



Town of Newmarket

Agenda

Committee of the Whole - Electronic

Date: Monday, October 5, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Notice

At this time, the Municipal Offices remain closed to the public. This meeting will be streamed live at newmarket.ca/meetings.

Public Input

Individuals who wish to submit input to Council in relation to an item on this agenda have the following options available.

1. Email your correspondence to clerks@newmarket.ca by end of day on Wednesday, September 30, 2020. Written correspondence received by this date will form part of the public record; or,
2. Make a live remote deputation by joining the virtual meeting using the Town's videoconferencing software and verbally provide your comments over video or telephone. To select this option, you are strongly encouraged to pre-register by emailing your request and contact information to clerks@newmarket.ca.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Presentations & Recognitions

4.1 2021 Preliminary Draft Budget

Note: Mike Mayes, Director of Financial Services/Treasurer will be in attendance to provide a presentation on this matter. This item is related to item 6.1.

1. That the presentation provided by the Director of Financial Services/Treasurer regarding the 2021 Preliminary Draft Budget be received.

4.2 Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule

Note: Andrew Walkom, Legislative Coordinator will be in attendance to provide a presentation on this matter. This item is related to item 6.2.

1. That the presentation provided by the Legislative Coordinator regarding Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule be received.

5. Deputations

5.1 Remote Deputation - Rescue Lake Simcoe Coalition - Lake Simcoe: Threats and Opportunities 2020

Note: Claire Malcolmson, Executive Director of Rescue Lake Simcoe Coalition will be in attendance to provide a deputation on this matter.

1. That the deputation provided by Claire Malcolmson, Executive Director, Rescue Lake Simcoe Coalition regarding Lake Simcoe: Threats and Opportunities 2020 be received.

6. Consent Items

*6.1 2021 Preliminary Draft Budget

1. That the report entitled 2021 Preliminary Draft Operating and Capital Budgets dated October 5, 2020 be received; and,
2. That subject to any further direction, staff be authorized to provide the public with details of the Preliminary Draft 2021 Tax-supported, Rate-supported Operating and Capital Budgets.

6.2 Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule

1. That the report entitled Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule dated October 5, 2020 be received; and,
2. That the proposed amendments to the Town of Newmarket's Procedure By-law 2020-12 to permit electronic participation as outlined in Attachment 1 of this report be approved; and,

3. That beginning in January 2021 or as determined by the Mayor and Chief Administrative Officer, staff be directed to facilitate only Council and Committee of the Whole, Site Plan Review Committee meetings in a hybrid manner with in-person and remote Members of Council, Staff and the public; and,
4. That staff be directed to amend the remainder of 2020 Council and Committee of the Whole meetings to commence at 1:00 PM and Site Plan Review Committee meetings to commence at 9:30 AM; and,
5. That the 2021 Council and Committee of the Whole Meeting Schedule be adopted, noting the following for January to June 2021:
 - a. That Council meetings continue to commence at 1:00 PM; and,
 - b. That Site Plan Review Committee meetings be held in the morning on the same day as Council meetings and commence at 9:30 AM; and,
6. That staff be directed to report to Council in April/May 2021 on a Policy for Electronic Participation in hybrid meetings, establishing start times for Council and Committee of the Whole meetings for July to December 2021 and resumption of hybrid meetings for Advisory Committees; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.3 Financial Update regarding COVID-19

1. That the report entitled Financial Update regarding COVID-19 to Council be received; and,
2. That staff continue to implement the mitigating measures listed in this report to lessen the financial impact of the pandemic to the Town; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

6.4 Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent

Note: This item was deferred from the September 14, 2020 Committee of the Whole meeting.

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 181 Beechwood Crescent dated September 14th, 2020 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 181 Beechwood Crescent and adopt the attached exemption by-law.

***6.4.1 Written Correspondence - Laura and Andrew Cummings**

1. That the written correspondence provided by Laura and Andrew Cummings regarding Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent be received.

***6.4.2 Written Correspondence - Janet Caverly and Steven Sugar**

1. That the written correspondence provided by Steven Sugar and Janet Caverly regarding Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent be received.

6.5 INFO-2020-32: Vacant/Derelict Buildings

Note: This report was placed on the agenda at the request of Mayor Taylor.

The Strategic Leadership Team/Operational Leadership Team recommend:

1. That the Information Report entitled Vacant/Derelict Properties, dated September 11, 2020 be received.

6.6 Elman W. Campbell Museum Board of Management Meeting Minutes of February 20, 2020

1. That the Elman W. Campbell Museum Board of Management Meeting Minutes of February 20, 2020 be received.

6.7 Main Street District Business Improvement Area Board of Management Meeting Minutes of February 19, 2020, June 2, 2020, June 12, 2020, and June 23, 2020

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of February 19, 2020, June 2, 2020, June 12, 2020, and June 23, 2020 be received.

6.8 Newmarket Public Library Board Meeting Minutes of June 17, 2020

1. That the Newmarket Public Library Board Meeting Minutes of June 17, 2020 be received.

7. Action Items

8. Notices of Motion

9. Motions Where Notice has Already been Provided

10. New Business

11. Closed Session

11.1 Heritage Appeal Matter - Property in Ward 2

[Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, as per Section 239 (2)(e) of the Municipal Act, 2001.]

11.2 Local Planning Appeal Matter - Property in Ward 5

[Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, as per Section 239 (2)(e) of the Municipal Act, 2001.]

12. Adjournment

2021 Preliminary Draft Budgets

Presenter: Mike Mayes

Date: October 5, 2020



Agenda

1. COVID-19
2. Overview
3. Council Priorities
4. Budgets:
 1. Tax-supported Operating
 2. Rate-supported Operating
 3. Capital
5. Options
6. Next Steps



Budgeting in a COVID-19 world

Influence on the 2021 budget



Pandemic will have no direct impact on the 2021 budget

- **Based on what we currently know** and the \$1.8 million Safe Restart grant, it appears that the 2020 budget will be manageable
- In that case, the pandemic may not directly factor into the 2021 budget,
 - no deficit carryover
 - no additional tax increase



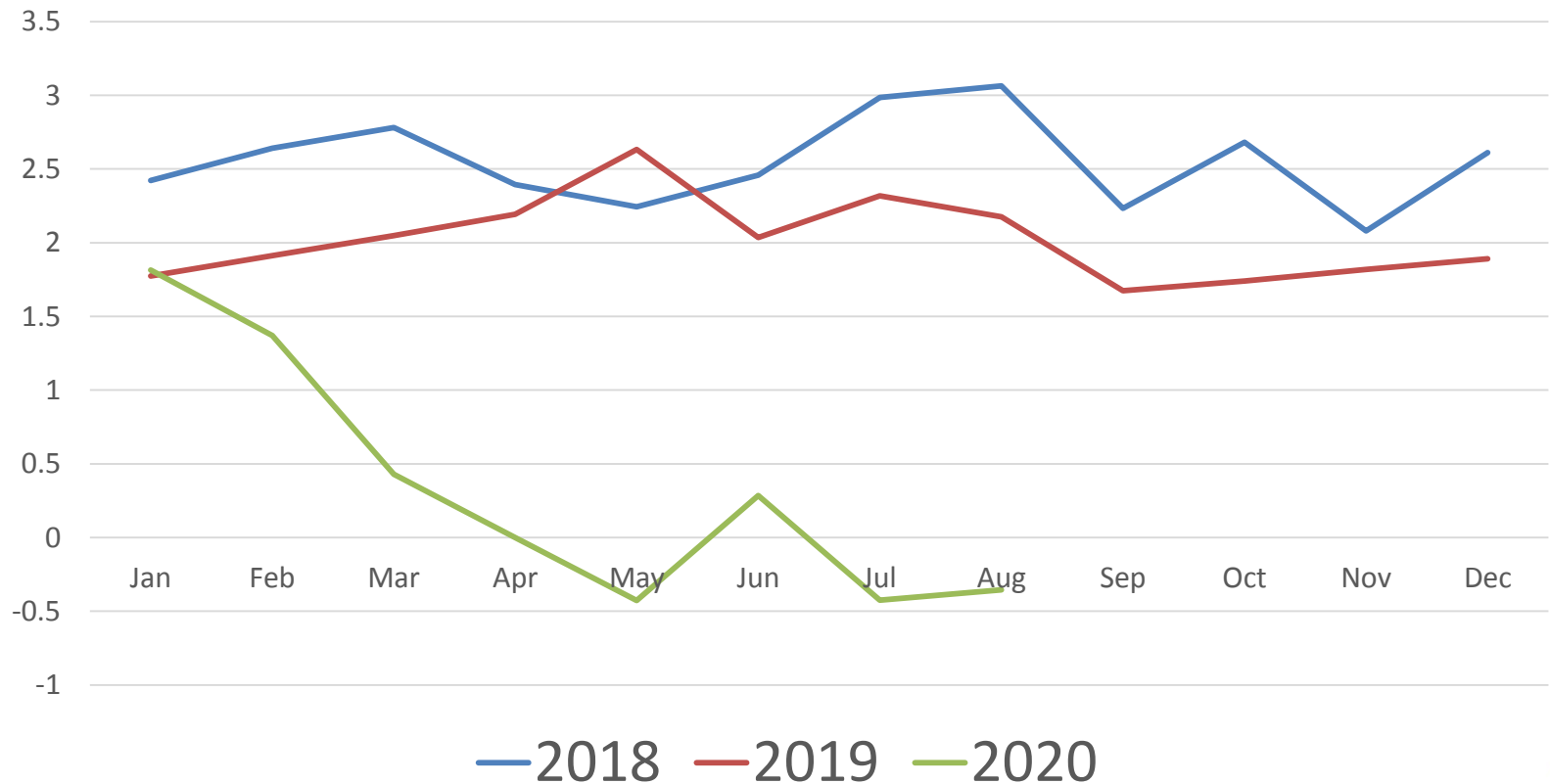
However, the pandemic does have an indirect impact

- Restricted delivery of the 2020 capital program requiring provision in 2021
- Uncertainty to be met with contingencies
 - Provincial / Federal stimulus funding
 - Second wave - when and how hard?
 - The “new normal” – what will it look like?
- Slower economy – growth and inflation – must be considered



Inflation 2018 to 2020

Toronto CPI



Overview

2021 budgets at a glance



There are many budgets:

Operating Budgets:	
Tax-supported – Town, Fire, Library, Mulock Farm, BIA	\$ 91.0 million
Rate-supported – water, wastewater, stormwater, building permits	46.4 million
	\$ 137.4 million
Capital budget	\$ 37.2 million
Total	\$ 174.6 million



Budget Impact on Average Residential Property



	% increase	\$ increase
Property tax	2.99 %	\$ 64.79
Water / wastewater	4.00 %	\$ 49.44
Stormwater	10.20 %	\$ 4.28
Total		\$ 118.51

Based on an average single detached home with an assessment value of \$700,000



Overview of tax-supported operating budget increase



	Tax %	\$
Base	0.99%	\$ 618,750
COVID contingency	1.00%	625,000
ARF	1.00%	625,000
Growth, net	0.65%	406,000
	3.64%	\$ 2,274,750
Less assessment growth	- 0.65%	- 406,000
Tax levy	2.99%	\$ 1,868,750



Tax-supported operating budget increase allocation



	Base	Growth	ARF	Total
Town	\$ 306,750	\$ 233,000	\$ 566,000	\$ 1,105,750
CYFS *	312,000	151,000	59,000	522,000
Library		22,000		22,000
BIA (net)	0			0
COVID	625,000			625,000
Total	\$1,243,750	\$ 406,000	\$ 625,000	\$ 2,274,750

* Subject to change – JCC review will be October 13



Delivering on Council Priorities

New initiatives in the 2021 budget



The 6 Strategic Pillars

1. Long Term Financial Sustainability
2. Economic Leadership and Job Creation
3. Extraordinary Places and Spaces
4. Vibrancy on Yonge, Davis and Mulock
5. Safe Transportation (Transportation)
6. Environmental Stewardship

The pandemic has slowed progress but work continues and there are some new initiatives.



Long Term Financial Sustainability



New Deliverables:

- Digital Engagement – Hey Newmarket
 - Decision Package for \$25,000 (COMM2)
- Fiscal Strategy implementation
 - Update of the capital financing sustainability strategy
 - Formalization of a Budget Policy
- REV It Up
- Continuing on Asset Management Plans



REV It Up - overview

Special Council meeting of April 27, 2020 provided an update (Report 2020-30):

- 13 of 18 projects are being undertaken
- 7 have been initiated

The budget will show investments and net savings as a separate item.



REV It Up and the budget

- A new Procurement By-law will be presented for approval later this year
- New revenues:
 - Administrative Monetary Penalty System (AMPS)
 - Licensing Transportation Network Companies (TNCs)
 - CYFS expansion of cost recovery program
 - Decision Package for 0.2 FTE's (CYFS7)



Fiscal Strategy & the budget

Further to the September 28 workshop the following items have been included:

- Changes to the presentation of the budget
- Incremental tax levy for infrastructure
 - currently 1% for the ARF
- Continuing the development of Asset Management Plans (AMPs)
- Capital carryovers have been eliminated
- No new debt



Fiscal Strategy & the budget



Continued:

- Eliminating the transfer of investment returns from the reserve fund
 - Reduction of \$65,000
- Provision made for a DC update and Community Benefit Charge (CBC)
 - Capital request for \$100,000 provision (GG1)
- Rate Financial Plan updates being prepared on a 10-year basis



Economic Leadership and Job Creation



- Continuing to:
 - Support Envi's fibre roll-out in the community
 - Increase downtown parking availability
 - Focus on success of the downtown
 - Review and re-fresh the Economic Development Strategy
 - Evaluate feasibility of SODA (South of Davis Drive Area) for concerted growth/re-development



Extraordinary Places and Spaces



New Deliverables:

- Mulock Park – finalization of the master plan and start of design work
 - no new funding requested; subject to approval of next steps
- Old Fire Hall – tenant secured
 - Net revenue of \$41,500 added to base
 - Renovation funded by tenant (FAC 8)



Vibrancy on Yonge, Davis and Mulock



New Deliverables:

- Mulock Drive Multi-Use Path Feasibility Design Study
 - Capital request for \$200,000 (ENG 2)



Safe Transportation (Transportation)



New Deliverables:

- Active Transportation Implementation Plan
 - Capital request for \$175,000 (ENG1)
- Trails & Multi-Use Path
 - Capital request for \$100,000 (ENG7)



Environmental Stewardship



New Deliverables:

- Low Impact Development (LID)
 - features are included in capital request for Municipal Infrastructure Projects (ENG4)
- Stormwater Wet Pond Bathymetric Surveys
 - Capital request for \$60,000 (SW2)
- Electric Vehicle Charging Station
 - Decision Package for \$9,000 (ISI1)



Tax-supported Operating

Roads, recreation, fire, library, by-laws
and more



Tax-supported operating budget by governance

	Town	CYFS	Library	Total
	In \$ millions			
Expenses	\$ 62.1	\$ 17.2	\$ 3.4	\$ 82.7
Reserve transfers	6.5	1.5	0.3	8.3
	\$ 68.6	\$ 18.7	\$ 3.7	\$ 91.0
Non-tax revenues	- 22.2	- 0.4	- 0.4	- 23.0
Tax levy	\$ 46.4	\$ 18.3	\$ 3.3	\$ 68.0



Tax-supported operating budget increase allocation



	Base	Growth	ARF	Total
Town	\$ 306,750	\$ 233,000	\$ 566,000	\$ 1,105,750
CYFS *	312,000	151,000	59,000	522,000
Library		22,000		22,000
BIA (net)	0			0
COVID	625,000			625,000
Total	\$1,243,750	\$ 406,000	\$ 625,000	\$ 2,274,750

* Subject to change – JCC review will be October 13



COVID-19 contingency

1.00% for COVID-19 related items

At Council's discretion, options could be:

- COVID relief, stimulus, recovery
- transfer to a reserve fund to provide for future consideration
- tax reduction
- provision for Council priorities



Decision Packages included in the Base Budget



Ref	Description	Staffing	Net Impact
HR1	Health & Safety Risk Management	1 FTE	\$ 42,312
CFYS7	CYFS Accounts Administrator for Cost-Recovery Program	0.2 FTE	0
IT3	Redundant Internet Connection		1,800
COMM2	Digital Engagement - Hey Newmarket		25,000
PLN1	Cultural Heritage Planning		5,000
ISI1	Electric Vehicle Charging Stations		9,000
IT5	Video Conferencing Licensing		10,000
		1.2 FTE's	\$ 93,112



Growth revenues applied to growth expenses



Allocations	
CYFS	\$ 151,000
Library	22,000
Incremental growth	50,000
2021 capital – operating expenses	67,500
Available for Decision Packages	115,500
Assessment growth	\$ 406,000



Decision Packages included in the Growth Budget



Ref	Description	Staffing	Net Impact
ROAD1	Records Management And Asset Tracking For Fleet Area	1 FTE	\$ 27,736
CS2	Increase Customer Service staff complement by .5 FTE (1.5 to 2)	0.5 FTE	49,906
FIN1	Meet the needs of increased volumes due to P-card best practices and Prompt Payment requirements	0.4 FTE	35,760
		1.9 FTE's	\$ 113,402
CYFS6	2 Additional Firefighters	2 FTE's	151,000
LIB4	Electronic Materials		22,000
		3.9 FTE's	\$ 286,402



Staffing Requests

The budget contains requests for 5.1 fulltime equivalents – 1.2 in the base budget and 3.9 in growth

- 0.2 FTE's for CYFS Accounts Administrator for Cost-Recovery Program (CYFS7) was approved by Council on September 21.
- The remaining are provisions in the budget with hiring on hold until approved by Council
 - A similar approach was taken in 2020



Efficiencies realized

On preparing the budget staff were directed to find \$508,000 in budget reductions. This target was exceeded by 7%.

This is exclusive of REV IT Up initiatives.



Rate-supported Operating

Water, Wastewater, Stormwater and
Building



Rate-supported budgets are based on financial plans



The Water, Wastewater and Stormwater financial plans are still in development.

- Details are not currently available
- 2021 increase is targeted to align with the current 6-year plan
 - 4% for water and wastewater
 - 10.2% for stormwater



Decision Packages included in the Rate Budgets



Ref	Description	Staffing	Net Impact
W&WW 1	AMI Project - Sensus Analytics		\$ 44,460
SW1	Stormwater Master Plan Detailed Review/Update		\$ 0
SW3	Stormwater CCTV Inspection Program		120,000
			\$ 120,000



Capital Budget

Infrastructure to deliver services



Capital Budget allocation has been revised

	Original target	Revised
Program	\$ 15.0 million	\$ 13.7 million
Provision unallocated allocated	\$ 5.0 million	\$ 3.1 million \$ 3.2 million
“Normal” spend	\$ 20.0 million	\$ 20.0 million
Major items	\$ 12.7 million	\$ 17.2 million
Total	\$ 32.7 million	\$ 37.2 million



Capital budget by department



Area	Program	Provision	Major	Total
(In \$ millions)				
CYFS	\$ 0.4	\$ 0.2	\$ 8.9	\$ 9.5
Engineering - capital projects	8.4			8.4
Engineering - transportation	0.4			.0.4
IT	0.2	0.6		0.8
Library	0.2			0.2
Public Works – Facilities	0.7	0.3		1.0
Public Works – Parks	0.1	0.9		1.0
Public Works – Roads	2.7	1.0		3.7
Stormwater	0.1			0.1
Water / wastewater	0.2		8.3	8.5
Other (Incl. unallocated)	0.3	3.3		3.6
	\$ 13.7	\$ 6.3	\$ 17.2	\$ 37.2



Priority setting

1. Projects are rated based on:
 1. Being a Council or other priority
 2. Risk – extent & consequences of failure
 3. Payback, if applicable
2. This was then reviewed and adjusted for commitments and other factors
3. Emphasis placed on ability to deliver



Capital Program

- new requests



	ARF	DC	General	Other	Total
	(in \$ millions)				
Mandatory	\$ 2.4	\$ 0.1	\$ 0.0	\$ 0.2	\$ 2.7
Replacement	4.6	1.2	0.1	2.5	8.4
Growth	0.0	2.4	0.0	0.2	2.6
	\$ 7.0	\$ 3.7	\$ 0.1	\$ 2.9	\$ 13.7



Options

For Council's consideration



Council budget direction

*That endorsement be given to staff to proceed with preparation of the 2021 budgets employing the structure and targets as amended, **with options for reductions around Asset Replacement Fund contributions and Consumer Price Index as decision points for Council** and a tax levy increase target of 2.99% consisting of:*

- a. 0.99% base rate;*
- b. 1.00% COVID-19 related contingencies;*
- c. 1.00% Asset Replacement Fund contributions.*



When setting the target Council wanted reduction options

Potential areas for reduction	Basis for a reduction	Risk
Asset Replacement Fund (ARF)	Although 1% is the target, this has been reduced in the past.	Defers increase to future years
Base Budget	0.99% base increase assumes 0.43%, but inflation is lower	Drop in the inflation rate may be temporary
COVID contingency	Provision is prudent, but does not yet have tangible application	Unknowns – second wave, recovery - may be substantial



Next Steps

Schedule of upcoming meetings



Public engagement

Continue to build on previous years' successes
Seeking new and creative ways to engage and interact virtually, could include:

- Budget-themed Facebook Live event
- Hey Newmarket virtual engagement
- Expanded website presence

Investigate use of simpler, more graphic-based messaging



Important future dates

ACTIVITY	DATE	MEETING	STATUS
Presentation of the Preliminary Draft budgets	October 5	Committee of the Whole	In process
Review of the CYFS budget	October 13	Joint Council Committee	
Capital and Rate-Supported Operating Budgets, Rate Financial Plans	October 19	Special Committee of the Whole	
Tax-Supported Operating Budget ARF and Fiscal Strategy	November 9	Special Committee of the Whole	
Presentation of the Draft Budgets and remaining Fees & Charges for approval	December 7	Committee of the Whole	
Approval of the Budgets and remaining Fees & Charges	December 14	Council	





Electronic Participation in Meetings & 2021 Council/Committee of the Whole Meeting Schedule

Committee of the Whole

October 5, 2020

Presented by: Andrew Walkom, Legislative
Coordinator

Legislative Amendments

- March 2020 - Bill 187 - allowed Councils to meet electronically if they, or the province were in a declared state of emergency.
- July 2020 - Bill 197 - removed requirement for Municipal Councils or the province to be in a declared state of emergency in order to meet electronically.
- Newmarket Council has been meeting electronically since April 2020 via Zoom.

Procedure By-law Amendments

- Local state of emergency remains in place for Newmarket, however, Council is required to amend the Procedure By-law in order to continue meeting during a non-emergency period.
- Allows Mayor to call emergency Council meetings and hold them via electronic participation.

