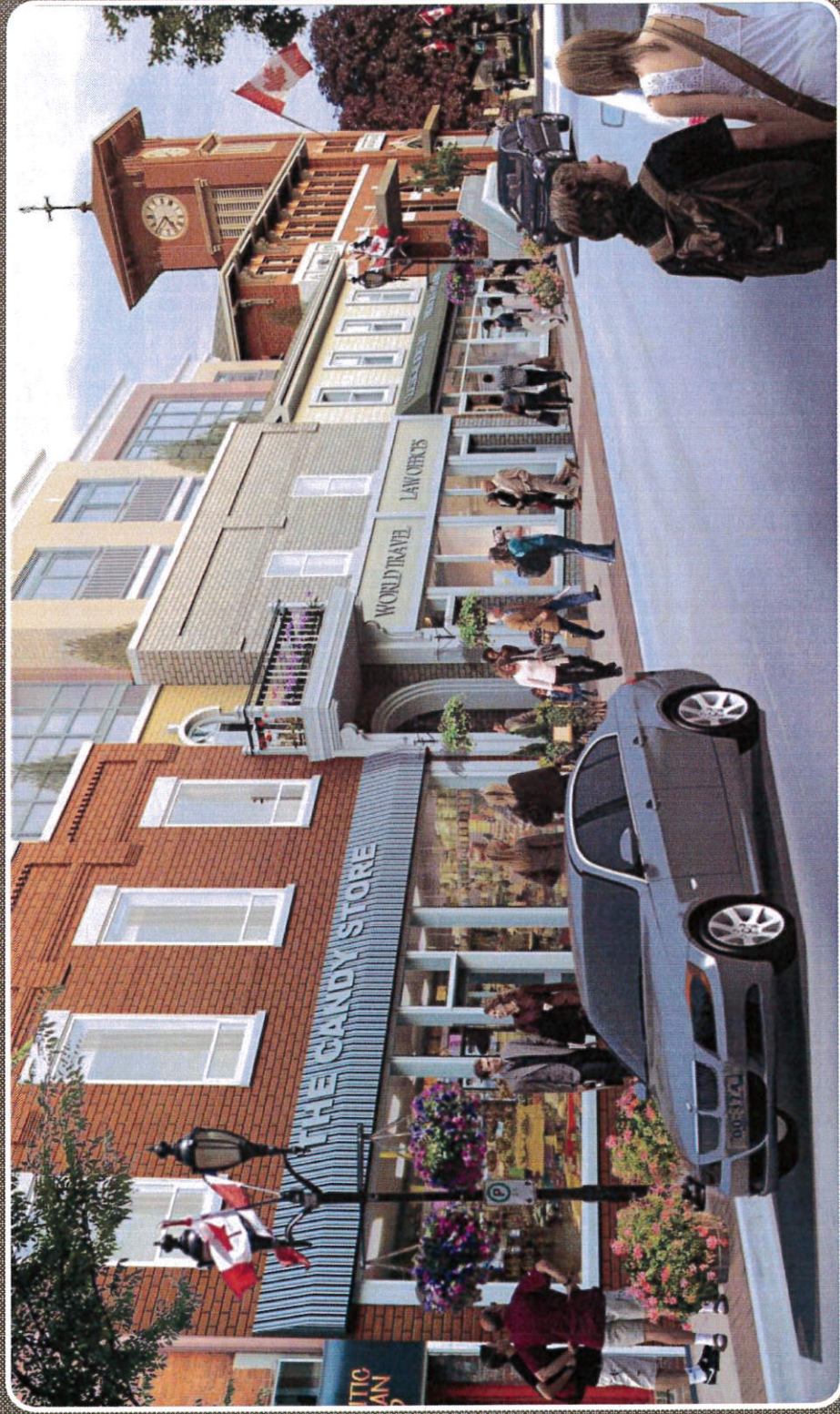


FORREST GROUP

A SUBSIDIARY OF FORREST GROUP

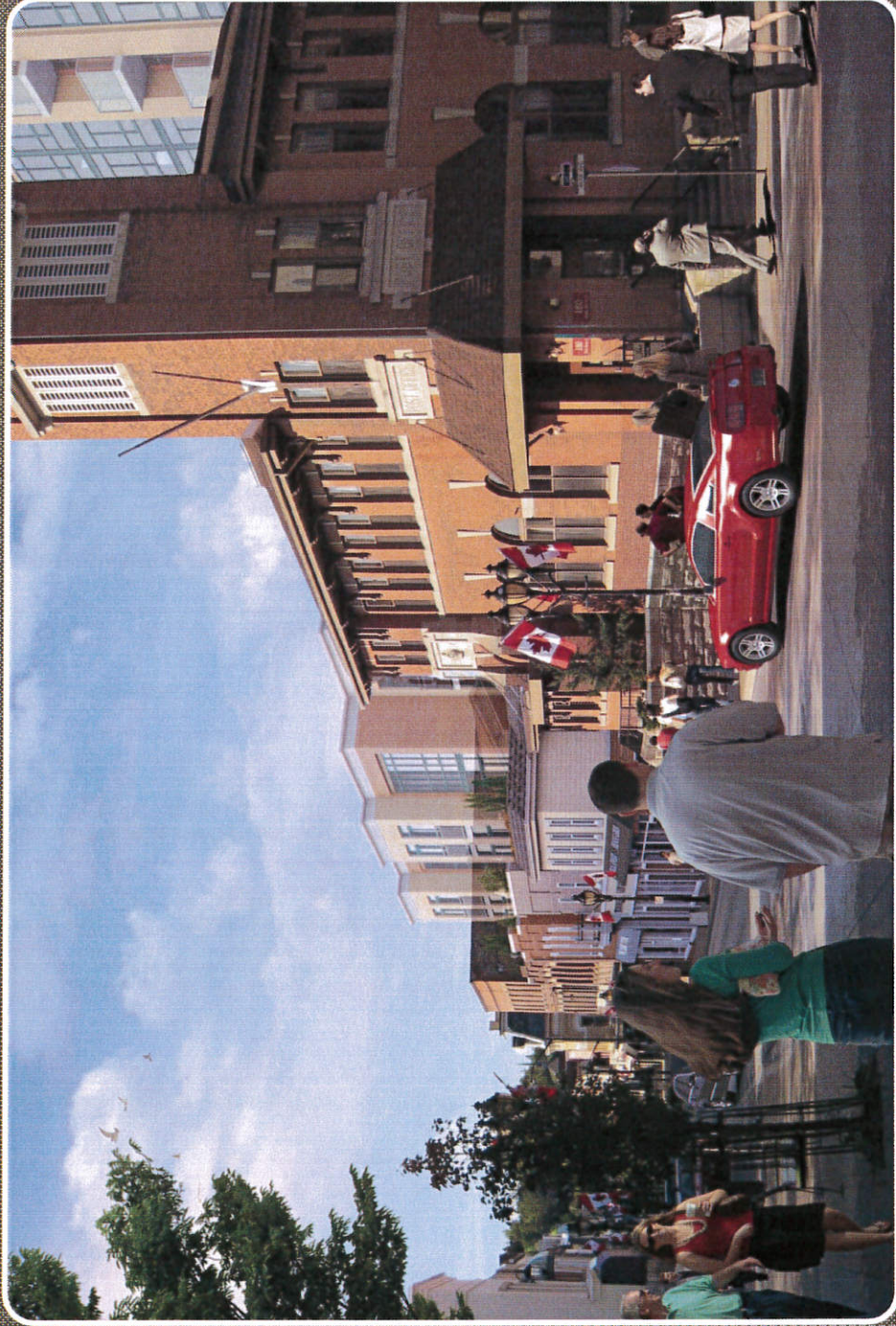


# MAIN STREET LOOKING NORTH





# MAIN STREET LOOKING SOUTH

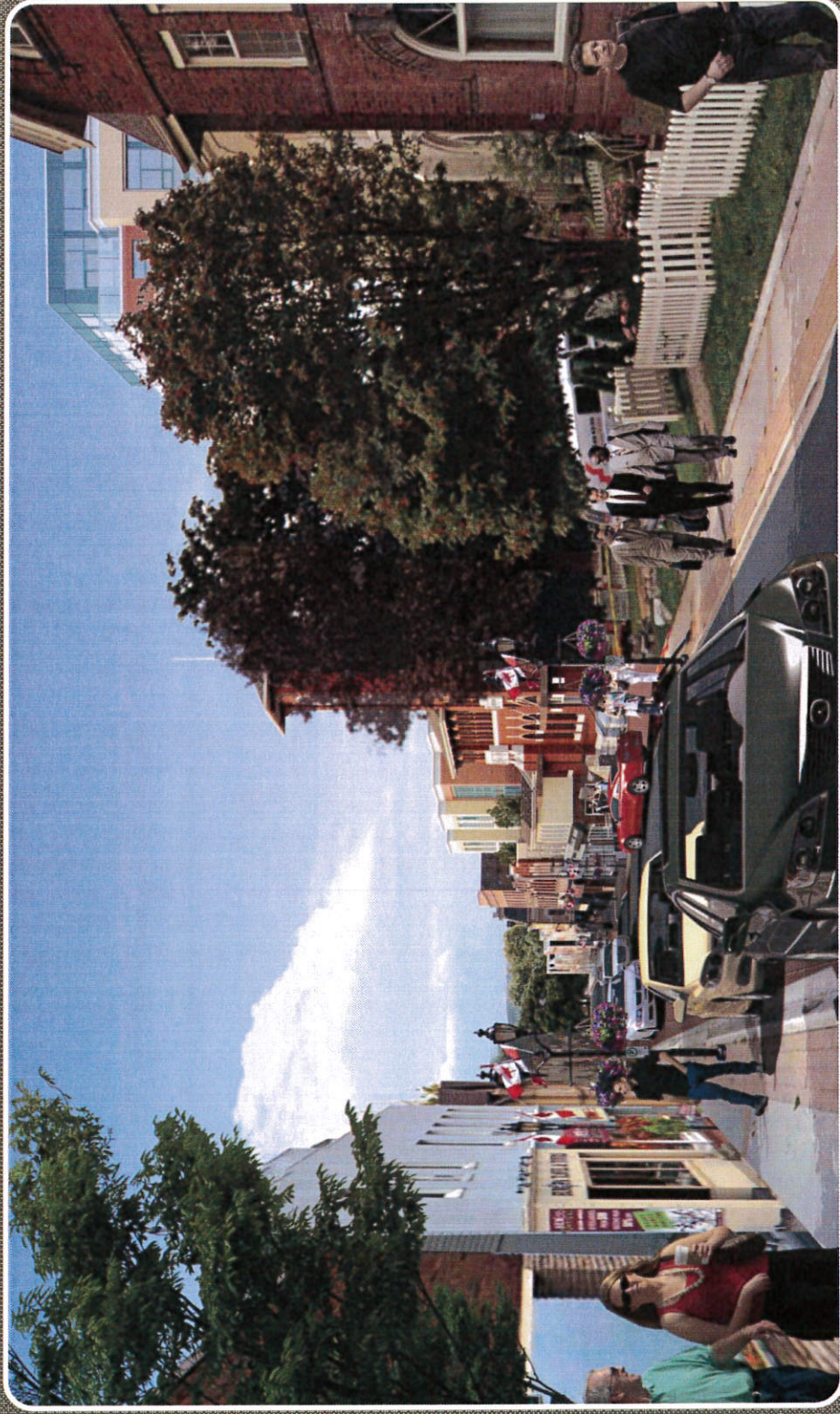


FORREST GROUP

1000 10th Ave S, Suite 100, Calgary, Alberta T2G 1A1



# MAIN STREET LOOKING SOUTH #2



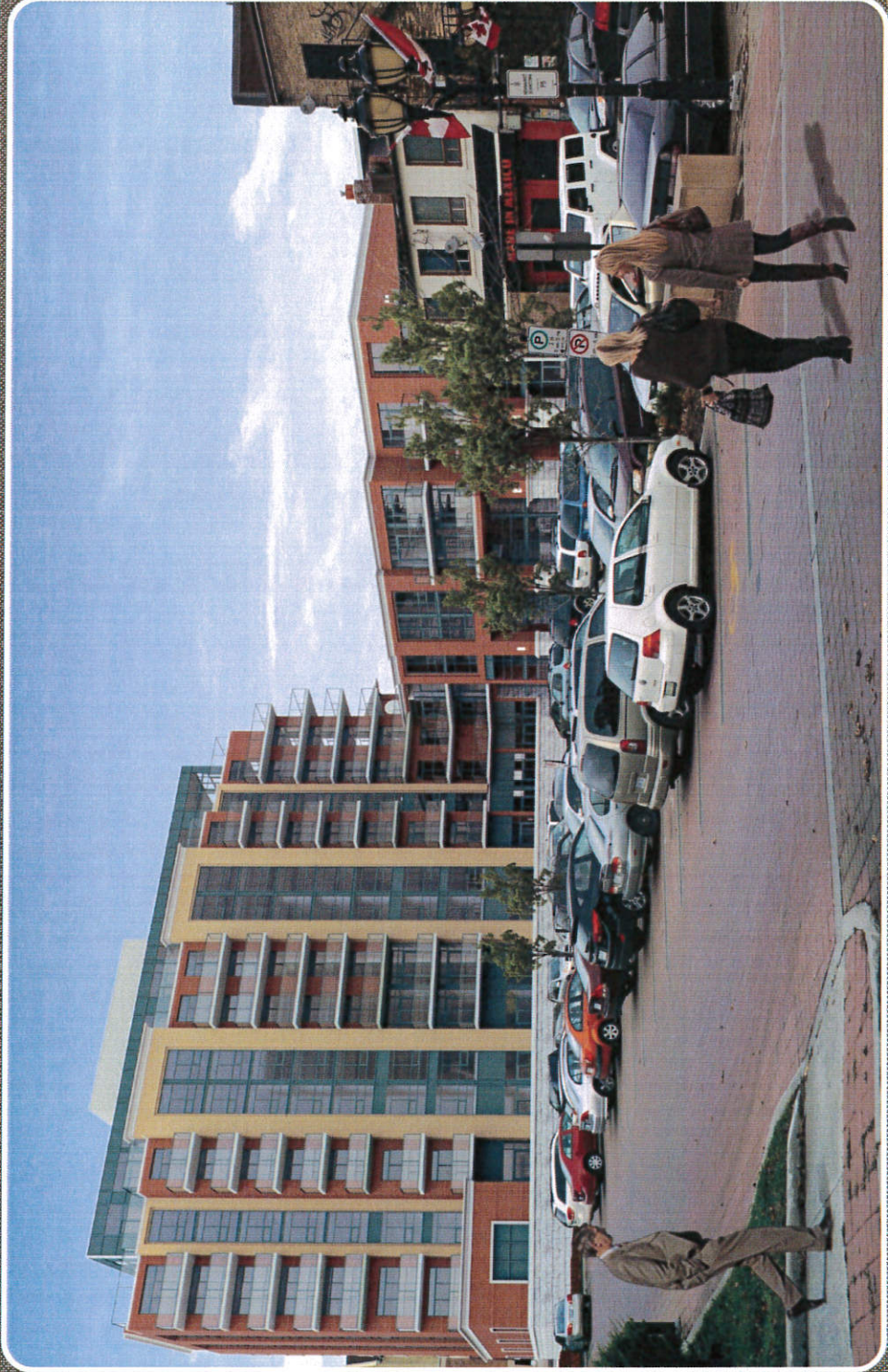


