

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Mr. Gary Ryan, Chief Innovation Officer, Southlake Regional Health Centre to present an update regarding CreateITNow. p. 1

Deputations

2. Ms. Debra Scott, Newmarket Chamber of Commerce to address the Committee regarding Town Council's Strategic Priorities. - WITHDRAWN p. 29

Consent Items (Items # 3 to 26)

3. Correspondence received July 29, 2015 from Ms. Dawn Mucci, CEO, Lice Squad Canada Inc. requesting proclamation of September 17, 2015 as 'Head Lice Awareness Day'. p. 30

Recommendations:

a) THAT the correspondence from Ms. Dawn Mucci, CEO, Lice Squad Canada Inc. be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim September 17, 2015 as 'Head Lice Awareness Day';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

4. Correspondence dated July 22, 2015 from Ms. Christie Brenchley, Executive Director, Ontario Society of Occupational Therapists requesting that October, 2015 be proclaimed as 'National Occupational Therapy Month'. p. 31

Recommendations:

a) THAT the correspondence from Ms. Christie Brenchley, Executive Director, Ontario Society of Occupational Therapists be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October, 2015 as 'National Occupational Therapy Month';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

5. Correspondence dated June 8, 2015 from Mr. Alain Beaudoin, President, L'Association des francophones de la region de York Inc. requesting September 25, 2015 be proclaimed 'Franco-Ontarian Day'. p. 33

Recommendations:

a) THAT the correspondence from Mr. Alain Beaudoin, President, L'Association des francophones de la region de York Inc. be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim September 25, 2015 as 'Franco-Ontarian Day';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

6. Correspondence dated August 1, 2015 from Mr. Fred Hahn, President, CUPE Ontario Division requesting October 8, 2015 be proclaimed as 'Child Care Worker & Early Childhood Educator Appreciation Day'. p. 34

Recommendations:

a) THAT the correspondence from Mr. Fred Hahn, President, CUPE Ontario Division be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 8, 2015 as 'Child Care Worker & Early Childhood Educator Appreciation Day';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

7. Correspondence dated June 24, 2015 from Ms. Andrea McKechnie, Support Committee - Tagging Coordinator, Queen's York Rangers, 2799 Army Cadet Corp requesting permission to conduct tagging fundraising on Saturday, September 19 and Sunday, September 20, 2015. p. 36

Recommendations:

a) THAT the correspondence dated June 24, 2015 from Ms. Andrea McKechnie, Support Committee - Tagging Coordinator be received and the following recommendations be adopted:

i) THAT permission be granted to conduct tag days in the Town of Newmarket on Saturday, September 19 and Sunday, September 20, 2015;

ii) AND THAT Ms. McKechnie be notified in this regard.

8. Newmarket Downtown Development Sub-Committee Minutes of March 27, 2015. p. 37

The Newmarket Downtown Development Sub-Committee recommends:

a) THAT the Newmarket Downtown Development Sub-Committee Minutes of March 27, 2015 be received.

9. Main Street District Business Improvement Area Board of Management Minutes of April 21, 2015, May 19, 2015, June 16, 2015 and June 23, 2015. p. 40

The Main Street District Business Improvement Area Board of Management recommends:

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of April 21, 2015, May 19, 2015, June 16, 2015 and June 23, 2015 be received.

10. Corporate Services Report - Financial Services 2015-19 dated August 20, 2015 regarding the Delegation of Authority with Respect to Property Assessment and Collection of Taxes. p. 57

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

a) THAT Corporate Services Report - Financial Services 2015-19 dated August 20, 2015 regarding the Delegation of Authority with Respect to Property Assessment the Collection of Taxes be received and the following recommendations be adopted:

i) THAT Council delegate authority to initiate and file notices of assessment appeal, for any property in the Town of Newmarket, with the Assessment Review Board from time to time, to the Treasurer or his designate;

ii) AND THAT Council delegate authority to withdraw any appeal filed by the Town of Newmarket, should it be determined that it is not in the Town's best interest to proceed, to the Treasurer or his designate;

iii) AND THAT Council delegate authority to attend before the Assessment Review Board on property tax or assessment matters as a party to all appeals whether filed by the Town of Newmarket or another person, entity or agent, to the Treasurer or his designate;

iv) AND THAT Council delegate authority to execute settlement agreements, on behalf of the Town of Newmarket, reached in the course of a taxation or property assessment appeal, to the Treasurer or his designate;

v) AND THAT the delegation by-law be updated to reflect these items of delegated authority.

11. Joint Corporate Services/Development and Infrastructure Services Report - Financial Services 2015-42 dated August 20, 2015 regarding Stormwater Management Rate. p. 60

The Commissioner of Corporate Services, the Commissioner of Development and Infrastructure Services and the Director of Financial Services recommend:

a) THAT Joint Corporate Services/Development and Infrastructure Services Report - Financial Services 2015-42 dated August 20, 2015 regarding the Stormwater Management Rate be received and the following recommendations be adopted:

i) THAT staff be directed to inform and consult with the public regarding the potential of establishing a stormwater management rate;

ii) AND THAT staff report back on the feedback received in January, 2016.

12. Joint Corporate Services Report - Legislative Services and Financial Services 2015-43 dated August 18, 2015 regarding 2016 User Fees and Charges - Licensing Fees. p. 68

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

a) THAT Joint Corporate Services Report - Legislative Services and Financial Services 2015-43 dated August 18, 2015 regarding 2016 User Fees and Charges - Licensing Fees be received and the following recommendations be adopted:

i) THAT the attached Schedule 'A' marked as the '2016 Legislative Services (Licensing) Fees and Charges' be approved and forwarded to Council for final adoption by by-law;

ii) AND THAT the fee adjustments come into full force and effect as of January 1, 2016.

13. Development and Infrastructure Services - Planning and Building Services Report 2015-34 dated August 20, 2015 regarding Application for Draft Plan of Condominium - 804 Shadrach Drive. p. 75

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

a) THAT Development and Infrastructure Services /Planning and Building Services Report 2015-34 dated August 20, 2015 regarding application for Draft Plan of Condominium be received and the following recommendations be adopted:

i) THAT approval be given to Draft Plan of Condominium 19CDMN-2015 001 subject to the Schedule of Conditions attached and forming part of Development and Infrastructure Services/Planning and Building Services Report 2015-34;

ii) AND THAT Daniels LR Corporation, (c/o Mr. Remo Agostino), 20 Queen Street West, Suite 3400, Toronto ON M5H 3R3 be notified of this action by the Clerk.

14. Development and Infrastructure Services - Planning and Building Services Report 2015-35 dated August 20, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision - 16920 and 16860 Leslie Street. p. 82

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

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-35 dated August 20, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, as submitted by The Newmarket Cemetery Corporation on behalf of 2394237 Ontario Inc. for lands being composed of Pt Lt 31, Con 2; Pt E1/2 Lt 32, Con 2, EYS be referred to a public meeting;

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

iii) AND THAT Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this action by the Clerk.

15. Development and Infrastructure Services - Planning and Building Services Report 2015-36 dated August 20, 2015 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision - 292145 Ontario Limited - St. Andrew's of Bayview Phase 5. p. 90

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

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-36 dated August 20, 2015 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision be received and the following recommendations be adopted:

i) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-36 regarding Appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision by 292145 Ontario Limited for lands described as Part of Lot 89, Concession 1 E.Y.S. ("the lands") be received;

ii) AND THAT Council direct staff and legal counsel to continue to work with the applicant toward the settlement of all remaining issues, including the use of Town owned land, in advance of the Ontario Municipal Board hearing;

iii) AND THAT staff and legal counsel be authorized to enter into Minutes of Settlement with the applicant reflecting Draft Plan Conditions and/or conditions to be included in the Development Agreement to address all issues to the Town's satisfaction;

iv) AND THAT Mr. Gary Templeton, Templeton Planning Ltd, 71 Tyler Street, Aurora ON L4G 2N1 be notified of this action by the Clerk.

16. Development and Infrastructure Services - Planning and Building Services Report 2015-37 dated August 20, 2015 regarding a Proposed Zoning By-law Technical Amendment to the Town's comprehensive Zoning By-law. p. 100

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

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2015-37 dated August 20, 2015 regarding a technical amendment to the Town's comprehensive Zoning By-Law 2010-40 be received and the following recommendations be adopted:

i) THAT the proposed technical amendment to comprehensive Zoning By-Law 2010-40 be referred to a public meeting;

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

17. Development and Infrastructure Services Report - Engineering Services 2015-45 dated August 5, 2015 regarding Main Street South - Accessible Parking Space. p. 104

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-45 dated August 5, 2015 regarding 'Main Street South - Accessible Parking Space' be received and the following recommendations be adopted:

i) THAT Section 11 (Loading Zones) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

11.e. Main Street South the southerly two on-street parking spaces between Botsford Street and Timothy Street;

ii) AND THAT Section 11 (Loading Zones) of the Parking By-law 1993-62, as amended, be further amended by adding the following:

11.e. Main Street South the second space north of Timothy Street between Botsford Street and Timothy Street;

iii) AND THAT one (1) accessible parking space be installed in the southerly most parking space between Botsford Street and Timothy Street;

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

18. Development and Infrastructure Services Report - Engineering Services 2015-46 p. 108 dated August 5, 2015 regarding Pearson Street - Parking Restrictions.

The Commissioner of Development and Infrastructure Services and the Director of Engineering Services 2015-46 dated August 5, 2015 regarding Pearson Street - Parking Restrictions be received and the following recommendations be adopted:

a) THAT Development and Infrastructure Services Report – ES 2015-46 dated August 5, 2015 regarding “Pearson Street – Parking Restrictions” be received and the following recommendation be adopted:

i) THAT no additional parking restrictions be implemented on Pearson Street.

19. Development and Infrastructure Services Report - Engineering Services 2015-47 p. 110 dated August 6, 2015 regarding Patti McCulloch Way - Parking Restrictions.

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-47 dated August 6, 2015 regarding 'Patti McCulloch Way - Parking Restrictions' be received and the following recommendation be adopted:

i) THAT no additional parking restrictions be implemented on Patti McCulloch Way.

20. Development and Infrastructure Services Report - Engineering Services 2015-48 p. 112 dated August 11, 2015 regarding Criterion (Summerhill South) Final Acceptance and Assumption of Stormwater Management Pond.

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

a) THAT Development and Infrastructure Services Report – ES 2015-48 dated August 11, 2015 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill South) be received and the following recommendations be adopted:

i) THAT the request for final Acceptance and Assumption of Stormwater Management Pond for Criterion Development (Summerhill South) as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT the Clerk's office notify Mr. Paul Minz of Criterion Development Corporation, and Mr. John Kaczor, A.Sc.T., of MMM Group Limited of these recommendations.

21. Development and Infrastructure Services Report - Public Works Services 2015-49 dated August 12, 2015 regarding Main Street - Waste Management Solutions. p. 116

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

a) THAT Development and Infrastructure Services Report - Public Works Services - PWS 2015-49 dated August 12, 2015 regarding Main Street - Waste Management Solutions be received and the following recommendations be adopted:

i) THAT staff bring forward the purchase of new lids for the existing containers that have a larger opening to accept larger items during the 2016 draft capital budget requests;

ii) AND THAT staff send letters to property owners and tenants advising that waste should only be placed out for collection on Tuesdays and Fridays by 6:00 a.m.;

iii) AND THAT staff bring forward the purchase of a mobile surveillance camera in the 2016 draft capital budget requests to provide evidence on the source of waste being left at the containers;

iv) AND THAT staff bring forward a proposal for weekend service for collection of waste in containers on Main Street from Water Street to Millard Avenue in the 2016 draft operating budget requests;

v) AND THAT staff continue to explore options for waste collection improvements in the downtown core.

22. Chief Administrative Officer Report/Human Resources Report 2015-06 dated August 19, 2015 regarding NTAG Deputation - June 22, 2015. p. 119

The Chief Administrative Officer recommends:

a) THAT CAO/Human Resources Report 2015-06 dated August 19, 2015 regarding NTAG Deputation on June 22, 2015 re: Budget, Performance Objectives and other Corporate Matters be received and the following recommendation be adopted:

i) THAT in accordance with Council's Strategic Priority of Community Engagement, an open house and Public Information Centre be scheduled prior to the end of 2015 as an opportunity to inform and engage all interested residents and stakeholders on matters of general public interest.

23. Correspondence dated June 26, 2015 from Mr. Denis Kelly, Regional Clerk p. 124 regarding Resolution on Extended Producer Responsibility in Ontario.

The Operational Leadership Team recommends:

a) THAT the report from the Regional Municipality of York regarding Pending Waste Reduction and Resource Recovery Framework Legislation Update be received;

i) AND THAT Council endorse the Regional Municipality of York's resolution regarding extended Producer Responsibility in Ontario.

24. Corporate Services Information Report - Legislative Services 2015-11 regarding Status Report, Review of Draft Council Code of Conduct. (A Member of Council has requested this be placed on agenda) p. 163
25. Information Report 2015-33 dated July 24, 2015 regarding Glenway Lessons Learned - Facilitator's Report. (A Member of Council has requested this be placed on agenda) p. 165
26. Outstanding Matters List. p. 189

Recommendation:

a) THAT the Outstanding Matters List be received.

Action Items

Correspondence & Petitions

Reports by Regional Representatives

Motions

Notices of Motion

New Business

Closed Session (if required)

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

27. Personal matters about an identifiable individual, including municipal or local board employees as per Section 239 (2) (b) of the Municipal Act - Appointment Committee recommendations for appointment.
28. Litigation/potential litigation including matter before administrative tribunals and a proposed or pending acquisition or disposition of land (OMB Appeal - 292145 Ontario Limited - St. Andrew's of Bayview - Phase 5)

Public Hearing Matters

Addendum (Additions and Corrections)

29. Item 2 - Deputation by Ms. Debra Scott, Newmarket Chamber of Commerce - WITHDRAWN
30. Mr. Gary Worters to address the Committee regarding fund raising initiatives. p. 194
31. Mr. Glenn Wilson to address the Committee regarding P1 Parking Lot Closure. p. 196
(Related to Item 32)
32. Joint Development and Infrastructure Services Report - Engineering Services and Community Services, Economic Development and Corporate Services, Legislative Services Report 2015-51 dated August 17, 2015 regarding P1 Parking Lot Review. p. 197

The Commissioners of Development and Infrastructure Services, Community Services and Corporate Services, the Director of Engineering Services, the Director of Legislative Services and the Economic Development Officer recommend:

a) THAT Joint Development and Infrastructure Services, Community Services and Corporate Services Report - ES2015-51 dated August 17, 2015 regarding P1 Parking Lot Review be received and the following recommendations be adopted:

i) THAT Schedule II (Municipal Parking Lots) - Parking Lot P1 of the Parking By-law 1993-62, as amended, be further amended by adding the following:

c) No Parking between Friday 9:00 p.m. to Monday 8:00 a.m. from May 1st to October 31st

ii) AND THAT the necessary By-laws be prepared and submitted to Council for their approval;

iii) AND THAT weekend loading operations at the P1 Parking Lot be restricted from May 1 to October 31;

iv) AND THAT reasonable access to the properties at 352 Doug Duncan Drive be maintained during the closure of Timothy Street for events;

v) AND THAT the three (3) southwestern-most located parking spaces be removed from public parking between May 1 and October 31 to allow for maintenance access;

vi) AND THAT all stakeholders involved be forwarded a copy of this report and Council extract by the Clerk.

33. Development and Infrastructure Services Report - Engineering Services 2015-52 dated August 26, 2015 regarding Criterion (Summerhill Woods) Final Acceptance and Assumption of Stormwater Management Pond. p. 202

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

a) THAT Development and Infrastructure Services Report – ES 2015-52 dated August 26, 2015 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill Woods) be received and the following recommendations be adopted:

i) THAT the request for final acceptance and assumption of the Stormwater Management Pond for Criterion Development (Summerhill Woods) as shown on the attached map be finally accepted and assumed by the Town;

ii) AND THAT the Clerk's office notify Mr. Paul Minz of Criterion Development Corporation and Mr. John Kaczor, A.Sc.T., of MMM Group Limited of these recommendations.

34. Correspondence dated July 16, 2015 from Mayor Fred Eisenberger, City of Hamilton regarding Canada Post/Equipment Installation. p. 206

Recommendation:

THAT the correspondence dated July 16, 2015 from Mayor Fred Eisenberger, City of Hamilton regarding Canada Post/Equipment Installation be received.

35. Appointment Committee Minutes of July 6, 2015 and August 27, 2015. p. 207

The Appointment Committee recommends:

a) THAT the Appointment Committee Minutes of July 6, 2015 and August 27, 2015 be received.

36. Appointment Committee (Closed Session) Minutes of July 6, 2015 and August 27, 2015.

Recommendations:

a) THAT the Appointment Committee Minutes of (Closed Session) Minutes of July 6, 2015 and August 27, 2015 be received;

i) AND THAT the individuals identified in the Appointment Committee (Closed Session) Minutes recommended for appointment to the following boards/committees be considered at the September 14, 2015 Council meeting in Open Session:

Audit Committee, Elman W. Campbell Museum Board, Newmarket Downtown Development Committee, Newmarket Economic Development Advisory Committee, Newmarket Environmental Advisory Committee

ii) AND THAT the applicants be notified prior to the September 14, 2015 Council meeting.

37. Item 4 of the Appointment Committee Minutes of August 27, 2015 regarding Terms of Reference Review. p. 216

The Appointment Committee recommends:

a) THAT the Terms of Reference for the Appeal Committee, Audit Committee, Committee of Adjustment, Elman W. Campbell Museum Board, Heritage Newmarket Advisory Committee, Property Standards Committee and Newmarket Environmental Advisory Committee be approved and forwarded to Council for consideration.