Hybrid Meetings

- Phased approach for gradual re-opening of Council Chambers & for Council, Committee of the Whole & Site Plan Review Committee meetings
- Required technology upgrades & physical spacing
- Phase 1:
 - Target December 2020 for Council Members only
- Phase 2:
 - Target January 2021, or as determined by Mayor & CAO
 - Staff will have to continue to participate electronically
 - Public will be limited & must pre-register

Meeting Times & 2021 Schedule

- 2020 Council & Committee of the Whole meetings should continue at 1:00 PM & Site Plan Review Committee at 9:30 AM on Council days.
- Council is required to adopt a meeting schedule for 2021
 - Approve 1:00 PM start time for January to June 2021
 - Approve meeting dates for July to December 2021
 - Staff to report back in April/May 2021 to seek direction on meeting times.
- Keeping meeting times consistent will reduce public confusion

Monitoring the Landscape

- Staff Report back in April/May 2021 on:
 - Review of Hybrid meetings (they are new to Municipal Councils)
 - Continued evaluation of best practices & policies
 - Start time for July to December 2021 meetings
 - When to begin hybrid Advisory Committee meetings

Questions & Discussion



Lake Simcoe: Threats and Opportunities 2020

Claire Malcolmson

Executive Director

Rescue Lake Simcoe Coalition

October 5, 2020

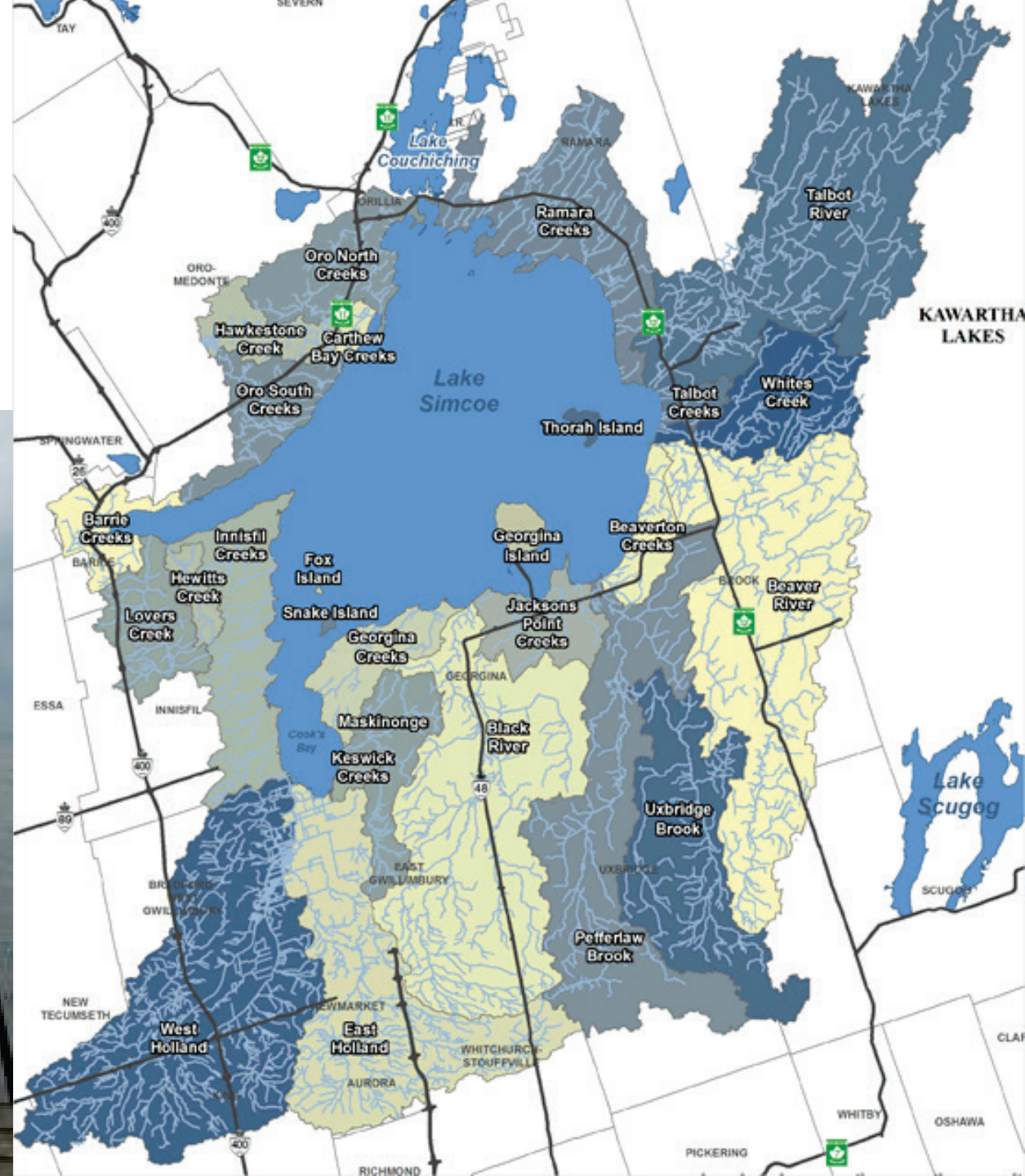
Town of Newmarket

Outline

- Why should we care about Lake Simcoe?
- Lake Simcoe's phosphorus pollution and sources
- Lake Simcoe Protection Act and Plan
- Lake Simcoe Protection Plan Review in 2020
- Protect Our Plan asks & resolution

Lake Simcoe Watershed

Tourism and recreation bring an estimated \$420 million each year for the local economy.





Natural Capital

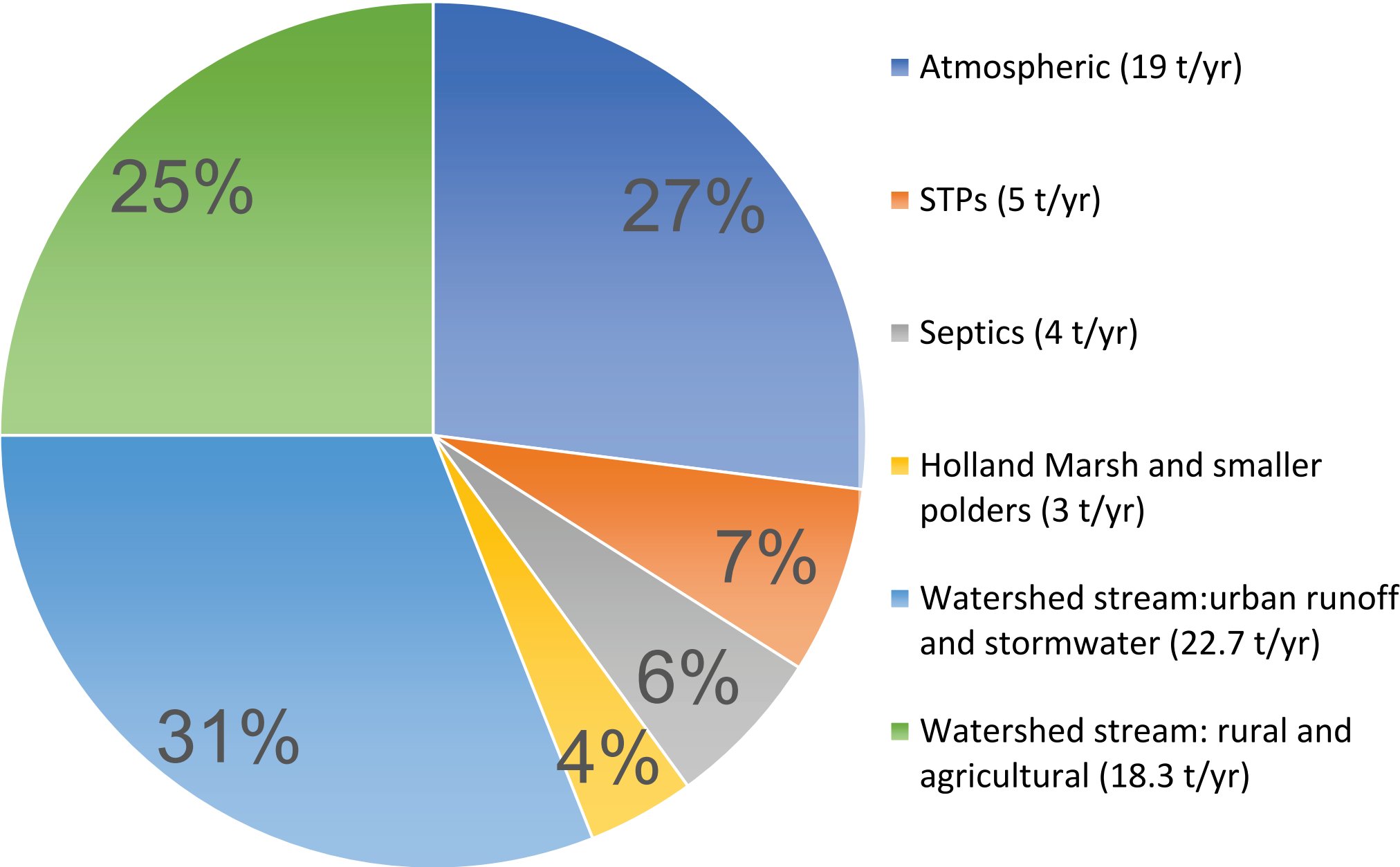
The value of ecosystem goods and services provided by the Lake Simcoe watershed are worth more than \$975 million per year.

Ecosystem Services include:

- Carbon storage
- Water storage/flood prevention
- Water filtration
- Climate regulation
- Shade
- Prevention of soil erosion



Lake Simcoe Phosphorus Sources



Ministry of the Environment, Conservation and Parks, Lake Simcoe Phosphorus Reduction Strategy (Toronto: MECP, 2010) page 12. Online: <https://www.ontario.ca/page/lake-simcoe-phosphorus-reduction-strategy>

Lake Simcoe Region Conservation Authority and Ministry of the Environment Data Sets on phosphorus loading from 2002-2007.

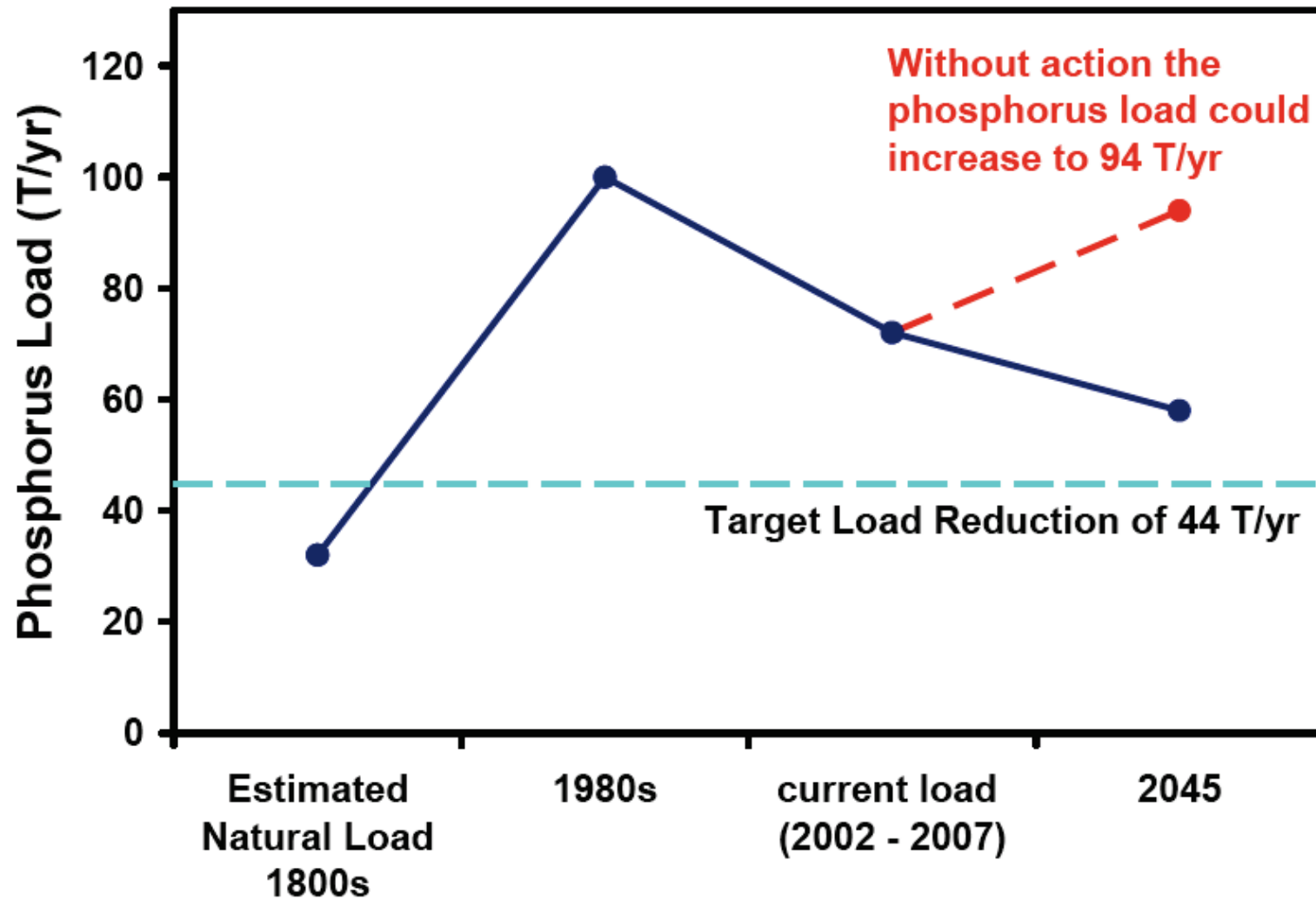
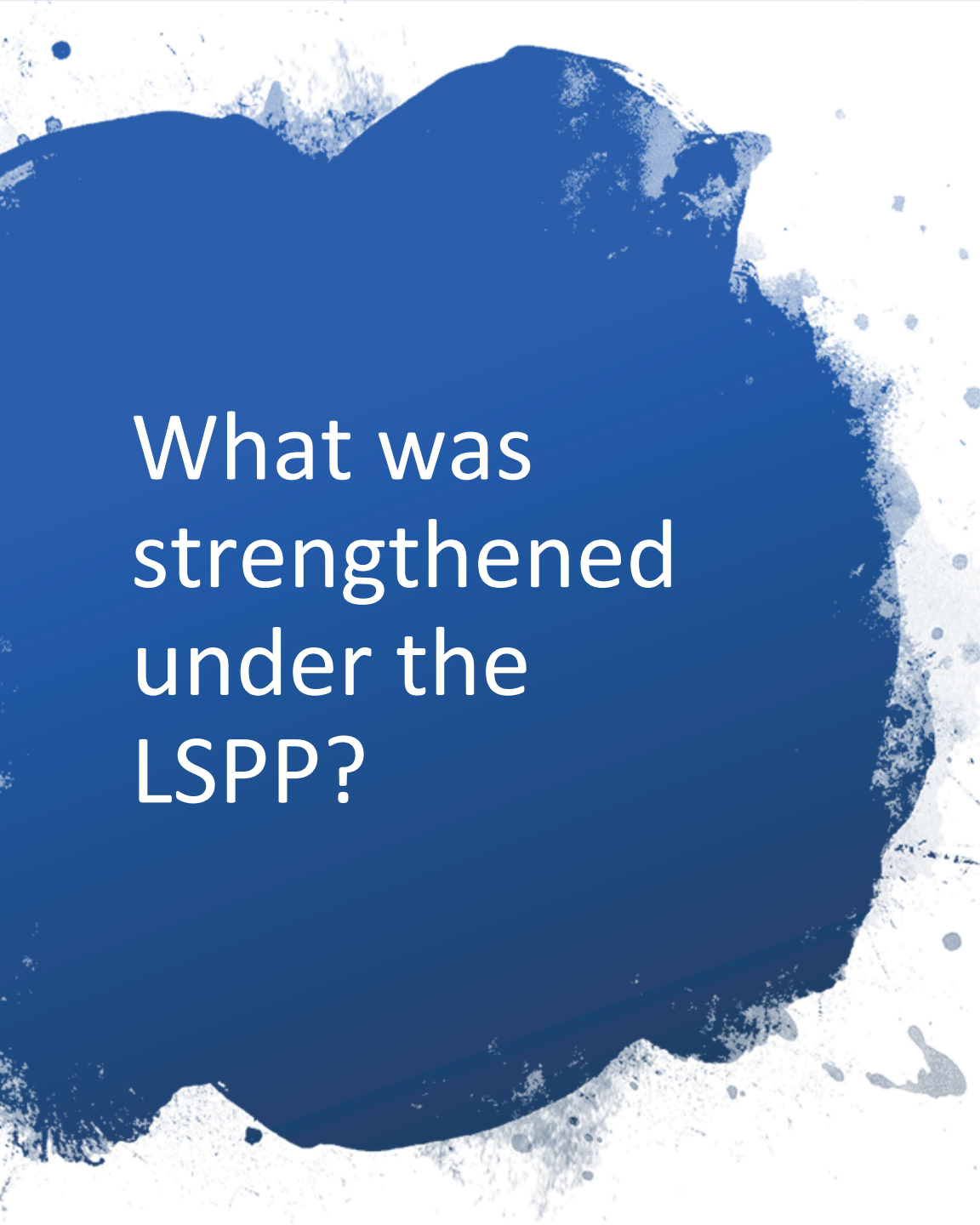



Figure 2: Past, Present and Future Phosphorus Loads to Lake Simcoe

Ministry of the Environment, Conservation and Parks, Lake Simcoe Phosphorus Reduction Strategy (Toronto: MECP, 2010) page 7. Online: <https://www.ontario.ca/page/lake-simcoe-phosphorus-reduction-strategy>



What was strengthened under the LSPP?

- Natural heritage and hydrologic feature protection and setbacks;
- Mandatory septic system inspection within 100 m of water features;
- Protection for smaller wetlands;
- Tougher STP Phosphorus caps;
- Mandatory inclusion of subwatershed plans in municipal Official Plans;
- Better science, monitoring, and oversight by LSSC and LSCC;
- Provincial staff at MoECP and Provincial funding (\$20million);
- Improved stormwater management guidelines;
- Enabled Lake Simcoe Phosphorus Offset Program and Phosphorus Reduction Strategy.

A scenic photograph of Lake Simcoe. In the foreground, a large, dark, gnarled tree branch with green leaves hangs over the water from the right side. The water is a deep blue with gentle ripples. In the background, a distant shoreline with more trees is visible under a clear blue sky. The overall mood is peaceful and natural.

Lake Simcoe Protection Plan Review, 2020

What is the Province doing?

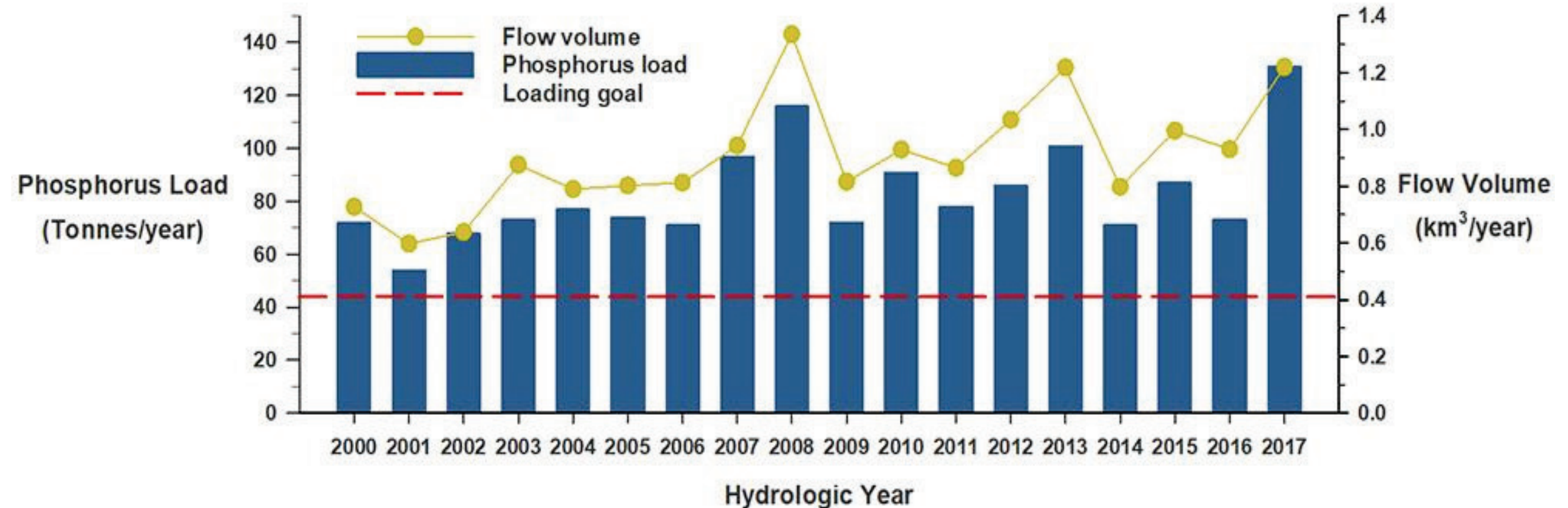
- Minister's Ten Year Report on Lake Simcoe seemed biased to the RLSC;
- Not scientific, consistent, sourced or supported by the Lake Simcoe Science Committee;
- Concern that painting too rosy a picture of the lake's health will lead people to think the lake doesn't need strong protections;
- RLSC comment on this and our email action tool are getting lots of traction, resonating with frustrated public.

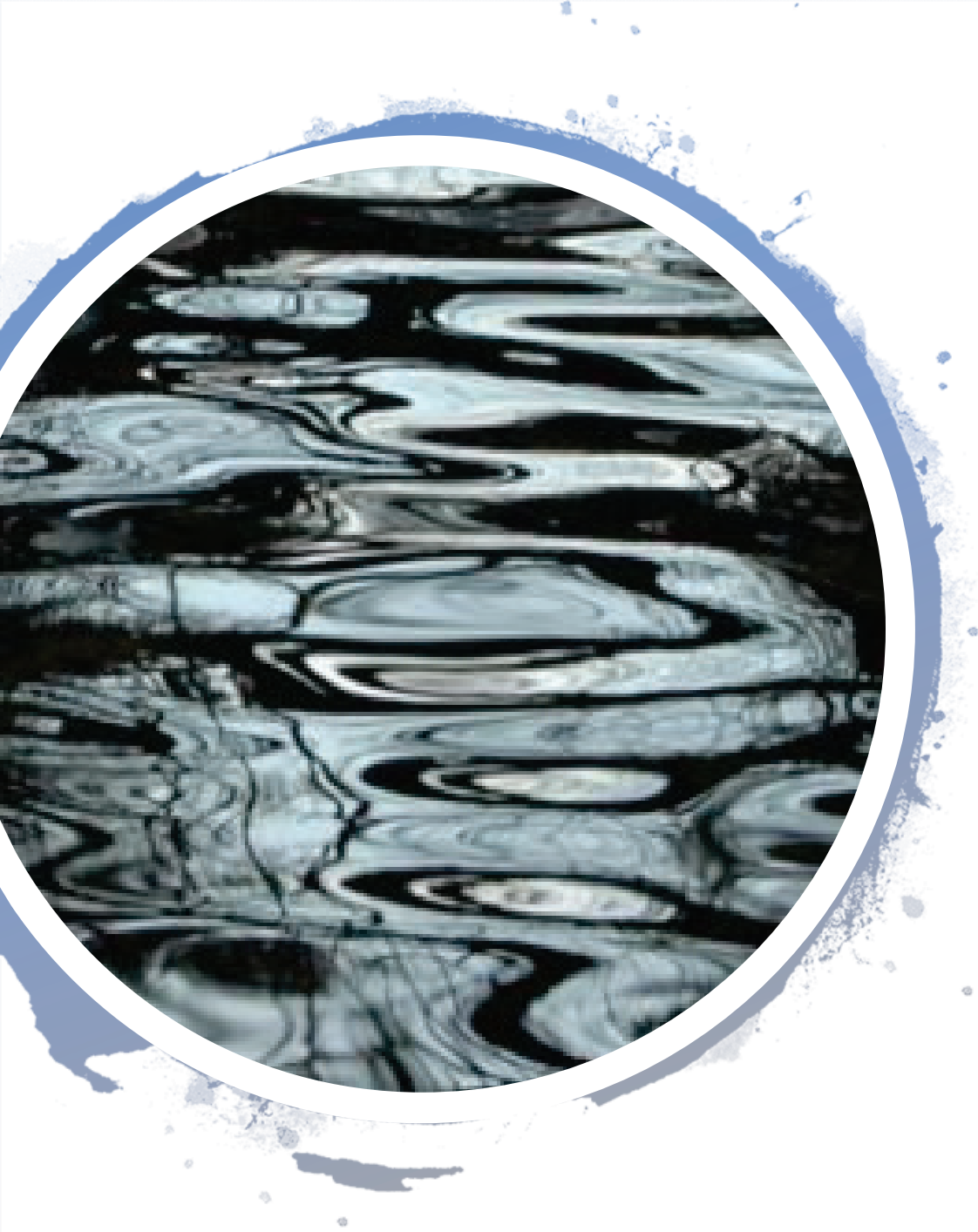


Protect Our Plan: Priorities for the Review of the Lake Simcoe Protection Plan

1. Develop sector-specific interim targets to achieve the 44 tonnes per year phosphorus loading target of the LSPP. Measure, monitor and adapt through an improved Phosphorus Reduction Strategy;
2. Protect 40% of the watershed's greenspace, using a variety of tools, to achieve the high-quality natural cover target of the LSPP;
3. Add the Lake Simcoe Climate Change Adaptation Strategy policies to the LSPP in order to reduce phosphorus loads, mitigate the impacts of climate change, and increase natural cover;

Phosphorus loads, 2000 to 2017





Helpful municipal actions – water quality

- Water conservation and reuse
- Maintain or lower STP loads

Helpful municipal actions - development

- Enforce sediment and erosion bylaws
- Continually improve stormwater management
- Insist on Low Impact Development

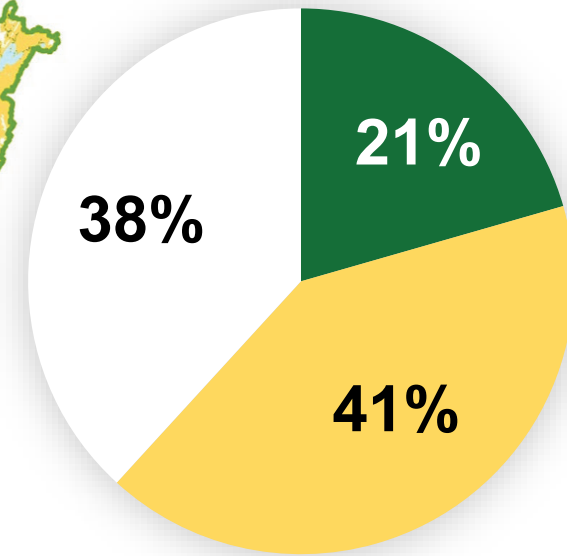
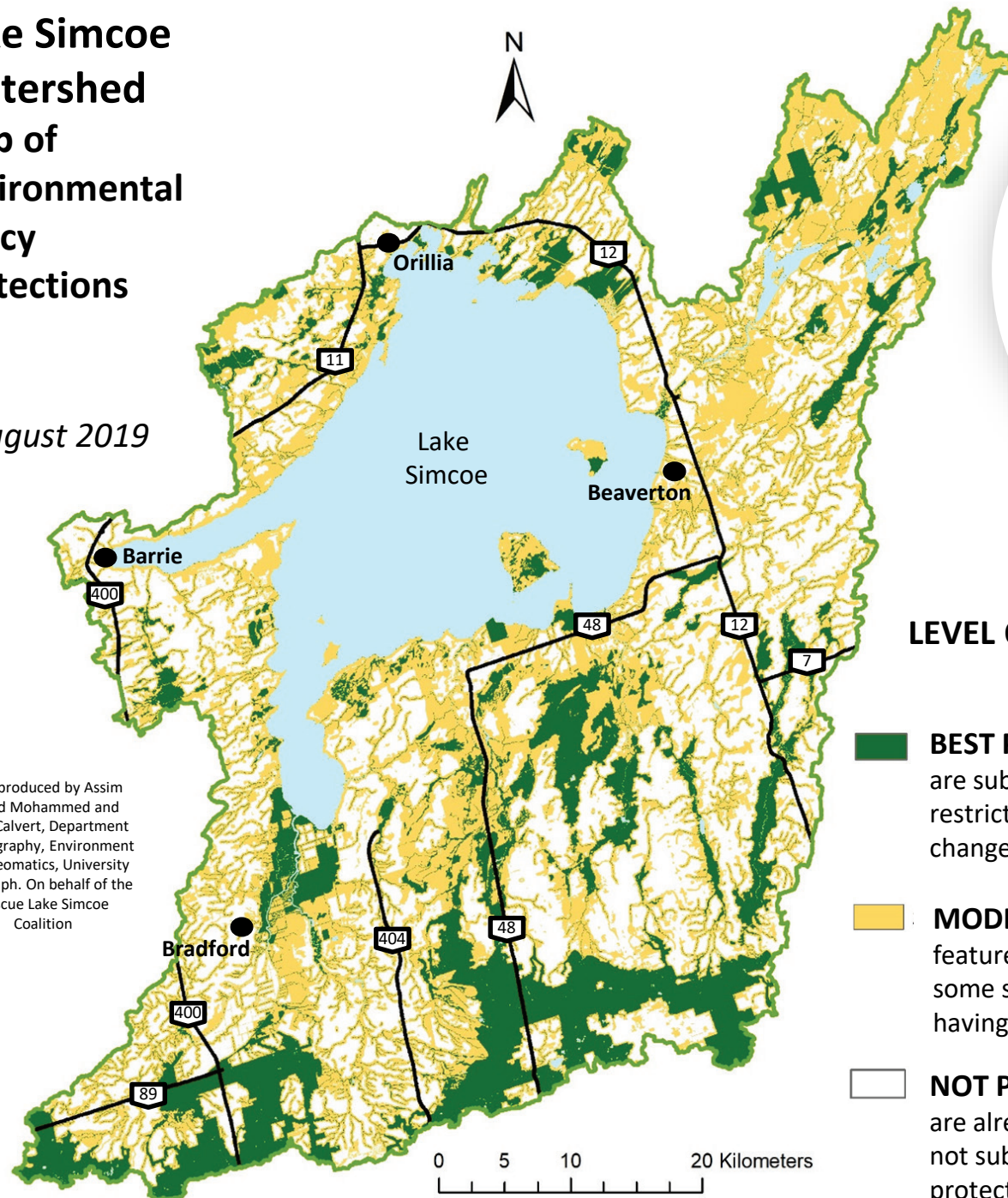


Lake Simcoe Watershed

Map of Environmental Policy Protections

August 2019

Map produced by Assim Sayed Mohammed and Kirby Calvert, Department of Geography, Environment and Geomatics, University of Guelph. On behalf of the Rescue Lake Simcoe Coalition



Proportion of total land area in each 'level of protection'.