# PARK AVENUE



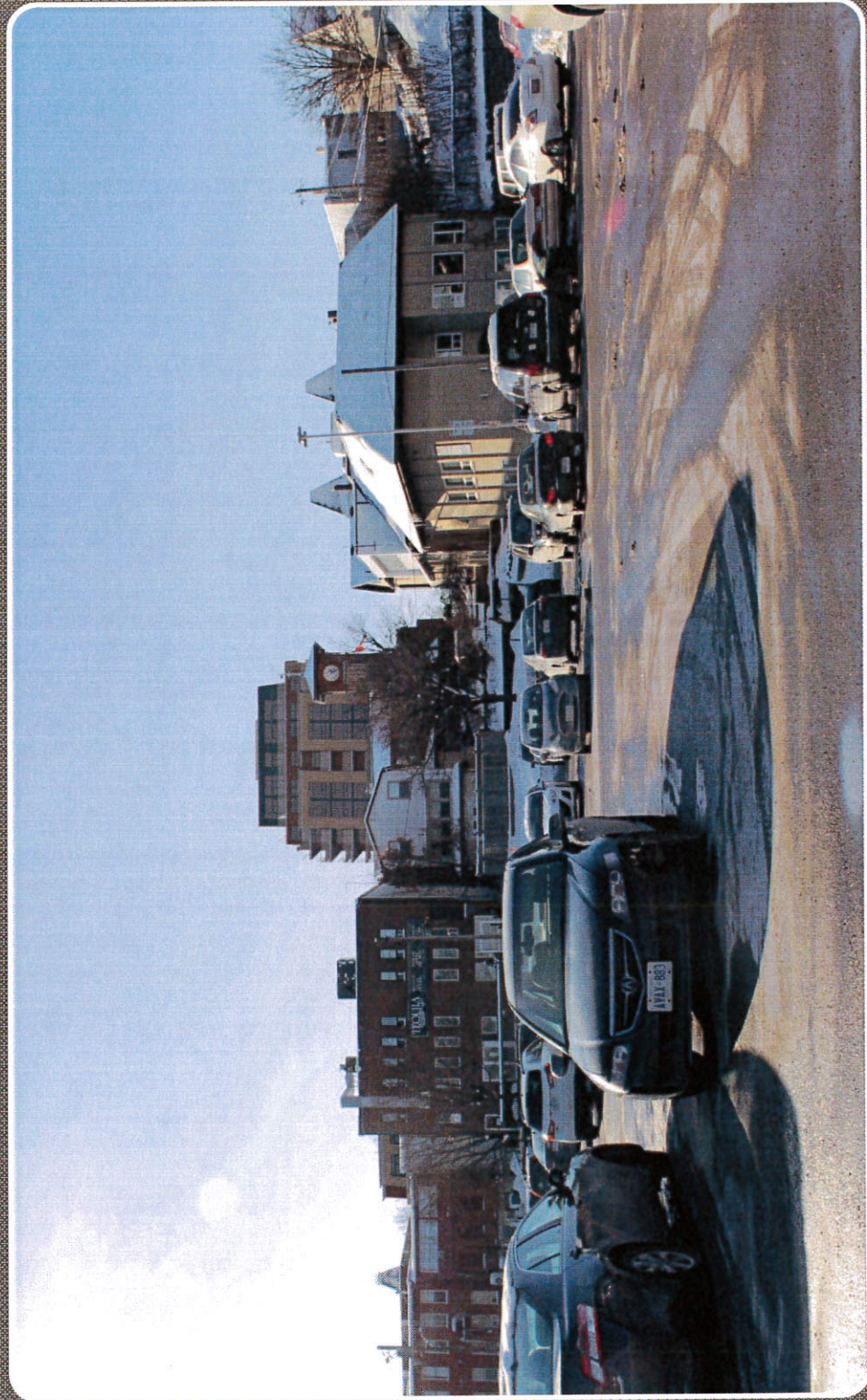


# VIEW FROM MARKET SQUARE





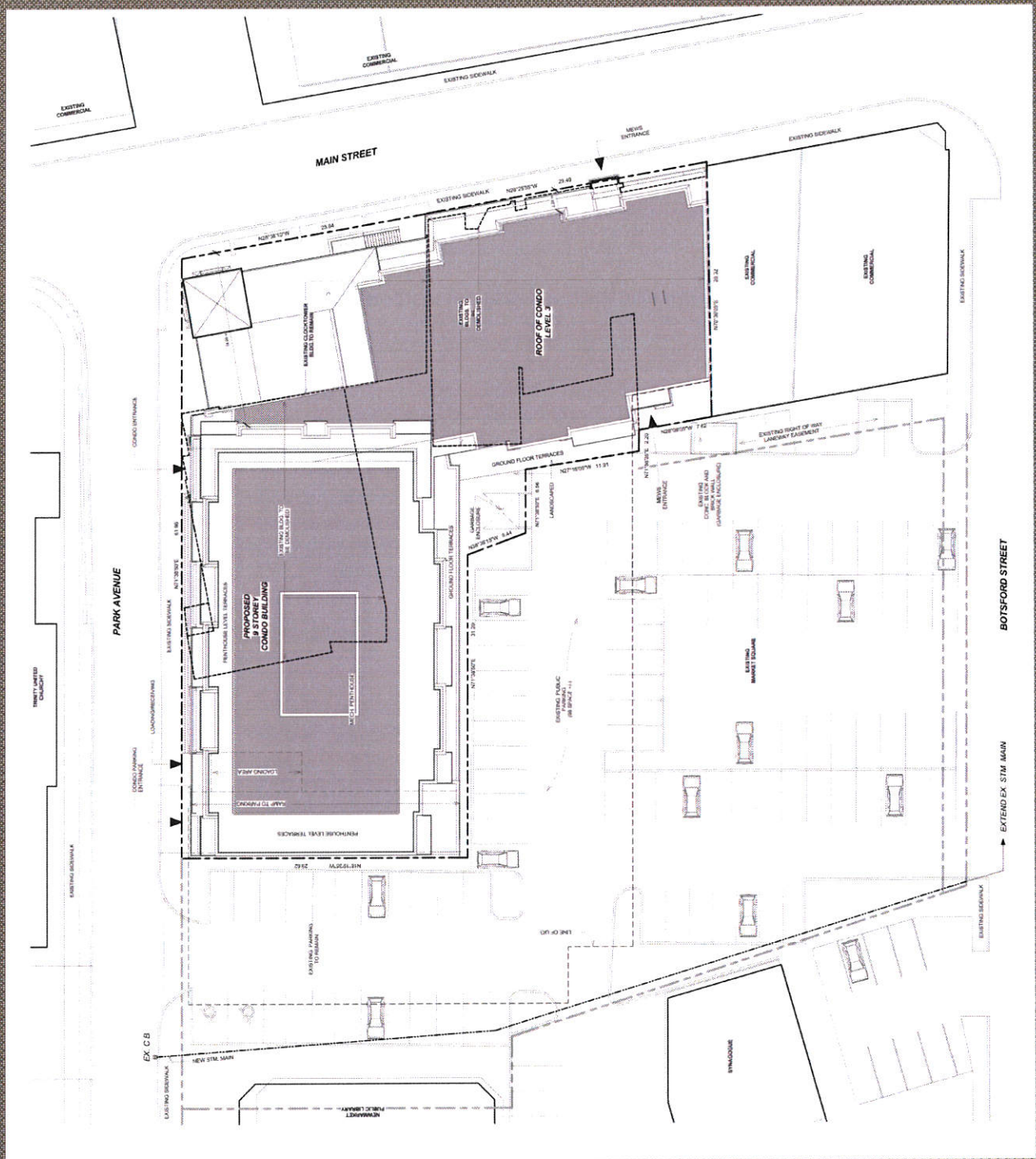
# RIVERWALK COMMONS VIEW





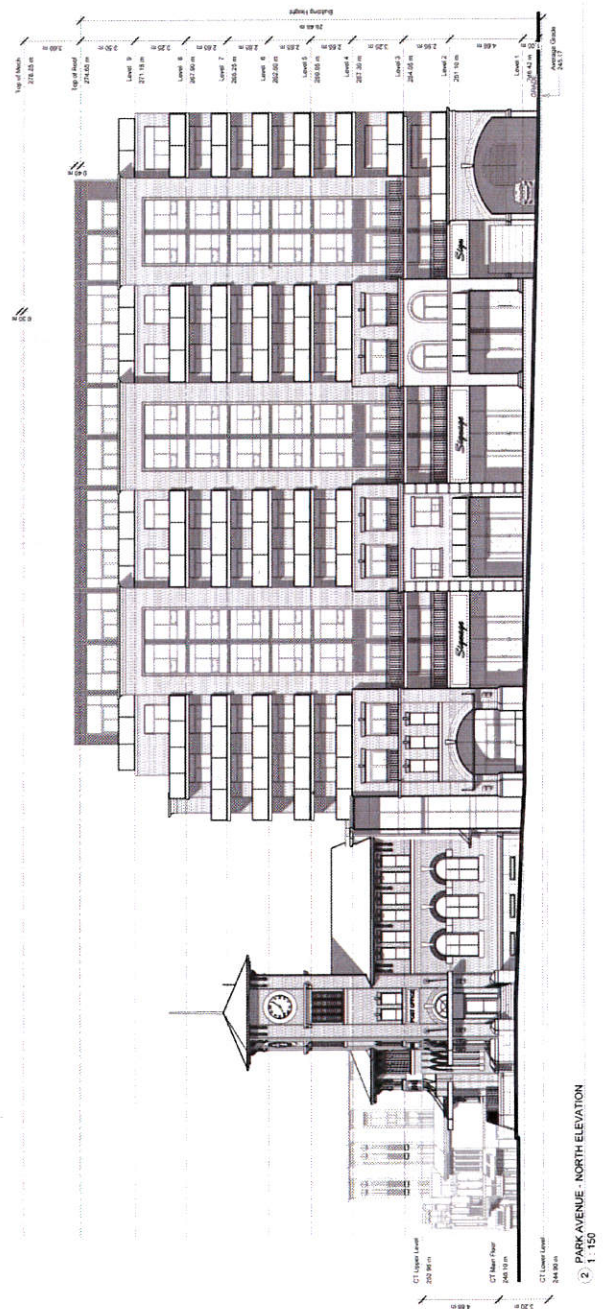
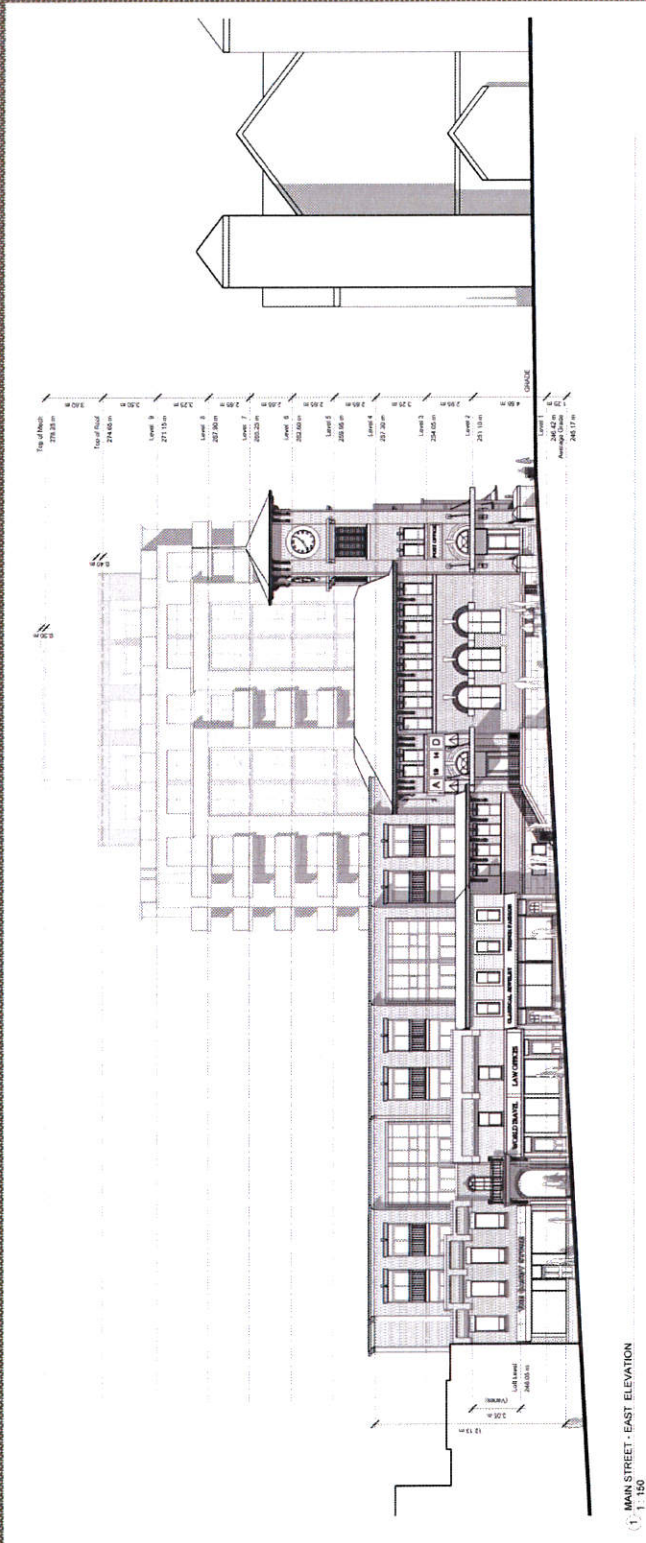








# ELEVATIONS





Sharon Vattay  
Heritage Planning Consultant  
Goldsmith Borgal & Company Ltd. Architects



# “FIT” HERITAGE GUIDELINES

- 3 storey height on Main Street preserves historic scale along this Heritage corridor
- Retail podium with step back on Main façade maintains Historic storefront character
- Set back of Park Avenue building maintains Main Street views to Historic Post Office Building



## “FIT” HERITAGE GUIDELINES *Continued*

- HIA assessments conclude Heritage impacts can be mitigated
- Character defining features of the existing buildings will be preserved on Main Street



# COMMUNITY BENEFITS

- Addresses Town's downtown sustainability goals
- Provides new residential customer base
- Upgrades retail space and provides net new space
- Provides alternative housing stock not currently available