38. Item 4a) of the Appointment Committee Minutes of August 27, 2015 regarding Accessibility Advisory Committee Terms of Reference - Committee Composition. p. 236

The Appointment Committee recommends:

a) THAT the Accessibility Advisory Committee Terms of Reference - Committee Composition be amended as follows:

i) 'A minimum of six (6) residents, a majority of who must have a disability and consideration of the appointment of additional members with disabilities not represented";

ii) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

39. Item 4g) of the Appointment Committee Minutes of August 27, 2015 regarding the Newmarket Downtown Financial Investment Committee (formerly NDDS). p. 239

The Appointment Committee recommends:

a) THAT the Newmarket Downtown Development Subcommittee be renamed Newmarket Downtown Development Committee;

i) AND THAT the words 'citizens' be replaced with 'residents' in the Committee Composition;

ii) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

40. Item 4h) of the Appointment Committee Minutes of August 27, 2015 regarding Newmarket Economic Development Advisory Committee. p. 242

The Appointment Committee recommends:

a) THAT the Newmarket Economic Development Advisory Committee Terms of Reference - Term of Office be replaced as follows:

i) "Each Committee member shall sit for a two year term coinciding with the beginning of a new term of Council. At the expiration of the first two year term, each member is eligible to continue for an additional two year period, to the end of the term of Council. In accordance with the Appointment Policy, each member may only sit for four consecutive two year terms;"

ii) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

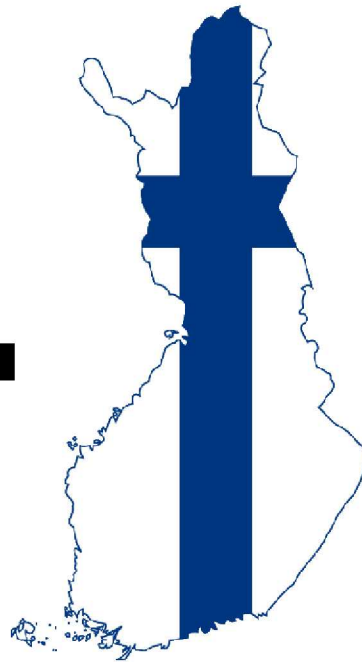
Adjournment



Create The Future of Healthcare, Now, With Us



A WINNING EQUATION



Healthcare
Ecosystem

DR. DAVE WILLIAMS, PRESIDENT & CEO



RESEARCH AND INNOVATION GAP

Research Ranking: 4 *

Innovation Ranking: 13 **

*Council of Canadian Academies 2012

**Conference Board of Canada 2013

FINLAND



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INCUBATOR



The HealthCare Ecosphere



ventureLAB™

Mentoring | Partnering | Connecting

 MEDEGE

The HealthCare Ecosphere



A CENTRE OF INNOVATION



FOUNDING PARTNERS



FOUNDING PARTNERS

Financial Contributions

Town of Newmarket	\$25,000
Seneca College	\$25,000
York University	\$25,000
Region of York	\$50,000
ventureLab	Staffing
Southlake	>\$250,000 (Site/Staffing/Finances)

SUSTAINING PARTNERS



SUSTAINING PARTNERS

Financial Contributions

Town of Newmarket \$25,000

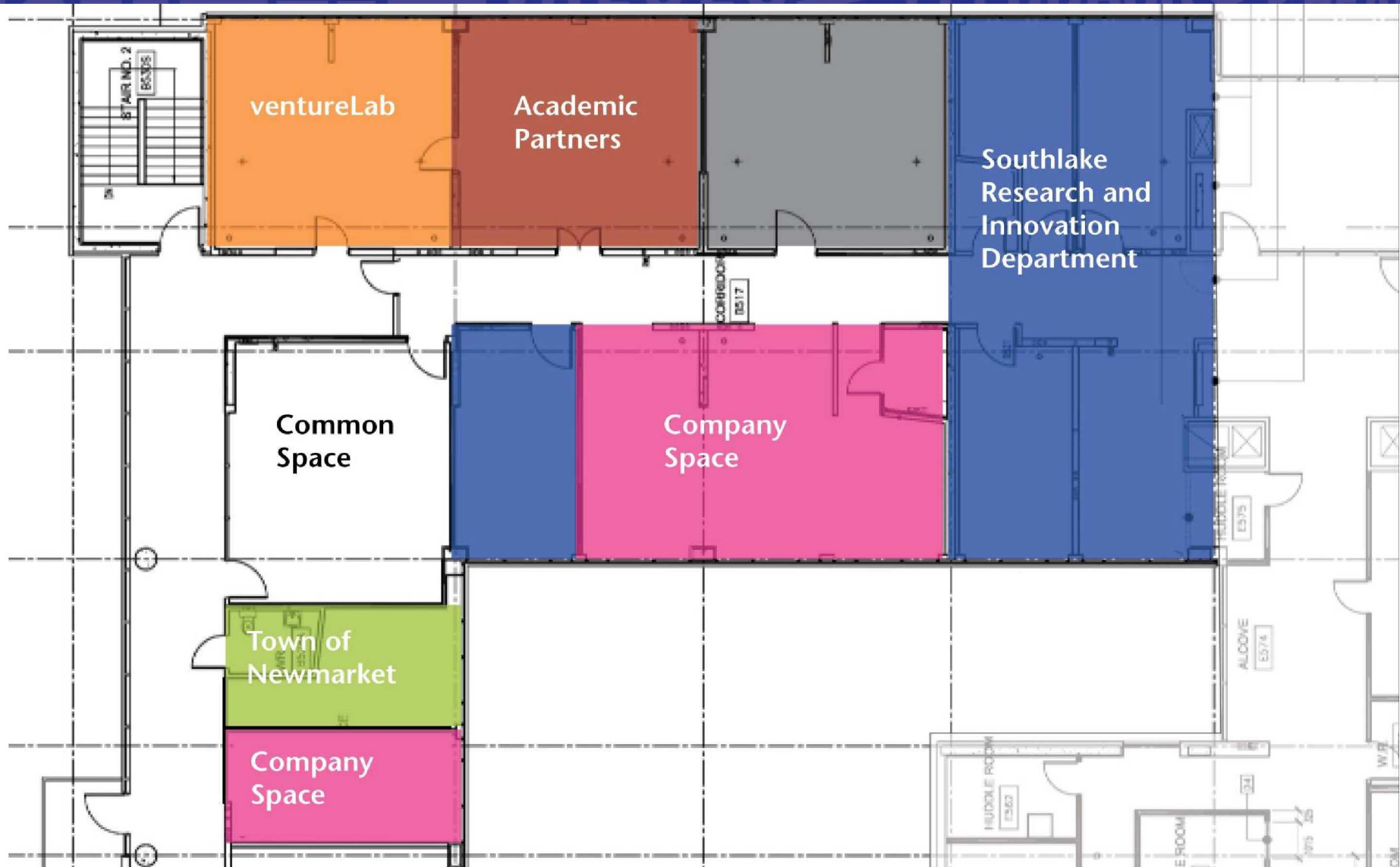
ventureLab

Staffing

Southlake

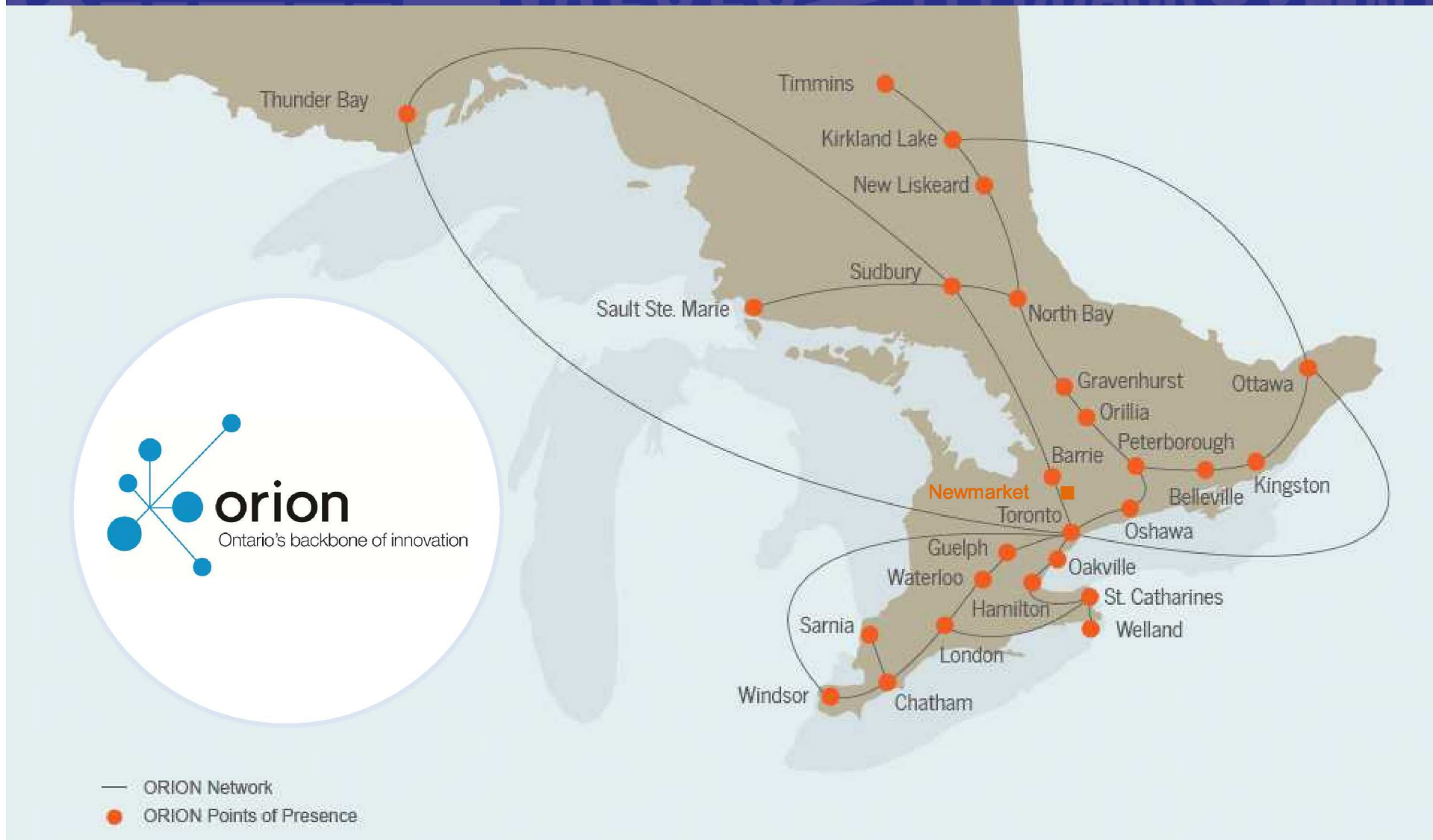
\$250,000+ (Site/Staffing/Finances)

SPACE BREAKDOWN



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ORION ARRIVES IN NEWMARKET



15



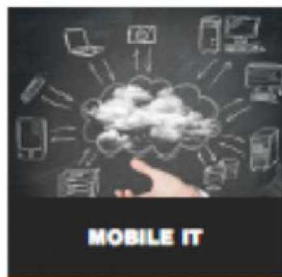
COMPANY COLLABORATORS

Engage Biomechanics (York University)



mobileLive (Richmond Hill)

mobile**LIVE**

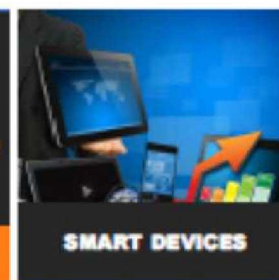


CERTIFICATION LAB X

BYOD Made Simple

We have state-of-the-art fully equipped mobile device lab covering different technologies: GSM/GPRS/EDGE, WCDMA, HSPA, HSPA+ and Dual Carrier, catering for pre-certification, feature development, carrier pre-submission and carrier specific testing.

All the equipment is carefully placed in Double Electric (DEI) copper screen shielded chambers that provide the highest shielding performance available in a "hear-through, see-through" structure. Audio isolation chamber is also used for all Audio performance testing.



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UOIT and ARTEMIS (ORION SUPPORTED)



SterileCare Inc (Newmarket)



"Leading innovation –
The simple solution
to a clearer path."

Karen Kelln, CEO



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Dairy Quality Inc (Newmarket)

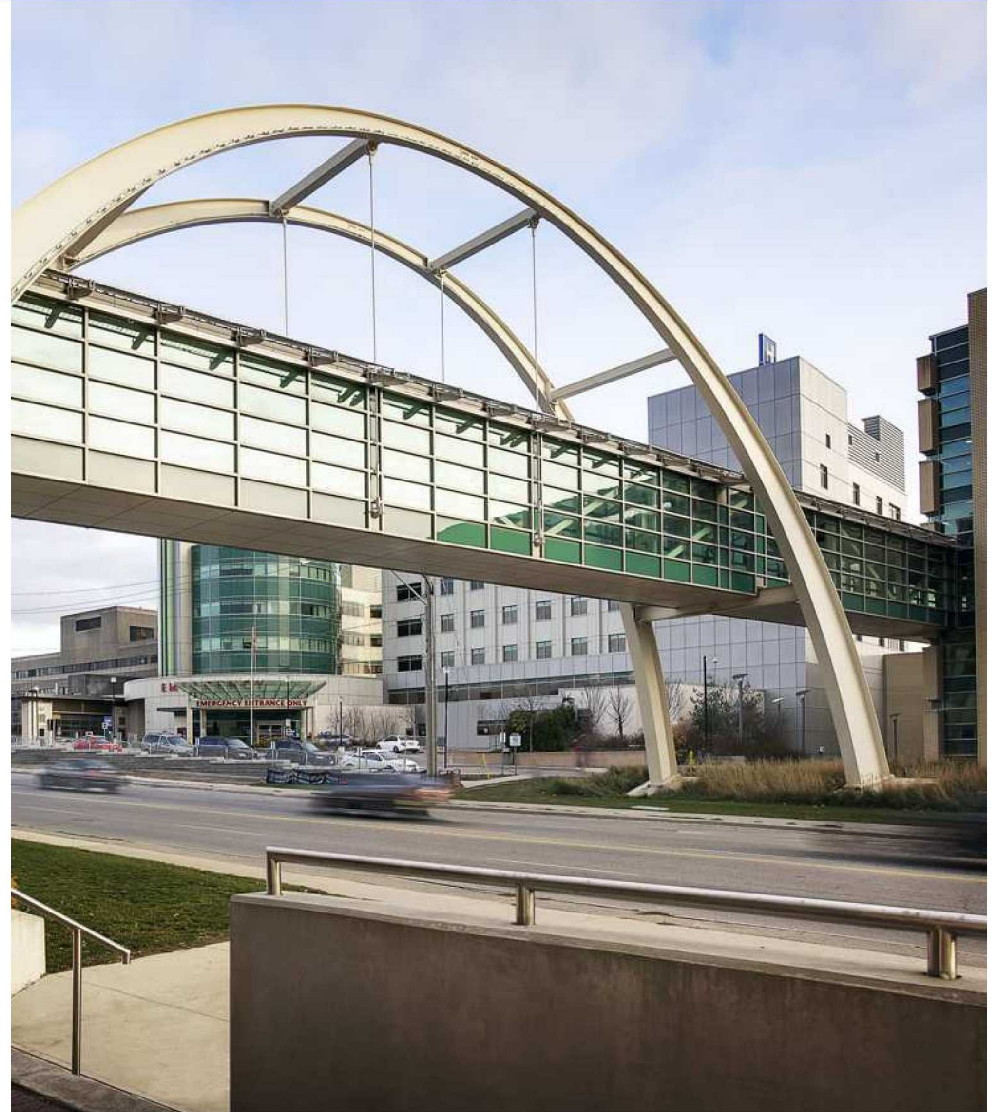


Dairy Quality Inc. 