LEVEL OF ENVIRONMENTAL POLICY PROTECTION

- BEST POLICY PROTECTION:** These features are subject to policies that prevent or tightly restrict development or other land cover change on them.
- MODERATE POLICY PROTECTION:** These features are subject to policies that allow some site alterations or land cover change, having met criteria and conditions.
- NOT PROTECTED:** These areas are already developed and / or are not subject to environmental protections.



Helpful municipal actions – protecting nature

- Use and enforce an ambitious tree cover bylaw
- Increase naturalization of public space
- Proactively protect wetlands
- Update OP to include LSPP NH definitions



MODEL COUNCIL RESOLUTION

Councils can demonstrate their commitment to protecting the health of Lake Simcoe by the following resolution:



WHEREAS a healthy environment provides the foundation for healthy communities, healthy people, and a healthy economy; and
WHEREAS the passage of the Lake Simcoe Protection Act received unanimous, all party support in the Ontario legislature in 2008;
THEREFORE BE IT RESOLVED, THAT the Town of Newmarket calls on the Ontario Government to demonstrate its commitment to clean water and protecting what matters most in the provincial statutory review of the Lake Simcoe Protection Plan, by ensuring that provisions in the Lake Simcoe Protection Plan that protect water quality are not weakened and that policies protecting natural heritage be strengthened, in order to meet the targets of the Lake Simcoe Protection Plan; and
THAT the Ontario Government be requested to work collaboratively with affected Provincial Ministries and all levels of government, including First Nations and Métis, to achieve the goals and targets of the Lake Simcoe Protection Plan and to resource the programs that improve Lake Simcoe's water quality during the provincial statutory review of the Lake Simcoe Protection Plan; and
THAT copies of this resolution be provided to Ontario Premier Doug Ford, Official Opposition Leader Andrea Horvath, MPP John Fraser, MPP Mike Schreiner, MPP Mulroney, and MPP Jeff Yurek, Minister of the Environment, Conservation and Parks.



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2021 Preliminary Draft Budget Staff Report to Council

Report Number: 2020-71

Department(s): Financial Services

Author(s): Mike Mayes, Director of Financial Services/Treasurer

Meeting Date: October 5, 2020

Recommendations

1. That the report entitled 2021 Preliminary Draft Operating and Capital Budgets dated October 5, 2020 be received; and,
2. That subject to any further direction, staff be authorized to provide the public with details of the Preliminary Draft 2021 Tax-supported, Rate-supported Operating and Capital Budgets.

Executive Summary

The Tax-supported Budget endeavors to maintain existing service levels for the Town's existing population (base budget) and future population (growth). The preliminary draft budget proposes a 2.99% tax increase which equates to approximately \$64.79 for the average residential property. Reduction options are presented for Council to consider and a Special Committee of the Whole meeting is scheduled for November 9 for deliberation of the Tax-supported Operating Budget.

The Rate-supported Operating Budgets – water, wastewater and stormwater - have restricted funding envelopes derived from the funding structure established in the Council approved multi-year financial plans. The projected increase is 4% for water and wastewater combined, and 10.2% for stormwater. For the average residence, this is \$49.44 and \$4.28 respectively. A Special Committee of the Whole meeting is scheduled for October 19 for deliberation of the Rate-supported Operating Budgets.

The Capital Budget includes \$37.2 million in expenditures for our infrastructure. A Special Committee of the Whole meeting is scheduled for October 19 for deliberation of the Capital Budget.

Purpose

The purpose of this report is to provide details on the decisions made in preparing the Preliminary Draft 2021 Tax-supported, Rate-supported Operating and Capital Budgets; to obtain Council's authorization to provide the budget details to the public; and to facilitate discussions to achieve the goals set by Council.

Background

As is the Town's practice, the Preliminary 2021 Draft Tax-supported, Rate-supported and Capital Budgets are the first drafts being presented as starting points for community consultation and Council consideration. Upon formal receipt of this report, subject to any further direction by Committee, the preliminary draft budgets and options will be provided to the public for comment.

The preliminary draft budgets were prepared by each department and were subject to review by the Senior Leadership Team (SLT) in consultation with the Operational Leadership Team (OLT). Through this process, items were discussed and prioritized with some being deferred.

Staff continued to pursue cost efficiencies and to maximize non-tax revenue sources to provide, where possible, a fiscally responsible budget that strikes a balance between affordable property taxes and maintaining current service levels.

Council approved the budget process, schedule and targets

Council was presented with the proposed schedule, process and targets for the 2021 budget at a [Special Council Meeting – Electronic on May 19, 2020](#). The following is an excerpt from the adopted motion:

That endorsement be given to staff to proceed with preparation of the 2021 budgets employing the structure and targets as amended, with options for reductions around Asset Replacement Fund contributions and Consumer Price Index as decision points for Council and a tax levy increase target of 2.99% consisting of:

- a. 0.99% base rate;
- b. 1.00% COVID-19 related contingencies;
- c. 1.00% Asset Replacement Fund contributions

Additional information on the budget process and target; and applicable legislation can be found in [Financial Services Report 2020-35, 2021 Budget Process and Target](#), which was presented to Council on May 19, 2020.

Budgeting in a COVID-19 world

The COVID-19 pandemic is expected to significantly impact residents and businesses. The length of the pandemic and duration of restrictions are currently unknown. Also, it is uncertain how long it will take to recover to previous levels of economic activity and what steps may need to be taken.

As noted in the [Financial Services Report - Financial Update regarding COVID-19](#), based on what we currently know, the 2020 tax-supported budget appears to be manageable and unless there is a significant change in circumstances, no direct budget impact on the 2021 operating budget is anticipated. The 2021 budget does not include a tax levy increase for carrying over a deficit from 2020.

Although there may be no direct budget impact on the 2021 operating budget, the pandemic does have an indirect impact:

- Restricted delivery of the 2020 capital program
 - It is recommended that the provision in the capital be increased to recognize the carryover
- Uncertainty about when and how hard a second wave will be, and what the “new normal” will look like
 - Council has directed a 1% Tax Levy for a COVID contingency
- Slower economy
 - Inflation is assumed to be in the 0% to 1% range
 - Growth has been reduced to 0.65% - half of what we would normally expect

Budget preparation guidelines were set to meet the 2021 budget challenge

In addition to dealing with the indirect influence of COVID-19, budget preparation had other challenges.

The Tax-Supported Operating Budget had to deal with creating provisions for uncertainty, and the economic environment. Guidelines for budget preparation included:

- No increases in fees and charges for ancillary revenues - this affected all non-tax revenues other than water, wastewater and stormwater rates

- Base budgets were reduced by \$508,000
- REV It Up initiatives were accounted for separately

As in prior years, Decision Packages, which are like mini-business plans, were prepared for any staffing requests or any requests of additional funding such as service level enhancements. They were also prepared for capital requests. The list of new items recommended for approval are attached in the appendices.

The CYFS budget has not yet been reviewed or recommended by JCC

The Newmarket / Aurora Joint Council Committee met on September 1, 2020 and were presented with [Report JCC-2020-06, CYFS Draft 2021 Operating and Capital Budget](#).

Although JCC will not be reviewing the above referenced report and making a recommendation on the budget until their Special Budget meeting on October 13, the details contained in that report have been included in the Preliminary Draft Budget.

Discussion

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THE TAX-SUPPORTED OPERATING BUDGET IS \$91 MILLION

The Tax-supported Operating Budget is \$91 million, allocated according to governance, and consists of the following:

	Town	CYFS	Library	Total
	In \$ millions			
Expenses	\$ 62.1	\$ 17.2	\$ 3.4	\$ 82.7
Reserve transfers	6.5	1.5	0.3	8.3
	\$ 68.6	\$ 18.7	\$ 3.7	\$ 91.0
Non-tax revenues	- 22.2	- 0.4	- 0.4	- 23.0
Tax levy	\$ 46.4	\$ 18.3	\$ 3.3	\$ 68.0

The tax levy funds 73% of these budgets. Non-tax, or ancillary revenues, fund the remainder.

Reserve transfers are the net of transfers to and from reserves and reserve funds, and include direct transfers to the Capital budget. The largest component of these transfers is contributions to the Asset Replacement Fund (ARF) - \$5.8 million.

The requested increase has been allocated as follows:

	Base	Growth	ARF	Total
Town	\$ 306,750	\$ 233,000	\$ 566,000	\$ 1,105,750
CYFS *	312,000	151,000	59,000	522,000
Library		22,000		22,000
BIA (net)	0			0
COVID	625,000			625,000
Total	\$1,243,750	\$ 406,000	\$ 625,000	\$ 2,274,750

* Subject to change – JCC review will be October 13

For 2021, a 1% tax increase will generate property tax revenues of approximately \$625,000.

The Base Budget is defined to be the net cost to maintain the Town's service levels for a stable population. This is net of ancillary revenues and efficiencies. Tax-supported operating budgets have property taxation as a primary funding source and are further divided according to governance such as the Central York Fire Services (CYFS), the Town of Newmarket Public Library Board (Library) and the Town of Newmarket Main Street District BIA (BIA). The Town's budget covers all of the other municipal services, including the internal support services.

Growth expenses are the incremental expenses necessary to maintain service levels for a growing population. The Town uses the sustainable practice of applying growth revenues only to growth expenses, and, to date, has been successful in limiting growth expenses to the available growth revenues.

Savings of \$544,000 were found in the Town portion of the base budget

The budget preparation guidelines included reducing the base budget by \$508,000. \$544,000 in efficiencies were found – 7% more than required. The additional amount was applied to Decision Packages – the recommended list is in Appendix A.

Extraordinary items have been managed within the base budget

Extraordinary items are new regulatory requirements or substantial increases beyond normal inflation in the cost of goods and services. The practice has been to only include items that exceed normal inflationary or growth increases by \$100,000. For 2021, there were two candidates.

1. There will be an increase in annual insurance premiums of \$255,000. This amount has been refined from the original estimate and is still expected. Sufficient efficiencies in the base budget were found to offset this cost.
2. Provision for the scheduled market review of salaries and benefits. This has been deferred a year – [Financial Services Report 2020-62, Financial Update](#).

Assessment growth revenues will be applied against growth expenditures

Assessment growth for 2021 of 0.65% (\$406,000) appears to be achievable. The following is the revised allocation of tax-supported growth revenue:

Allocations	
CYFS	\$ 151,000
Library	22,000
Incremental growth	50,000
2021 capital – operating expenses	67,500
Available for Decision Packages	115,500
Assessment growth	\$ 406,000

The allocations to CYFS and the Library have been adjusted to align with the lower rate of growth. The CYFS allocation was cut in half. The Library was reduced from 1.5% to 0.65% of its municipal grant. As a result, funds were available for other purposes.

The operating impact of 2021 capital projects is based on the current capital requests.

There is now funding for Decision Packages – see Appendix B for the proposed list.

Newmarket's share of the CYFS budget increase was reduced by \$262,000

The approved 10-year plan for Central York Fire Services included a \$1.3 million increase (4.61%) in the operating budget outlook for 2021. Newmarket's share would have been \$784,000.

The increase has been reduced to \$522,000.

Budget component	2021 outlook		Revised budget		Newmarket savings
	Total increase	Newmarket's share	Total increase	Newmarket's share	
Base	\$ 616,000	\$ 363,000	\$ 525,000	\$ 312,000	\$ 51,000
Growth	513,000	302,000	258,000	151,000	151,000

ARF	200,000	119,000	100,000	59,000	60,000
	\$ 1,329,000	\$ 784,000	\$ 883,000	\$ 522,000	\$ 262,000

The decrease is to comply with the direction for overall budget reductions, a lower growth rate, and decreased capital replacement requirements.

In addition to its share of the \$522,000 reduction in the CYFS budget, Newmarket also benefited from a shift in the cost allocation with Aurora. Newmarket's share decreased to 58.58% and Aurora's share increased to 41.42% - the 0.04% change results in a savings of \$12,000.

The Joint Council Committee (JCC) will be meeting on October 13 to review and make a recommendation on the CYFS budget.

The Library budget increase has been reduced by \$46,000

The original 2021 budget outlook for the Newmarket Public Library's budget included an increase of \$68,000. This has been reduced to \$22,000.

Budget Component	Original outlook	Revised Budget	Reduction
Base	\$ 17,000	\$ 0	\$ 17,000
Growth	51,000	22,000	29,000
	\$ 68,000	\$ 22,000	\$ 46,000

The Newmarket Public Library Board met on June 17 and September 16. To meet the budget targets, some of their recommendations have not been included in the Preliminary Draft Budget:

The BIA budget does not impact the overall tax levy

The Newmarket Main Street District BIA currently levies \$30,000 to its members. This amount has been unchanged since 2011. Their expenses are paid from this levy. Any surplus or deficit is transferred to/from the dedicated reserve. As a result, the BIA budget has no impact on the Town's budget; however, the BIA does require Council's approval of its budget.

Continuing REV It Up activity does not have a budget impact

At the [Special Council meeting of April 27, 2020 \(Item 4.7\)](#) an update was provided for the service delivery review – REV It Up. An update was provided on the 13 projects that are being undertaken, 7 of which have already been initiated.

Neither the expected savings nor potential investments have been factored into the 2021 budget; they were not used to meet budget reduction targets.

Some programs could generate additional revenues. For the Town, this includes Administrative Monetary Penalty System (AMPS) and Licensing Transportation Network Companies (TNCs). Consideration will be given to setting a target at the Special Committee of the Whole meeting scheduled for November 9. The Fiscal Strategy will help inform how these may be applied.

Central Fire Services wants to expand its cost recovery program. Sufficient revenues to offset the related expenses have been included in the budget, but no additional net revenue has been recognized. A recommendation on this will be provided by the Joint Council Committee (JCC).

The Fiscal Strategy is starting to influence the budget

A [Council Workshop was held on September 28](#) to review the analysis and recommendations of the Fiscal Strategy. Although the staff report will not be presented until November 9, some of the recommendations have been incorporated into the 2021 budget.

- Transfer of investment returns from the reserve fund has been eliminated - \$65,000
- Early Development Charges (DC) update and development of a Community Benefit Charge (CBC) - \$100,000 has been allowed for in the Capital Budget (GG1)
- Rate-Supported Financial Plans timelines have moved from 6 to 10 years

In addition, the Strategy confirms some of the Town's current budget and financial practices.

Council has asked for options to reduce the tax increase

Council's endorsement of the 2021 budget target included direction to staff to provide "options for reductions around Asset Replacement Fund contributions and Consumer Price Index ..."

Three potential areas for further budget reductions have been identified:

1. Asset Replacement Fund (ARF)
 - Consistent with a 1% increase in the contributions to the Asset Replacement Fund is the target for 2021. In prior years this has been reduced to lower the tax increase
 - Risk – This is contrary to the recommendations of the Fiscal Strategy and creates additional tax pressure in the future
2. Base Budget
 - The 0.99% levy increase for the Base Budget was built on the assumption of a 0.43% rate. Inflation is currently lower
 - Risk – The decrease in the inflation rate is temporary and rates will start to return to the usual 2.3% range
3. COVID-19 contingency
 - While the 1% levy is prudent it does not have any specific tangible application assigned to it
 - Risks – There is uncertainty about the extent, timing and cost of the second wave, and recovery measures, which may be substantial

These options can be investigated further at the Special Budget Committee of the Whole meeting on November 9. At that time, there should be more information for the discussion.

RATE-SUPPORTED FINANCIAL PLANS ARE BEING UPDATED

The Water, Wastewater and Stormwater financial plans are still in development. The current plans were adopted by Council on June 26, 2017 and although they do not need to be updated, it would be prudent to do so. Water and Wastewater has started undertaking the AMI (Smart Meter) project, which will significantly alter operations. Stormwater is facing challenges not contemplated in its original financial plan.

These plans will be presented at the Special Budget Committee of the Whole meeting on October 19. At this time, it is expected that the 2021 budget will align with the current 6-years plans and include a 4% increase to the combined Water / Wastewater rate and a 10.2% increase to Stormwater.

Appendix C lists the Decision Packages recommended for inclusion in the Rate-Supported Budgets.

THE CAPITAL BUDGET IS EVOLVING AND HAS A NUMBER OF COMPONENTS

This budget includes the purchase and financing of Tangible Capital Assets (TCA) for infrastructure, land, buildings, machinery, equipment and other items that provide long-term benefits; and of major corporate studies such as the Official Plan and the Development Charges Background Study.

The focus is on maximizing delivery and eliminating capital carryovers

	Original target	Revised
Program	\$ 15.0 million	\$ 13.7 million
Provision unallocated	\$ 5.0 million	\$ 3.1 million
allocated		\$ 3.2 million
“Normal” spend	\$ 20.0 million	\$ 20.0 million
Major items	\$ 12.7 million	\$ 17.2 million
Total	\$ 32.7 million	\$ 37.2 million

“Normal” spend is the amount that the Town can reasonably expect to deliver in a year based on past experience. This is the test of operational capacity. It recognizes that there is a limit on what dedicated capital project staff in Engineering, Public Works and Procurement can reasonably manage in a year. This is segregated into two sections:

- Program is the listing of new items be added
- Provision is an amount set aside for projects deferred from 2020 and the inclusion of new priorities that may arise during the year
 - The original provision of \$5 million has been increased to \$6.3 million to accommodate deferrals from the [Financial Update Report 2020-62](#).

Major items require minimal effort from dedicated capital project staff. They either use other staff (such as Fire Station 4-5 being managed by Aurora staff) or have a very high expenditure to staff effort ratio (such as the Advanced Metering project). These projects do not impede delivery of the capital program.

The Capital Budget fits within our financial capacity

Capital expenditures deferred from 2020 have already had funding allocated to them.

There is sufficient funding for new projects, noted below:

	ARF	DC	General	Other	Total
	(in \$ millions)				
Mandatory	\$ 2.4	\$ 0.1	\$ 0.0	\$ 0.2	\$ 2.7
Replacement	4.6	1.2	0.1	2.5	8.4
Growth	0.0	2.4	0.0	0.2	2.6
	\$ 7.0	\$ 3.7	\$ 0.1	\$ 2.9	\$ 13.7

The Asset Replacement Fund (ARF) is the primary funding source (51%) with Development Charges (DC) in second place (27%). Other includes \$2.5 million from the 2021 Federal Gas Tax allocation.

Appendix D includes the listing of new projects added to the capital budget. It includes the \$13.7 million from the table above and \$917,727 in additional funding for Fire Station 4-5 – which is classified as a major item.

Within the new projects are two that have been pre-approved. They are included so as to give formal budget approval to them. The projects are:

- Additional funding for Fire Station 4-5, \$917,727 (CYFS8)
 - Approved by [JCC on November 26, 2019 \(Item 4.1\)](#)
 - Received without comment by [Newmarket Council on February 10, 2020 \(Item 9.3.11\)](#)
- Old Fire Hall renovations, \$300,000 (FAC8)
 - Part of lease agreement with new tenant

Appendix E is the listing of \$6.7 million in projects deferred from 2020 to 2021, of which \$3.5 million for the Advanced Meter project is classified as a major item.

Conclusion

Upcoming dates:

- October 13 – Special JCC meeting to review the CYFS budget
- October 19 – Special Committee of the Whole meeting dedicated to review the Capital and Rate-supported Operating Budgets, and the Rate-supported Financial Plans
- November 9 – Special Committee of the Whole meeting dedicated to review the Tax-supported Operating Budget and the Fiscal Strategy
- December 7 – Committee of the Whole - Presentation of the Draft Budgets and remaining Fees & Charges for approval

- December 14 – this is the target date for approval of the 2021 budget and remaining fees & charges

Council may choose to extend this time for further deliberations.

There will also be opportunities for Councillors to meet with or to obtain additional information from the Treasurer or other members of staff.

Reserve and Reserve Fund Budgets

Contributions to and from Reserve Funds are derived from the Operating and Capital Budgets. After they have been approved, the Reserves and Reserve Funds Budget can be compiled.

Business Plan and Strategic Plan Linkages

This 2021 Budget is supportive of Long-Term Financial Sustainability and furthers all of Council's Priorities under that pillar:

1. Ongoing community education and engagement
 - Conduct ongoing public education and engagement related to financial planning
2. Develop a multi-year operating and capital budget that aligns with budget policies
 - Develop a comprehensive budget policy
3. Ensure ongoing continuous improvement
 - Advance REV It Up recommendations
4. Complete Asset Management Plans
 - Update the capital financing sustainability strategy

Consultation

These recommendations are the product of lessons learned from 2020 and previous budget experiences. They include recommendations that have been reviewed by the Strategic Leadership Team (SLT) and the Operational Leadership Team (OLT).

As a further refinement to the process this year, the Asset Management Team reviewed the Decision Packages – capital and operating – to ensure consistency in application of ratings. This is the first step towards ensuring alignment with Asset Management Plans, which are under development.

Communications

The 2021 budget communications will focus on using a simpler, more graphic-based approach to public education and engagement. This will include new and creative ways for interacting with the community virtually via a budget-themed Facebook Live event, Hey Newmarket virtual engagement, expanded website and social media presence and more.

As part of the communications plan for the 2021 budget, following budget approval, staff will produce a budget-focused publication highlighting town services and what the community is getting for their tax dollars.

Human Resource Considerations

The preliminary draft budgets include adding 5.1 full time equivalent (FTE's) positions to the staffing complement. These are new staff:

- 2 additional firefighters for Central York Fire Services (2 FTE - CYFS6). This is in anticipation of the findings of the next Fire Master Plan. This has not yet been reviewed or recommended by JCC, who will be meeting on October 13 to review the CYFS budget.
- Convert the Fleet Administrative contract position to permanent full-time (1 FTE – ROAD1).
- Convert the Health & Safety Specialist contract position to permanent full-time (1 FTE – HR1).