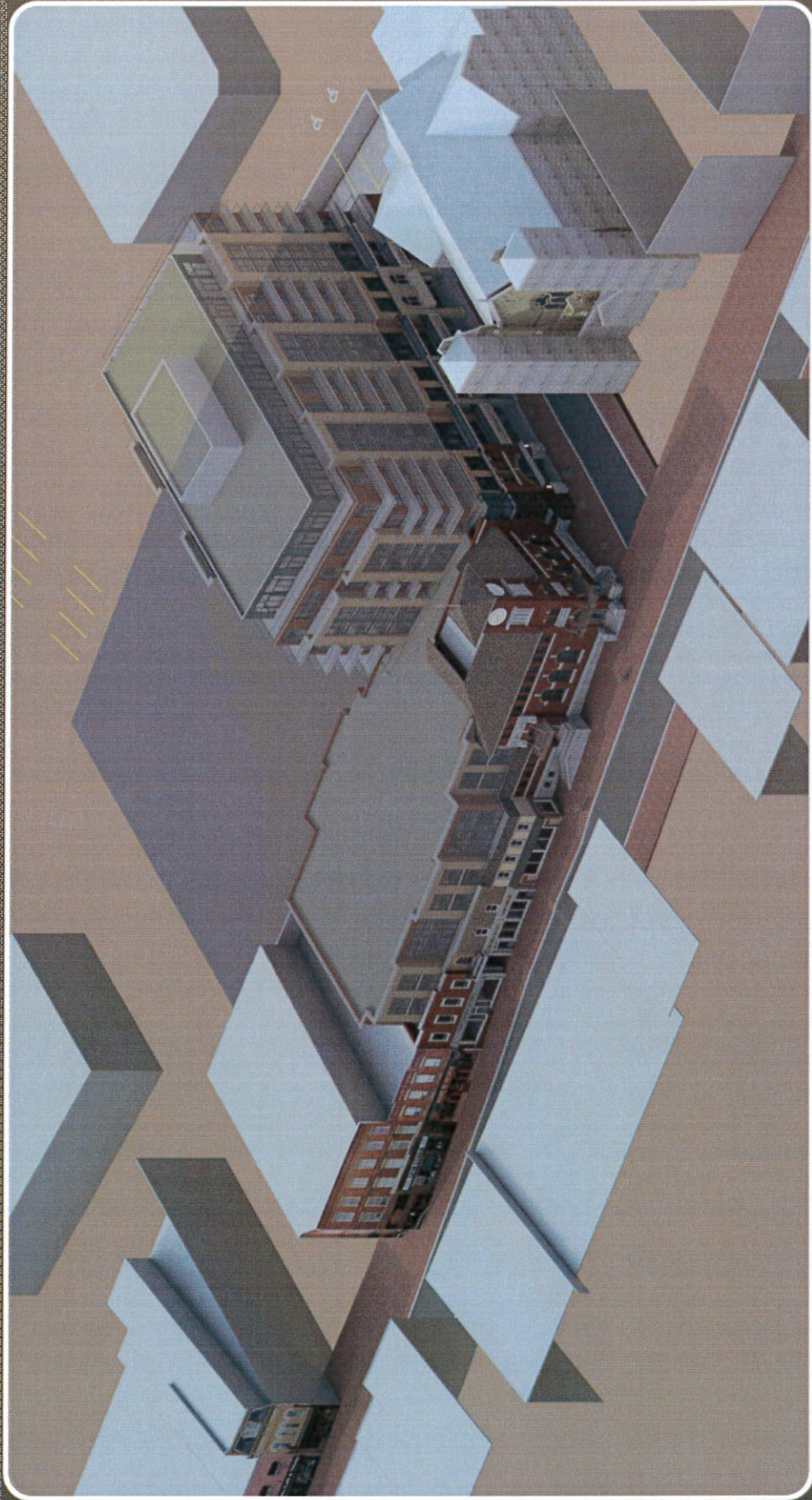


## COMMUNITY BENEFITS *Continued*

- Meets Town OP objectives for increased urban density in historic downtown
- Address Town policy to revitalize lower Main Street, while preserving historic character
- Design mitigates Heritage impacts while meeting majority of Town Policy



# QUESTIONS





### Deputation to Newmarket Council re: Clock Tower development, Feb 3, 2013

I support the Forrest Group application to build the proposed development at the Clock Tower, and Council should approve it.

I love being on Main Street, and patronize as many of the shops there as I can, and go to many of the special events on Main. As a member of The Newmarket Group of Artists, I also show my work on Main occasionally.

However, Main Street is having serious issues with retention of businesses, and with the variety of businesses there. Over the past several years, many shops have opened only to close again; even some long-term shops have gone, either closing or going elsewhere. There are papered-over windows all along main. And while there are many restaurants, coffee shops, and personal services like massage, we lack basic types of businesses like a grocery store.

Vandalism, in the form of tagging and kicked-in storefront tiles, goes un-repaired, inviting more.

Increased population on and near Main should help with these problems, and intensification of the medium scale proposed here would be a good start.

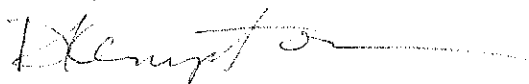
This proposal fits with the "Work, Play, Stay" concept, and many of the other principles of new urbanism e.g. walkability, connectedness, diversity, and increased density. Attention to these principles has been shown elsewhere to improve the quality of life for new residents, who may have shorter commutes and more dynamic, vital places to live, and for current residents, who get improved amenities such as new shops as part of development, and more stable, varied shops nearby, as well as increased property values.

Intensification is also much more effective for taxation, compared to greenfield development. Where greenfield development requires all new infrastructure to be installed and maintained, intensification taps into existing infrastructure. A 20020 study from the American Farmland Trust estimates that each dollar of tax revenue costs about \$1.15 in low-density greenfield developments<sup>1</sup>. Intensification also makes better use of existing transit routes and equipment.

This proposal even respects the existing built environment by creating storefronts along main and Park that are similar to Main's existing stores. As well, the taller structures are set back, and are of a mix of materials, both of which reduce the visual impact and improve the aesthetics.

So I believe that Council should approve this application. Further, Council should remove or reduce the minimum requirement for parking spaces. Pembina Institute identifies as a priority policy recommendation<sup>2</sup>: "Remove or reduce minimum parking requirements for new developments, allowing developers and municipalities to provide parking according to the market and based on a neighbourhood's unique mix of uses and transit service. This would reduce the cost of location-efficient development and maximize land efficiencies."

Sincerely



David Kempton

.. Newmarket

<sup>1</sup> 'Cost of Community Services Studies: Making the Case for Conservation', cited in Pembina's Building Sustainable Urban Communities in Ontario', 2003

<sup>2</sup> Pembina: Live Where You Go. July 2012. Available at Pembina.org



**Deputation to Newmarket Council re: Clock Tower Development**

I am in favour of the Clock Tower development. Main Street, Newmarket has the potential to be a true main street but it needs more people living in the downtown core to make that happen. When we chose to move to Newmarket we chose to live within easy walking distance of Main Street. We were gambling that Main Street was going to become a true main street as it once was; a main street with enough variety of businesses so that we would not have to use our car to meet our needs. So far, that gamble has not paid off but the Clock Tower development has the potential to make Main Street into a living main street. Bringing 150 units to the downtown core and offering some really nice new retail space the Clock Tower development would help to revitalize Main Street.

People choosing to live in the downtown want the lifestyle offered by a main street. They want to walk whenever possible. They will support the Main Street existing businesses and provide a larger customer base to attract new businesses of greater variety than already exist. This revitalized Main Street will attract more people who already live in the area. In other words, Main Street will get to be more like the Main Street of old. That's a real legacy. Preserving buildings without ensuring vitality isn't much of a legacy. The Clock Tower development preserves the Clock Tower, improves the streetscape immediately to the south in keeping with the heritage look and brings much needed residents to the downtown.

I know there are concerns about parking if more people live on/near Main Street but I don't believe the Clock Tower development will cause any greater problems than already exist. I am sure the Town Council already knows about the parking issues and is searching for solutions. (Killing Main Street would solve the parking problems but that solution makes no sense.) I believe that the parking provided by the Clock Tower development will be more than adequate for the new residents. As I said before, people choosing to live near Main Street will be people like me. We want to walk. We aren't looking for the quick dash to the 400 series highways. We can manage just fine with only one car. Proximity to the Go Train Station is a plus for us too. It's just a nice walk and then a pleasant trip to Toronto. It was certainly a factor in our decision to move to the Main Street area of Newmarket.

The Clock Tower development will help the town in many other ways too. Aside from the obvious increase in tax revenues the residential units will help Newmarket reach its intensification targets. Also, the Clock Tower development on Main Street protects/enhances the heritage goals while, at the same time, helps to achieve the sustainability goals of the town. I don't even like to think what will happen to Main Street if the Clock Tower development doesn't go through. There is already too much empty and/or run down property on/near Main Street.