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THE SOUTHLAKE DIFFERENCE

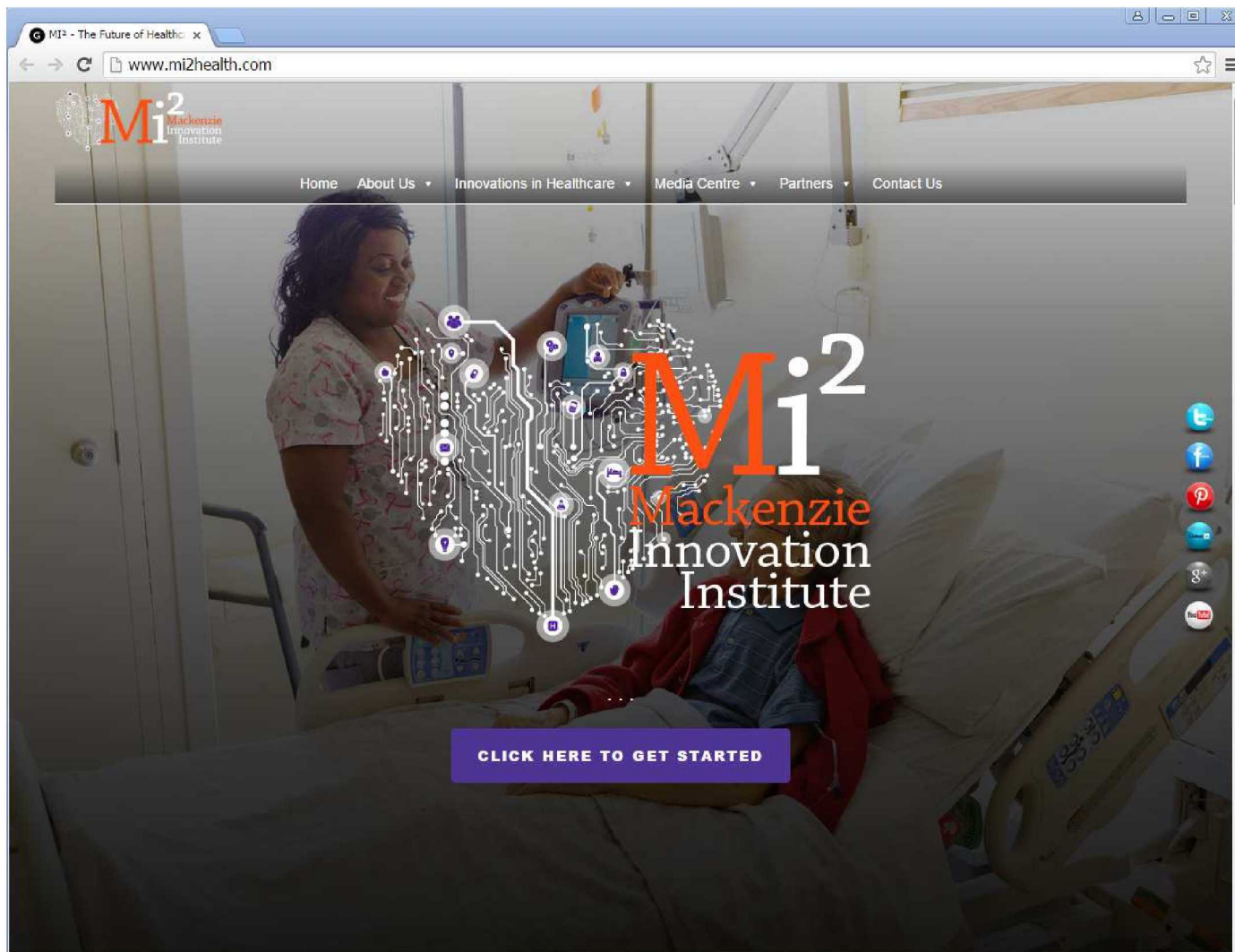


INNOVATION AT SOUTHLAKE

Inside

Outside

INSIDE INNOVATION AT MACKENZIE



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SOUTHLAKE INNOVATION=ECONOMIC DEVELOPMENT



$$= \text{H} + \$ \text{GDP}$$

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WHAT DO WE GET OUT OF THIS?



26

@South

- better patient care
- more cost effective
- best technology
- best outcomes

- vibrant health sector
- new health companies
- reputation/branding
- ventureLab satellite/ORION

SPREAD THE WORD



Gary Ryan, Chief Innovation Officer

gryan@southlakeregional.org

www.southlakeregional.org



Southlake Regional Health Centre



SouthlakeRHC



@Southlake_News

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Subject: Town Council's Strategic Priorities

Date of Meeting: AUGUST 31 Agenda Item No.

☒ I wish to address Council / Committee

☐ I request future notification of meetings.

Name: Debra Scott

Organization / Group/ Business represented:

Newmarket Chamber of Commerce

Address:

Postal Code:

Email:

Home Phone:

Business Phone:

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
AUG 19 2015		

Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

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



His Worship Mayor Tony Van Bynen
 Town of Newmarket
 395 Mulock Dr.,
 P.O. Box 328, STN Main,
 Newmarket, ON L3Y 4X7
 Bus.: 905-895-5193
 mayor@newmarket.ca

Dear Sir,

We at Lice Squad Canada would like to proclaim September 17 as Head Lice Awareness Day.

We are asking for the city's support in our efforts to stop the stigma associated with head lice and to stop the over use and abuse of pesticides on children and our environment.

Many municipalities have banned pesticides on our lawns yet somehow it's acceptable to put them on our children's heads for the treatment of head lice. We would like to see this change or bring awareness to alternatives. There are an estimated 2.4 million cases of head lice per year in Canada and the numbers continue to grow. Anyone can get head lice. They do not discriminate other than preferring clean hair. Our mission is to stop the stigma associated with head lice and to stop the over use and abuse of pesticides on children and our environment.

To build upon our existing mission and to foster healthy children, families and environments we have partnered with the Children's Aid Foundation. We have pledged to donate \$1 from the sale of each of our Premium Head Lice kits and each Lice Squad location Canada wide will be donating an entire day's service revenue to CAF to support the good work they do in abuse prevention, education and advocacy through local Child Welfare Agencies.

We are having giveaways, prizes and a coloring contest with renowned New York Children's Author Tracy Dockray and her book A Scare in my Hair.

Thank you in advance for your consideration. I look forward to meeting or speaking with you at your earliest convenience.

Dawn Mucci
 CEO, Lice Squad Canada Inc.
 3 King St South
 Cookstown, ON L0L 1L0
 705 458-4440 x 201



July 22, 2015

His Worship Tony Van Bynen
Mayor of Newmarket
395 Mulock Dr.
Newmarket, ON L3Y 4X7

Dear Sir,

On behalf of the Ontario Society of Occupational Therapists (OSOT), I am writing to request that the month of October be proclaimed as Occupational Therapy Month in the Town of Newmarket.

Occupational Therapists (OTs) are health professionals who work with individuals of all ages who may be experiencing barriers to managing necessary day-to-day living skills and occupations (self-care, work and leisure) because of injury, illness, chronic disease, disability, aging, learning disabilities or mental health issues. OTs help people assume, reassume and/or maintain the roles and skills they need to participate fully in all aspects of daily living, enjoy a quality of life, and engage meaningfully in their communities and society.

The Canadian Association of Occupational Therapists and provincial OT associations across Canada have named October as national Occupational Therapy Month. The Ontario Society of Occupational Therapists would be honored if you would sponsor an official proclamation to recognize October as Occupational Therapy Month in Newmarket. Your proclamation would lend official recognition to the important work of occupational therapists working in your community's hospitals, rehab centres, CCAC services, Family Health Teams, long-term care homes, schools, mental health services and in a broad range of private practices in your community.

We would be particularly honored to have you present this proclamation at a city council meeting. We look forward to working with your office on this important endeavor and would be pleased to speak further or identify a local occupational therapist to assist your office or to speak to the Council. I attach a proposed proclamation for your consideration.

Thank you for your attention to this request.

Sincerely,

A handwritten signature in black ink that reads "Christie Brenchley".

Christie Brenchley
Executive Director

Occupational Therapy (OT) is a health profession
that **empowers** people of all ages to overcome
barriers in their everyday lives so they can
do more and live better.



Learn more about
Occupational Therapy at
www.OTOntario.ca



OT Month 2015 Proclamation Text

WHEREAS the Canadian Association of Occupational Therapists and the Ontario Society of Occupational Therapists have declared the month of October 2015 to be known as National Occupational Therapy Month; and,

WHEREAS the profession of occupational therapy, a regulated health profession over 5000 strong in Ontario, is concerned with promoting health and well-being through occupation; and,

WHEREAS, the services of occupational therapy enable people of all ages and abilities to participate in the activities which give meaning and purpose to their lives by working to overcome obstacles that prevent involvement in life's occupations; and,

WHEREAS, the health and well-being of all Ontarians is dependent on access to occupational therapy services in Newmarket, in community agencies, hospitals, long-term care homes, rehabilitation centres and clinics, Family Health Teams and other primary care agencies, schools, social agencies, industry or private practice.

THEREFORE, I Tony Van Bynen of Newmarket do hereby proclaim October 2015 as National Occupational Therapy Month and call upon all citizens to recognize the achievements and contributions of these valued health professionals.

For more information about Occupational Therapy visit www.OTOntario.ca.



L'Association des francophones
de la région de York Inc.

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
JUN 15 2015		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		

June 8, 2015

Mayor Tony Van Bynen
Town of Newmarket
PO Box 328, Main Station
Newmarket, Ontario, L3Y 4X7

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
JUN 15 2015		

Dear Mayor and Members of Council,


"L'Association des francophones de la région de York" (L'AFRY) is proud to celebrate in a special way the anniversary of the arrival of Étienne Brûlé and the presence of francophones in York Region. We would appreciate if the Franco-Ontarian flag could be raised at the Administrative Centre and a proclamation be issued for Franco-Ontarian Day, on September 25th. This historical celebration of the flag is a very important event for all Franco-Ontarians in the province and your Town. We are very proud that our flag has been officially recognized by Queen's Park on June 21st, 2001.

Today, after four centuries of evolution, Ontario's francophone community includes 582,690 people, or 4.8% of the total population of the province (according to Statistics Canada 2006 census). It is the second largest Francophone community in Canada, after Quebec. This year, the Francophonie is commemorating its 400 years of presence in Ontario.

For the record, the Government of Ontario released a statement on April 26, 2010 that "*The Franco-Ontarian Day Act adopted unanimously by the Legislative Assembly proclaims September 25 of each year as Franco-Ontarian Day. This Day will, every year, officially recognize the contribution of Ontario's Francophone community to the cultural, historical, social, economic and political life of the province.*"

Several of the region's towns and cities did agree to raise our flag and issue a proclamation last year and we are hopeful that the Town of Newmarket will also commit to raising our flag and issuing a proclamation this year. It would be our pleasure to deliver a flag on simple request. Please feel free to contact Mona Babin by phone at 905 727-4631 ext. 76550, or by email at monababin@afry.ca.

Yours truly,


Alain Beaudoin, President



80 Commerce Valley Drive, East., Suite 1
 Markham, Ontario L3T 0B2
 Phone: 905-739-9739 • Fax: 905-739-9740
 Web: cupe.on.ca E-mail: cupeont@web.net

August 1, 2015

To Ontario Mayors and Councils,

AUG 05 2015		
COMMISSIONER		
DEPARTMENT		
CLERKS		

We are writing to ask you and your council to proclaim **Child Care Worker & Early Childhood Educator Appreciation Day, October 8, 2015**, a day of recognition for the many people who work providing child care in your community.

This year will mark the 15th anniversary of our awareness day that recognizes the education, skills, commitment and dedication of Early Childhood Educators (ECEs) and child care staff, and each year is proclaimed by municipalities and school boards across Ontario.

The Ontario Coalition for Better Child Care (OCBCC), the Canadian Union of Public Employees (CUPE) and other labour and community partners are asking that **Thursday, October 8, 2015**, be proclaimed as **Child Care Worker & Early Childhood Educator Appreciation Day** in accordance with the attached resolution.

Many groups are recognized by way of municipal resolution. Such a day allows us to acknowledge the important contributions of child care workers and ECEs. Our children, families and communities benefit from the work of child care workers and ECEs. *Child Care Worker & Early Childhood Educator Appreciation Day* allows us to highlight the important work of these professionals.

Even if your council does not issue official proclamations, there are many ways for your municipality to participate in this special day. Your council could sponsor a public announcement, display our posters and distribute our buttons. Many municipalities also organize events and contests for the day or have councilors or the mayor participate in events hosted by child care centres within the municipality. A list of ideas and examples is attached.

We would like to acknowledge those municipalities celebrating child care workers and ECEs across Ontario on October 8th, 2015. Let us know whether your municipality is participating in the recognition day and we will add your municipality to our list of proclamations. Please direct any correspondence on proclamations and/or celebration activities to the attention of Lori-Ann Tanzola, by mail: CUPE, 80 Commerce Valley Drive East, Markham, Ontario, L3T 0B2 or by fax at 905-739-4001.

Thank you for your consideration.

In solidarity,

Fred Hahn
 President, CUPE Ontario Division

Sheila Olan-Maclean
 President, OCBCC

cc: CMSMs/DSSABs

us:cope491

15th Annual Child Care Worker & Early Childhood Educator Appreciation Day

October 8, 2015

Resolution

Whereas years of research confirms the benefits of high quality child care for young children's intellectual, emotional, social and physical development and later life outcomes; and

Whereas child care promotes the well-being of children and responds to the needs of parents, child care workers and the broader community by supporting quality of life so that citizens can fully participate in and contribute to the economic and social life of their community; and

Whereas Many studies show trained and knowledgeable Early Childhood Educators and child care staff are the most important element in quality child care, and that good wages and working conditions are associated with higher job satisfaction and morale, lower staff turnover which leads to high quality education and care;

Therefore Be It Resolved that October 8, 2015 be designated the 15th annual "Child Care Worker & Early Childhood Educator Appreciation Day" in recognition of the education, dedication and commitment of child care workers to children, their families and quality of life of the community.



Queen's York Rangers 2799 Army Cadet Corps

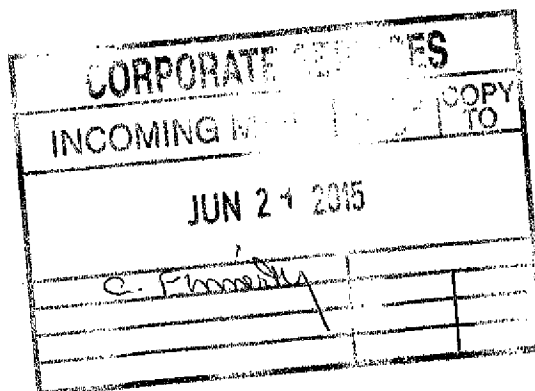
MOB 1.002

John Graves Simcoe Armoury
c/o 6-14845 Yonge St. Suite 363
Aurora, Ontario L4G 6H8
T (905) 726-8600 F (905) 726-8660
Email 2799army@cadets.gc.ca

VIA FACSIMILE
(905) 953-5100

June 24th, 2015

Mr. Andrew Brouwer
Town Clerk
Town of Newmarket
395 Mulock Drive
PO Box 328
Newmarket, ON L3Y 4X7



Dear Mr. Brouwer,

RE: PERMISSION FOR TAGGING FUNDRAISING

I write to you on behalf of the Queen's York Rangers 2799 Army Cadet Corps to request permission to conduct tagging in the Town of Newmarket on **Saturday September 19th and Sunday September 20th, 2015.**

With the retailers' permission cadets would be stationed at the entrance and exits of retail outlets in the Town of Newmarket to solicit donations for the corps.

Many of the cadets are residents of the Town of Newmarket and we hope our presence will not only serve as a fundraising activity but also promote interest in joining the Corps.

The Cadet Program takes young adults and teaches them how to be fair and responsible leaders. Cadets' benefit from increased self-confidence, physical fitness, learning how to take initiative, and how to make decisions. Cadets are encouraged to become active, responsible members of their communities. They learn valuable life and work skills including teamwork, leadership, and citizenship.

Please confirm your consent in writing either by post or email to the above address at your earliest convenience.

If you require further information or have any questions, I can be reached directly at 905-841-1778.

Thank you for your support and consideration.

Sincerely,

Andrea McKechnie
Support Committee – Tagging Coordinator
Queen's York Rangers 2799 Army Cadet Corps

Friday, March 27, 2015 at 10:00 AM
Community Centre - 200 Doug Duncan Drive

The meeting of the Newmarket Downtown Development Sub-Committee was held on Friday, March 27, 2015 in Community Centre - 200 Doug Duncan Drive, Newmarket.

Members Present: Jackie Playter
Barbara Leibel
Councillor Sponga
Steve Whitfield

Staff Present: C. Kallio, Economic Development Officer
C. Wackett, Corporate Project Consultant
L. Moor, Council/Committee Coordinator

The meeting was called to order at 10:05 a.m.

Jackie Playter in the Chair.

Additions

None.

Declarations of Interest

None.

Approval of Minutes

1. Newmarket Downtown Development Subcommittee Minutes of January 30, 2015.

Moved by: Steve Whitfield
Seconded by: Councillor Sponga

THAT the Newmarket Downtown Development Subcommittee Minutes of January 30, 2015 be approved.

Carried

Items

**2. NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES
MARCH 27, 2015 – ITEM 2 – FINANCIAL INCENTIVES PROGRAM
APPLICATION 2014-08 – MULTIPLE – 201 MAIN STREET**

The Economic Development Officer provided a verbal update regarding the details associated with Financial Incentives Program Application 2014-08 for the property known as 201 Main Street. Discussion ensued with respect to the building and owner versus tenant responsibilities for upgrades.

Moved by: Councillor Sponga
Seconded by: Barbara Leibel

1. THAT the Interior Renovation and Improvement Program Grant Application 2014-08 in the amount of \$15,000 be approved;
2. AND THAT the Planning and Building Fees Rebate/Credit Program Grant Application 2014-08 in the amount of \$150.59 be approved;
3. AND THAT the Business Sign Program Grant Application 2014-08 in the amount of \$2,500.00 be approved;
4. AND THAT the Façade Improvement and Restoration Program Grant Application 2014-08 in the amount of \$20,000.00 be approved;
5. AND THAT Como Coffee Inc., 11 Lewis Honey Drive, Aurora, ON L4G 0J4 be notified of this action.

Carried

**3. NEWMARKET DOWNTOWN DEVELOPMENT SUBCOMMITTEE MINUTES
MARCH 27, 2015 – ITEM 3 – FINANCIAL INCENTIVES PROGRAM APPLICATION
2015-06 – INTERIOR RENOVATION AND IMPROVEMENT PROGRAM
201 MAIN STREET**

The Economic Development Officer provided a verbal update regarding Financial Incentives Program Application 2015-06 for the property known as 201 Main Street. He advised that the owner of the building has agreed to fund a portion of the interior improvements required by the Town of Newmarket being structural support and fire alarm installation. Discussion ensued regarding past funding history and remaining 2015 budget.

Moved by: Councillor Sponga
 Seconded by: Barbara Leibel

1. THAT the Interior Renovation and Improvement Program Grant Application 2015-06 in the amount of \$15,000.00 be denied;
2. AND THAT Zen Trinity Properties Inc., 187 Main Street South, P.O. Box 208, Newmarket, ON L3Y 3Y9 be notified of this action.