And additional hours for regular part-time staff:

- 7 hours per week for the CYFS Accounts Administrator for Cost-Recovery Program (0.2 FTE - CYFS7). This was approved by [Council on September 21, 2020 \(Item 9.1.2.](#)
- Convert 2 part-time positions in Customer Service to fulltime (0.5 FTE – CS2).
- Convert a part-time position in Financial Services to fulltime (0.4 FTE – FIN1).

In consideration of the uncertainty around COVID and the economic climate, it is recommended that a similar approach to last year's deferral of staffing requests be taken - that a provision be made in the budget for the requests but that **hiring for these positions remain on hold until approved by Council.**

The exception would be the pre-approved additional hours for the CYFS Accounts Administrator.

Budget Impact

The Preliminary Draft Budgets include \$137.4 million for operations. Funding would be provided from property taxes - \$68 million, water/wastewater and stormwater rates - \$46.4 million and ancillary revenues - \$23 million.

For an average residential property with an assessed value of \$700,000, this would mean the following:

	% increase	\$ increase
Property tax	2.99 %	\$ 64.79
Water / wastewater	4.00 %	\$ 49.44
Stormwater	10.20 %	\$ 4.28
Total		\$ 118.51

The Capital Budget of \$37.2 million provides some flexibility – allowing \$6.3 million for projects deferred from 2020 and the inclusion of new priorities that may arise during the year.

Attachments

Appendix A – Summary of Tax-supported Operating Budget Decision Packages, Base

Appendix B - Summary of Tax-supported Operating Budget Decision Packages, Growth

Appendix C – Summary of Rate-supported Operating Budget Decision Packages

Appendix D – Summary of Capital Program, new Decision Packages

Appendix E – Summary of Capital Program, Allocations from 2020

Approval

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

Jag Sharma
Chief Administrative Officer

Contact

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Appendix A – Summary of Tax-supported Operating Budget Decision Packages, Base									
Form #	STATUS	FTE	Initiative Name	Area Responsible	Category	Revised Score	Operating Cost	Revenue / Recovery /	Net Impact on Tax
HR1	Recommend	1	Health & Safety Risk Management	Human Resources	Mandatory	22	42,312		42,312
CYFS 7	Approved	0.2	Accounts Administrator for Cost-Recovery Program	CYFS	Service Level Change	14	45,652	45,652	0
IT3	Recommend		Redundant Internet Connection	Information Technology	Service Level Change	11	1,800		1,800
COMM2	Recommend		Digital Engagement - HeyNewmarket	Communications	Maintenance/Replacement	9	25,000		25,000
PLN 1	Recommend		Cultural Heritage Planning	Planning	Service Level Change	9	5,000		5,000
ISI1	Recommend		Electric Vehicle Charging Stations	Innovation & Strategic Initiatives	Service Level Change	8	15,000	6,000	9,000
IT5	Recommend		Video Conferencing Licensing	Information Technology	Service Level Change	8	10,000		10,000
Total		1.2					144,764	51,652	93,112

Appendix B - Summary of Tax-supported Operating Budget Decision Packages, Growth									
Form #	STATUS	FTE	Initiative Name	Area Responsible	Category	Revised Score	Operating Cost	Revenue / Recovery /	Net Impact on Tax
CYFS 6	Recommend	2	2 Additional Firefighters	CYFS	Growth	17	257,280	106,280	151,000
ROAD 1	Recommend	1	Records Management And Asset Tracking For Fleet Area	PWS - Roads	Growth	16	38,522	10,786	27,736
CS2	Recommend	0.5	Increase staff complement by .5 FTE (1.5 to 2)	Customer Service Department	Growth	13	158,257	108,351	49,906
FIN 1	Recommend	0.4	Meet the needs of increased volumes due to Pcard best practices and Prompt Payment requirements	Finance	Growth	12	77,186	41,426	35,760
LIB 4	Recommend		Electronic Materials	Library	Growth	9	22,000		22,000
Total		3.9					553,245	266,843	286,402

Appendix C – Summary of Rate-supported Operating Budget Decision Packages									
Form #	STATUS	FTE	Initiative Name	Area Responsible	Category	Revised Score	Operating Cost	Revenue / Recovery /	Net Impact on Rates
SW 1	Recommend		Stormwater Master Plan Detailed Review/Update	Engineering - Stormwater	Mandatory	27	120,000	120,000	0
SW 3	Recommend		Stormwater CCTV Inspection Program	Engineering - Stormwater	Service Level Change	16	120,000		120,000
W&WW 1	Recommend		AMI Project - Sensus Analytics	Water & WW	Service Level Change	10	44,460		44,460
Total		0.0					284,460	120,000	164,460

Appendix D – Summary of Capital Program, new Decision Packages

Form #	Department / Area	Project Name	Status	Category	Revised Points	2021 Capital Request	ARF	DC	General / Operating	Reserves	Gas Tax	Other Funding	Operating Impact
CYFS1	CYFS	Personal Protective Equipment & Uniforms for 2 New Recruits 4-6	Recommend	Mandatory	24	20,000		20,000					
CYFS4	CYFS	Replacement of Equipment	Recommend	Maintenance/Replacement	24	100,000	100,000						
CYFS5	CYFS	Lifecycle Replacement of Personal Protective Equipment	Recommend	Mandatory	24	180,000	180,000						
ENG5	Engineering - Capital Project Engineering	Bridges and Culverts Program	Recommend	Mandatory	24	1,800,000	1,800,000						10,000
PARK 1	PWS - Parks	Fairy Lake Boardwalk Design	Recommend	Mandatory	24	110,000	55,000	55,000					
SW 2	Engineering - Stormwater	Stormwater Wet Pond Bathymetric Surveys	Recommend	Mandatory	24	60,000				60,000			
W&WW 1	Water & Wastewater	Pressure Regulating Valves (PRVs) / Pressure Zone Bypass	Recommend	Mandatory	24	200,000				200,000			
COMM1	Corporate Communications	Web - AODA compliance	Recommend	Mandatory	22	15,000				15,000			
FAC 1	PWS - Facilities	Facilities Asset Replacement	Recommend	Mandatory	22	300,000	300,000						
FAC 5	PWS - Facilities	Designated Substance Surveys and Asbestos Management Plan Various Buildings	Recommend	Replacement	22	100,000			100,000				
CYFS 8	CYFS	Station 4-5 Additional Funding	Approved	Growth	21	917,727	917,727						
ENG2	Engineering -Transportation	Mulock Drive Multi Use Path Feasibility and Design Study	Recommend	Growth	21	200,000		200,000					
PLN1	Planning	Official Plan Review and Update	Recommend	Growth	21	125,000		84,375		40,625			
FAC 8	PWS - Facilities	Old Fire Hall Rehabilitation	Approved	Replacement	19	300,000	300,000						(41,050)
ENG4	Engineering - Capital Project Engineering	Municipal Infrastructure Projects	Recommend	Replacement	18	4,624,000	2,390,000	1,234,000			1,000,000		15,000
ROAD 3	PWS - Road	Fleet Replacements	Recommend	Replacement	18	1,200,000	1,200,000						
BLD1	395 Mulock Building	395 Mulock Building Asset Replacement	Recommend	Replacement	15	50,000	50,000						
BLD2	395 Mulock Building	Boiler Replacement - 395 Mulock Drive	Recommend	Replacement	15	25,000	25,000						(500)
CYFS3	CYFS	Replacement of Platoon Chief Emergency Response Vehicle (CH45)	Recommend	Maintenance/Replacement	15	100,000	100,000						
ROAD 2	PWS - Road	Road Resurfacing Program	Recommend	Replacement	15	1,500,000					1,500,000		
LIB1	Library	Computer Hardware & Software	Recommend	Maintenance/Replacement	13	225,500	225,500						
ENG1	Engineering -Transportation	Active Transportation Implementation Plan 2021	Recommend	Growth	12	175,000		175,000					12,500
ENG7	Engineering - Capital Project Engineering	Trails & Multi-Use Path	Recommend	Growth	12	100,000		100,000					35,000
IT1	Information Technology	Upgrade/Replace Desktop and Peripheral Equipment	Recommend	Maintenance/Replacement	10	182,749	182,749						
ENG6	Engineering - Capital Project Engineering	Recreation Playbook Implementation - Skate Park	Recommend	Growth	9	1,950,000		1,755,000		195,000			20,000
GG 1	General Government	Development Charges / Community Benefit Charges (DC/CBC)	Recommend	Growth		100,000		100,000					
Total 2021 Capital Budget Packages						14,659,976	7,825,976	3,723,375	100,000	510,625	2,500,000	-	50,950

Appendix E – Summary of Capital Program, Allocations form 2020

Name of Business Unit	Commission	Region	REVISIONS TO Budget 2021	REVISED Budget 2021
1317006 - Open Data Project	CORPORATE SERVICES	CSS	20,000.00	20,000.00
1318006 - Replace/Upgrade ERP Systems	CORPORATE SERVICES	CSS	450,000.00	450,000.00
1319037 - Upgrade/Replace Server Room Eq	CORPORATE SERVICES	CSS	125,000.00	125,000.00
SUBTOTAL	CORPORATE SERVICES		595,000.00	595,000.00
2119008 - CYFS Master Fire Plan	CYFS	FRE	125,000.00	125,000.00
2120003 - Station 4-5 - Equipment	CYFS	FRE	125,000.00	125,000.00
SUBTOTAL	FIRE SERVICES		250,000.00	250,000.00
3219065 - Fleet Replacements	Development & Infrast.	PWE	840,000.00	840,000.00
3220005 - Traffic Safety/Mitigation	Development & Infrast.	PWE	115,000.00	115,000.00
4417024 - Advanced Metering	Development & Infrast.	PWE	3,500,000.00	8,322,903.00
4420001 - Automated Values-Water System	Development & Infrast.	PWE	40,000.00	40,000.00
4717065 - Upgrade Fuel Management System	Development & Infrast.	PWE	45,000.00	45,000.00
5218040 - Replace Sports Field Lighting	Development & Infrast.	PWE	445,000.00	445,000.00
5219043 - Trail Lighting at Parks	Development & Infrast.	PWE	280,000.00	280,000.00
5219058 - Sport Field Prot. Net Phase II	Development & Infrast.	PWE	190,000.00	190,000.00
5320001 - Hollingsworth Arena Demolition	Development & Infrast.	PWE	330,000.00	330,000.00
5320002 - Facility Replacements - RJT	Development & Infrast.	PWE	15,000.00	15,000.00
5320004 - Fairgrounds Parking Bldg Rehab	Development & Infrast.	PWE	16,000.00	16,000.00
5320005 - Vehicle for Asset Maint.	Development & Infrast.	PWE	65,000.00	65,000.00
SUBTOTAL	Development & Infrast.		5,881,000.00	10,703,903.00
Total			6,726,000.00	11,548,903.00



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

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Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule Staff Report to Council

Report Number: 2020-69

Department(s): Legislative Services

Author(s): Kiran Saini, Deputy Town Clerk
Andrew Walkom, Legislative Coordinator
Jaclyn Grossi, Legislative Coordinator

Meeting Date: October 5, 2020

Recommendations

1. That the report entitled Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule dated October 5, 2020 be received; and,
2. That the proposed amendments to the Town of Newmarket's Procedure By-law 2020-12 to permit electronic participation as outlined in **Attachment 1** of this report be approved; and,
3. That beginning in January 2021 or as determined by the Mayor and Chief Administrative Officer, staff be directed to facilitate only Council and Committee of the Whole, Site Plan Review Committee meetings in a hybrid manner with in-person and remote Members of Council, Staff and the public; and,
4. That staff be directed to amend the remainder of 2020 Council and Committee of the Whole meetings to commence at 1:00 PM and Site Plan Review Committee meetings to commence at 9:30 AM; and,
5. That the 2021 Council and Committee of the Whole Meeting Schedule be adopted (**Attachment 2**), noting the following for January to June 2021:
 - a. That Council meetings continue to commence at 1:00 PM; and,

- b. That Site Plan Review Committee meetings be held in the morning on the same day as Council meetings and commence at 9:30 AM; and,
6. That staff be directed to report to Council in April/May 2021 on a Policy for Electronic Participation in hybrid meetings, establishing start times for Council and Committee of the Whole meetings for July to December 2021 and resumption of hybrid meetings for Advisory Committees; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to seek Council's approval for amendments to the Town of Newmarket's Procedure By-law to permit participation through electronic means after the state of emergency declared under the Emergency Management and Civil Protection Act ("EMCPA") has been lifted.

This report will also provide Council with an update on measures to prepare for the partial resumption of in-person meetings and the technology requirements to conduct meetings using a hybrid approach of remote and in-person methods.

Executive Summary

This report seeks to:

1. Provide an update on the recent legislative amendments in relation to meetings.
2. Amend the Town's Procedure By-law to remove the requirement for a declared state of emergency to be in place in order for meetings to be held through electronic means.
3. Recommend a phased approach for hybrid meetings (in-person and remote participants). Phase one will include only Council Members returning to the Council Chambers in-person, with a target of December 2020. Phase one of hybrid meetings is subject to successful completion of Council Chambers hardware and software upgrades and testing by the end of November 2020.
4. Recommend that phase two of hybrid Council and Committee of the Whole meetings begin after a successful launch of phase one. It is expected that the earliest phase two may begin is in January 2021, or as determined by the Mayor and Chief Administrative Officer. Only a limited number of the public will be permitted in the Council Chambers.
5. Approve a 2021 calendar of meetings for Council and Committee of the Whole, with January to June Council and Site Plan Review Committee meetings beginning at 1:00 PM and 9:30 AM, respectively; and finally,
6. Direct staff to report back to Council in April/May 2021 with a review of the evolving landscape of hybrid meetings, start time of Council meetings for July to December 2021 meetings, and resuming in-person or hybrid Advisory Committee meetings.

Background

Electronic Participation Legislation Timeline

Electronic Participation in Municipal Council meetings has been permissible since January 1, 2018, as part of the amendments to the Municipal Act by the Modernizing Ontario's Municipal Legislation Act, 2017 ("Bill 68"). However, these amendments allowed electronic participation only with strict requirements, namely, that members participating electronically did not count towards quorum and participation was not permitted during Closed Session. Council amended the Town's Procedure By-law to allow for electronic participation and created a corresponding policy. However, the participation was limited only to the Town's Accessibility Advisory Committee.

On March 19, 2020, the Legislative Assembly of Ontario passed the Municipal Emergency Act, 2020 ("Bill 187"). This piece of legislation amended the Municipal Act, 2001 to permit members of a municipal council, local board, or committee to participate electronically in open and closed session meetings and be counted towards quorum during a declared state of emergency under the EMCPA.

On April 27, 2020, Council met remotely for the first time in an electronic Special Council Meeting. The first order of business was an amendment to the Town's Procedure By-law to permit meetings to permit electronic participation as per the requirements of Bill 187.

On July 21, 2020, the COVID-19 Economic Recovery Act, 2020 ("Bill 197") received Royal Assent. This wide-ranging piece of legislation amended numerous Acts, and more specifically, amended the Municipal Act to permit continued electronic participation by Councils after both Provincial and Municipal declared states of emergency are lifted. The declared state of emergency under the EMCPA was not renewed, and so ended on July 24, 2020. As of the date of this report, the Town of Newmarket's state of emergency remains in place.

Discussion

COVID-19 Economic Recovery Act, 2020 ("Bill 197")

With the Bill 197 amendments now in effect, these restrictions are no longer present and full electronic participation is no longer contingent on a declared state of emergency. With the lifting of the Provincial state of emergency, under the current rules of the Town's Procedure By-law, electronic participation can occur only until the Town lifts its own state of emergency. Electronic participation outside of a declared emergency requires a further amendment to the Town's Procedure By-law.

As such, Staff recommend that Council amend the Town's Procedure By-law to remove the requirement for a declared state of emergency and continue to permit electronic participation (**Attachment 1**). While the declared state of emergency may come to an end, it is clear that the need for remote participation in meetings and continued physical

distancing will remain for some time. Additionally, the amendment will allow for members to participate remotely after the health risks of the pandemic have ended. This will enable members to join a meeting remotely when they would be absent otherwise, such as during travel or due to a minor illness.

In addition to the required electronic participation amendments to the Procedure By-law, there are additional housekeeping amendments required to allow greater flexibility for the agendas for electronic meetings.

Proxy Voting Not Recommended as Electronic Participation makes it Redundant

In addition to the amendments regarding electronic participation, Bill 197 also included a new provision which allows proxy voting for municipal councils. This allows for a member to assign a proxy to vote on their behalf if they will be absent from a meeting. A municipal council needs to amend the Procedure By-law, if it wishes to use proxy voting. A process to enable proxy voting must be established by the clerk.

Bill 197 includes a number of rules related to proxy voting. A member who has assigned a proxy is counted as absent and does not count towards quorum. Since the member is considered absent, this absence is counted towards the three months after which their office is vacated. A member would need a Council resolution to allow their absence for longer than three months, even with a proxy assigned to vote on their behalf.

Proxy voting is entirely new and untested for Ontario municipal councils. In addition to the amendments to the Procedure By-law and the establishment of a proxy voting process, additional amendments to other related policies and by-laws may be required. For instance, Council's Code of Conduct does not contemplate violations caused by proxy voting. Since the concept is new to all Ontario municipalities, there are no established best practices related to proxy voting, nor are there experiences to draw upon for the creation of policies and procedures. The City of Toronto, Mississauga, and all other York Region municipalities are not proceeding with proxy voting at this time.

At this time, staff do not recommend the amendment of the Procedure By-law to allow proxy voting. Remote electronic participation allows for a high degree of accessibility for Councillors, as they no longer need to be present in the meeting room. As such, proxy voting likely does not provide an additional benefit for members who cannot attend a meeting in person, yet it adds additional complexity to meeting procedures. If Council desires the addition of proxy voting to the Town's Procedure By-law, staff recommend an additional review be conducted before the amendment, to ensure an appropriate process can be established.

Public Participation during Pandemic

The restrictions put in place due to the pandemic and the legislative amendments related to remote meetings quickly led to unprecedented changes in how the public engages with Council. Due to the rapidly changing circumstances, public engagement Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule

has evolved throughout the pandemic period. For the Special Council meetings in April and May, traditional deputations were replaced with written deputations, where residents could submit their comments in written form, but have them verbally read out at the meeting by the Mayor.

As familiarity with electronic meeting platforms such as Zoom increased throughout the pandemic for staff, Council and the public, new procedures were developed to allow the public to join the meeting electronically safely and securely. Staff provided one-on-one training sessions to deputants before the meeting so that residents would be comfortable joining the Council meeting live. Residents also were able to submit correspondence in the traditional fashion, with written deputations being replaced by remote deputations.

In order to reproduce the experience of an in-person public meeting, staff developed procedures to allow members of the public to join the remote meeting live, without prior notice.

In addition to remote Committee of the Whole and Council meetings, the pandemic led to the transition to a remote public meeting format. On June 29, 2020, Council held its first public planning meeting and considered two applications.

As of September 1, Town Committees and Boards resumed their regular schedules using the Zoom meeting process described below. Staff recommend that Committees and Boards continue to meet through Zoom.

The March 18, 2020 Council motion suspended Committee and Board meetings through August 2020, with meetings occurring to consider urgent matters as determined by the Mayor and Chief Administrative Officer. As Board and Committee meetings are not typically video streamed and recorded, an alternative process was developed. Zoom's webinar function was used, which allows for the public to join the meeting and observe. Members of the public can hear and see the meeting, but they cannot join in the discussion. However, they are still able to indicate to the meeting administrator that they would like to speak, so that they can participate in the meeting at the appropriate time. This process has proved effective at both facilitating the meeting and allowing public participation in a secure environment.

In-person and Remote Electronic Participants (“hybrid” meetings)

To prepare for the eventual re-opening of the Municipal Offices and the facilitation of hybrid meetings with a mix of both in-person and electronic participants, Staff have been working with the Town's audiovisual vendor to facilitate upgrades to the technology. These upgrades are presently scheduled for completion by the end of November.

Staff recommend a phased approach for hybrid meetings, with Council returning to the Council Chambers in-person in December 2020.

Prior to inviting any Members of Council, staff or the public into the Council Chambers, staff have been working with York Region Public Health to receive advice on physical distancing and safety measures to ensure the safe re-opening of the space.

Based on current physical distancing requirements, the Council Chambers could accommodate all Members of Council by requiring all staff (except for the Clerk) to join the meeting virtually.

As such, allowing Council to return to the Council Chambers first will give staff an opportunity to ensure that the technology, physical distancing and safety measures are functioning as intended.

Phase two of hybrid meetings would require members of the public to register in advance of the meeting. Staff expect that the public may be able to attend Council and Committee of the Whole meetings in-person beginning in January 2021.

The total number of members of the public in attendance would be restricted and monitored by having the public register prior to attending the meeting.

Phase two of hybrid meetings is contingent on a successful implementation of phase one as noted above. To this end, while staff are targeting phase two to begin in January 2021, it is recommended that the Mayor and Chief Administrative Officer be given the authority to establish when the public will be permitted back into the Council Chambers.

Best practices for hybrid meetings will be established as they become more common.

- Hybrid meetings are new to municipal Councils, which means that best practices will continue to evolve over time. At present, staff are not aware of any municipality that has formalized a criteria for Members' remote participation during a non-emergency/non-Pandemic period. Examples of such criteria include the number of meetings a Member can participate through electronic means or establishing a deadline to notify the Clerk and Chair to advise that the Member will be participating electronically.

Staff will continue to monitor other municipal councils' policies and/or criteria and report back to Council in April/May 2021.

Municipal Comparison

At the time this report was authored, staff were able to gather the following information from other municipalities. Each municipality was asked to identify when they will begin resuming in-person Council meetings.

Municipality	Date or estimated timeframe for Council to participate in person	Date or estimated timeframe for Members of the Public to participate in person	Other Notes
Aurora	August 25, 2020	August 25, 2020	<ul style="list-style-type: none"> • Deputants need to pre-register • Plexi-glass installed between Councillors • Council, staff & public asked to wear masks • Electronic participation is still available to delegates, applicants, consultants etc.
East Gwillimbury	Undetermined	Undetermined	<ul style="list-style-type: none"> • All meetings will be electronic for the remainder of 2020
Georgina	Undetermined	Undetermined	
King	Undetermined	Undetermined	<ul style="list-style-type: none"> • Not exploring in person meetings at this time
Markham	Undetermined	Undetermined	
Richmond Hill	November 2020	Undetermined	
Vaughan	March 2020	Undetermined as Municipal Offices are currently closed to the public until January 2021	<ul style="list-style-type: none"> • Procedure by-law requires the Chair to attend in person • Council has always had the option to attend in person
Whitchurch-Stouffville	Undetermined	Undetermined	
York	Undetermined	Undetermined as Municipal Offices are currently closed to the public until January 2021	

Municipality	Date or estimated timeframe for Council to participate in person	Date or estimated timeframe for Members of the Public to participate in person	Other Notes
Mississauga	September 2020	September 2020	<ul style="list-style-type: none"> • Council, General Committee, Audit Committee and Budget Committee will return to in person meetings • Option to participate electronically is still available • Registration is required for members of the public, as there is reduced capacity
Brampton	September 16, 2020		
Peterborough	September 2020	September 2020	<ul style="list-style-type: none"> • Plexi-glass barriers installed between Council Members and Staff • Pre-registration is required

Council, Committee of the Whole and Statutory Public Planning Meeting Times should remain the same to reduce public confusion.

Since the resumption of regular Committee of the Whole and Council meetings in June 2020, meetings have been held at 1:00 PM. Statutory Public Planning meetings have been included as the first item of Council agendas.

Staff recommend that Committee of the Whole and Council meetings continue to be held at 1:00 PM until the end of June 2021. During this period, changing meeting times may create additional confusion for the public. For the same reasons, Staff recommend that Statutory Public Planning meetings continue to be held at the beginning of Council meetings. Staff will continue to review meeting times throughout 2021, as the situation evolves, and to ensure that this meeting schedule remains effective, staff will report to Council in April/May 2021 on meeting times.

Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule

Site Plan Review Committee meetings are held as required when applications need to be considered. Previously, these meetings were held on the same day as Council at 2:00 PM. Staff recommend following this practice and scheduling Site Plan Review Committee meetings for the same day as Council meetings at 9:30 AM.

Council is required to adopt a 2021 Council Meeting Schedule

Each year, Council approves a draft schedule of meetings for the upcoming year. There may be occasions when additional special meetings are required, and these meetings are called on an as required basis. Additionally, the Procedure By-law provides that special meetings may be called by the Mayor or upon receipt of a petition signed by a majority of the Members of Council.

Attachment 2 outlines the draft meeting schedule for 2021. Variations of the regular schedule include:

- In March, there is a two week gap due to March Break;
- A Committee of the Whole meeting is scheduled for Tuesday, May 25, 2021 as the offices will be closed on Monday, May 24, 2021 for Victoria Day;
- A Council meeting is scheduled for Tuesday, October 12, 2021 as the offices will be closed on Monday, October 11, 2021 for Thanksgiving.

The Federation of Canadian Municipalities (FCM) conference is typically held during the first or second week of June, however, FCM has not yet confirmed these dates for 2021. For that reason, the 2021 FCM conference dates have not been included in the calendar.

Additionally, the calendar includes times for meetings held between January and June, with Council starting at 1:00 PM and Site Plan Review Committee starting at 9:30 AM. Staff recommend that the schedule remain consistent to reduce public confusion around changing meeting times. Staff will report back to Council in April/May 2021 to recommend start times for the meetings scheduled between July and December.