The history of Newmarket is important. Newmarket's heritage is important. But, history and heritage don't mean nothing should change. Main Street has changed a lot since my grandmother attended Newmarket High School in the early 1900s. A lot of those changes were for the better and were needed to suit a newer time. Unfortunately, more recent changes have not been for the better and Main Street doesn't now suit the times. We have a real opportunity to preserve Main Street by making it vital. Let's not miss our chance.

Sincerely,



Peggy Stevens

, Newmarket



Mayor and Members of Council

2014-01-29

Town Of Newmarket

Re: Clock Tower Application for Re- Development

I am writing to you as a Main Street business owner, in support of the redevelopment proposed for the Clock Tower Inn.

The Town of Newmarket's efforts to revitalize Main Street through its Community Improvement Plan has had significant impact in attracting new businesses to the area over the past ten years. Improvements like the River Walk Commons, Lions Club Hall and the Parks and Trail system all support the Town's vision of having this area become the centre of a vibrant active cultural district.

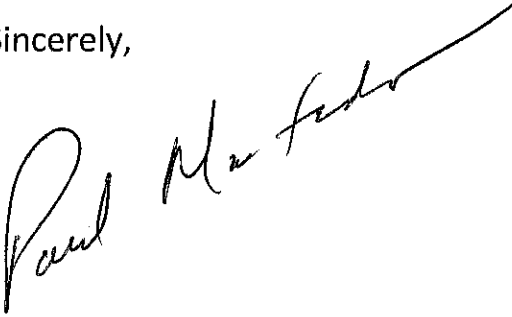
It is equally important to ensure that the Town's investment in this area creates a long term, stable and sustainable community environment in the downtown business district. It has long been understood that intensification is the next step in doing so. After all, what is a town but a gathering of people and those people need places to gather.

**Head Office**  
11 Main Street South  
**Newmarket, Ontario**  
L3Y 3Y1

**Pinnacle Health Sciences Centre**  
9651 Yonge Street  
**Richmond Hill, Ontario**  
L4C 1V7  
By Appointment

There is a real need for living options for people to consider moving to the Main Street area, much like the opportunities created by the revitalization of the Office Specialty building and the King George Hotel. Without this renewal and intensification, the area that should be the centre of our Community, will once again slowly but surely begin to decline.

Sincerely,

A handwritten signature in cursive script, reading "Paul Montador". The signature is written in dark ink and is slanted upwards to the right.

Paul Montador

Owner

InspiAir Inc.



January 30th, 2014

Jackie Playter,

112 Arden Avenue.

Newmarket, Ontario,

L3Y 4H6

Mayor and Members of Council,

I am writing this letter to express my opinion on the importance of the Development Project for The Clock tower Inn proposed by The Forrest Group. We all know and love Main Street and we have worked hard over the last 10 years to make it a viable and productive destination. We have come a long way but we need to keep moving.

I am in favour of the Forrest Development for many reasons. We need Density down Town; we need more people to shop in the stores and to eat in the restaurants. We need more retail down Town to bring people to make the Street vibrant. With the Clock Tower Development we will get the retail we need, we might even be able to attract a much need grocery store (Natures Emporium, Vincos or Longos) when the construction is finished on Davis Drive there will be quite a bit of new retail and Main Street needs to be prepared to be viable or we will miss the boat.

In Newmarket's Cultural Master Plan, our Main Street is designated as the Cultural Center for Newmarket; if we have more density then we can attract more Cultural related businesses and retail. The new density and retail will make our Main Street more sustainable for the future. We will have more people walking up and down the Street, living and perhaps working in Downtown Newmarket. We have had many niche retail businesses come to Main Street over the last 10 years and they have all left because there is not enough people that shop on Main Street to keep the businesses alive. We need to make The Downtown alive with retail, restaurants and culture. Density is a good way to do this.

The Town of Newmarket is investing greatly in the Old Town Hall redevelopment; just imagine how wonderful it will be for people to walk out of the newly renovated Town Hall and to see a cleaned up Market Square. Right now the buildings that back on to Market Square are a disgrace and they have been for many years. The Forrest development is a chance to get the back of Main Street spruced up. Having the backs of the buildings renovated will make Main Street more attractive as a destination.

In conclusion I would like to say in my opinion; The Forrest Proposal for more density at the Clock Tower Inn is exactly what Main Street and Downtown Newmarket needs. We need it so that the revitalization continues, so that we are ensuring stability for the future and so that Main Street can grow and prosper and reach its full potential. We need density to attract the retail that we so badly need. People say oh I love the Restaurants but too many restaurants don't work over an extended period. Unionville is a good

example of this. Unionville attracted more and more restaurants and lost their retail. It wasn't long before the Restaurants weren't attracting the people anymore. You need a good balance of Retail, restaurants and services in a Downtown core. Main Street has served Newmarket well over the last 200 years or so. Main Street is where Newmarket began; it is the Heart and Soul of Newmarket. We need to make sure that we keep Downtown Newmarket viable and sustainable for the future generations. Years from now we will all be gone but let's hope that we have taken care of Main Street and our history, that we have given her a fighting chance against the Mall, the plazas and the new retail on Davis Drive. Main Street needs density, we need people to live and shop and play on our Street, we need to be sustainable for the future.

Jackie Playter☺

To whom it may concern.

I would like to express my views on the proposed Clock Tower development.

I am a business owner and a resident of Newmarket, and am concerned about the development of the Main Street area. My business is located on Queen St and I enjoy walks at noon on Main Street and surrounding area.

I am bothered by the number of stores on Main St that are closed, or abandoned and in disrepair. This development is offering to refurbish several of these old stores as part their plan. Obviously once the stores are refurbished they are more attractive to potential merchants, and will be rented more easily and customers attracted to their stores.

In my opinion this development would be good for the Town as it will revitalize several of the stores and bring new residents to the Main St area. The people living in the proposed condos will most likely shop on Main St as it will be convenient for them. Increased population in the core area will make long term sustainability of the area more likely.

The building will be set back from Main St and therefore not interfere with the historic look of Main St. I am sure there are a lot of other benefits, financial and otherwise, that such a condo complex will bring to the Town.

I see this project as being good for the town and good for Main St in the mere fact that it will refurbish a section of Main St without destroying the historic look and feel of the town.

Don Jackson



**From:** Gerald Fox  
**Sent:** February-02-14 10:34 PM  
**To:** Customer Service - Reception  
**Subject:** Clerk's Office - Committee of the Whole - Monday, February 3rd at 7:00 p.m.

I would like to address the Committee of the Whole on Monday, February 3<sup>rd</sup> regarding Clock Tower Inc.'s proposed zoning by-law amendment.

In order to assist you with your scheduling, my presentation will be in opposition to the proposal and will focus on the expectation of the developer that the Town will assist by way of a substantial transfer of land.

I will have a Netbook computer with me from which I propose to display 2 or 3 graphics that I have prepared.

To do so I will need to make use of the Town's audio/visual equipment.

Would you please advise me of the type of cable that is appropriate?

Thank you,

Gerald Fox

Arthur E. Weis, Ph.D.  
ECOLOGICAL CONSULTING

---

TO: Planning and Building Services, Town of Newmarket, ON

FROM: Arthur & Jean Weis

RE: File # D14 NP 13-19—Application for Zoning By-Law Amendment

We write *in favor* of the application made by the Forrest Group for the above referenced application for a BLA for the 'Clock Tower' project.

When deciding on a place to live, we chose Newmarket. The quality of life made possible by living walking distance to the Historic Main Street commercial area was a deciding factor for us.

As enjoyable as Main Street may be, its potential is far from realized. Simply put, the neighborhood population is below the 'critical density' to support the diversity of retail and service businesses that can restore the area to its historic vitality.