Carried

New Business

None.

Adjournment

Moved by: Steve Whitfield
 Seconded by: Barbara Leibel

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 10:59 a.m.

June 26, 2015
 Date

Jackie Playter
 Jackie Playter, Chair



Town of Newmarket MINUTES

MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT

Tuesday, April 21, 2015 at 7:30 PM
Community Centre - 200 Doug Duncan Drive

The meeting of the Main Street District Business Improvement Area was held on Tuesday, April 21, 2015 in the Community Centre - 200 Doug Duncan Drive, Newmarket.

Members Present: Elizabeth Buslovich
Anne Martin
Olga Paiva
Carmina Pereira
Jackie Playter
Rory Rodrigo
Councillor Sponga
Siegfried Wall (7:38 to 9:36 p.m.)
Glenn Wilson

Staff Present: Chris Kallio, Economic Development Officer
Linda Moor, Council/Committee Coordinator
Ted Horton, AMCTO Intern

Guests: Mayor Van Bynen, Councillor Hempen, Anne Robins, Debbie Hill, Judit Szamosszegi, Janet Walker, Chris Sorley, Ken Sparks, Heather Burling, Thomas Doer

The meeting was called to order at 7:37 p.m.

Glenn Wilson in the Chair.

Additions and Corrections to the Agenda

The Chair advised that the presentation listed on the agenda from representatives of Metroland/Era Publication has been re-scheduled to the May 19, 2015 meeting.

The Economic Development Officer advised of an addition to the agenda being a request to permit a film on Main Street. He also advised that he would provide a financial update.

The Chair advised that the patios on Main Street matter would be considered after the approval of the minutes portion of the agenda.

Disclosure of Pecuniary Interests

None.

Approval of Minutes

1. Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015.

Moved by: Elizabeth Buslovich

Seconded by: Carmina Pereira

THAT the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 be approved.

Carried

2. Main Street District Business Improvement Area Marketing Sub-Committee Minutes of April 1 and April 8, 2015.

Moved by: Olga Paiva

Seconded by: Rory Rodrigo

THAT the Main Street District Business Improvement Area Marketing Sub-Committee Minutes of April 1 and April 8, 2015 be received.

Carried

Items

3. Outdoor Patios on Main Street.

Councillor Sponga provided information related to the proposed pilot project for outdoor patios on Main Street. The Economic Development Officer provided information regarding the proposed application process for business owners on Main Street who may wish to participate in the outdoor patio pilot project. He advised that if the Main Street District Business Improvement Area Board of Management supports the concept of the pilot project, a report would be considered at the May 4, 2015 Committee of the Whole meeting with subsequent adoption at the May 11, 2015 Council meeting.

Discussion ensued regarding the design principles associated with potential outdoor patio applications. Further discussion ensued regarding parking issues, enforcement challenges and sidewalk encroachment by proposed outdoor patios.

Moved by: Jackie Playter
Seconded by: Rory Rodrigo

THAT the proposed outdoor patio pilot project for Main Street be approved by the Main Street District Business Improvement Area Board of Management for the 2015 summer season;

AND THAT the outdoor patio pilot project include criteria for a 10:00 p.m. noise cut-off time;

AND THAT these recommendations be submitted to Council for formal adoption.

Carried

A suggestion was made for a broader encouragement of non-intrusive outdoor business use of the sidewalk and boulevard where possible to make the outdoor patio option inclusive for any business owner who wished to take advantage of the opportunity. The Chair advised that this suggestion would be further reviewed for feasibility.

4. Ontario Business Improvement Area Association (OBIAA) Membership.

The Economic Development Officer advised of an outstanding invoice for OBIAA membership fee in the amount of \$231.65.

Moved by: Olga Paiva
Seconded by: Rory Rodrigo

THAT the invoice in the amount of \$231.65 for Ontario Business Improvement Area Association membership fee be paid.

Carried

5. Canada Day Budget.

The Chair advised that the Canada Day festivities budget discussion is deferred to a meeting closer to the celebration date.

6. Car Show Event Update.

Jackie Playter provided a verbal status update regarding the Car Show event scheduled for June 27, 2015.

7. Petty Cash/Financial Update.

The Economic Development Officer provided a verbal financial update of the Board expenditures to date and queried the status of the advertising invoices. The Chair advised that all print advertising has been cancelled.

8. Marketing Committee Report.

Elizabeth Buslovich provided a verbal update regarding the Marketing Sub-committee plans. She advised that members of the sub-committee have met to familiarize themselves with previous Main Street events. She advised that she will be contacting vendors in the next two weeks seeking interest in selling wares at the Canada Day celebrations.

9. Officers Liability Insurance Renewal.

The Economic Development Officer provided a verbal update regarding the liability renewal insurance quotation received by the Town's Claims & Risk Analyst for the Main Street District Business Improvement Area Board of Management members.

Moved by: Jackie Playter
Seconded by Anne Martin

THAT the invoice in the amount of \$972.00 for renewal liability insurance for the Main Street District Business Improvement Area Board of Management members be paid.

Carried

New Business

- a) The Economic Development Officer provided a verbal update regarding a recent film permit application for a SUBWAY commercial on Main Street between Park Avenue and Water Street on May 1, 2015.

Moved by: Jackie Playter
 Seconded by: Siegfried Wall

THAT the film permit application for the SUBWAY commercial on May 1, 2015 be approved;

AND THAT the Main Street District Business Improvement Area Board of Management requests a contribution of \$1,000.

Carried

Discussion ensued regarding persistent parking issues and owners/tenants utilizing the available parking. The Chair advised that parking matters on Main Street have been has been deliberated for many years and the desire for a resolve is shared by all.

Adjournment

Moved by: Carmina Pereira
 Seconded by: Elizabeth Buslovich

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:36 p.m.

Date

Glenn Wilson, Chair

Tuesday, May 19, 2015 at 7:30 PM
Just Brunch, 209 Main Street

The meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday May 19, 2015 at Just Brunch, 209 Main Street.

Members Present: Anne Martin
Olga Paiva
Carmina Pereira
Jackie Playter
Rory Rodrigo
Councillor Sponga
Glenn Wilson, Chair
Elizabeth Buslovich (7:38 to 9:32 p.m.)
Siegfried Wall (7:45 to 9:35 p.m.)

Staff Present: Chris Kallio, Economic Development Officer
Linda Moor, Council/Committee Coordinator

Guests: Mr. Matt Monfaredi, Metroland Publishing
Ms. Jennifer Kopacz, Metroland Publishing
Mr. Jordan Mann, Metroland Publishing

The meeting was called to order at 7:31 p.m.

Glenn Wilson in the Chair.

Additions and Corrections to the Agenda

None.

Disclosure of Pecuniary Interests

None.

Presentation

1. The Chair introduced Mr. Matt Monfaredi, Ms. Jennifer Kopacz and Mr. Jordan Mann of Metroland/Era publication who addressed the Board with a PowerPoint presentation highlighting specifics related to print advertising and social media options. Ms. Kopacz distributed copies of splash advertising examples.

Moved by: Jackie Playter
 Seconded by: Anne Martin

THAT the print advertising options presentation by representatives of Metroland/Era Publication be received.

Carried

Approval of Minutes

2. Main Street District Business Improvement Area Board of Management Minutes of April 21, 2015.

Moved by: Carmina Pereira
 Seconded by: Jackie Playter

THAT the Main Street District Business Improvement Area Board of Management Minutes of April 21, 2015 be approved.

Carried

Items

3. Main Street District Business Improvement Area Marketing Sub-committee Minutes.

Moved by: Elizabeth Buslovich
 Seconded by: Siegfried Wall

THAT the Main Street District Business Improvement Area Marketing Sub-committee Minutes be received.

Carried

4. Financial Update Report.

The Economic Development Officer provided a verbal financial update and advised the current account balance is approximately \$26,500.

Discussion ensued regarding the 2014 funds committed to Glen Cedar Public School from the Guitar Extravaganza event held at the 2014 Jazz Festival. Jackie Playter advised she would investigate the status of the funding commitment and follow-up.

5. Canada Day Budget Discussion.

The Chair circulated a budget outline of \$5,000 for the Canada Day festivities.

Moved by: Olga Paiva
Seconded by: Elizabeth Buslovich

THAT a cheque request be submitted to the Economic Development Officer for the amount of \$5,000 in order to proceed with the Canada Day festivities.

Carried

6. Car Show Event.

The Chair provided a verbal update regarding the Car Show event scheduled for June 27, 2015.

Discussion ensued regarding sending notice to area businesses requesting that their clients and deliveries utilize the rear entries as the road will be closed to vehicular traffic on that day. The Chair further advised that a notice will be sent out to the affected business owners and the cost of pay-duty officers should be explored.

7. Marketing Committee Update.

Discussion ensued regarding the Marketing Sub-committee membership. The Chair, in his capacity as ex-officio appointed himself as Chair of the Marketing Sub-committee.

8. Film Permit Review

Discussion ensued regarding communication oversights that occurred with the last commercial film shoot held on Main Street on May 1, 2015. Councillor Sponga advised that he would be bringing forward a motion to the next scheduled Committee of the Whole meeting requesting staff to review the film permit process.

9. Parking.

Discussion ensued regarding Main Street parking challenges. Councillor Sponga provided a verbal update regarding the upcoming completion of the Old Town Hall construction which would free up the Market Square parking lot. He further advised that the Downtown Parking Review Task Force has not been reinstated however that a technical staff task force has been instituted. The Chair suggested that consideration be given to implementation of permit parking for residents.

Moved by: Councillor Sponga
 Seconded by: Jackie Playter

THAT the feasibility of Main Street area permit parking be reviewed.

Carried

10. Patio Proposal Application Status Update.

The Economic Development Officer advised that one application has been received by Hungry Brew Hops for an outdoor patio.

Elizabeth Buslovich left the meeting at 9:22 p.m.

11. Lower Main Street Heritage Advisory Group Representation.

Moved by: Rory Rodrigo
 Seconded by: Siegfried Wall

THAT Mr. Glenn Wilson be the Main Street District Business Improvement Area Board of Management representative on the Lower Main Street Heritage Advisory Group.

Carried

New Business

- a) Jackie Playter advised that organizers of the Soap Box Derby are requesting a Main Street event; however there are insurance requirements and the organizers have funding limitations. Councillor Sponga advised he will speak to the Town's Insurance and Risk Analyst regarding same.

Adjournment

Moved by: Carmina Pereira
 Seconded by: Siegfried Wall

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:35 p.m.

Date

June 16/2015

Glenn Wilson, Chair



Town of Newmarket
MINUTES

**MAIN STREET DISTRICT
BUSINESS IMPROVEMENT
AREA**

Tuesday, June 16, 2015 at 7:30 PM
Community Centre - 200 Doug Duncan Drive
- Hall #2

The meeting of the Main Street District Business Improvement Area was held on Tuesday, June 16, 2015 in Community Centre - 200 Doug Duncan Drive - Hall #2, 395 Mulock Drive, Newmarket.

Members Present: Councillor Sponga (7:45 to 10:06 p.m.)
Glenn Wilson, Chair
Elizabeth Buslovich
Anne Martin
Olga Paiva
Carmina Pereira
Jackie Playter
Rory Rodrigo
Siegfried Wall

Staff Present: Chris Kallio, Economic Development Officer
Chrisanne Finnerty, Council/Committee Coordinator

Guests: Mr. David Robinson, Newmarket Jazz Festival
Ms. Sher St. Kitts, Newmarket Jazz Festival
Elizabeth Hempen

The meeting was called to order at 7:36 p.m.

Glenn Wilson in the Chair.

Additions and Corrections to the Agenda

None.

Declarations of Pecuniary Interest

None.

Approval of Minutes

1. Main Street District Business Improvement Area Board of Management Minutes of May 19, 2015.

Moved by: Jackie Playter
Seconded by: Olga Paiva

THAT the Main Street District Business Improvement Area Board of Management Minutes of May 19, 2015 be approved.

Carried

2. Receipt of Marketing Sub-committee Meeting Minutes.

Discussion ensued regarding the advertising expense associated with the Canada Day advertisement and justification for the expenditure.

Moved by: Jackie Playter
Seconded by: Rory Rodrigo

THAT the Marketing Sub-committee Meeting Minutes of June 10, 2015 be received.

Carried

3. Item 1 of the Marketing Sub-committee Meeting Minutes being Canada Day Advertising.

Moved by: Olga Paiva
Seconded by: Elizabeth Buslovich

THAT the BIA Board of Management approve an expense of \$2,904.10 for Canada Day advertising in the Era.

Carried

Presentation

3. Mr. David Robinson, Director and Ms. Sher St. Kitts, General Manager, Newmarket Jazz Festival addressed the Committee with a verbal presentation regarding the Newmarket Jazz Festival. Mr. Robinson summarized ticket prices and early bird incentives, advertising methods, partnership opportunities and performers. Ms. St. Kitts requested the Board's support to increase attendance on Friday evening and advised that this year's event will have a 'Chill Lounge' catered to the teen age group each night and a kids area during the day. She further advised of advertising and sponsorship opportunities for the BIA. Discussion ensued regarding the main gate location, opportunities for the BIA to promote Main Street, including art installations and vendors. Discussion of alternative treatments for Main Street during the festival was referred to the Marketing Subcommittee.

Moved by: Siegfried Wall
 Seconded by: Carmina Pereira

THAT the presentation by Mr. David Robinson, Director and Ms. Sher St. Kitts, General Manager, Newmarket Jazz Festival be received.

Carried

Financial Report

4. Verbal Financial Update Report.

The Economic Development Officer provided a verbal financial update and advised that the current account balance is approximately \$21,640.00, which is not inclusive to Canada Day advertising expenses.

Moved by: Rory Rodrigo
 Seconded by: Elizabeth Buslovich

THAT the verbal financial update by the Economic Development Officer be received.

Carried

Items

5. Canada Day Festivities Update.

Elizabeth Buslovich provided a verbal update regarding the Canada Day festivities, including plans for the kids zone, music, and stage tents. Discussion ensued regarding street closures, paid duty Police Officers and police presence at the event, including regular street patrols and the BIA food drive at the festival.

Moved by: Elizabeth Buslovich

Seconded by: Olga Paiva

THAT the verbal update regarding Canada Day festivities be received.

Carried

6. Car Show Event - June 27, 2015 Update.

Olga Paiva provided a verbal update regarding the Car Show Event. Discussion ensued regarding the feasibility of advertising on the electronic sign at Riverwalk Commons.

New Business

- a) The Chair introduced Ms. Elizabeth Hempen and advised that she has some concerns related to noise from Main Street businesses, particularly the bars. Discussion ensued regarding complaint filing and enforcement mechanisms.
- b) Ms. Elizabeth Hempen advised that the Newmarket Public Library parking lot has been incorrectly identified as Market Square. Councillor Sponga advised that there may be an opportunity to rename a parking lot in honour of a local resident should there be support for such an initiative.
- c) Councillor Sponga advised that the Newmarket Downtown Parking Task Force met to discuss wayfinding signage. Funds have been allocated to the project, however it is currently on hold pending discussion by the BIA Board on the matter. The Newmarket Downtown Parking Task Force will be meeting again on June 24, 2015 to discuss the matter. Discussion ensued regarding wayfinding signage, parking limitations on Main Street, dissolution of the Newmarket Downtown Parking Task Force and options for reviewing the signage options. It was determined that a Special BIA meeting would be held in order to review the Wayfinding Signage Report in advance of the next Newmarket Downtown Parking Task Force meeting.

- d) Councillor Sponga provided a verbal update regarding the proposed Clocktower development. Discussion ensued regarding parking allocations, business rentals and the condition of the site.

Closed Session

The Chair advised that there was no requirement for a Closed Session.

Adjournment

Moved by: Rory Rodrigo
Seconded by: Councillor Sponga

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 10:06 p.m.

Date

Glenn Wilson, Chair

Tuesday, June 23, 2015 at 7:30 PM
Canada T - 255 Main Street South

The meeting of the Main Street District Business Improvement Area was held on Tuesday, June 23, 2015 at Canada T - 255 Main Street South, Newmarket.

Members Present: Councillor Sponga
Glenn Wilson, Chair
Elizabeth Buslovich
Anne Martin
Olga Paiva
Carmina Pereira
Jackie Playter
Rory Rodrigo (7:47 to 9:35 p.m.)
Siegfried Wall

Staff Present: Chrisanne Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:47 p.m.

Glenn Wilson in the Chair.

Additions & Corrections to the Agenda

The Chair advised that Item 2 – Discussion regarding renaming the parking lot at Old Town Hall was no longer required.

Declarations of Pecuniary Interest

None.

Items

1. Review of Downtown Newmarket Parking Wayfinding Initial Assessment Report and selection of preferred option.

Discussion ensued regarding the options presented in the Downtown Newmarket Parking Wayfinding Initial Assessment report, cost associated with the real-time parking systems, signage options, future parking considerations in the downtown area, parking concerns, budget and overall cost for the signage implementation, advertising mechanisms, parking time limit enforcement mechanisms, and consideration of locations of signs in advance of decision points.

Moved by: Carmina Pereira
 Seconded by: Rory Rodrigo

THAT the Main Street District Business Improvement Area Board of Management support the parking wayfinding initiative;

AND THAT the Main Street District Business Improvement Area Board of Management request a meeting with Engineering staff in order to develop a parking wayfinding strategy.

Carried

Adjournment

Moved by: Councillor Sponga
 Seconded by: Elizabeth Buslovich

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:56 p.m.