Conclusion

This report seeks Council's approval to amend the Procedure By-law to remove the emergency requirement for electronic participation in meetings (**Attachment 1**), and for Council to approve a schedule of 2021 Council and Committee of the Whole meetings (**Attachment 2**).

Business Plan and Strategic Plan Linkages

This report aligns with all of Council's six Strategic Priorities for this term, as Council's decision points at meetings assists in fulfilling these Priorities for the Town.

Consultation

Planning and Building Services Staff were consulted in this report.

Human Resource Considerations

None.

Budget Impact

Technological upgrades will be completed within existing operating budgets.

Following the advice of York Region Public Health officials, there may be additional budget impacts should staff be required to install plexi-glass barriers around the Council table or in other areas in the Council Chambers.

Attachments

Attachment 1 - Procedure By-law Amendment

Attachment 2 - 2021 Council and Committee of the Whole meeting schedule

Approval

Lisa Lyons, Director of Legislative Services/Town Clerk

Mike Mayes, Acting Commissioner of Corporate Services

Contact

For more information, please contact Kiran Saini at ksaini@newmarket.ca or 905-953-5300 extension 2203.

Draft until approved by Council

Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to amend Procedure By-law 2020-12 to permit electronic participation in meetings.

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

Whereas the Council of the Corporation of the Town of Newmarket enacted Procedure By-law 2020-12; and,

Whereas on March 19, 2020 the Province of Ontario enacted the Municipal Emergency Act, 2020 to amend the Municipal Act, 2001, to enact section 238(3.3) and 238 (3.4) to permit meetings to be held electronically during an emergency declared pursuant to the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E.9; and,

Whereas on July 23, 2020, the COVID-19 Economic Recovery Act, 2020 (Bill 197) received Royal Assent from Legislature of Ontario; and,

Whereas Section 238(3.1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended by the COVID-19 Economic Recovery Act, 2020 (Bill 197), allows for a member of council, a local board, or a committee of either of them to participate electronically in a meeting of the municipality which is open or closed to the public and be counted towards quorum, provided that the municipality's procedural by-law so allows, and that such authority is no longer limited to periods in which an emergency is declared to exist in all or part of the municipality under Section 4 or Section 7.0.1 of the Emergency Management and Civil Protection Act; and,

Whereas the province-wide emergency declared by the Premier of Ontario under Order in Council 518/2020 (Ontario Regulation 50/20) pursuant to Section 7.0.1 of the Emergency Management and Civil Protection Act in response to the COVID-19 pandemic was revoked on July 24, 2020, and it has been resolved that a province-wide emergency will not be further declared at this time; and,

Whereas the Council of the Town of Newmarket considers it necessary to continue to conduct meetings of Council, its committees, and its local boards by electronic communications to ensure the continuity of municipal operations and the provision of essential municipal services while observing the recommendations of public health authorities in relation to the COVID-19 pandemic;

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

1. That section 4 of By-law 2020-12, as amended, be further amended to delete the following definition:

“State of Emergency” means a situation in which an emergency has been declared to exist in all or part of the Town of Newmarket by the Mayor under Section 4 of the Emergency Management and Civil Protection Act or by the Lieutenant Governor in Council or the Premier of the Province of Ontario under Section 7.0.1 of the Emergency Management and Civil Protection Act; and,

2. That section 9 of By-law 2020-12, as amended, be further amended to delete the following subsection:
 - c) During a State of Emergency, a Meeting may be called by the Mayor, or by the Mayor in consultation with the CAO, at any time. A Meeting may be held through electronic communication as identified in section 26 of this By-law, and will be limited to business matters included in the Notice of Meeting; and,
3. That section 25 of By-law 2020-12, as amended, be deleted and all subsequent sections and subsections be renumbered accordingly.
4. That section 26 of By-law 2020-12, as amended, be deleted and replaced by the following:

26. Electronic Meeting Participation

- a) Members may participate in a Meeting that is open or closed to the public by means of electronic communications and such members participating electronically shall be counted towards quorum subject to the following conditions:
 - i) The Meeting shall be one of Council, Committee of the Whole or, Town Advisory Committees and Local Boards as identified by the Clerk.
 - ii) Where feasible, the Chair and Clerk of the Meeting shall be physically present at the location determined by the Clerk.
 - iii) The Meeting shall be conducted in accordance with the administrative procedures established by the Clerk for facilitating electronic participation.
 - b) The Clerk may establish administrative procedures for facilitating electronic participation in meetings during a State of Emergency, which may be amended from time to time.
5. That the following new section 29 be added under Part 3 – Orders of Business, and all subsequent sections and subsections be renumbered accordingly:

29. Orders of Business – Electronic Meetings

- a) Order of Business for meetings held through Electronic Participation will follow the Order of Business of Committee of the Whole or Council respectively, with amendments only as required to facilitate the meeting electronically.

6. That section 29 (Open Forum) of By-law 2020-12, as amended, be amended to add the following subsection:
 - d) Open Forum will not be included in the Orders of Business of a Council meeting which is held through Electronic Participation.

Enacted this XXth day of XX, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Attachment 2 - 2021 Meeting Schedule

Town of Newmarket 2021 Schedule of Meetings

Draft Document Until Approved by Council

January 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
					1 New Year's Day Town Offices Closed	2
3	4	5	6	7	8	9
10	11 9:30 AM - SPR 1:00 PM – CoW	12	13	14	15	16
17	18 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following	19	20	21	22	23
24	25	26	27	28	29	30
31						

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 2:00 PM

SPR – Site Plan Review



Town of Newmarket 2021 Schedule of Meetings

February 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
	1 9:30 AM - SPR 1:00 PM – CoW	2	3	4	5	6
7	8 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following	9	10	11	12	13
14	15 Family Day Town Offices Closed	16	17	18	19	20
21	22 9:30 AM - SPR 1:00 PM – CoW	23	24	25	26	27
28						

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 2:00 PM

SPR – Site Plan Review

Town of Newmarket 2021 Schedule of Meetings

March 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
	1 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following	2	3	4	5	6
7	8	9	10	11	12	13
14	15 March Break	16 March Break	17 March Break	18 March Break	19 March Break	20
21	22 9:30 AM - SPR 1:00 PM – CoW	23	24	25	26	27
28	29 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following	30	31			

Town of Newmarket 2021 Schedule of Meetings

April 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
				1	2 Good Friday Town Offices Closed	3
4	5 Easter Monday Town Offices Closed	6	7	8	9	10
11	12 9:30 AM - SPR 1:00 PM – CoW	13	14	15	16	17
18	19 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following	20	21	22	23	24
25	26	27	28	29	30	

Town of Newmarket 2021 Schedule of Meetings

May 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
						1
2	3 9:30 AM - SPR 1:00 PM – CoW	4	5	6	7	8
9	10 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following	11	12	13	14	15
16	17	18	19	20	21	22
23	24 Victoria Day Town Offices Closed	25 9:30 AM - SPR 1:00 PM – CoW	26	27	28	29
30	31 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following					

Town of Newmarket 2021 Schedule of Meetings

June 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14 9:30 AM - SPR 1:00 PM – CoW	15	16	17	18	19
20	21 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following	22	23	24	25	26
27	28	29	30			

Town of Newmarket 2021 Schedule of Meetings

July 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
				1 Canada Day Town Offices Closed	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Town of Newmarket 2021 Schedule of Meetings

August 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
1	2 Civic Holiday Town Offices Closed	3	4	5	6	7
8	9	10	11	12	13	14
15 Associati on of Municipa lities of Ontario (AMO)	16 AMO	17 AMO	18 AMO	19	20	21
22	23 Time TBD - SPR Time TBD – CoW	24	25	26	27	28
29	30 Time TBD – (CL) Public Hearing Matter(s) with regular CL items immediately following	31				

Town of Newmarket 2021 Schedule of Meetings

September 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
			1	2	3	4
5	6 Labour Day Town Offices Closed	7	8	9	10	11
12	13 Time TBD - SPR Time TBD – CoW	14	15	16	17	18
19	20 Time TBD – (CL) Public Hearing Matter(s) with regular CL items immediately following	21	22	23	24	25
26	27	28	29	30		

Town of Newmarket 2021 Schedule of Meetings

October 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
					1	2
3	4 Time TBD - SPR Time TBD – CoW	5	6	7	8	9
10	11 Thanksgiving Town Offices Closed	12 Time TBD – (CL) Public Hearing Matter(s) with regular CL items immediately following	13	14	15	16
17	18	19	20	21	22	23
24	25 Time TBD - SPR Time TBD – CoW	26	27	28	29	30
31						

CL – Council

CoW – Committee of the Whole; If closed session required, held +/- 2:00 PM

SPR – Site Plan Review

Town of Newmarket 2021 Schedule of Meetings

November 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
	1 Time TBD – (CL) Public Hearing Matter(s) with regular CL items immediately following	2	3	4	5	6
7	8	9	10	11	12	13
14	15 Time TBD - SPR Time TBD – CoW	16	17	18	19	20
21	22 Time TBD – (CL) Public Hearing Matter(s) with regular CL items immediately following	23	24	25	26	27
28	29	30				

Town of Newmarket 2021 Schedule of Meetings

December 2021						
Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
			1	2	3	4
5	6 Time TBD - SPR Time TBD – CoW	7	8	9	10	11
12	13 Time TBD – (CL) Public Hearing Matter(s) with regular CL items immediately following	14	15	16	17	18
19	20	21	22	23	24 Christmas Eve Town Offices Close at 12:00 PM	25 Christ mas Day
26 Boxing Day	27 Town Offices Closed	28 Town Offices Closed	29 Soft Close	30 Soft Close	31 Soft Close	



Town of Newmarket
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Financial Update regarding COVID-19 Staff Report to Council

Report Number: 2020-70

Department(s): Financial Services/Innovations & Strategic Initiatives

Author(s): Mike Mayes, Director of Financial Services/Treasurer

Meeting Date: October 5, 2020

Recommendations

1. That the report entitled Financial Update Staff Report to Council be received; and,
2. That staff continue to implement the mitigating measures listed in this report to lessen the financial impact of the pandemic to the Town; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

It had been previously reported that the COVID-19 pandemic could result in a tax-supported loss of up to \$8.5 million, which could be cut in half by mitigating measures.

A combination of the following factors allow us to manage the budget:

1. Mitigating measures, expense reductions and new revenues of \$5.3 million which is about \$1 million or 24% more than estimated.
2. The \$1.8 million Safe Restart grant from the provincial and federal governments.
3. Newmarket Hydro Holdings Inc. is now expected to be able to pay a \$1.3 million dividend later this year.
4. The cost of the pandemic is forecast to be \$100,000 less than originally expected.
5. Drawing on reserve funds.

However, we must continue to exercise caution as there are still unknowns such as: the timing and impact of a second wave, and what the “new normal” will look like and cost.

Purpose

The purpose of this report is to provide Council with information to decide whether or not to proceed with an application for Phase 2 funding of the Safe Restart Agreement.

Background

SAFE RESTART AGREEMENT

On July 27, the Provincial and Federal governments announced the \$4 billion Safe Restart Agreement to provide emergency assistance to Ontario's 444 municipalities.

The first phase allocated \$700 million proportional to the number of households in a municipality and resulted in a payment of \$1,819,600 to the Town to support our COVID-19 operating costs and pressures. These funds are expected to be received before the end of September. There is no application or requirements for eligibility.

There will be a second phase of funding, with an additional \$700 million available for municipalities able to demonstrate a need in excess of the Phase 1 funding provided. Applications must be submitted by October 30, and must include:

1. Measures undertaken to reduce financial pressures (e.g. use of reserves, cost saving measures);
2. Explanation of how the municipality applied the Phase 1 funding;
3. Forecast of 2020 COVID-19 operating costs and pressures;
4. Actual COVID-related impacts as of September 30, 2020;
5. Treasurer's statement as to accuracy of reporting;
6. A resolution of Council seeking additional funding.

Payments would be made in early 2021.

PREVIOUS PROJECTIONS

[Financial Services Report 2020-34](#) provided a first quarter financial update to Committee of the Whole on May 19, 2020 which forecast that the impact of the pandemic could result in a loss of \$8.5 million and that 50% of this could be offset by mitigating measures. Consequently, the deficit was projected to be \$4.3 million.

This was followed by a second quarter financial update on August 24, [Financial Services Report 2020-62](#). This report noted that the delayed re-opening of municipal facilities, anticipated second wave of the pandemic, and uncertain economic impact prevented making a reasonable projection of the financial impact to the Town. An updated projection was not provided.

Discussion

Although there are still many unknowns, it is important to provide Council with the necessary information to determine next steps, both from an operational and a grant perspective.

The following table provides the necessary information **based on what we currently know**, to apply for Phase 2 Safe Restart funding.

COVID-19 costs to August 31, 2020 is our estimate of the financial impact as of our latest month-end. For some expenses, such as the Emergency Response, the amounts have been segregated and were easily identified. For some impacts, such as revenue, it is not always possible to distinguish between reductions caused by the pandemic and those caused by other operational issues; as such, estimates had to be made.

The May 19 projection includes the estimated potential deficit reduction to provide a proper comparison of results.

	COVID-19 Costs to August 31	May 19 projection	Current projection
Financial Relief Program	\$ 670,000	\$ 930,000	\$ 865,000
Emergency Response	820,000	990,000	1,350,000
Lost user fee revenues	1,090,000	2,300,000	2,180,000
Other revenue losses	570,000	1,800,000	950,000
Recovery		500,000	500,000
Additional expenses	870,000	2,000,000	1,275,000
	\$ 4,025,000	\$ 8,520,000	\$ 7,120,000
Mitigating measures	3,395,000	4,260,000	5,300,000
Safe Restart Agreement			1,820,000
Deficit	\$ 630,000	\$ 4,260,000	\$ 0

Financial Relief Program

The cost of the mitigating measures was outlined in [Report 2020-28, Financial Relief Program](#). Payment deferrals are not as extensive as originally expected – 13% vs. 27%. As a result the cost is slightly lower.

Emergency Response

The Town is tracking incremental expenses related to the COVID-19 pandemic. This is being done for accountability and potential reimbursement if emergency grants become available. The revised estimate includes the extension of the emergency to the end of the year.

Lost user fee revenues

Closing facilities and the deferral of construction activity during the lockdown has had a major impact on our user fee revenue – mostly in the area of Recreation & Culture. Projected revenue losses have grown from \$5.1 million to \$6 million. However, there are off-setting cost savings – costs directly attributable to service delivery such as casual and seasonal wages and utilities. By deploying full-time staff instead of using part-time staff and other strategies, these savings have increased even more. This has resulted in a net decrease in the projected loss of \$120,000.

Other revenue losses

At the Annual General Meeting on June 8, Newmarket Hydro Holdings Inc. stated that the pandemic may impact their ability to pay a dividend (usually about \$1.3 million). The issue has been revisited and it now appears that payment will be made.

The slower economy could result in some businesses not paying their property taxes. Payment of these taxes are guaranteed by our right to enforce our liens with tax sales, but we are still vulnerable to tax assessment adjustments that might occur. \$250,000 was originally provided for this, but the allowance is being increased to \$500,000 due to the increased length of the lockdown.

The hit on our cash flow will reduce our ability to invest excess funds. Funds that can be invested will be done at a much lower rate, due to the significant drop in the prime rate from 3.95% to 2.45%. The loss of investment income has been increased by \$250,000.

The result is a net decrease in the projected loss of \$850,000.

Recovery

Operations are expected to take at least 3 months to return to pre-pandemic levels. This allowance is to cover the return to previous activity levels and additional expenses – cleaning, protective equipment, education, enforcement, etc.

We do not currently have sufficient information to revise this estimate. It is possible that some of the recovery costs will extend into 2021.

Additional expenses

The pandemic is disrupting delivery of Town services and adding additional costs as a result. This is in addition to the costs for direct emergency response. It includes additional staff-related costs and remote working expenses which are necessary to maintain essential services.

This category was originally estimated to amount to be \$2 million, but has been reduced by \$725,000.

Mitigating measures

The Town has been very successful in finding ways to eliminate the deficit.

The following measures have been implemented:

- Management of staff vacation time
- Staff redeployment to critical and essential service areas
- Restricted hiring to only essential and critical staff (hiring freeze for new and vacant positions)
- Freeze on discretionary expenses
- Limiting out of province travel
- Cancelling all training not required to maintain professional accreditation
- Restricting conferences to board members
- Service levels reductions, in areas such as:
 - Parks maintenance, such as grass cutting (reduced frequency)
 - Playground surface repairs and maintenance and playground equipment replacement
 - Tennis court and trail rehabilitation and repair
 - Tree planting including EAB related tree removals and planting
 - Spot improvement in parks, facilities, and sidewalks
 - Crack sealing on roads
 - Road spot improvements
 - Street sweeping
- Additional revenue
 - New licensing revenues

Conclusion

Staff will proceed with a Phase 2 Safe Restart application if directed by Council.

A third quarter financial update will be provided to Council in November, 2020 and a preliminary fourth quarter report is scheduled for March, 2021.

Business Plan and Strategic Plan Linkages

This report supports the Council strategic priority of Long-Term Financial Sustainability.

Consultation

This report has been prepared from information provided by the Operational Leadership Team (OLT) and has been reviewed by the Strategic Leadership Team (SLT).

Human Resource Considerations

Not applicable to this report.

Budget Impact

At this time and based on what we currently know, the 2020 tax-supported budget appears to be manageable.

If the unknown factors create a deficit, there are reserves, including \$1.5 million in rate stabilization that could be used to offset it.

Unless there is a significant change in circumstances, no direct budget impact on the 2021 operating budget is anticipated.

Attachments

N/A

Approval

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

Jag Sharma
Chief Administrative Officer

Contact

For information regarding this report, contact Mike Mayes at mmayes@newmarket.ca or 905-953-5300, ext. 2102.



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

Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent Staff Report to Council

Report Number: 2020-67

Department(s): Planning Services

Author(s): Alannah Slattery

Meeting Date: September 14, 2020

Recommendations

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 181 Beechwood Crescent dated September 14th, 2020 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 181 Beechwood Crescent and adopt the attached exemption by-law.

Purpose

The purpose of this report is to recommend to Council the approval of a site specific exemption to Interim Control By-law 2019-04 for subject property 181 Beechwood Crescent.

Background

Council passed Interim Control By-law 2019-04 on January 21, 2019. On May 27, 2019 Council approved a Site Specific Exemption Process for Interim Control By-law 2019-04. The exemption process consists of the review of proposed residential dwellings or additions within the subject area of the Interim Control By-law on a case-by-case basis, to determine their compatibility with existing neighbourhood character. Council approval is required to grant a site-specific exception from the Interim Control By-law.

Discussion

Planning Services has received a request for exemption from Interim Control By-law 2019-04, for subject property 181 Beechwood Crescent. A consent application on the subject lands was approved by the Committee of Adjustment in 2017, creating two buildable lots. The eastern lot has since been built upon, and the applicant is proposing to construct a single-storey detached dwelling on the remaining, vacant lot.

The proposed single-storey dwelling would have a gross floor area of approximately 597 square metres, and a proposed height of approximately 6.81 metres, measured from average finished grade to the midpoint of the roof, as per Zoning By-law 2010-40.

Interim Control By-law 2019-04 prohibits the expansion of gross floor area of residential dwellings by 25% or more, the increase in height of residential dwellings, as well as the construction of dwellings on vacant lots. As the proposed dwelling would be constructed on a vacant lot, an exemption from Interim Control By-law 2019-04 is being requested.

A map of the subject property and drawings of the proposed dwelling can be found attached to this report.

Staff have reviewed the proposal and provide the following comments based on the exemption process as approved by Council.

Physical Character

- The subject property is zoned Residential Exception (R1-C-119) Zone which permits a maximum lot coverage of 35% for a single-storey dwelling. The proposed dwelling will increase the lot coverage to approximately 28%.
- The proposed dwelling will have an approximate midpoint height of 6.81 metres. The maximum dwelling height in this zone is 10 metres, measured from average finished grade to the midpoint of the roof.
- The proposed roofline is consistent with existing slopes, ridges and rooflines throughout the neighbourhood.
- The proposed dwelling will meet all yard setbacks required by Zoning By-law 2010-40.
- The proposed dwelling will meet all zoning requirements of the R1-C-119 Zone, including yard setbacks, height and lot coverage requirements.

It is staff's opinion that the proposed dwelling will not result in over-development of the lot, as the lot still maintains adequate amenity space and appropriate setbacks.

Streetscape Character

- The existing neighbourhood is comprised of 1970's era single-detached dwellings, interspersed with some new builds and newly renovated dwellings. The dwelling immediately east of the subject lands was constructed in 2019. The Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent

aerial image below shows the current neighbourhood adjacent to the subject lands.



- The proposed dwelling will not be out of character for the neighbourhood, which is comprised of both moderately-sized and large, one storey, one-and-a-half storey and two-storey dwellings.
- Lot coverage percentages along Beechwood Crescent range from approximately 15% up to 30%. The dwelling immediately east of the subject lands has an approximate lot coverage of 30%. The proposed dwelling will have a lot coverage of approximately 28%.
- The R1-C-119 zone requires structures being built between existing buildings to be built with a setback which is within the range of existing front yard setbacks for the abutting buildings, but this depth shall not be less than 3 metres from the front lot line. The proposed dwelling will be constructed with a front yard setback of 10.2 metres. This setback is the same as the front yard setback of the abutting dwelling to the east, as such the proposed dwelling meets the front yard setback requirements of the Zoning By-law, maintaining existing street lines and a uniform built form.
- The proposed dwelling will not significantly change the character of the streetscape, as a single-storey dwelling is not out of character for the neighbourhood which includes one storey, one-and-a-half storey and two-storey dwellings.

Established Neighbourhood Study

In 2018, Council directed staff to initiate the Established Neighbourhood Study (ENS), intended to examine the regulatory framework of the Town's Zoning By-law and Official Plan, and to propose recommendations for amendments that will assist in maintaining the existing character of established neighbourhoods in the Town.

Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent

Staff are currently in the final stages of this study and have developed a set of draft policy and zoning recommendations. These policies are currently draft and are subject to change, and it is noted that they do not apply to the development that is the subject of this Report, however the following section contains a brief comparison of how the proposed development would compare with the requirements of the draft ENS zoning regulations and existing zoning regulations:

Zone Standard	Current Zoning R1-C-119	Draft ENS Zoning	Proposed Development	Complies?
Lot Coverage	35%	25% (for this area of Town)	28%	No
Maximum Height	10.0 metres	8.5 metres	6.81 metres	Yes
Interior Yard Setbacks	1.2 metres for one-storey dwelling	1.2 metres for Exterior Side Wall Height up to 4.2m	1.2 metres	Yes
Front Yard Setback	Structures built between existing buildings shall be built with a setback which is within the range of existing front yard setbacks for the abutting buildings, but this depth shall not be less than 3 metres from the front lot line.	Within a range of one metre greater or less than the average of the front yard setback of adjacent dwellings abutting the same road, provided that the setback not exceed the greater of the adjacent setbacks nor be closer to the street line than 3m.	10.2 metres	Yes

The proposed development at 181 Beechwood Crescent would meet the height and setback requirements of the ENS. The proposed development will have a lot coverage of 28%, whereas the draft policies permit a maximum lot coverage of 25% for this area of Town. The applicant has prepared their proposal based off the zone standards of Zoning By-law 2010-40, which permit a maximum lot coverage of 35%.

The proposed dwelling will not be out of character for the surrounding neighbourhood, which contains moderate to large single-storey dwellings. Lot coverage percentages
Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent

along Beechwood Crescent range from approximately 15% up to 30%. Further, the dwelling immediately east of the subject lands (185 Beechwood Crescent) has an approximate lot coverage of 30%.

Public Comments

Staff have received letters from 175 Beechwood Crescent (immediately adjacent on the west) and 165 Beechwood Crescent (one lot over), in support of the proposed dwelling, as they believe it is compatible with the existing character of the surrounding neighbourhood. Notwithstanding this general support, one area of concern was raised regarding tree removal.

Specific mention was made of preserving the three (3) trees located along the west property line. The requirement to preserve these trees and to not disturb the existing cedar hedge is provided in the Minutes of Settlement between the applicant and adjacent neighbour (175 Beechwood Crescent), which resulted from the Ontario Municipal Board (OMB) hearing related to the severance application.

As a condition to the approval of the Consent application in 2017, the applicant will be required to provide an arborist report addressing the removal of any significant trees and provide replanting or compensation for any removed significant trees. Additionally, the owner is required to enter into a leading site plan agreement with the Town which will address matters such as the protection of significant trees, including the ones mentioned in the Minutes of Settlement between the applicant and adjacent neighbour (175 Beechwood Crescent).

It is staff's opinion that the proposed dwelling is in-keeping with the character of the surrounding neighbourhood. In addition, the proposed dwelling meets the zone standards which currently apply to the subject lands.

Conclusion

It is recommended that Council grant a site-specific exception for 181 Beechwood Crescent, Newmarket, from Interim Control By-law 2019-04 by adopting the attached exemption by-law.

Business Plan and Strategic Plan Linkages

The proposed development supports Council's 2018-2022 Strategic Priorities which aim to ensure a thriving community that is supportive of community engagement.