Main Street has risen from its nadir. The new restaurants, coffee houses and other shops have improved the ambiance to the area, as has the nearby Riverwalk Commons. Nevertheless, the persistently high vacancy rate of Main Street storefront units clearly indicates that *Main Street's upward swing is stalled*.

To regain it's historic status as a commercial centre, Main Street needs more people. The proposed Clock Tower development can bring over two hundred residents to a pedestrian-scale neighborhood, who can stimulate the neighborhood economy, and prevent a backslide to the times when Main Street was not a place to go.

This Clock Tower project can be highly sustainable development. The proposed building will use existing utilities infrastructure. New residents will be walking distance to the GO Station. The building itself and the commercial activity generated by its residents will increase the tax base. And the current design will preserve the beauty of the street, without sacrificing architecturally or historically significant structures.

Thoughtfully designed development can restore the key heritage feature that has been lost to Main Street, that is, its vibrancy as a commercial hub and the heart of town life. To turn down the opportunity for this type of sustainable development is to turn the district into a museum without an endowment.

February 3<sup>rd</sup>, 2014

The Town of Newmarket  
Municipal Office  
395 Mulock Drive  
Newmarket, Ontario  
L3Y 4X7

Attention: Elected Officials

Dear Mayor Van Bynen and Elected Council Members,

Please see the attached overview relating to the proposed Clock Tower redevelopment.

I would ask that each of you receive and consider this document with the same passion, thought and best intentions that it was written with.

Sincerely,



Tim McClure  
Ward 6 Resident



**Proposed Clock Tower Redevelopment**  
**February 3<sup>rd</sup>, 2014**

**General Comments**

The downtown core and in particular, Main Street in every town across this country is so vital to the history and character that makes the community what it is. It represents the town's identity, is the heart and soul of the community and is not only a significant part of its past but also of its future. For a town to thrive and not merely survive, the downtown must be vibrant with people and successful businesses. At this time, this statement could not be more true for our town.

Heritage and history form the foundation and make up the DNA of any community. That said, controlled, progressive, responsible and well-planned developments are all crucial elements to the future. Not only does responsible development pump blood through the arteries to the heart of the downtown core but in fact, it is vital to the survival of Main Street as we know it.

**Where We Are Today**

*"The easiest opponent to defend against is the one that is standing still."* – Author Unknown

Main Street in Newmarket has one main opponent – that opponent is 'time'. Yes, Main Street has been there for many, many years but times have changed. If the core of our town does not change, it will erode and we will lose much of what it was in the past as well as what it is today.

We are at a serious crossroads. Without this redevelopment, the heart that has already slowed could very well come close to stop beating all together. Sure, it will always be there physically but the pulse will fade even more than it already has. If we walk away from this opportunity, the damage could be irreparable. The time to act and move forward with the Clock Tower redevelopment is now!

Only a couple of years ago, the downtown core was not an area that I would allow my daughters to go to at night. This followed a few separate incidents that took place. I am not alone in my opinion. Much has been done to clean up some of these problems and those responsible for this should be commended for their efforts.

Part of this positive step includes the new businesses that have come to Main Street. It is nowhere near enough though and it must not stop here; it needs to be just the beginning! More activity after standard office hours would mean that more businesses would be prepared to open and in turn, the existing businesses would be more willing to stay open later than they currently do. In fact, if the demand was there, some businesses would feel that they could not afford to be closed. We need to create that demand!

More businesses = more people frequenting Main Street more often. More people shopping on Main Street = more businesses that want to be there! The first thing that must happen is the proposed redevelopment. *"Build it and they will come!"* Riverwalk Commons and the Farmer's Market are two successful examples of this.

The challenges, while complex, can be simplified in terms of what so many residents, consumers and businesses not only want but need:

### Residents & Consumers

- You will find that most, if not all residents, would like to come down to Main Street more often and would if there were more reasons to do so. We need to make Main Street the 'place to be' in town!

I did a very small study myself and asked 30 Newmarket residents about this issue; each of them has lived in Newmarket for between 5 to 40 years (the average being 28 years). The results were consistent and unanimous. Many voiced valid concerns (parking, fear that this redevelopment would lead to more future building in the downtown core) but every one of these people concluded that the positives far outweigh the challenges. Often the 'short term pain for long term gain' (re: any disruption during construction) comment was mentioned. The question is: Will any short term 'pain' that 'may' be realized be any worse than the erosion that is taking place right now?

- With some of the new restaurants and smaller shops, more people have gradually made their way to Main Street. Some have come out of curiosity while many want to show their support to the downtown merchants by purchasing something 'once in a while'. Others have now found their favorite place for coffee, breakfast, lunch or dinner and now come down more frequently. What is 'more frequently' though? Is that once a week...every few weeks...once every couple of months? That will not 'cut it'! Businesses cannot survive with the lack of consistent customer traffic and history is proving this point.
- For consumers to come to Main Street much more often, they have to have a reason other than just to eat! Creating a 'restaurant row' will not create that much needed frequency and sustainable density. Residents coming down for the Santa Claus Parade or Canada Day is fine but if they only frequent Main Street a few times a year, businesses will not make it!
- Consumers need selection, variety, uniqueness and more products and services that they are interested in. If they are to make it a regular place to shop, the product selection has to be there! I have experienced this personally. I came to appreciate a couple of stores that I supported for gift shopping; both have since left Main Street – one went out of business while the other one left Newmarket and relocated to Aurora. I know many people who now travel south to continue to support this business and when they do, they often stop to eat and make other purchases.
- Consumers want a downtown where each location is viable and offering products or services that they can choose from. More quality retailers and services will enhance the experience and attract more consumers. Those people will not only shop but they will also make their casual stops a more frequent occurrence (coffee, lunch). Conversely, if they come down only to eat, it is likely that that is all they will do, particularly if their visit is for dinner.

## Businesses

- We understand the things that consumers want; those needs are obvious but can the businesses afford to provide them? The answer is simple: currently, not a chance!
- How much depth (color, size) can a retailer afford to carry? How much selection can they offer (number of brands)? How long can they put off the necessary in-store renovations? Who are they going to direct their marketing and advertising efforts to? Businesses have an even greater job and much more 'heavy lifting' because they currently need to get them to Main Street first!

These challenges don't even touch on those businesses that are faced with carrying perishable goods. While many in the public have suggested that Main Street is missing a grocery store; respectfully, this comment could not be further off base. The most honourable thing that could be done for a respected, local business such as Vince's Market is for us to encourage them not to open downtown! Under current conditions, they would surely be 'throwing good money after bad'.

- To better understand what the majority of businesses on Main Street have to go through, simply 'walk in their shoes' – not for a day, a week or even a month but rather be in their position for a 3 to 6 month period. Understand the pressures they face when they have their family's livelihood on the line. Get a true feeling of what it is like to have 2 customers walk into their store in an entire day and the prominent sound they hear is when the Clock Tower signifies the time of day.

As business owners, these people come in to the downtown with passion, excitement, hope and they open up a business on Main Street with the thought that they will realize some success. Sadly, many leave because they can no longer make it or they move to a much more promising area.

These businesses need people in order to just survive! Shouldn't we want to do all that we can to help them thrive? More people can only live in or will come downtown with this proposed redevelopment.

## **The Society We Live In**

*"It is not the strongest of species that survives, not the most intelligent, but the ones most responsive to change."* – Charles Darwin

Our world is changing. Holding on to our heritage and preserving our history is critical however, so is progress. There is a fine line between holding on to our heritage and Main Street dying a slow death that seems to be accelerating. Our downtown core is right on that fine line.

While 'time' can be the opponent, it can also be the key to us having all that we require to see Main Street flourish. Right now, we have a choice. Time is on our side because we do get the chance to decide. If this opportunity is left much longer, that choice will be taken away from us. More lack of success from current businesses will only add to a track record that is already marked with questions and concerns for owners who are considering downtown Newmarket as a place to set up their business.