Date

Glenn Wilson, Chair



Mike Mayes, Director
Financial Services/Treasurer

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

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

August 20, 2015

CORPORATE SERVICES REPORT - FINANCIAL SERVICES-2015-19

TO: Mayor Tony Van Bynen and Members of Council
Committee of the Whole
SUBJECT: Delegation of Authority with Respect to Property Assessment and Collection of Taxes
ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATIONS:

THAT Corporate Services Report - Financial Services – 2015-19 dated August 20, 2015 regarding the Delegation of Authority with Respect to Property Assessment and the Collection of Taxes be received and the following recommendations be adopted:

1. **THAT Council delegate authority to initiate and file notices of assessment appeal, for any property in the Town of Newmarket, with the Assessment Review Board from time to time, to the Treasurer or his designate;**
2. **THAT Council delegate authority to withdraw any appeal filed by the Town of Newmarket, should it be determined that it is not in the Town's best interest to proceed, to the Treasurer or his designate;**
3. **THAT Council delegate authority to attend before the Assessment Review Board on property tax or assessment matters as a party to all appeals whether filed by the Town of Newmarket or another person, entity or agent, to the Treasurer or his designate;**
4. **THAT Council delegate authority to execute settlement agreements, on behalf of the Town of Newmarket, reached in the course of a taxation or property assessment appeal, to the Treasurer or his designate;**
5. **AND THAT the delegation by-law be updated to reflect these items of delegated authority.**

COMMENTS

Purpose

The purpose of this report is for Council to delegate the municipality's authority for the collection of property taxes and the related assessment maintenance to the Treasurer, which then allows the Treasurer to delegate specific authorities to any other person, in this case, Grace L. Marsh, Supervisor, Property Tax and Assessment.

Budget Impact

There is no immediate budgetary impact to this delegation, however, there should be a positive impact realized as new processes are implemented that will reduce the Town's costs for outside assistance.

Background

Sections 39 and 40 of the *Assessment Act* allows that any person, including a municipality, may appeal to the Municipal Property Assessment Corporation (MPAC) or the Assessment Review Board (ARB), that a property assessment may be too high, too low, wrongly classified or omitted from the assessment roll. The delegation of the authority for staff to perform the tasks associated with these appeals, and the related collection of property taxes, will allow them to be performed in an efficient and expedient manner.

The Town has an assessment base of over \$14 billion. This base must be managed to ensure that property tax is levied and collected in a fair and equitable way. This base is challenged every year through property assessment and property tax appeals. More details have been provided to Council through Financial Services Information Report 2015-18, Pro-Active Assessment Management (report available on-line or hard copies upon request)

Section 23.1 of the *Municipal Act*, requires that a by-law must be enacted for Council to delegate its' authorities to staff, and section 286 of the *Municipal Act* allows that Council may permit the Treasurer to delegate his authority related to the collection of taxes.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Under the theme of Efficiency / Financial Management, Council has set the priority of ensuring effective and efficient services. The delegation of authority with respect to property assessment and collection of taxes is a part of the plan for Proactive Assessment Management, a key component in the Financial Services departmental goal to establish a sustainable financial strategy to support the Council priority.

CONSULTATION

Consultation was undertaken with other municipalities within the GTA and it was determined that these delegations are common practice. The language and structure of the by-law and report have been reviewed by the Clerk's Office.

HUMAN RESOURCE CONSIDERATIONS

Staffing levels are not impacted as a result of the recommendations in this report; however, this delegation of authority will allow the Finance Department to fully utilize the qualifications and skills available in the Supervisor of Property Tax & Assessment and the Property Assessment Analyst positions.

BUDGET IMPACT

Operating Budget (Current and Future)

There will be no immediate impact on the operating budget for 2015 or 2016, however, the 2017 and beyond operating budget could see a reduced allowance for outside consultations with experts in property tax and assessment.

Capital Budget

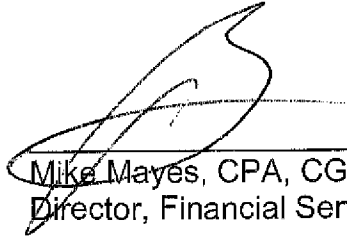
There are no capital budget impacts.

CONTACT

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



Grace L. Marsh
Supervisor, Property Tax & Assessment



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



Anita Moore, AMCT
Commissioner, Corporate Services

GM/nh



**Mike Mayes, Director
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August 20, 2015

JOINT CORPORATE SERVICES/DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT - FINANCIAL SERVICES – 2015-42

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

SUBJECT: Stormwater Management Rate

ORIGIN: MFIP Intern

RECOMMENDATIONS

THAT Financial Services Report - 2015-42 dated August 20, 2015 regarding the Stormwater Management Rate be received and the following recommendations be adopted:

- 1. THAT staff be directed to inform and consult with the public regarding the potential of establishing a stormwater management rate;**
- 2. AND THAT staff report back on the feedback received in January, 2016.**

COMMENTS

Purpose

This report builds on past reports, provides further analysis, and provides steps to move forward on exploring the establishment of a stormwater management rate. This rate will provide a sustainable financing source for the maintenance and replacement of our stormwater infrastructure.

Budget Impact

While some of the work required to establish the rate can be absorbed by current staff, additional resources will be required to enable the introduction of the stormwater management rate. This item will be proposed in the 2016 budget.

Summary

A user rate will help fund the three major drivers for cost increases which are aging infrastructure, changing regulatory requirements and design standards, and climate change. The next step in the implementation of a stormwater management rate is community consultation.

BACKGROUND

This report provides an update to the Information Report 2012-14 (the report is available on the Town's website and hardcopies are available upon request) and relates to Council direction to establish a stormwater management rate to support the service's operations.

The establishment of a stormwater management rate was set as a priority in the 2009 Service Delivery Review. As the Capital Financing Sustainability Strategy report has been completed and is being implemented and the Comprehensive Stormwater Master Plan is being developed, this report builds on past reports, provides further analysis, and provides steps to move forward on exploring the establishment a stormwater management rate.

Description and Account of Stormwater Management

The Town is responsible for the planning, design, construction, maintenance, inspections, renewal, and rehabilitation of its stormwater management system.

Stormwater runoff is generated when precipitation from rain and snowmelt events flow over land or impervious surfaces and does not percolate into the ground. As the runoff flows over the land or impervious surfaces (paved streets, parking lots, and building rooftops), it accumulates debris, chemicals, sediment or other pollutants that could adversely affect water quality of our rivers and lakes. Greater levels of stormwater runoff also increase the risks of flooding.

To reduce the negative effects of stormwater runoff, municipalities offer a stormwater management service. Stormwater management refers to building and maintaining structural or engineered control devices and systems such as storm sewers and retention ponds. It also includes operational or procedural practices such as street sweeping and catch basin cleaning. For an overview of the assets the Town manages with respect to stormwater management, refer to Table 1 for the historical cost of our assets as of December 31, 2014.

Table 1: Stormwater Management Asset Inventory

Asset Name	Estimated Quantity	Unit of Measure	Historical Cost
Real Assets			
Land	130	Acres	\$ 12,264,376
Pipe Assets			
Storm Sewers	225	Kilometres	\$ 66,922,601
Catch Basins	7,278	Number	
Stormwater Manholes	3,450	Number	
Outlets to receiving waters	355	Number	
Pond Assets			
Stormwater Management Facilities	53	Number	\$ 9,847,092
Watercourse Assets			
Watercourses, streams, rivers, and creeks	55	Kilometres	N/A

The three major drivers for cost increases are aging infrastructure, changing regulatory requirements and design standards, and climate change.

The following subsections will describe the challenges the Town faces with respect to the three major cost drivers for our stormwater management system.

Aging Infrastructure

Contributions to the stormwater asset replacement fund need to increase in order to fund the replacement of aging assets in the short and long term.

The Town's *Capital Financing Sustainability Strategy* outlines our stormwater capital financing needs over the next half century. According to the strategy, the Town requires asset replacement fund contributions of \$1.56 million per year to ensure that our assets are able to provide for the current service level. Refer to Table 2 to see the replacement value of assets and when assets are recommended to be replaced based on their expected useful life. Staff will expand the Town's Asset Management Plan to better understand the financing needs of the stormwater management service.

Table 2: Stormwater Projected Asset Replacement Costs.

Projected Replacement	Replacement Value	Percentage
1-10 Years	\$ 17,017,100	15%
11-20 Years	\$3,992,900	4%
21 - 30 Years	\$ -	0%
31 - 40 Years	\$ 219,300	0%
41 - 50 Years	\$ 1,670,400	1%
51 + Years	\$ 90,939,100	80%
Total	\$ 113,839,000	100%

Regulatory Requirements and Design Standards

The Town is developing a comprehensive stormwater management master plan as per the regulatory requirements outlined in the Lake Simcoe Protection Act (LSPA).

Stormwater runoff containing phosphorus from both urban and rural sources has upset Lake Simcoe's ecosystem. The runoff has fostered excessive aquatic plant growth, raised water temperatures and decreased oxygen levels, thereby rendering limited breeding grounds for wildlife inhospitable.

Consequently, the Town is developing a comprehensive stormwater master plan to explore various ways to reduce phosphorus levels in runoff within its study area in compliance with Lake Simcoe Region Conservation Authority's guidelines. To execute the stormwater master plan, additional funds for capital investment and operations will be required.

Climate Change

Local governments face legal and liability risks relating to stormwater management and climate change.

Municipalities across Ontario are experiencing more intense and frequent extreme weather events due to climate change. According to the Insurance Bureau of Canada, fire was once the leading cause of property insurance claims in Canada. Now, water and wind damage caused by severe weather are the top concern.

As a result of the increased flooding, some Ontario residents face higher insurance premiums, lower property values, and/or flooding damage that is not covered by their insurance companies. In certain cases, residents are looking beyond their insurer to recover flood-related costs; instead, they are launching lawsuits against the governments responsible for stormwater management.

In 2010, the City of Stratford paid \$7.7 million to settle a class action lawsuit brought on by residents who were flooded in a 2002 storm. This sum is in addition to \$1.3 million that Stratford paid to residents in emergency compensation after the flooding took place. Furthermore, the City of Mississauga and City of Thunder Bay are currently defending a class action lawsuit for damages to private homeowners as a result of floods.

The desired service level of stormwater management cannot be met at the current funding level.

Over the past 5 years, the Town spent \$402,000 per year on average on stormwater management related costs. This spending includes both operating costs and capital costs. With the additional resources needed for asset replacement fund contributions, phosphorus runoff mitigation, and flood control upgrades, the desired level of stormwater management cannot be met at the current funding level. With an update of the *Asset Management Plan* to include stormwater management assets and the implementation of multi-year budgeting, the financial needs will be determined in 2016.

Table 3: Stormwater Management Costs over the Past Five Year Period

Year	2010	2011	2012	2013	2014	Average
Expenditure	\$573,143	\$236,698	\$198,547	\$758,600	\$242,045	\$401,807

ANALYSIS

In order to fund the stormwater infrastructure, the Town should establish a stormwater management rate.

A stormwater management rate helps municipalities sufficiently and equitably fund their stormwater management system.

The *Capital Financing Sustainability Strategy* recommends establishing a stormwater management rate. The motivation for their recommendation is that "Many municipalities have

found it a challenge to reach the required funding levels for stormwater infrastructure, since it is often competing for funding with recreation facilities, roads and other services that are more visible to the public. Rate based stormwater management funding can offer a more stable and dedicated funding source.”

The principles for establishing the stormwater management rate should mirror the principles established for the water and wastewater utility rates.

With the Financial Report 2014-36 (report available on the Town’s website and hardcopies are available upon request), Council adopted the principles of determining the water rate. The following guiding principles are adapted from the water rate principles to be appropriate stormwater rate principles.

1. Fairness and Equity - Rates should reflect each customer's fair share of the costs of controlling and treating stormwater runoff.
2. Water Resource Management - Stormwater rates should be structured to encourage customers to maintain the natural quantity and quality of runoff. This will ensure that customers will be better protected from flooding and the natural waterways will be safe and clean.
3. Simplicity - Customers’ bills should be predictable and easy to understand. The rate should also be simple to administer in order to keep Town costs low.
4. Financial Sustainability - Stormwater should receive no funding from property taxes. Rates must fund all necessary investments and operating costs with respect to stormwater management. These investments allow the Town of Newmarket to expand, operate and maintain a reliable stormwater management system.

Legal Considerations

Under the authority of the *Municipal Act, 2001* the Town has authority to pass a “Fees and Charges” By-law for the purpose of funding stormwater management. As such, tax exempt property owners would be required to pay the stormwater management fee, just as tax exempt properties pay for water and wastewater services. Tax exempt properties include education institutions, philanthropic organizations, churches and long-term care homes.

In order for government revenue sources to be considered a user fee, there must be a rational nexus between the amount of the fee and the cost the user imposes on the government. Therefore, there must be sufficient correlation between the level of runoff from a property and the fee the property owner pays.

Based on these principles, this report explores four options for collecting the required revenue to support the Town's stormwater management system.

Option 1: Status Quo

The status quo means of funding the stormwater management system is through property taxes. As experience has shown, taxes provide an insufficient level of funding because stormwater management projects compete for funding against projects that are more visible to the public. This option has low administration costs; however it is not a sustainable option as a greater level of funding is required in the short and long term. This option does not meet the financial sustainability principle.

Option 2: Flat Rate

In a flat rate system, properties are charged the average costs of servicing their property class with stormwater management. With this system, all residential properties pay one rate and non-residential properties pay another rate. This option has an initial startup and ongoing maintenance costs. It would offer stable and predictable funding for the stormwater management system. However, it is not fair and equitable as a small shop would pay the same fee as a large retail complex.

Option 3: Prorated Rate

In a prorated rate system, properties are charged based upon their individual level of expected water runoff. To determine the level of expected runoff, geographic information system (GIS) software is used to determine the impervious areas of each property. Once the impervious area is determined, the runoff factor is determined using calculations established from the Town's engineering standards. This option is the most complex administratively but offers the greatest incentive to reduce runoff.

Option 4: Tiered Rate:

In a tiered rate system, properties are charged based upon total runoff ranges, where higher ranges are charged higher amounts. To determine which tier a property is a part of, the area of the property is multiplied by the runoff factor of its land use to determine the expected runoff level. With the runoff level, the property is sorted into one of the tiers where the range of the runoff is defined and the associated rate is applied.

Recommended Option

This report recommends using the tiered option (Option 4) where the rate system would reflect properties' runoff and best match the Town's current administration capacity.

The recommended option is Option 4. This option would allow for a charge that reflects a property's runoff that best matches the Town's current administration capacity. It also addresses the requirement of a rational nexus between the user rate and the cost the user imposes on the

utility. In the future, it may be advantageous to establish a rebate to encourage best practices of stormwater management to be employed on private properties.

Implementation Strategy

The following is a tentative timeline of milestones for the next steps of stormwater funding:

1. Consultation with the public on the need for a rate and potential rate structures: October-December, 2015.
2. Report back to Council on the feedback received from the public consultation and seek approval for rate structure: January, 2016.
3. Presentation of final rate structure and implementation approval: June, 2016.
4. Public Education on fee roll-out: October-December, 2016.
5. Town-wide stormwater fee billings begin: January, 2017.

COMMUNITY CONSULTATION

Public consultation is recommended to implement a stormwater management rate.

The Town of Newmarket's Financial Services Department will be working closely with the Communications Department to develop a communications plan that will encompass public education and community engagement. Communication tools and tactics will include, but are not limited to:

- Advertisements and Town Page Notices
- Information on the Newmarket website
- Education and awareness through the Town's social media channels
- Public Information Centre/Open Houses
- Newspaper ads in the local newspaper
- Media releases and advisories

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report supports Council's Strategic Priorities by following the theme of "Efficiency / Financial Management" and the specific priority of "Ensuring Effective and Efficient Management" by pursuing a funding source for stormwater management that is reliable, predictable, and fair to ensure the service can continue to be effectively run in the future.

This report supports the Town's Strategic Plan linkages of being "Well-Equipped & Managed" by implementing processes that reflect sound fiscal responsibility; "Well-Planned & Connected" with long-term strategy matched with a short-term action plan; and "Well-Respected" for considering innovative solutions for the future well-being of the Town.

BUDGET IMPACT (Current and Future)

Operating Budget

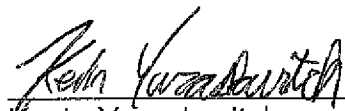
While some of the work required to establish the rate can be absorbed by current staff, additional resources will be required to enable the introduction of the stormwater management rate. This item will be proposed in the 2016 budget.

Capital Budget

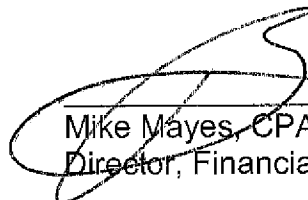
This report has no direct impact on the Town's capital budget, but does propose the development of a sustainable financing source for the maintenance and replacement of our stormwater infrastructure.

CONTACT

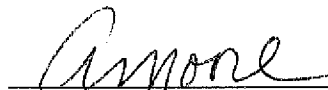
For more information on this report, contact Mike Mayes, Director of Financial Services/Town Treasurer, 905-953-5300, extension 2102 or mmayes@newmarket.ca



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for Christopher Kalimootoo
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August 18, 2015

JOINT CORPORATE SERVICES REPORT - LEGISLATIVE SERVICES AND FINANCIAL SERVICES – 2015-43

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

SUBJECT: 2016 User Fees and Charges – Licensing Fees

ORIGIN: Director, Legislative Services /Town Clerk and Director, Financial Services/Treasurer

RECOMMENDATIONS

THAT Joint Corporate Services Report – Legislative Services and Financial Services – 2015-43 dated August 18, 2015 regarding 2016 User Fees and Charges-Licensing Fees be received and the following recommendations be adopted:

- 1. THAT the attached Schedule “A” marked as the “2016 Legislative Services (Licensing) Fees & Charges” be approved and forwarded to Council for final adoption by by-law;**
- 2. AND THAT the fee adjustments come into full force and effect as of January 1, 2016.**

COMMENTS

Purpose

The purpose of this report is to recommend increases of 3% to the majority of the Licensing Fees for 2016.