Consultation

Planning staff have circulated the exemption request to property owners within 50 metres of the subject property, as per the Council-approved exemption process for Interim Control By-law 2019-04. Comments from residents have been

Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent

included as part of the review of this exemption request and have been addressed in the sections above.

Human Resource Considerations

N/A

Budget Impact

There is no budget impact associated with this report.

Attachments

- Location Map
- Proposal
- Proposed By-law

Submitted by

Alannah Slattery, Planner, Planning Services

Approved for Submission

Adrian Cammaert, Acting Manager, Planning Services

Jason Unger, Acting Director, Planning and Building Services

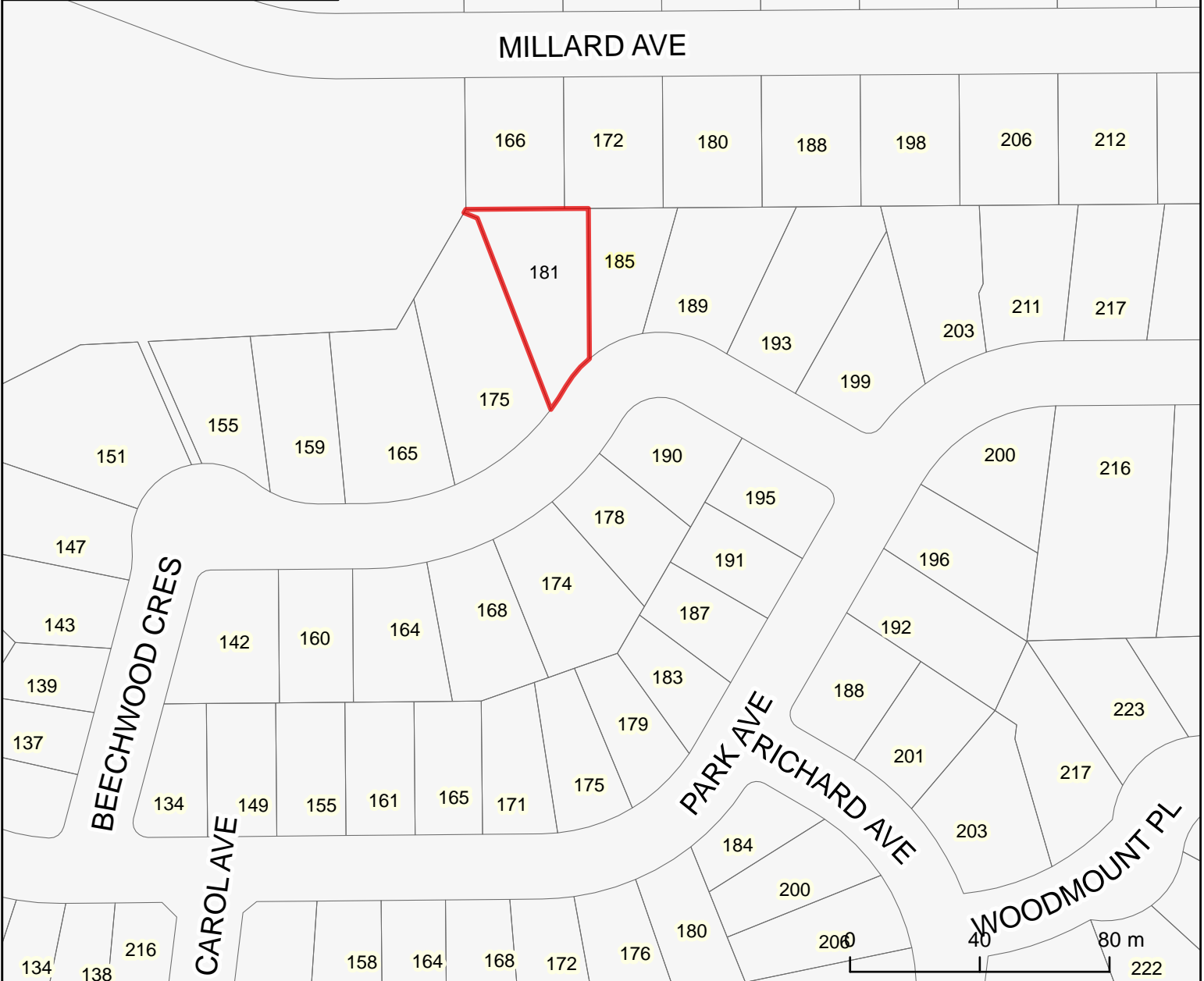
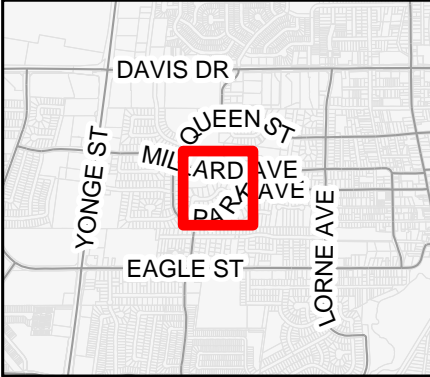
Peter Noehammer, Commissioner, Development and Infrastructure Services

Contact

Alannah Slattery, Planner, aslattery@newmarket.ca

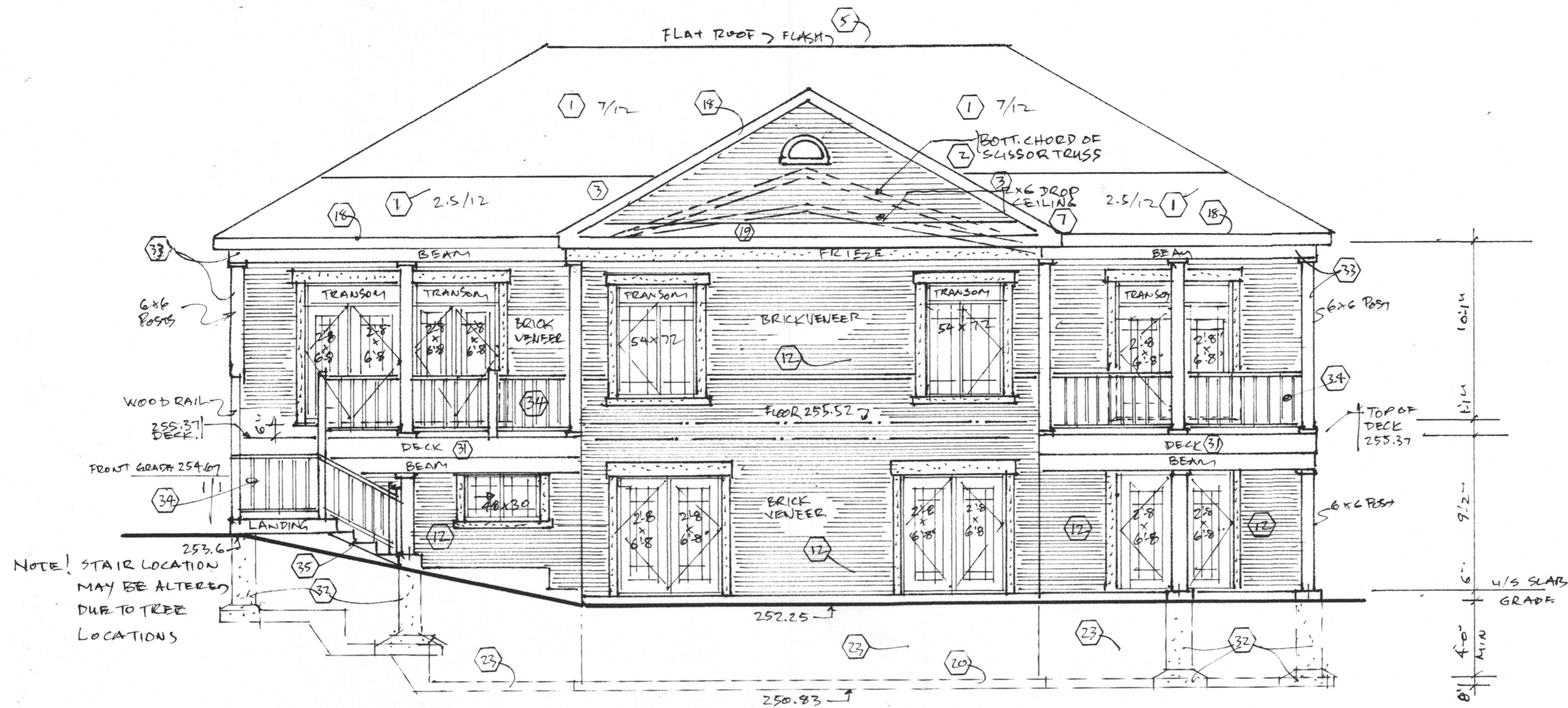
Location Map

181 Beechwood Crescent



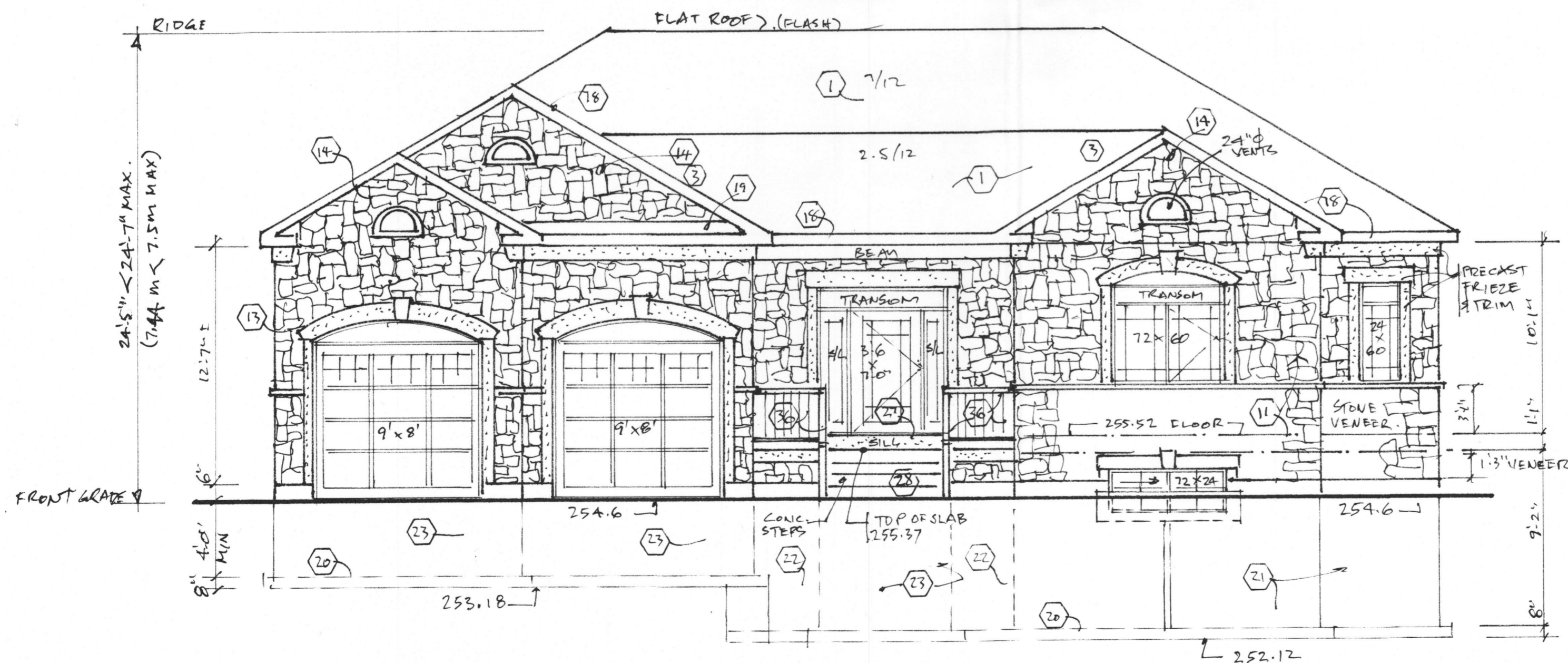
Subject Lands

Designed & Produced by
Information Technology - GIS
Printed: 2020-08-19.



REAR (SOUTH) ELEVATION
SCALE: 3/16" = 1'-0"

2
5



FRONT / NORTH ELEVATION
SCALE: 3/16" = 1'-0"

1
5

The undersigned has reviewed and taken responsibility for this design & has the qualifications & meets the requirements set out in 2.17 of the O.B.C. to be a designer.

QUALIFICATION INFORMATION
GARY HODSON BCIN # 28287

REGISTRATION INFORMATION
DRAFTING & DESIGN SERVICES BCIN # 31889

SIGNATURE *Gary Hodson* DATE *Dec 27/18*

NO. DATE DESCRIPTION

REVISIONS

CLIENT

NORM STAPLEY
NEWMARKET, ONTARIO
C: 905-713-6257

PROJECT

PROPOSED NEW ONE STOREY HOUSE
181 BEECHWOOD CRESCENT
PART OF LOT 52, REG. PLAN 482
NEWMARKET, ONTARIO
REGIONAL MUNICIPALITY OF YORK

DWG TITLE

FRONT / NORTH ELEVATION
REAR / SOUTH ELEVATION

SCALE 3/16" = 1'-0"

PROJ. NO. 13-18

DATE NOVEMBER 26, 2018

DWG. NO. 5 OF 8



Corporation of the Town of Newmarket

By-law 2020-

A By-law to grant a site specific exemption for the property with the Municipal address of 181 Beechwood Crescent, Newmarket, from Interim Control By-law 2019-04.

WHEREAS on January 21, 2019, Council for the Town of Newmarket enacted Interim Control By-law No. 2019-04 to control the erection of, or additions resulting in, any large scale dwellings within defined areas of the Town of Newmarket.

AND WHEREAS on September 14, 2020 Newmarket Council considered a request for an exemption to Interim Control by-law 2019-04 for the property with the Municipal Address of 181 Beechwood Crescent.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:

1. Interim Control By-law 2019-04 is hereby amended by adding the following section:

9b. Notwithstanding Section 1 of this By-law, on the lands described as 181 Beechwood Crescent, Newmarket, there shall be permitted the construction of a single-detached dwelling, with a total Gross Floor Area not exceeding 598 square metres, and a building midpoint height not exceeding 6.9 metres.

Enacted this 14th day of September, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Hi

We received the request for exemption to the interim control by-law for 181 Beechwood, thank you.

I had sent some comments to planning but I am not sure if those would be included for the meeting coming up on Oct 5th or not so wanted to forward them, as well as additional information in the form of pictures. (attached)

We do not have any objections specific to the dwelling itself, what is being proposed as a single-story unit is certainly in keeping with the area in terms of look and feel and is similar to what was recently built on the adjacent lot.

Our only concern and objection would be due to the potential removal of trees. The proposed plan included the removal of 3 large trees.

When this lot was initially cleared of the previous structure and was prepared to be severed, there were a large number of trees cut down. (20+)

Some were 50-100 years old. These cannot be replaced in our lifetime and a monetary payment to the town provides little support in maintaining the mature woodlot on our street directly or to that of the town.

To see further devastation to the woodlot on this property would be another serious blow to the declining tree canopy in the older Newmarket area.

I recognize council may not always have a visual of the specifics spoken of in replies such as this, so I've attached photos of the tree's that the proposal is siting to remove. In these you will see the size and beauty of these trees.

The first includes for scale, a portion the structure on the adjacent lot as well as in the foreground a sapling that would be similar in size to anything that would be planted in their stead, the second from farther away includes the top of the roof line of a two-story home and would give an idea of just how tall and with that how old these trees really are.

Hopefully, these can serve to provide a measure of exactly how big a loss to our local forestry this would be.

Perhaps there is a potential to situate the building a bit differently or adjust the design that would allow for no further trees being removed. I hope that can be considered.

Thank you

Laura and Andrew Cummings
165 Beechwood Cres





We watched the meeting on Monday September 14th. The comments of our area being a sensitive one are accurate. The number of large trees is significant and a main reason for the enjoyment by the owners and town residents who are often found walking and biking on Beechwood Crescent. The street has seen changes over the last decade. And we anticipate many more. What the consistent message from the owners of the homes here to the Town has been is "protect our trees". Newmarket is very slow to enact a tree bylaw and remiss in that respect. The residents here are not adverse to change that does not impact the trees.

The property at 181 Beechwood was originally a single lot. It was subdivided and in that process 18 trees were removed. Then the first house was built, the Town allowed a further (I think) 5 trees for that construction. Now there is a proposal for the removal of another 3 trees. This is to be a custom built house. Why can't the builder work around the trees that give this area its character? There is so much open space on these lots with what has already been cleared.

Imagination in building design and methods would allow for change without destruction. In a situation where you are offering exemptions, make it conditional on tree protection.

Janet Caverly and Steven Sugar



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Vacant/Derelict Buildings Information Report to Council

Report Number: INFO-2020-32

Department(s): Planning and Building Services

Author(s): Phoebe Chow, Senior Planner – Policy

Distribution Date: September 11, 2020

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this report is to inform Council of the research that Planning staff has done regarding a vacant building registry and derelict building development charge credits.

Background

This information report came as a result of Council expressing an interest in finding ways to reduce the occurrences of vacant/derelict buildings that exist throughout the Town. Specifically, Council at its September 30, 2020 meeting requested “that staff circulate an information report related to derelict properties, including information regarding demolition requirements and any impediments that may apply”. In certain instances, vacant/derelict buildings can negatively impact neighbourhoods and individuals by becoming dilapidated, thereby causing hazards, becoming unsightly, becoming infested with pests and attracting trespassers.

Discussion

As discussed below, there are two main ways municipalities can address vacant/derelict buildings: through the use of vacant building by-laws and registries, and by providing development charge credits.

Vacant Building By-laws and Registries

Some municipalities have adopted a Vacant Building Registry to reduce the number of vacant buildings. Generally, a Vacant Building Registry is a list of buildings that have been vacant for a certain period of time in accordance with a corresponding Vacant Building By-law.

This Registry is governed by a *Municipal Act* by-law, which typically sets out requirements/process such as registration; owner’s responsibilities; inspection by municipal by-law enforcement staff, and a penalty. Some municipalities such as [City of Brampton](#) and [City of London](#) have Vacant Building By-laws, but they do not have Vacant Building Registries; some have both. Municipalities that have established a vacant building by-law, but without a registry tend to focus more on safety from Building Code and Fire Code perspectives. Those that have established a Vacant Building Registry also focus on on-going monitoring of vacant buildings. Attachment 1 provides a comparison of Vacant Building By-laws/Registries from City of Brantford, City of Hamilton, and City of Welland.

Table 1 below sets out some of the advantages and limitations for establishing a vacant building by-law and/or registry.

Advantages	Limitations
Regulates standards for vacant buildings to ensure public safety and reduce urban blight	Reactive – does not prevent buildings from becoming vacant
Helps monitor the number and status of vacant buildings in the Town	Requires additional resources such as administrative, legal, IT, enforcement and finance to establish and enforce the by-law, and maintain the registry
Provides clear expectations for land owners to maintain safe conditions for vacant buildings	

Town of Whitchurch-Stouffville has a [Vacant Building By-law](#), but instead of establishing a Vacant Building Registry, the Town requires all vacant buildings or significantly damaged buildings to be boarded up with specific requirements. Examples of [boarding requirements](#) include painting the boards, covering the windows matte black to resemble window glass and boards covering the door, which must be properly fitted and painted with a colour that matches the original door.

Planning staff also reviewed how municipalities in other provinces deal with vacant buildings. The City of Winnipeg takes a slightly different approach where its emphasis is more on permitting, fees and enforcement. The City’s [Vacant Buildings By-law 79/2010](#) contains detailed provisions regarding maintenance standards and security standards of vacant buildings (see Attachment 2). Furthermore, in addition to Annual Inspection Fees (\$605-\$1200) and Vacant Boarded Building Permit Fee (\$2420 a year for residential and \$2420 - \$7795 for commercial), the City of Winnipeg also added an Empty Building Fee as of January 1, 2020. The Empty Building Fee will be applied annually until such time that the vacant building has been inspected and is determined by the designated City employee to be reoccupied in accordance with the City’s Vacant Buildings By-law (see Attachment 2).

Development Charge Credits

A more proactive approach to encouraging redevelopment of derelict buildings is to provide development charge (DC) credits. It is understood that in some instances, landowners/developers are

hesitant to demolish a derelict building until building permits are issued, because the building will provide DC credits to the proposed redevelopment. Currently, the Town's Development Charges By-law provides a DC credit for 60 months at 100% from the day a demolition permit is issued. Some municipalities include specific policies for derelict buildings in their DC by-laws. For example, the Town of East-Gwillimbury extends the reduction of development charges from the standard 60 months to a maximum of 120 months from the date of the demolition permit to the date of the building permit to facilitate redevelopment. [York Region](#), [Town of Aurora](#) and [City of Richmond Hill](#) provide development charge credit for up to 120 months from the demolition of the derelict building. The amount of credit is determined by how soon a new building is erected. Table 2 below shows the credit structure that is being used by York Region, the Town of Aurora and the City of Richmond Hill:

Table 1: Development Charges Credit

Number of Months from Date of Demolition Permit to Date of Building Permit Issuance	Credit Provided (%)
Up to and including 48 months	100
Greater than 48 months up to and including 72 months	75
Greater than 72 months up to and including 96 months	50
Greater than 96 months up to and including 120 months	25
Greater than 120 months	0

The Town may wish to consider adopting the same policies as York Region for administrative efficiency purposes.

Built Heritage Protection

The Town benefits from a large stock of older buildings, some of which are designated under the *Ontario Heritage Act*, and others are on the municipal list of non-designated properties. This building stock is celebrated and forms a point of pride for residents. It is recognized, at times, there can be competing priorities between encouraging the demolition of vacant/derelict buildings and preserving our cultural heritage resources. Should Council pursue a course of action to reduce the instances of vacant/derelict buildings, special emphasis should be placed on doing so in a way that safeguards our built heritage. For example, this may involve including all designated and listed properties in any future Vacant Building Registry, but excluding them from DC Credit program.

Options for Council's Consideration

Based on staff's research, below are a couple of options for Council's consideration:

Option #1 – Maintain Existing Regulations

Similar to the City of Brampton and the City of London, Section 22 of the Town's Property Standards By-law 2017-62 requires vacant properties to comply with the following regulations:

- Properties must be protected against risks such as fire or accidents;
- Buildings must be securely boarded to prevent entry or trespassing; and
- Buildings left vacant for more than 90 days shall ensure all utilities are properly disconnected.

Under the Town's Fees and Charges By-law, a re-inspection fee of \$182 may be charged to any property owner if a Property Standards Officer is required to re-inspect a property for compliance.

By maintaining this option, the Property Standards Division can now enforce the above provisions of property standards under the Administrative Monetary Penalty System (AMPS), allowing tickets to be issued for noncompliance. Any outstanding work may also be undertaken by a Town contractor and costs recovered through municipal taxes. Council may elect to monitor compliance rates through AMPS prior to considering alternative options

Option #2 – Introduce a Vacant Building Registry Program

In addition to the existing property standards requirements established for vacant properties, other regulations may be imposed to further promote occupancy or demolition of a vacant building within Town. Such considerations include:

- The requirement to register a vacant building with the Town;
 - Registration includes an annual fee;
 - Additional fees are charged for ongoing re-inspections by Fire, Building, or Property Standards; and
 - A registry may also establish a time limitation for compliance (e.g., a property owner is only permitted to register for up to 24 months before being required to take action to occupy, sell, restore, or demolish the vacant building if ongoing violations remain);
- Additional regulations to require the vacant building or property to remain free from infestation of pests;
- The requirement for property owners to inspect the property every two weeks for compliance (or arrange for an agent to);
 - This provision also requires the property owner to maintain records and provide these records upon request; and
- Empower a Property Standards Officer to issue an Order, which will require the property owner to fully restore or demolish a vacant building.

This option and the regulatory changes proposed may also be enforced under AMPS, with the process for doing so highlighted in option #1 above.

Conclusion

Vacant and/or derelict buildings sometimes pose safety concerns to the community. Different municipalities take different approaches in the attempt to reduce the number of vacant buildings or manage the conditions of such buildings. At a minimum, municipalities require vacant and/or derelict buildings to be in safe condition under the *Building Code Act* and *Fire Code Act*. Some municipalities take steps to discourage vacant/derelict buildings to remain for extended periods of time by imposing extra

fees/charges or encouraging redevelopment of derelict buildings by providing development charge credit.

Business Plan and Strategic Plan Linkages

- Long-term Financial Sustainability
- Extraordinary Places and Spaces

Consultation

This report includes input from Regulatory Services and Financial Services.