Yes, preserving our heritage is the key and keeping the historical look and feel is crucial – these are all things that must remain a focus without question! However, that alone will not keep businesses in operation. Painting buildings, adding more flowers and updating business signs are important steps but unless more is done, we will realize a ‘been there, done that’ result that will be as effective as rearranging the deck chairs on the Titanic!

Like many of you, I remember when 8-track and cassette tapes were ‘it’ and that was the case until CD’s and DVD’s came along. There was a time not long ago when we only had paper tickets to travel, used cash, credit card or a cheque to pay for something and yes, bowling style shirts with flames printed on them were ‘all the rage’.

Now we have YouTube, Google, LinkedIn, Facebook...and who would have ever thought that we would be able to pay for most of our daily purchases using a smartphone?

Yes progress can be wonderful but it is also true that like anything else, if it is abused by those with ill intentions and self-serving motives, it can cause negative, unnecessary and disruptive challenges. We have seen this through the misuse of social media sources such as Twitter – a positive communication tool for most yet one that some abuse routinely to cloud facts and taint a view that they don’t agree with.

The point is simple: if people can work together unselfishly to understand the benefits of making responsible changes with this redevelopment in a controlled fashion, the benefits can be significant for everyone. Moving ahead with sustainable density...that must remain our focus!

I will share an example with you that will demonstrate how business owners have reacted and will continue to react without this redevelopment. This case took place within the past 10 months.

- A business wanted to open on Main Street in Newmarket. The principals wanted that downtown ‘feel’ and one of the partners insisted on exploring all options here because his roots were based in this town for over 40 years. Two buildings were looked at with the intention of signing a long-term lease or purchasing one of the buildings outright. Significant funds were involved between securing the desired location and doing the necessary renovations. Options were considered, renderings drawn up re: layouts, improvements and a study of the surroundings were reviewed carefully.
- The company business plan would see them bring in 30 employees and have clients coming in to the downtown core on a daily basis. This was not a retail based business but rather one that provided client services and therefore a regular flow of people from both Newmarket and surrounding towns within York Region would frequently visit the facility.
- The result: the company opted to not to open in downtown Newmarket and in fact, they made a decision to open their first office in Barrie. Not only are they operating there now but a second office is being opened in southwestern Ontario this week. While they would have much preferred to be here in Newmarket, the principals felt that not enough was being done to ensure that Main Street would progress and realize the vibrant potential it has within the time frame that worked

best for them. The questions surrounding the Clock Tower redevelopment played a part in this decision.

Why am I so aware of the details of this particular example? Simple - I am one of the company's principal partners. It was very disappointing to me not to locate here but it was the very best business decision for our company. My personal commitment is that we would consider relocating and/or opening another office here if things progressed in the future. We are not the only business that has made this decision for the very same reasons.

### **What the Future Holds With or Without the Proposed Development**

*"It is not necessary to change. Survival is not mandatory."* – W. Edwards Deming

People are only human. They will 'give it the old college try' but when they get past the first year or two and have lost money, they have to seriously consider closing or moving from downtown. Look back over the past 10, 5 and even as recent as the last 1-2 years; we have seen it happen and this will continue!

Decay of buildings, store windows papered up, signs changed from one business to another, continued dwindling and sporadic pedestrian traffic patterns – that is what the future holds for Main Street in Newmarket if this redevelopment does not go through. Guaranteed there will be few traffic or parking issues because less and less people and businesses will be there. While it is understood that some people will be passionate about our heritage and resistant and fearful of change, they need to be very careful what they wish for! Looking for a place to go for a quiet stroll ought to be left to Fairy Lake, Riverwalk Commons or Tom Taylor Trail; we need 'controlled vibrancy' on Main Street!

A vibrant downtown with healthy businesses, a continual flow of local residents and outside visitors, consistency in the businesses and services that are offered and the creation of Main Street as being the 'place to be' – that needs to be the goal of everyone who has sincere interest in this town. There is a saying that says: 'Shortage creates demand'. What a complete turnaround it would be to have businesses wanting to relocate to Main Street.

The time is now...not in a year from now because the erosion that will take place over the next 12-36 months will be the final 'straw that breaks the camel's back'. Continued discussion and delays on whether or not to move forward needs to change to how this redevelopment can be executed with the most efficiency and effectiveness for the short and long term.

With the development of Riverwalk Commons and some of the things that have been already done downtown, great strides have been made. Sadly though, the benefit of these steps will also suffer. People have started to come down to the core of our town to see what all the talk is about. Let's not forget though – it is usually the same people experiencing what our downtown has to offer. How many of our town's population actually go downtown? How many people between the ages of 30-50 spend money on Main Street? I would bet these numbers are extremely low and this should not shock anyone. We can change this. In a town our size, we are only scratching the surface!

In the competitive world of professional sports, the team that plays the game simply 'trying not to lose' never moves forward; the team that takes the approach of 'playing to win' almost always realizes success both on the field of play and from the business perspective! The Town of Newmarket has shown through many endeavours that it 'plays to win' and we ought to be looking at this redevelopment with the very same attitude.

Southlake Regional Health Centre is striving to become a world class health centre; they are going after this distinction aggressively and are quickly gaining notoriety all around the world by letting everyone know of their intentions. Likewise, the Town of Newmarket is one of the very best places to live in this country and this is in large part because of the continued progress that has been made over past years. This redevelopment can make a significant impact and certainly be a game changer for the future of our town. We need to take the attitude that we are not going to accept erosion or even the status quo because that in itself is a step backwards. Let's play to win!

The concerns about any disruption during the construction period and the short and long term parking requirements absolutely need to be addressed but should not block the progress of the redevelopment. Hold the developer's 'feet to the fire'; make them accountable, within reason, to upholding their commitments and doing all that they say they will do. Through collaborative discussions with all parties involved, the focus needs to be on making this happen and these short term obstacles can be overcome.

### **Closing Remarks**

*"He who rejects change is the architect of decay. The only human institute that rejects progress is the cemetery."* – Harold Wilson

It is fully recognized that with this being an election year, it is both a challenging and exciting time. Yes, some may say that in a perfect world, this decision would be made after the election has taken place however I would urge each one of you to not have any fear of making the right decision.

Almost every one of you has played a significant role in shaping Newmarket into what it is today. So many of you have put the interests of this town ahead of your own personal agenda and that is why Newmarket is one of the top places to live in the country.

Right now, this town needs your leadership. Now is your time! You have become an elected official because your constituents have believed that you are among the best people to make the difficult decisions. Whether or not you will continue on in your position following the next election should have no bearing on making the right decision for this town's future.

You are in a position to make a difference that will preserve OUR history, save OUR downtown and take Newmarket to the next level as one of the most progressive places to live in Canada. Please do not let this opportunity pass you by!



Dear Members of Newmarket Council,

192

I am writing to you on as President of the Redbirds Lacrosse Club and am asking that you support the motion calling for the elimination of user fees charged to Newmarket sports leagues for fields, floors, gyms and so on. I understand that this motion calls for a reduction in fees to be phased in over the next 10 years.

The Redbirds are a not-for-profit organization and are finding that user fees are our largest single expense. The Town of Newmarket can greatly improve the quality of recreation available to children through the elimination of user fees.

Please find a way to make this happen.

Thank you.

John Blommesteyn  
Redbirds Lacrosse Club

**Ice Storm Resolution – Claim for Assistance under the Ontario Disaster Relief Assistance Program (ODRAP)**

Whereas the municipality of the Town of Newmarket recently experienced an ice storm on December 21-22, 2013 and has experienced substantial damage to municipal property and infrastructure, the council of the Town of Newmarket hereby requests the Minister of Municipal Affairs and Housing to declare the Town of Newmarket a “disaster area” for the purposes of the Ontario Disaster Relief Assistance Program (ODRAP).