Budget Impact

The impact of the proposed increases of 3% to the Licensing Fees is difficult to estimate, as the number of licenses that will be issued in 2016 is unknown.

Summary

Fees and charges are being targeted to increase by 3% on average, resulting from general service cost increases.

Background

All user fees and charges are reviewed annually and adjusted in accordance with the Annual Budget Review Process and application of the Service Pricing Policy.

Based on the Servicing Pricing Policy, Licensing fees fall into either the Community Supported Good or Consumer Good category in the Service Pricing Policy, placing them at a 60 -100% cost recovery.

Legislative Services has increased the majority of the 2016 licensing fees by 3% and over the last year or two have been increasing fees to bring them closer to the 60 - 90% target range. Fees with increases outside the range of 2-4% have been highlighted in the attached schedule. Excluding animal license revenues, at current volumes, the proposed increase is estimated to result in additional revenues of \$10,000.

New fees for fireworks have been introduced to align with the Fireworks Bylaw, which was approved by Council on May 11, 2015.

It is recommended that the following fees be introduced for animal licenses (dogs, cats) in 2016:

2015	RATE	2016	RATE
Purchased prior to March 1 st at the Town Office (includes seniors)	\$25.00	Purchased prior to March 1 st online, at Town Office or Outlets	\$30.00
Purchased after March 1 st at the Town Office or Outlets (includes seniors)	\$30.00	Purchased after March 1 st online, at Town Office or outlets	\$35.00
		Annual Senior's / special rate (online, at Town offices or outlets)	\$30.00
Replacement fee	\$5.00	Replacement fee	\$5.00
Transfer fee (from another Municipality)	\$5.00	Transfer fee (from another Municipality)	\$5.00

Animal license fees assist to offset the cost of animal control and shelter services and have not been increased since 2007. Animal control and animal shelter costs increase annually at an average rate of 4.7 %. In 2015, the Town introduced a convenient online licensing option as well as an incentive program offering discounts from various local businesses in partnership with DocuPet. The online payment option allows for licenses to be purchased throughout the year, enhancing convenience and value for money.

The \$30 senior/special rate allows for staff to offer a lower rate for seniors, persons on fixed incomes, and for licenses purchased prior to a set date.

If volumes remain near or the same as 2014/2015 levels, the impact of the increased fees is estimated to be an additional \$10,000 in animal license revenues.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The adoption of the 2016 Fees and Charges by-law, implementing adjustments to Licensing fees, is in alignment with Council's strategic theme of Efficiency / Financial Management and is a component of a sustainable financial strategy.

COMMUNITY CONSULTATION POLICY

Notice has been given through advertisement on the Town's website and the Town Page of the local newspaper for a two-week period in advance of the public meeting. The statutory public meeting, which will occur as part of the regular Committee of the Whole meeting, is scheduled on August 31, 2015.

BUDGET IMPACT (Current and Future)

Operating Budget

The additional revenue anticipated as a result of the increase in Licensing Fees is difficult to estimate as the number of the licenses that will be issued in 2016 is unknown.

Capital Budget

Not applicable.

CONTACT

For more information on this report, contact Andrew Brouwer, Director of Legislative Services/ Town Clerk, 905-953-5300, extension 2211 or abrouwer@newmarket.ca



Andrew Brouwer
Director, Legislative Services/Town Clerk



Mike Mayes, CPA CGA
Director, Financial Services/Treasurer



Anita Moore, AMCT
Commissioner, Corporate Services

FW/nh

Attachment: Legislative Services – Licensing Fees – Schedule A (4 pgs.)

TOWN OF NEWMARKET
2016 USER FEES
Schedule to Bylaw 2015-xx

DEPARTMENT: Legislative Services - Licensing fees

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	TOTAL FEE	INCREASE
ADULT ENTERTAINMENT PARLOURS						
Owner*	each	N	\$ 561.00	\$ 578.00	\$ 578.00	3%
Owner/Operator*	each	N	\$ 452.00	\$ 465.00	\$ 465.00	3%
Operator*	each	N	\$ 338.00	\$ 348.00	\$ 348.00	3%
Entertainer	each	N	\$ 230.00	\$ 237.00	\$ 237.00	3%
ADULT VIDEOS						
Store*	each	N	\$ 392.00	\$ 404.00	\$ 404.00	3%
Video Tape Store-where provision of Adult Videotapes is only incidental to the carrying on of the business of the provision of videotapes*	each	N	\$ 348.00	\$ 358.00	\$ 358.00	3%
AMUSEMENT- PLACE OF						
Class A (more than 4)*	each	N	\$ 370.00	\$ 381.00	\$ 381.00	3%
Class B (1 to 4)*	each	N	\$ 267.00	\$ 275.00	\$ 275.00	3%
Class C (Mall up to 10)*	each	N	\$ 376.00	\$ 387.00	\$ 387.00	3%
Family Entertainment Centre*	each	N	\$ 381.00	\$ 392.00	\$ 392.00	3%
ANIMAL LICENSING						
Standard Dog or Cat over 4 months (non-refundable), purchased prior March 1st online, Town offices, or outlets	each	N	\$ 25.00	\$ 30.00	\$ 30.00	20%
Standard Dog or Cat over 4 months (non-refundable), purchased after March 1st online, Town offices, or outlets			\$ 30.00	\$ 35.00	\$ 35.00	17%

**TOWN OF NEWMARKET
2016 USER FEES
Schedule to Bylaw 2015-xx**

DEPARTMENT: Legislative Services - Licensing fees

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	TOTAL FEE	INCREASE
Seniors/Special Rate Dog or Cat over 4 months (non-refundable)	each	N		\$ 30.00	\$ 30.00	n/a
Dog or Cat transfer from other Municipality (non-refundable)	each	N		\$ 5.00	\$ 5.00	n/a
Dog or Cat replacement tag (non-refundable)	each	N	\$ 5.00	\$ 5.00	\$ 5.00	0%
AUCTIONEERS*	each	N	\$ 186.00	\$ 191.00	\$ 191.00	3%
BILIARDS (MORE THAN 4 TABLES)*	each	N	\$ 272.00	\$ 280.00	\$ 280.00	3%
BILIARDS (1 - 4 TABLES)*	each	N	\$ 218.00	\$ 225.00	\$ 225.00	3%
BODY RUB PARLOUR						
Body-Rub Parlour Owner*	each	N	\$ 561.00	\$ 578.00	\$ 578.00	3%
Body-Rub Parlour Owner/Operator*	each	N	\$ 561.00	\$ 578.00	\$ 578.00	3%
Body-Rub Parlour Operator*	each	N	\$ 391.00	\$ 403.00	\$ 403.00	3%
Body-Rub Attendant	each	N	\$ 277.00	\$ 285.00	\$ 285.00	3%
BOWLING ALLEYS*	each	N	\$ 364.00	\$ 375.00	\$ 375.00	3%
CARNIVAL	each	N	\$ 250.00	\$ 257.00	\$ 257.00	3%
CATERING/REFRESHMENT VEHICLES						
Cart/Vehicle/Bicycle*	each	N	\$ 288.00	\$ 296.00	\$ 296.00	3%
Cart/Vehicle/Bicycle operator*	each	N	\$ 120.00	\$ 124.00	\$ 124.00	3%
Refreshment Special Occasion Permit	each	N		\$ 75.00	\$ 75.00	n/a
Lost Refreshment Vehicle Plate	each	N	\$ 85.00	\$ 85.00	\$ 85.00	0%
Lost Refreshment Vehicle Operator ID	each	N	\$ 25.00	\$ 25.00	\$ 25.00	0%
Refreshment Cart Location - change to or additional location	each	N	\$ 52.00	\$ 54.00	\$ 54.00	4%

TOWN OF NEWMARKET
2016 USER FEES
Schedule to Bylaw 2015-xx

DEPARTMENT: Legislative Services - Licensing fees

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	TOTAL FEE	INCREASE
Refreshment Vehicle Transfer	each	N	\$ 165.00	\$ 170.00	\$ 170.00	3%
Clothing Donation Bin	each	N	\$ 206.00	\$ 212.00	\$ 212.00	3%
Clothing Donation Bin - Charities	each	N	\$ 77.00	\$ 79.00	\$ 79.00	3%
Clothing Donation Bin - Change Location	each	N	\$ 52.00	\$ 54.00	\$ 54.00	4%
Clothing Donation Bin - Impound Fee per Bin	each	N	\$ 100.00	\$ 100.00	\$ 100.00	0%
Clothing Donation Bin - Daily Storage Fee per Bin	each	N	\$ 20.00	\$ 20.00	\$ 20.00	0%
FIREWORKS						
Mobile Sales Premise	each			\$ 347.00	\$ 347.00	n/a
Temporary Sales Premise	each			\$ 347.00	\$ 347.00	n/a
Permanent Sales Premise	each			\$ 347.00	\$ 347.00	n/a
HAWKERS & PEDLAR						
Class A operator	each	N	\$ 383.00	\$ 394.00	\$ 394.00	3%
Employer License	each	N	\$ 277.00	\$ 285.00	\$ 285.00	3%
Class B "Special Sale" Per Day	each	N	\$ 100.00	\$ 103.00	\$ 103.00	3%
Class B "Special Sale" Maximum of 7 days	each	N	\$ 337.00	\$ 347.00	\$ 347.00	3%
Class C "Shopping Mall"	each	N	\$ 395.00	\$ 407.00	\$ 407.00	3%
Class D "Shopping Mall"	each	N	\$ 353.00	\$ 364.00	\$ 364.00	3%
Class E "Show Sale"	each	N	\$ 376.00	\$ 387.00	\$ 387.00	3%
Lost Picture ID	each	N	\$ 25.00	\$ 25.00	\$ 25.00	0%
HORSE-RIDING ESTABLISHMENTS*	each	N	\$ 435.00	\$ 448.00	\$ 448.00	3%
LOUD SPEAKERS	each	N	\$ 180.00	\$ 185.00	\$ 185.00	3%
NEWSPAPER BOXES	each	N	\$ 50.00	\$ 52.00	\$ 52.00	4%

**TOWN OF NEWMARKET
2016 USER FEES
Schedule to Bylaw 2015-xx**

DEPARTMENT: Legislative Services - Licensing fees

Effective Date: January 1, 2016

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2015 FEE BEFORE TAX	2016 FEE BEFORE TAX	TOTAL FEE	INCREASE
Impound Fee	each	N	\$ 55.00	\$ 57.00	\$ 57.00	4%
OUTDOOR SERVING AREAS*	each	N	\$ 328.00	\$ 337.00	\$ 337.00	3%
SECOND HAND GOODS SHOPS & DEALERS*	each	N	\$ 402.00	\$ 414.00	\$ 414.00	3%
TAXI						
Taxi Owner License (Plate)*	each	N	\$ 3,375.00	\$ 3,476.00	\$ 3,476.00	3%
Taxi Owner License Renewal (Plate)*	each	N	\$ 507.00	\$ 522.00	\$ 522.00	3%
Taxi Broker*	each	N	\$ 566.00	\$ 583.00	\$ 583.00	3%
Taxi Plate Owner Transfer (Sale)	each	N	\$ 435.00	\$ 448.00	\$ 448.00	3%
Taxi Driver New or after renewal date	each	N	\$ 168.00	\$ 173.00	\$ 173.00	3%
Taxi Driver Renewal before May 1st	each	N	\$ 100.00	\$ 103.00	\$ 103.00	3%
Taxi Driver Priority List	each	N	\$ 77.00	\$ 80.00	\$ 80.00	4%
Reinspection of Taxi Vehicle	each	N	\$ 54.00	\$ 56.00	\$ 56.00	4%
Vehicle transfer	each	N	\$ 165.00	\$ 170.00	\$ 170.00	3%
Lost Taxi Plate	each	N	\$ 85.00	\$ 85.00	\$ 85.00	0%
Lost Taxi Driver ID	each	N	\$ 25.00	\$ 25.00	\$ 25.00	0%
Lost Tariff Sheet	each	N	\$ 15.00	\$ 15.00	\$ 15.00	0%
Taxi test fee (per test)	each	N	\$ 26.00	\$ 27.00	\$ 27.00	4%
*Late Payment Fee for some classes of licenses		N	\$ 25.00	\$ 25.00	\$ 25.00	0%


DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES
Town of Newmarket

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395 Mulock Drive

planning@newmarket.ca

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F: 905.953.5140

August 20, 2015

DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2015-34
TO: Committee of the Whole

SUBJECT: Application for Draft Plan of Condominium – Phase 2 (19CDMN-2015 001)
 Part Lots 87 and 88, Concession 1, Part Block 88, Plan 65M-3087,
 Part Block 88, Plan 65M-3087, Part Block 50 and Block 70, Plan 65M-3129
 804 Shadrach Drive
 Daniels LR Corporation
 File Number: D07-NP 15 05

ORIGIN: Planning Division

RECOMMENDATIONS

THAT Development & Infrastructure Services /Planning & Building Services Report 2015-34 dated August 20, 2015 regarding application for Draft Plan of Condominium be received and the following recommendation(s) be adopted:

1. THAT approval be given to Draft Plan of Condominium 19CDMN-2015 001 subject to the Schedule of Conditions attached and forming part of Development & Infrastructure Services/Planning & Building Services Report 2015-34;
2. AND THAT Daniels LR Corporation, (c/o Remo Agostino), 20 Queen Street West, Suite 3400, TORONTO ON M5H 3R3 be notified of this action by the Clerk.

COMMENTS

Draft plan of condominium 19CDMN-2015 001 (Phase 2) relates to a development that will contain 52 residential townhouse units on a private road. The balance of the lands which contain 49 townhouse units was subject to a previous condominium application. The subject land is located on the south side of Shadrach Drive west of Bayview Avenue and is shown on the attached Key Map. A copy of the draft plan of condominium, as recommended for approval, is also attached.

Proposal

An application for draft plan of condominium has been submitted by Daniels LR Corporation. The developer is intending to convert the 52 townhouse units currently under construction into condominium units. The parking and landscaped areas surrounding the buildings will form the common element and each of the units may be individually sold.

Planning Considerations

Draft Plan of Condominium

This application for draft plan of condominium is to create the common elements for the condominium corporation which includes the parking and landscaped areas outside of the dwellings. Areas outside of the dwellings will be maintained by the condominium corporation. Future owners will own a stake in the condominium corporation along with their own individual units.

Site Plan

Development of this site is subject to the site plan approval process which included a detailed review and analysis of the technical requirements, specifically grading, drainage, parking and landscaping. The owner of the subject land entered into a Site Plan Agreement with the Town dated July 22, 2008 and an Amending Site Plan Agreement dated May 29, 2013 and provided all payments and securities required by the Agreement. Building permits have been issued for all of the 101 townhouse units. Engineering Services staff is currently monitoring this site as part of the site plan agreement process.

Official Plan

The subject property is designated Stable Residential in the Town's Official Plan. This designation permits single-detached and semi-detached dwellings. The Plan also provides that the Stable Residential designation currently has a mix of housing forms including rowhouses, townhouses, duplexes, fourplexes, apartments and other multi-unit buildings and that the predominant use of land in the Stable Residential Areas shall reflect the residential built forms that are existing as of the adoption of the Plan by Council. The proposed draft plan of condominium conforms to the purpose and intent of the Official Plan.

Zoning By-law Consideration

The subject property is zoned Residential Townhouse Dwelling 3 Exception Zone (R4-R-82) and Private Open Space Exception Zone (OS-2-82) by By-law Number 2010-40, as amended by Minor Variance Application Number A3-2011 and approved by the Ontario Municipal Board which permits townhouse dwellings as approved through the site plan approval process.

Provincial Policy Statement Considerations

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with this policy statement. The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The sections on *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*, *Settlement Areas*, and *Housing* are relevant for the subject application. These sections require efficient development and land use patterns, promoting intensification and redevelopment opportunities while taking into account existing building stock, and providing for an appropriate range of housing types and densities that reduce the cost of housing and facilitate compact form. Accommodating an appropriate range and mix of residential housing is an important component of successful communities to provide appropriate housing for future residents.

Servicing Allocation

Council has previously granted servicing allocation in the amount of 101 units for this development.

Conclusion

The proposed draft plan of condominium is recommended for approval subject to the conditions set out in the Schedule of Conditions attached to and forming part of this Report.

BUDGET IMPACT

Operating Budget (Current and Future)

The appropriate planning fees, development charges and other permit and administration fees have already been received through the site plan approval process. The Town will also receive assessment revenue through the development of this site.

Capital Budget

There is no direct capital budget impact as a result of this report.

CONTACT

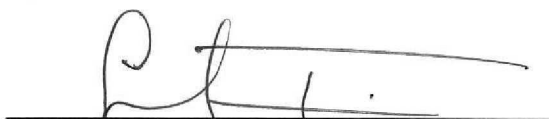
For more information on this report, contact Linda Traviss, Senior Planner - Development at 905-953-5300, Extension 2457 or via email at ltraviss@newmarket.ca.