Human Resource Considerations

None

Budget Impact

None

Attachments

- Attachment 1 – City of Brantford, City of Hamilton and City of Welland Vacant Building By-laws Comparison Table
- Attachment 2 – Excerpts of City of Winnipeg Vacant Building By-law Schedule A Maintenance Standards for Vacant Buildings; Schedule B Security Requirements for Vacant Buildings, and Schedule C Re-Occupancy Standards for Vacant Buildings

Contact

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Approval

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Peter Noehammer, Commissioner, Development & Infrastructure Services

	City of Brantford	City of Hamilton	City of Welland
By-law Number	By-law 4-2016	By-law 17-127	By-law 2011-64
Definitions of Vacant Building or Derelict Building	<p>“vacant building means any Building that is or appears to be vacant, partially vacant, or unoccupied, or that, by reason of its unfinished or dilapidated condition, is open to the elements and in a state such that there is little to no control over unauthorized entry, but does not include:</p> <ul style="list-style-type: none"> (i) A dwelling unit occupied by the Owner on a seasonal basis but otherwise maintained throughout the year; (ii) A Building, except a dwelling unit, on Property used as a farm; or (iii) A Building that is owned by the City.” 	<p>“vacant building, subject to subsections 3(2) and 3(3), means a building that does not appear to be in use and, without limiting this definition, is deemed to be a building:</p> <ul style="list-style-type: none"> (a) that is not protected from the entry of unauthorized persons; (b) that is not protected from the entry of rain, snow, vermin or birds into the interior of the building; (c) where the supply of any one or more of the electricity, gas or water utilities serving the building is discontinued or disconnected; (d) where one or more of the electricity, gas or water utilities serving the building is not being used; (e) if the building contains 1, 2 or 3 dwellings, where one or more dwellings are not fit for an individual or individuals to live in in accordance with the Building Code Act, 1992 and its regulations, the Fire Protection and Prevention Act, 1997 and its regulations, the Property Standards By-law, the Vital Services By-law or any other applicable statute, regulation or by-law; (f) where 25% or more of the door and window openings to the building are partially or completely boarded up (for example, if there are 8 door and window openings to a building and 2 or more of 	<p>“vacant building means a building that is not used by an owner, and includes a building damaged by fire, a building that is unoccupied, no maintained, unsupervised, or appears abandoned in the opinion of an Inspector”</p>

		the door and window openings are partially or completely boarded up, no matter what the size of each door or window opening); or (g) where an Application for Rebate or Property Taxes for the entire building has been submitted to the City's Tax Section."	
Registration Fee	\$270 Renewal Fee of \$600/year following registration	\$1,115 (initial administration fee \$291 + the yearly inspection fee \$729.20 + HST)	Free
When to Register Vacant Building	60 consecutive days of becoming vacant	90 days of becoming vacant or within 30 days after notice from the city.	90 days of becoming vacant
Inspections	Municipal Law Enforcement Officer/Property Standards Officer may inspect building at any reasonable time	Municipal Law Enforcement Officers inspect vacant buildings at least 4 times a year and will enforce by-law violations	
Penalty for By-law Contravention	<p>"Every person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable:</p> <p>(a) on a first conviction, to a fine of not more than \$10,000; and,</p> <p>(b) on any subsequent conviction, to a fine of not more than \$25,000.</p> <p>Despite the above, where the person convicted is a corporation, the maximum fine on first conviction is \$50,000 and the maximum fine in any subsequent conviction is \$100,000."</p>	<p>Every person who is found guilty in contravening any provision of this By-law is liable:</p> <p>(a) on a first conviction, to a fine of not more than \$10,000; and,</p> <p>(b) on any subsequent conviction, to a fine of not more than \$25,000.</p> <p>Despite the above, where the person convicted is a corporation, the maximum fine on first conviction is \$50,000 and the maximum fine in any subsequent conviction is \$100,000.</p>	<p>First Offence: Max. \$25,000</p> <p>Subsequent Offence: Max. \$50,000</p>

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CONSOLIDATION UPDATE: SEPTEMBER 26, 2019

THE CITY OF WINNIPEG

VACANT BUILDINGS BY-LAW

NO. 79/2010

**A By-law of THE CITY OF WINNIPEG to
regulate the condition of vacant buildings and
to discourage the boarding of vacant buildings**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Short title

1 This By-law may be cited as the **Vacant Buildings By-law**.

Definitions and interpretation

2(1) In this By-law

"additional permit" means an Additional Boarded Building Permit approved by the Designated Committee under section 10;

"areaway" has the same meaning as in the Winnipeg Building By-law;

"boarded", in relation to a building, means a vacant building in which any door, window or other opening has been covered for more than 7 days by affixing wood, metal or some other material over it to prevent entry;

"building" means any structure that has been used or is intended to be used to support or shelter any use or occupancy;

"commercial building" means any building that is not a residential building;

"Designated Committee" means the Standing Policy Committee on Property and Development, Heritage and Downtown Development;

amended 48/2011; 106/2015

"designated employee" means the Chief Administrative Officer of the City and any employee of the City to whom he or she has delegated an authority or duty granted or imposed under this By-law;

**SCHEDULE A
TO THE VACANT BUILDINGS BY-LAW
(Section 3)**

**MAINTENANCE STANDARDS FOR
VACANT BUILDINGS**

Exterior walls

1(1) The exterior of every building must be constructed, repaired and maintained in a manner that

- (a) ensures the integrity of the building envelope to protect the building from the weather and from infestations of insects, rodents and other pests; and
- (b) prevents a substantial depreciation in property values in the immediate neighbourhood.

1(2) Without restricting the general obligation set out in subsection (1)

- (a) all exterior surfaces must consist of materials that provide adequate protection from the weather;
- (b) all exterior walls and their components, including coping and flashing, must be maintained in good repair;
- (c) all exterior walls must be free of holes, breaks, loose or rotting boards or timbers and any other condition which might permit the entry of insects, rodents or other pests to the interior of the wall or the interior of the building;
- (d) exterior wood surfaces must be adequately protected against deterioration by the periodic application of paint, stain or other protective coating;
- (e) no more than 25% percent of any painted area of any exterior wall may be blistered, cracked, flaked, scaled, or chalked away;
- (f) the mortar of any masonry or stone exterior wall may not be loose or dislodged;
- (g) the exterior of every building must be free of graffiti; and
- (h) loose material must be removed from exterior walls, doors and window openings.

Roofs

2(1) Roofs must be constructed and maintained so as to prevent

- (a) rainwater or melting snow falling on the roof from entering the building; and
- (b) rainwater or melting snow falling on the roof from negatively affecting neighbouring buildings or properties;
- (c) objects and materials from falling from the roof.

2(2) Without restricting the general obligation set out in subsection (1)

- (a) roofs, including fascia boards, soffits, cornices, flashing, eavestroughing and downspouts must be maintained in a watertight condition;
- (b) roof drainage must be controlled in order to eliminate or minimize runoff to neighbouring properties that
 - (i) accumulates or causes ground erosion;
 - (ii) causes dampness in the walls, ceilings or floors of any portion of any neighbouring building;
 - (iii) accumulates on sidewalks or stairs in a manner so as to create a hazardous condition;
- (c) loose or unsecured objects and materials, including accumulations of snow or ice or both that are likely to fall on passersby or are likely to result in the collapse of the roof, must be removed from the roof of a building or an accessory building;

Foundations, walls and floors

3(1) Every wall or floor must be structurally sound and maintained in a condition so as to prevent undue settlement of the building and prevent the entrance of moisture, insects, rodents or pests.

3(2) Without restricting the general obligation set out in subsection (1)

- (a) basement walls and floors must be constructed of masonry, concrete, preserved wood or other material impervious to external moisture;
- (b) floors must be so constructed as to effectively drain all water into a catch basin which shall be connected to a sewerage system, or a subsurface water drainage system;

- (c) every part of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any normal load to which it may be subjected;
- (c.1) every part of a building must be kept free of standing water; and
added 72/2016; amended 74/2016
- (d) materials that have been damaged, or show evidence of rot or other deterioration must be repaired or replaced.

Foundations of Historical Resources

3.1(1) The basement or crawlspace of a vacant listed resource, as defined by the Historical Resources By-law, must be heated to a temperature of 10 degrees Celsius so as to prevent undue shifting, heaving or "frost-jacking" of the listed resource.

3.1(2) Subsection (1) does not apply where an owner provides evidence to an enforcement officer such that the enforcement officer is reasonably satisfied that the listed resource was not built using shallow foundations as defined by the Manitoba Building Code.

added 72/2016 (entire section 3.1)

Porches and stairs

4(1) Every porch and stairway within, on or attached to a building must be maintained in good repair so as to afford safe passage under normal use and weather conditions.

4(2) Without restricting the general obligation set out in subsection (1)

- (a) component parts of a porch or stairway must not be broken, loose, rotted, warped, out-of-plumb, off-level or out of alignment to the point where it creates a hazard;
- (b) wooden or metal exterior steps must be protected against deterioration by the application of appropriate protective coating.

Guards, balustrades and handrails

5(1) Every exterior or interior stair that has more than two risers must have the sides of the stair, the landing and the floor level around the stairwell enclosed by walls or protected by balustrades, except that a stair to an unfinished basement may have one unprotected side.

5(2) Every exterior landing or porch more than 900 millimetres above the adjacent grade and every balcony, mezzanine, gallery, raised walkway and roof to which access is provided for other than maintenance purposes, shall be protected by balustrades or guards on all open sides.

5(3) All guards, handrails and balustrades shall be maintained in good repair and firmly attached so as to provide reasonable protection against accident and injury.

5(4) Exterior fire escapes must be maintained in good repair and free of obstructions.

Floors

6(1) Every floor must be maintained:

- (a) free of loose, warped, protruding or rotting floors boards;
- (b) free of holes or cracks and other defects that may be a fire, health or other hazard.

6(2) Any vertical opening on a floor, including service spaces, chutes, air vents and elevator shafts, must be covered or barricaded in a manner that prevents accident or injury.

Walls and ceilings

7 Every wall and ceiling in a building shall be maintained in safe condition and free from loose plaster and other hazards.

Fire protection systems

8(1) Unless a fire protection system has been decommissioned by permission of the Chief of the Fire Paramedic Service, it must be maintained in an operational condition.

8(2) Unless a fire alarm system has been decommissioned by permission of the Chief of the Fire Paramedic Service, it must be connected to an approved fire signal receiving centre in compliance with Can/ULC-S561-03, adopted and published by the Underwriters' Laboratories of Canada, so as to notify the Fire Department of a fire alarm activation in the building.

Yards

9(1) Yards surrounding a vacant building must be maintained so as to prevent

- (a) the depreciation of property values in the immediate neighbourhood as a result of the vacancy of the building;
- (b) drainage of water that negatively affects neighbouring properties or creates hazardous conditions.

9(2) Without restricting the general obligation under subsection (1), yards surrounding a vacant building must be maintained so as to prevent the accumulation of:

- (a) rubbish, garbage, junk and other debris;
- (b) wrecked, dismantled, partially dismantled, inoperative, discarded, abandoned or unused vehicles, trailers and other machinery or any parts thereof;
- (c) objects and conditions, including holes and excavations, that pose health, fire or accident hazards.

9(3) Plants and vegetation in yards surrounding vacant buildings must be kept trimmed.

9(4) Yards surrounding vacant buildings must be:

- (a) covered with sufficient ground cover to prevent erosion; and
- (b) graded in such a manner so as to prevent:
 - (i) excessive or reoccurring ponding of water;
 - (ii) excessive dampness from occurring in buildings on or adjacent to the yard; or
 - (iii) any hazardous condition from being created on any private or public walkway.

Walks and driveways

10(1) Access from a public street to the principal entrance of every vacant building must be afforded by way of a walk or driveway.

10(2) Every walk or driveway and parking space on the property on which a vacant building is located must be surfaced with stone, asphalt, concrete or other material capable of providing a hard surface and must be maintained and cleared of snow so as to afford safe passage under normal use and weather conditions.

Fences and accessory buildings

11 All fences and all accessory buildings on the property on which a vacant building is located must be kept:

- (a) weather resistant by the application of appropriate materials, including paint or preservatives; and
- (b) in good repair.

Storage of combustible material

12(1) Unless approved in writing by an enforcement officer,

- (a) combustible materials; or
- (b) flammable or combustible liquids or gases;

must not be stored within a vacant building.

12(2) An enforcement officer may approve the storage of combustible materials or flammable or combustible liquids or gases pursuant to subsection (1) where they can be stored without unduly increasing the likelihood that

- (a) a fire will start;
- (b) a fire will spread; or
- (c) the safety of individuals, including fire fighters, will be jeopardized.

Nuisances and unsanitary conditions

12.1(1) Nuisances and unsanitary conditions must not exist on any property.

12.1(2) The obligation imposed by subsection (1) includes the obligation to ensure that properties and buildings are kept free of:

- (a) infestations of insects, rats, mice and other pests or vermin; and
- (b) any condition, matter, or thing that provides or may provide food or harbourage for pests or vermin.

12.1(3) The obligation imposed by subsection (1) includes the obligation to prevent the existence of lice, bed bugs, cockroaches, silverfish or other insects in any part of a building.

12.1(4) Where infestation has occurred in contravention of subsection (2), the infestation must be abated through the use of:

- (a) traps and other self-abatement measures; or
- (b) a monitored pest control program with a Certified Pest Control Agency,

until such time as the infestation has been effectively abated as determined by and to the satisfaction of the enforcement officer.

12.1(5) Where infestation in contravention of subsection (2) is abated through the use of a monitored pest control program pursuant to subclause 12.1(4)(b):

- (a) pest control records as created by a Certified Pest Control Agency must be maintained;
- (b) any part of pest control records maintained under clause (a) must not be erased, deleted, removed or otherwise obliterated; and
- (c) pest control records must be produced for review by an enforcement officer upon demand.

added 72/2016 (entire section 12.1)

**SCHEDULE B
TO THE VACANT BUILDINGS BY-LAW
(Section 5)**

**SECURITY REQUIREMENTS FOR
VACANT BUILDINGS**

The owner of a vacant building must comply with either Part I or Part II of this Schedule.

PART I

In order to comply with Part I of this Schedule, the owner of a vacant building must ensure that

- (a) all exterior doors to the dwelling are operational, fit tightly within their frames when closed and are locked so as to prevent entry;
- (b) all windows are either permanently sealed or locked so as to prevent entry;
- (c) all windows, doors, basement and attic hatchways and their frames are so constructed and maintained to completely exclude rain and substantially exclude wind from entering the building; and
- (d) all windows are in good repair, and properly glazed.

PART II

In order to comply with Part II of this Schedule, the owner of a vacant building must ensure that the following requirements are met:

- (a) all doors, windows and other openings, other than the principal entrance, at the basement and main (first) floor levels must be covered in compliance with this Part with a solid piece of plywood, at least 11 millimeters thick and secured with coated spikes at least 75 millimeters in length, spaced not more than 150 millimeters on centre;
- (b) the principal entrance must be covered in compliance with this Part with a solid piece of plywood, at least 11 millimeters thick, adequately secured with screws at least 50 millimeters in length, spaced not more than 150 millimeters on centre;
- (c) windows, doors and other openings at the second floor level must be covered in compliance with this Part with a solid piece of plywood, at least 8 millimeters thick and secured with coated spikes at least 75 millimeters in length, spaced not more than 150 millimeters on centre;

- (d) windows, doors and other openings at the third floor level or higher must be either
 - (i) secured in accordance with Part I of this Schedule; or
 - (ii) covered in compliance with this Part with a solid piece of plywood, at least 8 millimeters thick and secured with coated spikes at least 75 millimeters in length, spaced not more than 150 millimeters on centre;
- (e) windows, doors and other openings at the third floor level or higher may be secured from inside the building; plywood applied to all other openings must be secured from the exterior;
- (f) plywood applied to openings must be installed and maintained in a way that is weather-tight and must be protected from the elements with at least two coats of white paint;
- (g) plywood applied to openings must be installed and maintained as follows:
 - i) for conventional, wood framed windows, the plywood must be installed on top of the sill and snugly between the brickmoulds on the sides and top with fasteners penetrating the actual frame of the window;
 - ii) for windows that have components that are flush with the face of the brickmould (e.g. wood storm windows), the plywood must be installed on top of the sill and flush with the outer edge of the brickmoulds on the sides and top with fasteners penetrating the face of the brickmoulds;
 - iii) for windows that have components that protrude past the face of the brickmould (e.g. aluminum storm windows), the brickmoulds must be built out flush to the outer edge of the brickmoulds with solid, dimensional lumber, painted white, as required to clear the protruding window components. The plywood shall then be installed on top of the sill (where possible) and flush with the outer edge of the built-up frame;
 - iv) for PVC windows, the area directly adjacent to the outer edge of the PVC brickmould and sill must be framed with solid, dimensional lumber, painted white, as required to clear the PVC components. The plywood must then be installed flush with the outer edge of the built-up frame;

- v) for conventional doors without storm doors, the plywood must be installed on top of the sill and snugly between the brickmoulds on the sides and top with fasteners penetrating the actual door jamb and header of the door. A hole must be cut in the plywood just large enough for the door hardware to protrude;
 - vi) for entrance doors with storm doors, the area directly adjacent to the outer edge of the brickmould and sill must be framed out with solid, dimensional lumber, painted white, as required to clear all storm door components. The plywood must then be installed flush with the outer edge of the built-up frame. A hole must be cut in the plywood just large enough for the door hardware to protrude where necessary;
- (h) all floors above the first floor must rendered inaccessible to entry by raising fire escapes and ladders to a height of at least four meters or guarding them in some other manner acceptable to an enforcement officer;
- (i) all areaways must be adequately secured either by:
 - (i) filling them with concrete or unshrinkable fill; or
 - (ii) covering opening to them with a metal plate of at least 8 millimeters thick and securing it so as to prevent it from shifting;
- (j) electricity, natural gas and water must not be cut off if they are necessary to maintain fire protection systems or fire alarms; and
- (k) where they are not necessary to maintain fire protection systems or fire alarms, electricity, natural gas and water must not be cut off except in a manner satisfactory to an enforcement officer.

**SCHEDULE C
TO THE VACANT BUILDINGS BY-LAW
(Section 13)**

**RE-OCCUPANCY STANDARDS FOR
VACANT BUILDINGS**

Definitions

1 Unless otherwise stated, terms and phrases in this Schedule have the same meaning as in the Neighbourhood Liveability By-law.

Relationship between Schedules A and C

2(1) The standards set out in this Schedule are in addition to and not in place of the requirements set out in Schedule A.

2(2) Where it is impossible to comply with both Schedule A and C, the standard set out in this Schedule prevails.

**PART 1
General Standards**

Application of this Part

3 The requirements of this Part apply to both residential and commercial properties.

Properties must be safe

4(1) Subject to subsection (2), properties must be maintained so as to prevent the existence of objects and conditions that pose health, safety, fire or accident hazards to people, animals or neighbouring properties.

4(2) The obligation in subsection (1) includes the obligation to repair, remove, rectify or otherwise prevent the existence of:

- (a) buildings or structures that constitute a fire hazard or are likely to fall or cause an explosion;
- (b) floors, stairs, walls and other structural aspects of buildings or structures that are insecure or pose a danger to people or animals who enter the building or structure;
- (c) uncovered and unguarded well, holes, excavations and other openings;

- (d) refrigerators and freezers that are not in use and other airtight containers that are large enough to hold a human being, unless the container is not placed door-side down on the ground and
 - (i) the container is incapable of being locked;
 - (ii) the lock on the door is capable of being released from the inside; or
 - (iii) the lock or door has been removed;
- (e) sharp objects that could result in injuries, such as nails projecting from boards.

Properties must be properly drained

5 Properties must be maintained so as to prevent water draining in a way that negatively affects buildings on the property or neighbouring properties or that creates hazardous conditions.

Vegetation on properties

6(1) Plants and vegetation must be kept trimmed so as not to become unsightly.

6(2) Other than on properties zoned for agricultural grazing and feeding and agricultural cultivation, turf must be kept trimmed to a maximum length of 15 cm (6 inches).

6(3) Noxious weeds must be controlled.

Roofs of buildings

7(1) Roofs must be in good repair.

7(2) The standards in subsection (1) includes the following

- (a) roofs must have been constructed and maintained so as to prevent moisture from entering the building;
- (b) where the protective surface of a roof consists of wood shingles, they must be in good repair and be painted, stained or otherwise treated as may be necessary to protect against deterioration.

7(3) Roof drainage must be controlled in order to eliminate or minimize runoff that

- (a) accumulates or causes ground erosion or ponding;
- (b) causes dampness in the walls, ceilings or floors of any portion of any building.

7(4) The obligation in subsection (3) includes the obligation to install eavestroughs and downspouts on any pitched roof.

Porches and entrances

8(1) Porches and entrances to a building must be in good repair so that no component is broken, loose, rotted, warped, out-of-plumb, off-level or out of alignment.

8(2) Exterior steps must be in good repair so as to provide safe use under normal use and weather conditions and, if constructed of wood, must be protected against deterioration by the application of an appropriate protective coating.

Accessory structures

9 Accessory structures, including fences, must be in a condition that is:

- (a) weather resistant, through the application of appropriate materials, including paint and preservatives; and
- (b) in good repair.

PART 2 Residential Properties

Application of this Part

10 This Part applies to residential properties.

General requirements

11(1) There must be a safe and unobstructed means of egress to the exterior of a dwelling.

11(2) All required safety features and equipment must be in good working order.

11(3) The floors, walls, ceilings, furnishings and fixtures must be in a clean and sanitary condition.

11(4) The property must be free from rubbish, garbage and other debris or conditions which constitute a fire, accident or health hazard.

11(5) All plumbing, cooking and refrigeration fixtures and appliances as well as other building equipment and storage facilities must be in a clean and sanitary condition.

Nuisances and unsanitary conditions

12(1) Nuisances and unsanitary conditions must not exist on the property.

12(2) Without restricting the generality of subsection (1), the property must be free of

- (a) infestations of insects, rats, mice and other pests and vermin;
- (b) any condition, matter, or thing that provides or may provide food or harbourage for pests or vermin.

12(3) Without restricting the generality of subsection (1), there must be no evidence of mice, rats, lice, bed bugs, cockroaches, silverfish or other rodents, insects or vermin in any part of a dwelling or accessory building.

Basement floors and walls

13(1) Basement walls and floors of a dwelling must be constructed of masonry, concrete, preserved wood or other material impervious to external moisture.

13(2) Materials in basement walls and floors of a dwelling must not show evidence of rot or other deterioration.

13(3) Basement floors of a dwelling must be so constructed as to effectively drain all water into a catch basin which must be connected to a sewerage system, or another subsurface water drainage system.

Floors

14(1) The floors of a dwelling must be in a clean and sanitary condition.

14(2) Floor coverings in a dwelling must be in good repair, well fitted and capable of being easily cleaned.

14(3) Floors of kitchens, bathrooms, shower rooms, toilet rooms, laundry areas or other areas in a dwelling where large amounts of water are likely to be present must be finished with a material that is resistant to water.

14(4) Where necessary to prevent condensation, mould, or frost buildup in a dwelling, the floors of habitable rooms adjacent to any unheated area must be insulated and have a vapour barrier installed in accordance with the Manitoba Building Code.

Walls and ceilings

15(1) Walls and ceilings in a dwelling, including door jams and stops, baseboards, quarter round and other components, must be in good repair.

15(2) Without restricting the generality of subsection (1), walls and ceilings must be

- (a) finished with paint, varnish, stain or wallpaper:
- (b) in a clean condition; and
- (c) free of holes, large cracks and loose plaster.

15(3) In a dwelling, a waterproof finish such as ceramic, plastic or metal tile, sheet vinyl, tempered hardboard, laminated thermosetting decorative sheets or linoleum must be installed to a height of not less than:

- (a) 1.8 m above the floor in shower stalls;
- (b) 1.2 m above the rims of bathtubs equipped with showers;
- (c) 400 mm above the rims of bathtubs not equipped with showers.

15(4) Where necessary to prevent condensation, mould, or frost buildup in a dwelling, the walls and ceilings of habitable rooms adjacent to any unheated area must be insulated and have a vapour barrier installed in accordance with the Manitoba Building Code.

Doors and windows

16(1) When closed, every exterior door to a dwelling and every door to a dwelling unit within a dwelling:

- (a) must be properly fitted within its frame;
- (b) must be equipped with hardware so as to be capable of being locked from both inside and outside;
- (c) must allow individuals within the dwelling unit to exit without the use of a key; and
- (d) must not be secured with a lock and hasp.

16(2) All windows in a dwelling that are capable of being opened must have locking hardware capable of being opened from inside the dwelling unit.

16(3) All windows, exterior doors, basement and attic hatchways and their frames and other components in a dwelling, must completely exclude moisture and substantially exclude wind from entering the structure.

16(4) Windows in a dwelling, including frames, sashes, casings, weatherstripping and other components, must be in good repair.

16(5) Windows in a dwelling must be properly glazed.

16(6) All enclosed spaces in a dwelling must be provided with an opening of sufficient size to permit entry to the space and fitted with a door or panel to enclose the opening.

Guards and handrails

17(1) Within a dwelling, every interior stair that has more than two risers must have the sides of the stair, the landing and the floor level around the stairwell enclosed by walls or protected by guards, except that a stair to an unfinished basement may have one unprotected side.

17(2) Every exterior landing or porch that is attached to a dwelling and that is more than 90 cm above the adjacent grade, and every balcony, mezzanine, gallery, raised walkway and roof to which access is provided for other than maintenance purposes, must be protected by guards on all open sides.

17(3) Within a dwelling, a handrail must be installed on at least one side of all interior stairs having more than two risers and on exterior stairs having more than three risers.

17(4) Where this section requires that stairs must be protected by handrails or guards, the handrails and guards must be at least 75 cm in height above a line drawn through the outside edges of the stair nosings and 90 cm in height above landings.