Commissioner, Development &
Infrastructure Services



Director of Planning & Building Services



Senior Planner – Development

Attachments

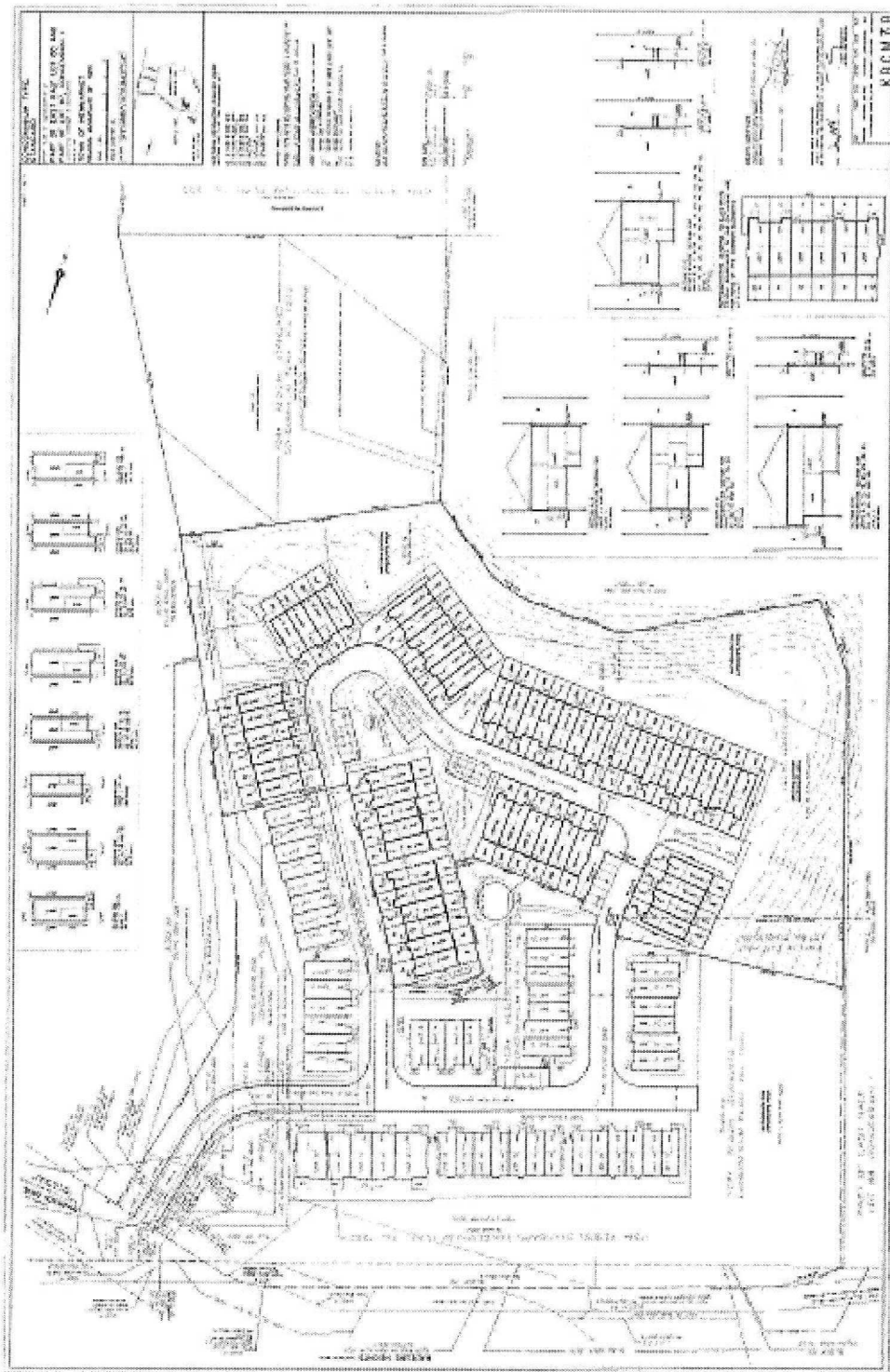
- 1 - Conditions of Draft Approval
- 2 - Proposed Draft Plan of Condominium (Phase 2)
- 3 - Location Map

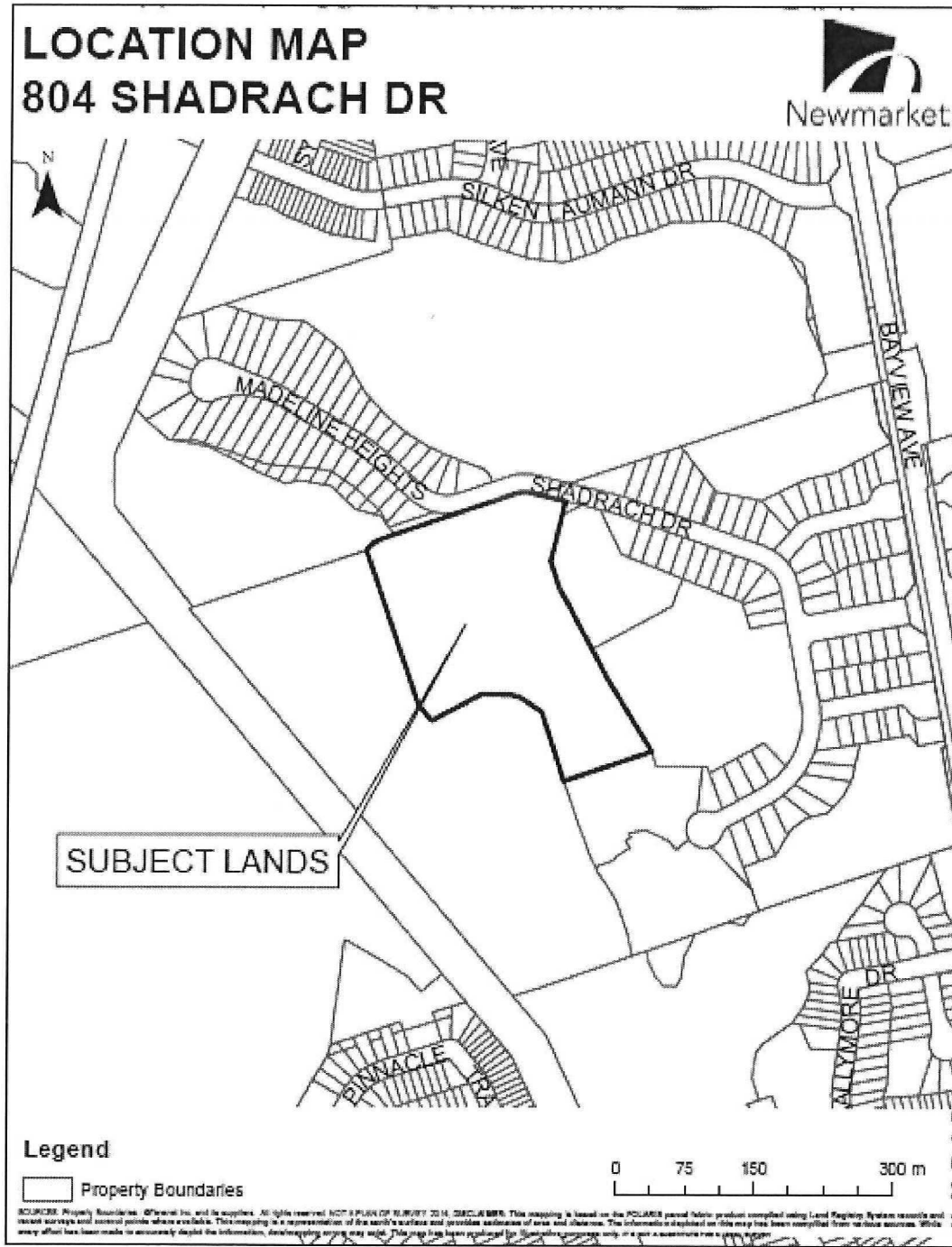
SCHEDULE OF CONDITIONS
DRAFT PLAN OF CONDOMINIUM 19CDMN-2015 001
DANIELS LR CORPORATION

Approval shall relate to the draft plan of condominium prepared by KRCMAR, Job No. 05-041, dated January 9, 2015.

1. The Owner shall provide confirmation from the Director of Engineering Services that the Owner has fulfilled all of its obligations under the Site Plan Agreement dated July 22, 2008 and Amending Site Plan Agreement dated May 29, 2013, as amended from time to time, or in the alternative, that the Owner has provided sufficient financial security and appropriate completion schedules to ensure that the Site Plan Agreement will be complied with in a timely manner.
2. Prior to registration, the Owner shall obtain any required minor variances to recognize any zoning deficiencies, if required.
3. Prior to final approval, the Owner shall submit a survey substantially in conformity with the plan set out in Condition Number 1 and in conformity with the requirements of the Condominium Act.
4. Prior to final approval, the Owner agrees to consult with Canada Post to determine suitable conditions for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
5. Prior to final approval, the Owner shall agree to grant to Bell Canada any easements that may be required for telecommunication services.
6. Prior to final approval, the Owner agrees to provide to Bell Canada one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.
7. Prior to final approval, the Owner agrees to conduct and submit a Source Water Impact and Assessment Mitigation Plan (SWIAMP), to the satisfaction of the Region of York, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies. The SWIAMP shall be prepared by a qualified professional, to the satisfaction of Regional Environmental Services staff in the Water Resources group. The SWIAMP must follow the York Region document Guidance for Proposed Developments in Wellhead Protection Areas In York Region (May 2013). A SWIAMP is required for any of the activities listed below if they will occur on the site for the storage or manufacture of:
 - a) petroleum-based fuels and/or solvents;
 - b) pesticides, herbicides, fungicides or fertilizers;
 - c) construction equipment;
 - d) inorganic chemicals;
 - e) road salt and contaminants as identified by the Province;
 - f) the generation and storage of hazardous waste or liquid industrial waste, and waste disposal sites and facilities;

- g) organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials; and,
- h) snow storage and disposal facilities.





**PLANNING AND BUILDING SERVICES****Town of Newmarket**

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August 20, 2015

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2015-35

TO: Committee of the Whole

SUBJECT: Application for Official Plan & Zoning By-Law Amendment and Draft Plan of Subdivision
 16920 & 16860 Leslie Street. West side of Leslie street North of Mulock Drive
 Pt Lt 31, Con 2; Pt E1/2 Lt 32, Con 2
 Newmarket Cemetery Corporation/2394237 Ontario Inc.
 (Forest Green Homes)
 Files: D9-NP1312, D12-NP1312, D14-NP1312

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning and Building Services Report 2015-35 dated August 20, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendation(s) be adopted:

1. THAT the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, as submitted by The Newmarket Cemetery Corporation on behalf of 2394237 Ontario Inc. for lands being composed of Pt Lt 31, Con 2; Pt E1/2 Lt 32, Con 2, EYS be referred to a public meeting.
2. AND THAT following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required.
3. AND THAT Groundswell Urban Planners, 30 W Beaver Creek Road, Unit 109, Richmond Hill L4B 3K1 be notified of this action by the Clerk.

COMMENTS**Location**

Lands located on the west side of Leslie Street, north of Mulock Drive. (See Location Map attached)

Proposal

An application for draft plan approval, Official Plan amendment and zoning bylaw amendment has been submitted by The Newmarket Cemetery Corporation on behalf of Forest Green Homes (2394237 Ontario Inc.) to rezone the 16.44 hectare subject lands from the Cemetery (I-C) zone, Residential Apartment Dwelling 1 (R5-S) zone, Environmental Protection/Open Space (OS-EP) zone and Residential Detached Dwelling 30m (R1-B) zone to the Residential Townhouse Condominium Plan Dwelling (R4-CP), Residential Townhouse Dwelling 3 (R4-R) zone, Open Space (OS-1) zone, the Residential Apartment Dwelling 2 (R5-T) zone and a new stacked townhouses condominium zone. This is to permit a draft plan of subdivision consisting of 91 freehold townhouses, 27 stacked townhouses, 78 condominium townhouses and 2 mid-rise apartments. The applicant has not indicated the number of units within the proposed mid-rise apartment blocks at this time. The subject lands also contain the John Bogart House designated under the Heritage Act which is intended to be restored and used for residential purposes. The proposed Draft Plan as well as Master Landscaping Plan are attached to this report.

Preliminary Review

Official Plan Considerations

The subject property is designated Major Institutional and Natural Heritage System – Woodlot in the 2006 Official Plan.

The applicant has requested a designation of Stable Residential for the development portions and Major Institutional for the woodlot. If these applications are deemed appropriate, it would be fitting to designate the development lands Emerging Residential with a site specific exception that would permit the proposed mid-rise apartments. It would also be appropriate to re-establish the Natural Heritage designation for the woodlot.

Section 3.3.2(3) of the residential policies of the Official Plan discuss compatibility requirements where new housing stock is proposed against existing residential stating that they should generally have a physical character similar to the existing neighbourhood in terms of density, lot sizes, maximum building heights and minimum setbacks. This proposal is directly adjacent to the Bogart Trail Condominium (5 storey condominium building) to the south. In this location, the applicant is proposing a buffer area on an existing treed slope then a mid-rise apartment block (4 storey). The proposal also abuts the existing townhouse condominium on William Curtis Circle and McKinnon Court. The applicant is proposing freehold townhouses adjacent to these condominium townhouses. Finally, this proposal abuts existing condominium townhouses on Doak Lane. The applicant is proposing condominium townhouses adjacent to the condominium townhouses of a similar size and scale. Compatibility will be further discussed in a future report after receiving comments from community residents though the public meeting recommended by this report.

Zoning Bylaw Considerations

The Subject Property is currently zoned Cemetery (I-C) zone, Environmental Protection Open Space (OS-EP) zone, Residential Apartment Building 1 (R5-S) zone and Residential Detached 30m (R1-B) zone by Bylaw Number 2010-40, as amended. The applicant has applied to rezone the subject lands to the Residential Townhouse Condominium Plan Dwelling (R4-CP), Residential Townhouse Dwelling 3 (R4-R) zone, Open Space (OS-1) zone, Residential Apartment Dwelling 2 (R5-T) zone and a new stacked townhouses condominium zone. This is to permit a draft plan of subdivision consisting of 91 freehold townhouses, 27 stacked townhouses, 78 condominium townhouses and 2 mid-rise apartments.

The applicant has also requested the mid-rise apartment block have dual zoning to also permit townhouses to enable them to react to the housing market.

The preliminary review of the applications has raised a concern with the proposed rezoning of the woodlot from the Environmental Protection – Open Space (OS-EP) zone to the Open space-1 (OS-1) zone. It would be appropriate to retain the existing OS-EP zone on the woodlot to ensure its continued preservation and conservation. The only permitted uses in the OS-EP zone are conservation uses and trails while the OS-1 zone would permit other uses such as community centres and outdoor recreation facilities among other uses.

Servicing Allocation

Servicing allocation has not been granted for this proposal.

Provincial Policy Statement

The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters “shall be consistent” with this policy statement. The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS discusses the promotion of healthy, liveable and safe communities that have access to recreational activities in the forms of parks, open spaces and trails. The PPS also promotes storm water management best practices, including low impact design. The proposed draft plan of subdivision is consistent with the PPS by providing a mix of housing types within the settlement area of the Town of Newmarket while protecting environmental features and providing trails and parkland in accordance with the Planning Act. The development is proposed adjacent to existing built up areas and allows for the efficient use of land, infrastructure and services. The applicant has proposed low impact design elements as part of the storm water management system.

The PPS requires that Natural features and areas will be protected for the long term for their economic, environmental and social benefits. The applicant has submitted an Environmental Impact Study in accordance with Town policy to ensure no negative impacts will occur on the natural heritage feature (woodlot) as a result of this development going forward.

The PPS also discusses the importance of encouraging a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes. The subject land contains a dwelling designated under the Ontario Heritage Act. The applicant has indicated that they intend to restore the dwelling and incorporate it into the plan for use as a single detached dwelling. This heritage home is further discussed below.

John Bogart House

Constructed in 1811 for John Bogart, a Quaker pioneer from Pennsylvania who operated a saw mill and grist mill on the creek near the house. One of the earliest dwellings extant in the Newmarket area and is an example of the second dwelling constructed by pioneers having been preceded by a log structure. Two-storey frame dwelling, clad in narrow clapboard, which rests on a stone rubble foundation. Simple vernacular dwelling constructed only nine years after the area was settled, is one of the few reminders that Bogarttown was a significant centre in the early nineteenth century. The John Bogart House is designated under the Ontario Heritage Act by By-law 1987-40.

It is the intent of the developer to preserve and restore this important heritage home and retain as residential dwelling accessed from a road internal to the plan. The house would be moved southerly to the corner of Leslie Street and Bogart Mill Trail.

Parkland

The developer is intending on providing the required 5% parkland dedication through the conveyance of a 0.74 hectare block with frontage on the proposed public road. The proposed parkland is also adjacent to the retained woodlot which, if the woodlot ultimately ends up in public ownership, could benefit from the proximity in terms of providing public access to the woodlot.

Departmental and Agency Comments

Department and Agency comments will be addressed throughout the planning process and outlined in a comprehensive report as required.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The continued development of this parcel of land is in accordance with the Newmarket Official Plan and has linkages to the Community Strategic Plan as follows:

Living Well: protecting and enhancing environmentally sensitive features

Well Balanced: encouraging a sense of community through an appropriate mix of land uses and amenities.

CONSULTATION

The application has been circulated for comment to internal departments and external agencies. This report recommends the applications be referred to a statutory public meeting.

BUDGET IMPACT

Operating Budget (Current and Future)

The appropriate planning application fees have been received for Official Plan Amendment, zoning bylaw amendment and draft plan of subdivision. The Town will also receive revenue from development charges and assessment revenue with the development of this subdivision.

Capital Budget

There is no direct capital budget impact as a result of this report.