17(5) Where this section requires that guards must be installed around accessible roof levels, porches, exterior balconies or walkways to which access is provided, the guards must be at least 107 cm in height, except that those within dwelling units may be 90 cm in height.

17(6) Where balustrades are used as a guard in compliance with this section, they must prevent the passage of a spherical object having a diameter of 10 cm through the balustrade.

17(7) All guards and handrails required by this section must be in good repair and must be firmly attached so as to provide reasonable protection against accident and injury.

17(8) Fire escapes on the exterior of dwellings must be in good repair and free of obstructions.

Kitchens

18(1) Within a dwelling, a kitchen must be equipped with a kitchen sink and a counter work surface.

18(2) A clear space of 60 cm must be provided above the heating elements of any cooking appliance within a dwelling.

Plumbing standards

19(1) Every dwelling must have an adequate supply of running water that is safe and fit for human consumption without further treatment.

19(2) Every sink, wash basin, bathtub or shower in a dwelling must have hot and cold running water and every toilet must have running water in a supply and at a pressure adequate for the purpose for which that fixture is intended to be used.

19(3) All plumbing in a dwelling, including fixtures, drains, water pipes and connecting lines to the water and sewer systems, must be:

- (a) protected from freezing;
- (b) in good working order; and
- (c) free from leaks or other defects.

19(4) Every dwelling must contain:

- (a) a kitchen sink;
- (b) a toilet;
- (c) a washbasin; and
- (d) a bathtub or a shower.

19(5) Sewage or organic waste from a dwelling must be discharged as required by the Sewer By-law.

Heating standards

20(1) A dwelling must be provided with a heating system

- (a) installed under permit and in compliance with the Manitoba Building Code; and
- (b) in a safe and good working condition.

20(2) A space within a dwelling that contains fuel burning equipment must be provided with a natural or mechanical means of supplying fresh air for combustion.

20(3) A fuel-fired heating appliance within a dwelling must be vented by means of rigid connections to a chimney or vent flue in compliance with the Winnipeg Building By-Law.

20(4) Every chimney, smoke pipe and flue of a dwelling must:

- (a) not permit any gases, water or any liquid to leak into the dwelling;
- (b) be clear of obstructions; and
- (c) have no defective masonry or metal components.

20(5) Where all or part of a heating system or an auxiliary heating system in a dwelling burns solid or liquid fuel, a receptacle approved by the Department of Labour for the storage of the fuel must be provided and maintained in a convenient location that has been constructed so as to be free from fire or other hazards.

20(6) Within a dwelling, any fireplace that capable of being used, and its components, must not permit adjacent combustible material and structural members to be heated to unsafe temperatures.

Gas and open flame appliances

21(1) Within a dwelling, gas stoves, gas water heaters, gas fireplaces and other gas appliances that use open flames:

- (a) must be provided with suitable pipes or flues or other effective means for the removal of the products of combustion;
- (b) must be in good repair;
- (c) must not be installed in any room used for sleeping purposes.

21(2) A room used for sleeping purposes in a dwelling must be separated by a door from a room in which a gas or open-flame appliance is located.

21(3) A person must not use or allow to be used for sleeping purposes in a dwelling any room that contains a gas or open-flame appliance, or any room which is not separated by a door from such a room.

Ventilation

22 All enclosed spaces within a dwelling must be capable of being ventilated sufficiently to prevent mould, mildew and condensation and to provide for an exchange of fresh air.

Electrical services

23(1) Every dwelling must be connected to an electrical supply system and must be hardwired for electricity.

23(2) A supply of hardwired electric power must be available at all times in all areas of every occupied dwelling.

23(3) The capacity of the electrical service to the dwelling and the system of circuits distributing the electrical supply within the dwelling must be adequate for the actual use and intended use of the dwelling.

23(4) Electrical wiring, circuits, fuses, circuit breakers and electrical equipment within a dwelling must be maintained at all times in compliance with the provisions of The Winnipeg Electrical By-Law.

23(5) Subject to subsection (6), every habitable room within a dwelling must be provided with at least one electrical receptacle.

23(6) Every kitchen or room where cooking takes place must be provided with at least two receptacles, suitably located, one for a refrigerator and one over or adjacent to the counter work surface.

23(7) If an electric range is provided in a dwelling unit, a receptacle in addition to those required by subsections (5) and (6) must be provided exclusively for the electric range.

23(8) A receptacle and receptacle circuit on an electric range may be taken into account in determining compliance with subsection (6).

23(9) All lighting and appliance branch circuits must be protected by an overcurrent device rated at not more than 15 amperes and must be protected from inadvertent overfusing by the insertion of a fuse rejector into the fuse holder, or by the use of a circuit breaker.

Smoke alarms

24(1) The dwelling must be in full compliance with the Fire Prevention By-law and other regulations.

24(2) Smoke alarms conforming to CAN/ULC-S531-02 "Standard for Smoke Alarms" must be installed in every dwelling unit.

24(3) Smoke alarms within dwelling units must be installed between each sleeping area and the remainder of the dwelling unit and, where the sleeping areas are accessed by a hallway, the smoke alarms must be installed within the hallway.

24(4) Smoke alarms in a dwelling must be installed on or near the ceiling and otherwise in conformance with CAN/ULC-S553-02 "Installation of Smoke Alarms".

24(5) Smoke alarms must be hardwired unless they are located in a dwelling constructed prior to 1981 which has not subsequently renovated in a way that would permit hardwiring.

24(6) Where smoke alarms are installed with hardwired, there must be no disconnect switch between the overcurrent device and the smoke alarm.

Fire alarm and smoke alarm systems

25 All fire alarm systems and smoke alarm systems installed in a dwelling must be operational and in good repair at all times.

Air conditioners, fans, etc.

26 Air conditioning equipment, air moving devices or fans located on the property must not be able collectively to exceed a sound level at the point of reception of 55 dBA unless there is reason to believe that they will not violate Part 5 of the Neighbourhood Liveability By-law.



Town of Newmarket

Minutes

Elman W. Campbell Museum Board of Management

Date: Thursday, February 20, 2020
Time: 7:30 PM
Location: Elman W. Campbell Museum
134 Main Street South
Newmarket, ON

Members Present: Jackie Playter, Chair
Councillor Morrison
Ron Atkins
Ross Caister
Michelle Clayton-Wood
Billie Locke
Kathleen Jackson

Members Absent: Norman Friend

Staff Present: D. Smith, Recreation Programmer
A. Walkom, Legislative Coordinator

1. Call to order

The meeting was called to order at 7:30 PM. Jackie Playter in the Chair.

2. Regrets

3. Additions & Corrections to the Agenda

None.

4. Declarations of Pecuniary Interest

None.

5. Approval of Minutes

5.1 Elman W. Campbell Museum Board Meeting Minutes of January 16, 2020

Moved by: Kathleen Jackson

Seconded by: Billie Locke

1. That the Elman W. Campbell Museum Board Meeting Minutes of January 16, 2020 be approved.

Carried

6. Business arising from the Minutes

Ross Caister inquired as to the status of the Museum Front Lawn Sign. The Recreation Programmer advised that there were no updates on the status of the sign.

7. Correspondence and Communications

The Recreation Programmer circulated the periodicals which had been received by the Museum. She advised that the museum had received the Community Museum Operating Grant.

Moved by: Billie Locke

Seconded by: Ross Caister

1. That the correspondence be received.

Carried

8. Items

8.1 Visitor Policies

The Recreation Programmer provided an overview of the Museum policies for visitors. Board members discussed the various aspects of the policies including required footwear, signage on paints and aerosols, and usage of cellphones. Members suggested minor amendments to the policies.

9. Financial Report

The Recreation Programmer advised that there was no financial report as the Museum had been closed in January.

10. Museum Report

The Recreation Programmer provided the Museum Report and advised that revenue and attendance were up significantly in 2019. She provided updates on upcoming events including March Break, VE day and May being Museum Month. She advised of the attendance for November 2019 as well as the December holiday events.

Moved by: Ron Atkins

Seconded by: Ross Caister

1. That the Museum Report be received.

Carried

11. Friends of the Museum Report

Billie Locke advised that the Friends of the Museum volunteers had been working on setting up new displays after the painting in the Museum had been completed. She provided an update on the money raised by the gift shop and Christmas sale in 2019.

The Recreation Programmer advised that in 2019, thirty volunteers worked for over 4000 hours. She also advised that two volunteers would be retiring.

Moved by: Ross Caister

Seconded by: Kathleen Jackson

1. That the Friends of the Museum Report be received.

Carried

12. New Business

(1) Winterfest - Board members discussed other events that the Museum could have a presence at, after the successful Museum booth at the Winterfest event.

(2) Jackie Playter thanked Kathleen Jackson for her time on the Board, as February 20, 2020 would be her last meeting as a member.

13. Next Meeting

The next meeting was rescheduled to March 26, 2020 due to March Break.

14. Adjournment

The meeting adjourned at 8:15 PM.

Jackie Playter, Chair

Date



Town of Newmarket
Minutes
Main Street District Business Improvement Area
Board of Management

Date: Wednesday, February 19, 2020
Time: 8:00 AM
Location: Serpa Studio
Old Town Hall
460 Botsford Street
Newmarket, ON L3Y 1T1

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Kwapis
Councillor Twinney
Rob Clark
Debbie Hill
Mark Iacovetta (8:00 AM - 9:37 AM)
Jennifer McLachlan
Omar Saer
Ken Sparks

Staff Present: C. Service, Director of Recreation & Culture
E. Bryan, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 8:00 AM.
Tom Hempen in the Chair.

1. Additions and Corrections to the Agenda

Tom Hempen advised of the following addition to the agenda:

- Item 3.1: Presentation by the Director of Recreation and Culture regarding the Pedestrianization of Main Street

Moved by: Councillor Kwapis

Seconded by: Rob Clark

1. That the addition to the agenda be approved.

Carried

2. Declarations of Pecuniary Interest

None.

3. Presentations & Recognitions

3.1 Pedestrianization of Main Street for 2020 York Pride and Buskerfest Events

The Director of Recreation and Culture provided a verbal presentation to the Main Street District Business Improvement Area Board of Management regarding the closure of Main Street for the 2020 York Pride Festival and Buskerfest event. He requested feedback from the Members regarding the possibility of closing Main Street on Friday June 19, 2020 and Saturday June 20, 2020 for the York Pride Festival, and including an on-street concert during the street closure. He also advised that the 2020 Buskerfest event was increased to three days and asked the Members for their feedback on possible locations for the event.

The Members discussed concerns that some businesses have expressed regarding closing Main Street for the events and the impact that the closure has on businesses, as well as the increased foot traffic on the street during events. They provided feedback to Staff regarding the placement of buskers during the Buskerfest event and expressed concern with the communication to business owners regarding the closures in previous years.

Moved by: Allan Cockburn

Seconded by: Jennifer McLachlan

1. That the Newmarket Farmers Market be invited to a future Main Street Business Improvement Area Board of Management Meeting to discuss summer events and road closures during the 2020 season.

Carried

Moved by: Councillor Twinney

Seconded by: Jennifer McLachlan

1. That the Main Street District Business Improvement Area Board of Management support the concert on Friday June 19, 2020 on York Pride weekend with a location to be determined; and,
2. That the Board of Management request feedback from the general membership regarding the location of the concert and the potential of closing Main Street for this event.

Carried

4. Deputations

4.1 AIIM Digital

Liam Kearney of AIIM Digital provided a deputation regarding the print and web services that AIIM offers business owners. He asked the Members of the Main Street District Business Improvement Area Board of Management for feedback on the products and the potential use by businesses on Main Street.

Moved by: Allan Cockburn

Seconded by: Omar Saer

1. That the deputation provided by Liam Kearney of AIIM Digital be received.

Carried

4.2 Community Living Ontario - Ready, Willing and Able

Jackie Moore of Ready, Willing and Able provided a deputation regarding the job services offered to assist business with building an inclusive labour force.

Moved by: Councillor Twinney

Seconded by: Councillor Kwapis

1. That the deputation be provided an additional five minutes.

Carried

Moved by: Omar Saer

Seconded by: Allan Cockburn

1. That the deputation provided by Jackie Moore of Ready, Willing and Able be received.

Carried

5. Approval of Minutes

5.1 Main Street District Business Improvement Area Board of Management Meeting Minutes of January 15, 2020

Moved by: Omar Saer

Seconded by: Jennifer McLachlan

1. That the Main Street District Business Improvement Area Board of Management Minutes of January 15, 2020 be approved.

Carried

6. Items

6.1 2020 Deputation Funding

Tom Hempen advised that the sub-committee heard eight presentations at their first bi-annual sponsorship & advertising meeting on February 11,

2020; the total ask of all presenters was \$14,000. The Members discussed setting a budget and allocating the funds at the March meeting.

The Members discussed the 2020 Coldest Night of the Year event by Inn From the Cold and advised that sponsorship options would be distributed to the general membership for their consideration.

6.2 Strategic Priority Scheduling

The Business Development Specialist advised that the required insurance has been secured from Rhapsody Strategies. The Members asked Staff to schedule the first half day session on March 11, 2020.

6.3 Sub-Committee Reports

6.3.1 Street Events Update

Ken Sparks advised that there was a sub-committee meeting scheduled in March and an update would be provided to the Members following this meeting.

Tom Hempen advised that a new vendor for the stage and music for Canada Day was required for 2020.

6.3.2 Advertising Update

No update was provided on this item.

6.3.3 Strategic Priority Update

No update was provided on this item.

6.4 Garbage Update

No update was provided on this item.

6.5 Parking Update

No update was provided on this item.

6.6 Staff Update

6.6.1 Financial Update

No update was provided on this item.

6.6.2 Financial Incentive Program Staff Working Group Update

No update was provided on this item.

7. New Business

None.

8. Closed Session (if required)

Tom Hempen advised that there was no requirement for a closed session.

9. Adjournment

Moved by: Mark Iacovetta

Seconded by: Debbie Hill

1. That the meeting be adjourned at 9:50 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket
Minutes (Special Meeting)
Main Street District Business Improvement Area
Board of Management

Date: Tuesday, June 2, 2020
Time: 10:00 AM
Location: Electronic VIA ZOOM
See How to Join Meeting Details

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Kwapis
Councillor Twinney
Rob Clark
Debbie Hill
Mark Iacovetta
Jennifer McLachlan
Omar Saer
Ken Sparks

Staff Present: C. Kallio, Economic Development Officer
F. Scott, Manager of Regulatory Services
E. Hawkins, Business Development Specialist
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

Others Present Mayor Taylor
Anne Robins, Robins IDA Pharmacy
Janet Walker, Made in Mexico
Grant Buckley, Ground Burger Bar

The meeting was called to order at 10:20 AM.
Tom Hempen in the Chair.

1. Additions and Corrections to the Agenda

None.

2. Conflict of Interest Declarations

None.

3. Presentations & Recognitions

3.1 Patio Program

Mayor Taylor provided an introduction to the presentation regarding the Town of Newmarket Patio Program.

The Business Development Specialist outlined the purpose of the presentation which included seeking the BIA's input regarding an expanded patio and sidewalk occupancy program in the Main Street District Business Improvement Area, obtaining a decision from the Board of Management regarding moving forward with an expanded sidewalk occupancy program, and the opportunity to examine preliminary funding mechanisms. She further explained some of the parking and accessibility considerations that had been discussed by Staff and the business community, and the types of businesses that this potential program could support.

The Manager of Regulatory Services provided an overview of the regulation changes and requirements from the Alcohol and Gaming Commission of Ontario (AGCO) regarding outdoor patios, and how the COVID-19 public health recommendations would be adhered to.

The Members of the Main Street District Business Improvement Area Board of Management queried Staff on the potential fees for a patio program, traffic mitigation options for Main Street, and cost-sharing options for additional resources required.

Staff further clarified that there would be no licensing fees for this program due to the current pandemic.

Moved by: Omar Saer

Seconded by: Councillor Kwapis

1. That the presentation provided by the Business Development Specialist and Manager of Regulatory Services regarding the Patio Program be received.

Carried

4. Deputations

- Anne Robins of Robins IDA Pharmacy provided a remote deputation which expressed her support for not closing Main Street to traffic this summer, and requested additional information.
- Janet Walker of Made in Mexico provided a remote deputation which expressed her support for the proposed Patio Program and asked for further clarification regarding the required hours of operations for patios in the Town of Newmarket.
- Grant Buckley of Ground Burger Bar provided a remote deputation regarding the potential for grants for BIA Members in the Town of Newmarket. He advised that the Town of Georgina had launched a non-refundable grant program for small businesses, and waived 2020 BIA fees.

The Members of the Main Street District Business Improvement Area Board of Management advised that the 2020 budget would be reviewed and ideas to assist businesses would be shared at a future meeting.

Moved by: Ken Sparks

Seconded by: Jennifer McLachlan

1. That the remote deputations provided by Anne Robins, Janet Walker, and Grant Buckley be received.

Carried

5. Adjournment

Moved by: Rob Clark

Seconded by: Councillor Twinney

1. That the meeting be adjourned at 11:24 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket
Minutes (Special Meeting)
Main Street District Business Improvement Area
Board of Management

Date: Friday, June 12, 2020
Time: 9:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Twinney
Debbie Hill
Mark Iacovetta
Jennifer McLachlan
Ken Sparks

Members Absent: Councillor Kwapis
Rob Clark
Omar Saer

Staff Present: C. Kallio, Economic Development Officer
E. Hawkins, Business Development Specialist
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

Others Present Mayor Taylor

The meeting was called to order at 9:30 AM.
Tom Hempen in the Chair.

1. Additions and Corrections to the Agenda

None.

2. Conflict of Interest Declarations

None.

3. Items

3.1 Sidewalk Occupancy Program Update

The Business Development Specialist provided a presentation regarding the Sidewalk Occupancy Program Update which included a brief overview of the survey results collected from the Main Street business owners. She noted that more than half of the respondents would not use the patio program, and over 75% of the respondents were in favour of the program, while the additional comments related to parking, street closures, and by-law enforcement.

She outlined the Alcohol and Gaming Commission of Ontario (AGCO) requirements for outdoor patios during the COVID-19 pandemic, and advised that Staff were working to have this program prepared by the time the Province allows the Town of Newmarket to advance into stage 2 of the reopening plan. She concluded the presentation with next steps, and asked the Main Street District Business Improvement Area Board of Management to share any ideas regarding the program.

The Members of the Main Street District Business Improvement Area Board of Management queried Staff regarding the use of Town of Newmarket signage related to public health measures, and the possibility of opening Town owned facilities throughout the summer.

Moved by: Jennifer McLachlan

Seconded by: Ken Sparks

1. That the presentation provided by the Business Development Specialist regarding the Sidewalk Occupancy Program Update be received.

Carried

4. Adjournment

Moved by: Councillor Twinney

Seconded by: Allan Cockburn

1. That the meeting be adjourned at 10:07 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket
Minutes (Special Meeting)
Main Street District Business Improvement Area
Board of Management

Date: Tuesday, June 23, 2020
Time: 9:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Kwapis
Rob Clark
Debbie Hill
Mark Iacovetta
Jennifer McLachlan (9:46 AM - 10:13 AM)
Omar Saer
Ken Sparks

Members Absent: Councillor Twinney

Staff Present: M. Mayes, Director of Financial Services/Treasurer
C. Kallio, Economic Development Officer
E. Hawkins, Business Development Specialist
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 9:30 AM.
Tom Hempen in the Chair.

1. Additions and Corrections to the Agenda

None.

2. Conflict of Interest Declarations

None.

3. Items

3.1 2021 Budget Discussion

The Director of Financial Services/Treasurer provided an overview of the 2019 audited financial statements of the Main Street Business Improvement Area. He advised that there was a surplus of approximately \$17,000 and the current reserve total is approximately \$38,000. He requested that the BIA presented their draft 2021 budget to Council in the fall, prior to the Financial Services Staff presenting the final Town of Newmarket 2021 budget for approval.

Moved by: Omar Saer

Seconded by: Ken Sparks

1. That the 2021 Budget Discussion Update provided by the Director of Financial Services/Treasurer be received.

Carried

3.2 Advertising & Marketing

The Main Street District Business Improvement Area Board of Management discussed opportunities to support businesses on Main Street during the COVID-19 pandemic and the reopening stages. They suggested that a sub-committee be formed to identify what types of advertising and marketing would be of assistance to the businesses. The Members queried Staff regarding the strategic plan process due to COVID-19, and the next steps related to Membership outreach.

Moved by: Omar Saer

Seconded by: Councillor Kwapis

1. That the Main Street District Business Improvement Area Board of Management form a COVID-19 Marketing and Advertising sub-committee composed of Tom Hempen, Rob Clark, Ken Sparks and Omar Saer; and,

2. That up to \$10,000 be allocated towards the COVID-19 advertising and marketing efforts.

Carried

4. Adjournment

Moved by: Omar Saer

Seconded by: Jennifer McLachlan

1. That the meeting be adjourned at 10:13 AM.

Carried

Tom Hempen, Chair

Date



Newmarket Public Library Board

Minutes

Date: Wednesday, June 17, 2020
Time: 5:45 PM
Location: Electronic VIA ZOOM
See How to Join Meeting Details

Members Present: Darcy McNeill, Chair
Jane Twinney, Vice Chair
Kelly Broome
Darryl Gray
Leslee Mason
Art Weis
Victor Woodhouse

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

1. Meeting to be held with live video interface via Zoom

1.1 Instructions on how to connect to meeting

The Chair called the meeting to order at 5:55 pm.

2. Adoption of Agenda Items

2.1 Adoption of the Regular Agenda

2.2 Adoption of the Closed Session Agenda

2.3 Adoption of the Consent Agenda Items

Motion 20-06-117

Moved by Victor Woodhouse

Seconded by Jane Twinney

That items 2.1 to 2.3 be adopted as presented.

Carried

3. Declarations

None were declared.

4. Consent Agenda Items

4.1 Adoption of the Regular Board meeting minutes for Wednesday, February 19, 2020

4.2 Adoption of Emergency Board meeting minutes - Open Session, for Thursday, April 2, 2020 and Thursday, April 9, 2020

Motion 20-06-118

Moved by Kelly Broome

Seconded by Leslee Mason

That Consent Agenda items 4.1 to 4.2 be approved and adopted as presented.

Carried

5. Reports

5.1 First Quarter Financial Statements

There were no areas of concern to report for the First Quarter Financial results which do not take into account the impact from COVID-19.

Motion 20-16-119

Moved by Darryl Gray

Seconded by Jane Twinney

That the Library Board receive the First Quarter Financial results as presented.

Carried

5.2 2019 Draft Audited Financial Statements

The Library Board reviewed the draft Audited Financial Statements for 2019 completed by Deloitte LLP.

Motion 20-06-120

Moved by Darryl Gray

Seconded by Jane Twinney

That the Library Board approve the draft 2019 Audited Financial Statements as presented.

Carried

5.3 Newmarket Public Library Report on Recovery Plans

The CEO provided a summary of library activities to date and how curbside pick-up is going. The Board was advised of what safety measures have been put in place and planning for Stage 2 - opening of the Library.

Motion 20-06-121

Moved by Kelly Broome

Seconded by Jane Twinney

That the Library Board receive the report on Recovery and Re-opening considerations for the Library.

Carried

6. Business Arising

6.1 Library Board Action List

The Library Board reviewed the Action List. The CEO and Library Board Chair will review the Action List given the current status of Library operations.

Motion 20-06-122

Moved by Leslee Mason

Seconded by Art Weis

That the Library Board receive the Action List as presented.

Carried

7. New Business

7.1 2021 Draft Operating and Capital Budget Requests

The 2021 Draft Operation Budget request was reviewed by the Board. Due to the COVID-10 emergency and resulting fiscal pressure there is a zero increase to the 2021 base Operating Budget with the exception of some mandatory increases.

Due to changes on how capital budget requests are made and fiscal uncertainty the draft 2021 Capital Budget request will be brought to the Library Board approval at a later date, after submitting unapproved numbers to Finance for now.

Motion 20-06-123

Moved by Victor Woodhouse

Seconded by Art Weis

That the Library Board approve the draft 2021 Operating Budget for submission to Town of Newmarket Council as presented.

Carried

8. Closed Session

- 8.1 Labour relations per section(d) of the Public Libraries Act. R.S.O.1990, Chapter P.44

Motion 20-06-124

Moved by Darryl Gray

Seconded by Victor Woodhouse

That the Library Board move in to Closed Session at 6:35 pm for matters pertaining to Labour Relations.

Carried

Motion 20-06-125

Moved by Victor Woodhouse

Seconded by Leslee Mason

That the Library Board move out of Closed Session at 7:08 pm.

Carried

Motion Arising from Closed Session:

Motion 20-06-126

Moved by Darryl Gray

Seconded by Victor Woodhouse

That the Library Board receive the report on Labour relations.

Carried

9. Dates of Future Meetings

- 9.1 The next Regular Board meeting is scheduled for Wednesday, September 16, 2020 at 5:45 pm in the Library Board room

A Special Board meeting is scheduled for Wednesday, July 22, 2020 at 5:30 pm.

10. Adjournment

Motion 20-06-127

Moved by Victor Woodhouse

Seconded by Leslee Mason

That there being no further business the meeting adjourn at 7:12 pm

Carried

Darcy McNeill, Chair

Todd Kyle, Secretary/Treasurer