CONTACT

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; druggle@newmarket.ca

Attachments

- 1 - Location Map
- 2 - Proposed Draft Plan of Subdivision
- 3- Landscape Master Plan



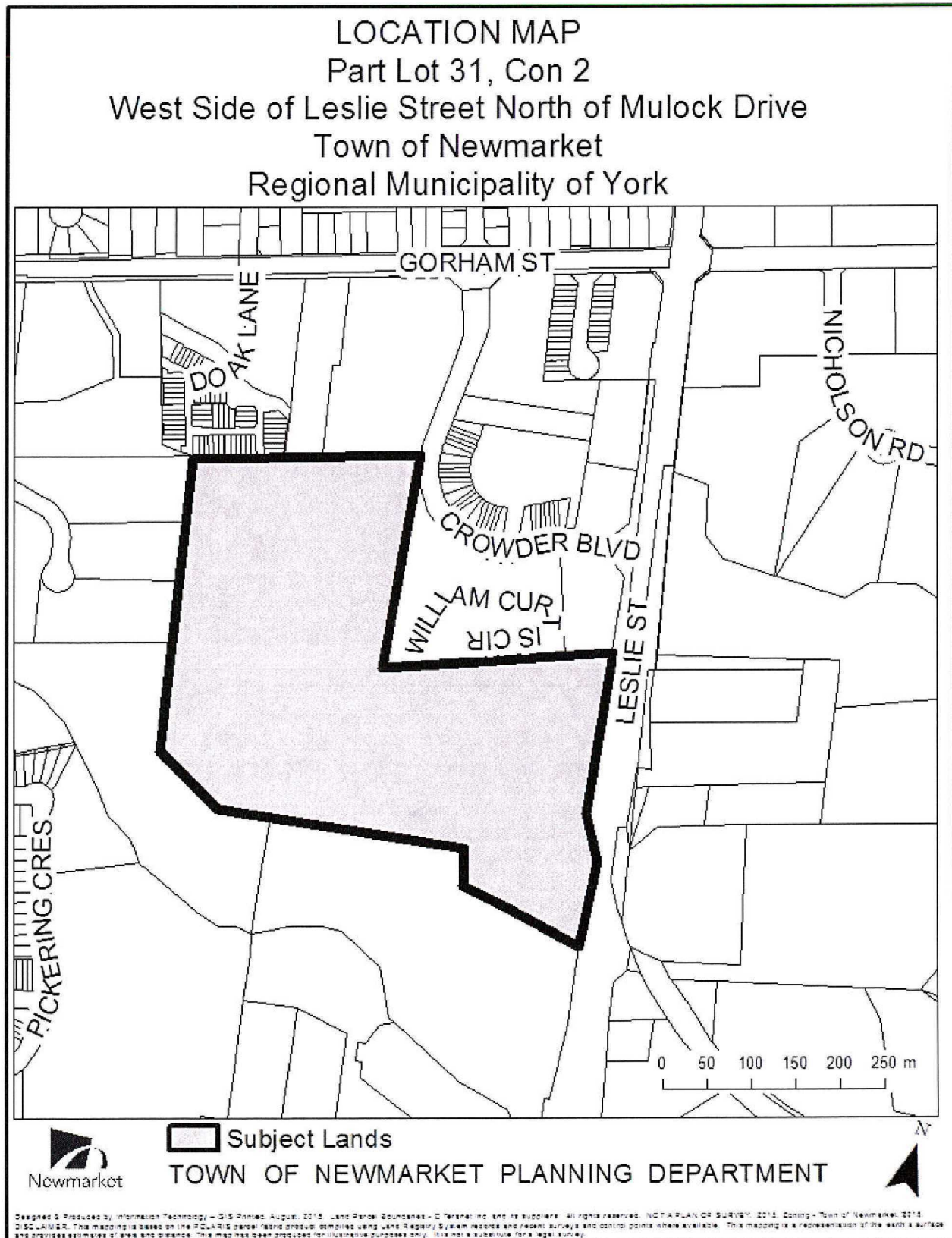
Director of Planning and Building Services

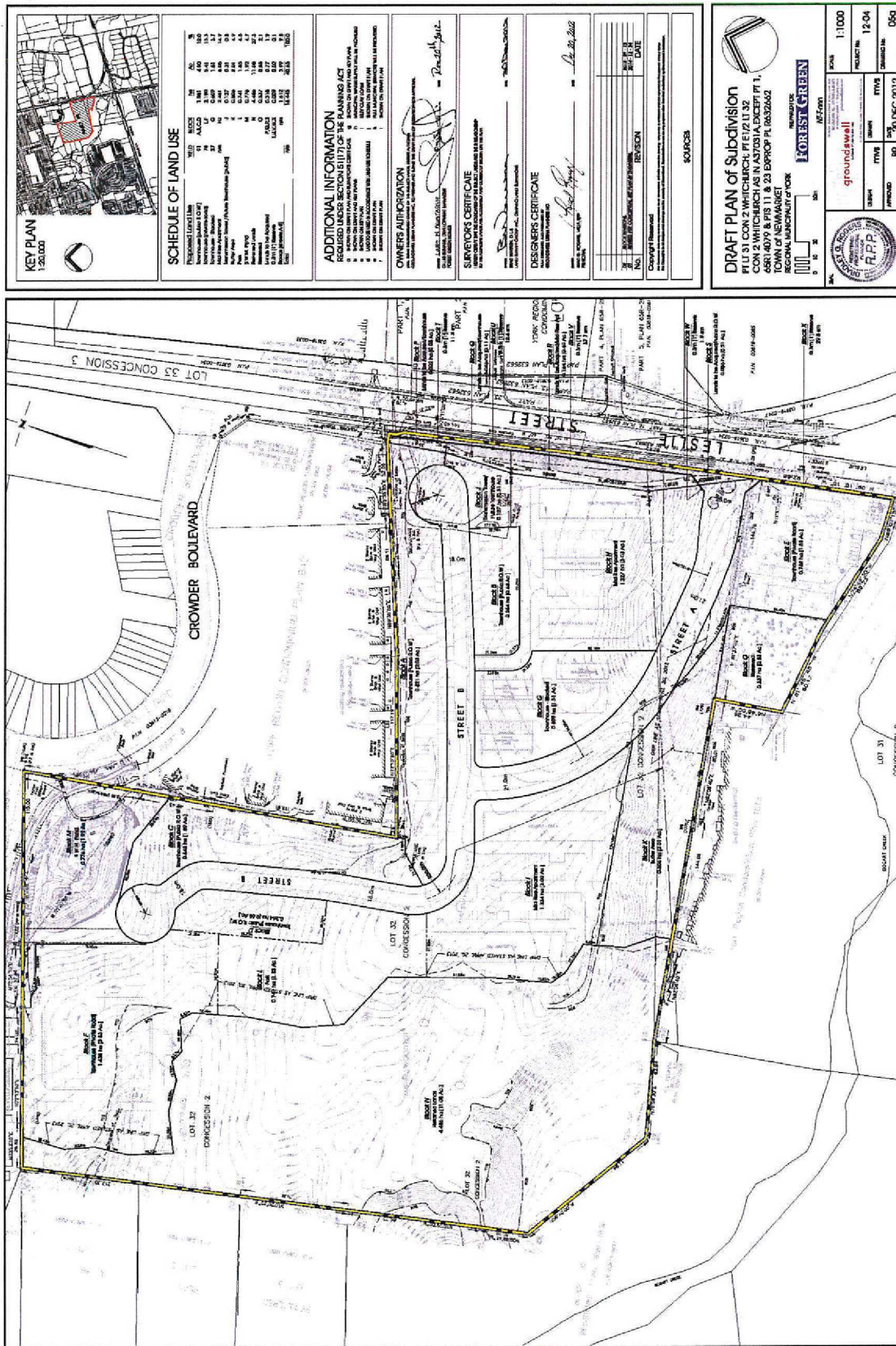


Commissioner of Development and Infrastructure
Services



Senior Planner – Community Planning







**PLANNING AND BUILDING SERVICES****Town of Newmarket**

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August 20, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT
2015-36**

TO: Committee of the Whole

**SUBJECT: Appeals to the Ontario Municipal Board of Applications for Draft Plan of Subdivision,
Draft Plan of Condominium, Official Plan and Zoning Bylaw Amendments
19TN 2013 002
Part of Lot 89, Concession 1, E.Y.S.,
St Andrews of Bayview Phase 5
292145 Ontario Limited
Files: D7, D9, D12 & D14-NP13 16**

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning and Building Services Report 2015-36 dated August 20, 2015 regarding appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision be received and the following recommendation(s) be adopted:

- 1. THAT Development and Infrastructure Services/Planning and Building Services Report 2015-36 regarding appeals to the Ontario Municipal Board of Applications for Official Plan and Zoning By-law Amendments, Draft Plans of Condominium and Subdivision, by 292145 Ontario Limited for lands described as Part of Lot 89, Concession 1 E.Y.S. ("the lands") be received;**
- 2. And That Council direct staff and legal counsel to continue to work with the applicant toward the settlement of all remaining issues, including the use of Town owned land, in advance of the Ontario Municipal Board hearing;**
- 3. AND THAT staff and legal counsel be authorized to enter into Minutes of Settlement with the applicant reflecting Draft Plan Conditions and/or conditions to be included in the Development Agreement to address all issues to the Town's satisfaction;**
- 4. And that Gary Templeton, Templeton Planning Ltd, 71 Tyler Street, Aurora, ON, L4G 2N1 be notified of this action by the Clerk.**

COMMENTS

Background

The subject lands are located between the Metrolinx Rail Corridor and the existing Hydro Corridor (as illustrated on the attached map), west of the present terminus of Silken Laumann Drive, in the Town of Newmarket. The subject property is approximately 1.5 ha (3.7 acres) and is currently vacant. The property is designated as Urban Area by the Regional Official Plan and is designated Natural Heritage System (and Meadow 2 as the subcategory) in the Town's Official Plan. The development proposal is for twenty-eight (28) freehold townhouses on a common element condominium road.

The developer filed applications for Official Plan and Zoning By-law Amendment and plans of subdivision and condominium in July 2013. The Applications were deemed complete on August 28, 2013. Various reports were filed in support of the applications. A public meeting was held on February 24, 2014. The developer subsequently appealed the above noted development applications on September 4, 2014.

Prior to the Ontario Municipal Board pre-hearing on March 26, 2015, staff report 2015-09 recommended that the Town request Party status at the OMB due to substantial unresolved issues regarding the proposed form of development. Council adopted staff's recommendation including a recommendation that staff work with the applicant toward the resolution of outstanding issues prior to the Ontario Municipal Board hearing.

At the OMB pre-hearing, a hearing date of September 28, 2015 was scheduled. Since the pre-hearing, the applicant has been providing additional material to departments and agencies for review. Staff have now received additional reports, studies and other submission material that indicates that most of the outstanding issues have been appropriately addressed. The remaining issues are considered minor in nature and can be addressed through Minutes of Settlement, Draft Plan conditions and terms in the Development Agreements. The outstanding issues, and how they have been addressed, are outlined below.

Proposal

The applicant is proposing to redesignate the subject lands from The Natural Heritage System (Meadow) to Emerging Residential. The application also proposes to rezone the subject lands from the Environmental Protection Open Space (OS-EP) zone to the Residential Townhouse Dwelling 3 (R4-R) zone to permit a common element condominium consisting of 28 at grade townhomes on the subject lands with a private road connection across the existing Hydro corridor.

PLANNING ANALYSIS

The applications submitted for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Condominium and Draft Plan of Subdivision have advanced to a point where staff are recommending direction to enter into Minutes of Settlement to allow the proposal to proceed. The below outlines how outstanding issues identified in Planning Report 2015-09 dated March 19, 2015 have been addressed as well as where any outstanding issues remain.

Lake Simcoe Region Conservation Authority Review

The appropriateness of the Official Plan Amendment, for the most part, rests with the developer to demonstrate that the proposal will have no negative impacts on the overall Meadow 2 feature identified in the plan and that there will be no loss of function. The LSRCA, who provide the environmental review on behalf of the Region of York, have now reviewed the supporting reports, studies and documents and have provided a number of comments.

A revised Functional Servicing Report and additional information on the Environmental Impact Study was submitted to the LSRCA for review and comment. The LSRCA have indicated that they agree with the analysis that no loss of function to the Meadow 2 Natural Heritage Area will occur as a result of this development proposal. There is one outstanding issue as it relates to the LSRCA review. In an effort to recreate the disturbed wetland community, the developer is required to provide a replacement channel design at a 3:1 ratio. To implement this, works need to occur on lands owned by the Town of Newmarket. This is discussed further under the heading "Use of Town Owned Land" below.

Meadow 2 Analysis - In order to mitigate for the loss of the Meadow 2 land base on the lands, a number of revisions have been made to the proposed development plan as described by Beacon Environmental below:

- The storm water management facility has been converted to a wet/dry pond. This will limit the amount of disturbance within the Meadow 2 land base by decreasing the area required for the facility. Further, this area will be left to regenerate as a natural area, thereby not limiting or bisecting the meadow community and its function on the property.
- A 25 metre corridor has been provided along the western boundary of the site in which a second spillway has been provided. This will ensure that the storm water flows will be unimpeded by the proposed development. The storm water management facility has been shifted to the east to accommodate this corridor. This corridor will also maintain a north-south connection between the meadow habitat located north and south of the subject property.
- An infiltration gallery will be provided along the rear yard of the proposed development lands (Blocks 2 and 3) as an added Low Impact Design element. This will provide drainage for the eastern portion of the rear yards while maintaining open space and meadow habitat along the eastern property boundary as well.

Based on these revisions to the proposed development plan the proposed plan represents limited development within the Meadow 2 habitat. The development is limited in that the revised plan maintains a north/south corridor connection between the meadow habitat to the north and south of the proposed development. These north-south corridors will be vegetated and will provide for the movement of flora and fauna within the meadow habitat maintaining the function across the property. Further, the amount of land being developed within the Meadow areas constitutes less than 2.5% of the entire meadow community area.

The LSRCA have accepted the analysis prepared by Beacon Environmental and concur with the final recommendations that this proposed development will not have negative impacts on the overall Meadow 2 feature identified in the Official Plan.

Safety Berm – There was an issue regarding whether a safety berm along the rail corridor was required. If required, this safety berm would encroach into the proposed storm water management facility necessitating a redesign. However, Metrolinx has confirmed that a safety berm is not required and would provide little benefit due to the setback of the proposed dwellings to the rail corridor and the proposed grades between the uses.

Wetland Protection: the LSRCA has indicated that it is willing to accept the relocation of the identified watercourse and wetland community based on a net ecological gain in principle. Through the detailed design of this development, a replacement channel design will need to be implemented in accordance with natural channel design principles and appropriate restoration of a vegetated riparian area. The disturbed wetland community will need to be replaced at a 3:1 ratio in an appropriate location within the vicinity of this development. We note that it appears that the proposed location for the channel relocation and wetland compensation is within lands currently owned by the Town of Newmarket. Confirmation must be provided that the Town will accept this work being undertaken on their property at the developer's cost.

Use of Town Owned Land: The plan as proposed requires grading onto town owned lands to accommodate the private road, the greatest impact being at the north end of the cul-de-sac. It is this grading that conflict with the existing channel and small wetland community. If approved, these works will require a working easement to allow the developer access to the Town lands. A portion of the pond is also proposed on Town owned land, which, if approved, will require a permanent easement in favour of the future condominium board for maintenance.

It is not uncommon for subdivision applications to include works external to the plan, typically they relate to servicing including storm water management ponds or pedestrian connections. There have been external works related to environmental matters such as offsite vegetation planting and enhancements to forest edges.

However, as this plan is dependent on lands outside of the developer's ownership as it relates to grading and a portion of the storm water management facility, discussions still need to occur regarding what additional public benefit contributions the developer is prepared to offer to the Town over and above the normal and usual contributions to trails, public art and other items under the servicing allocation policy.

Region of York

As noted above, the Region of York are relying on the LSRCA regarding environmental issues as they relate to these applications. The Region have provided draft plan conditions and pre-conditions to be presented to the OMB once the appropriateness of the applications has been determined. The conditions relate to ensuring servicing and servicing allocation is available, the use of the Holding provision on any approved zoning by-law, source water protection and Regional Development Charges.

Noise and Vibration

HGC Engineering, the proponent's noise consultant, provided the outstanding information to the Town's noise and vibration peer reviewer, Aiolos Engineering. The peer review of the additional material has enabled Aiolos Engineering to provide an approval of the submitted noise and vibration study indicating compliance with Ministry of the Environment requirements.

Engineering Services Comments

Engineering Services have reviewed the revised submitted material and have indicated they have no objection to the approval of the draft plan of subdivision subject to the standard engineering draft plan conditions and the additional specific conditions identified below.

1. The Owner shall submit an updated Functional Servicing Report prepared by a qualified professional to the satisfaction of the Town's Director of Engineering Services as part of the First Engineering Submission. The Owner shall agree in the Subdivision Agreement to carry out, or cause to be carried out, the recommendations set out in the approved report, to the satisfaction of the Town.
2. The Owner will be responsible to carry out a review of the operation of the existing sanitary pumping station on Sydor Court to determine if any modifications are required to accommodate flows from this development. The review shall be in the form of a report prepared by a qualified professional and shall be to the satisfaction of the Director of Engineering Services. The Owner shall be responsible for all costs associated with carrying out the review, constructing any modifications to the pumping station, and preparing an updated Operations and Maintenance Manual to the satisfaction of the Director of Engineering Services.
3. The Owner shall agree that the final plan shall be modified to change the radius of the proposed turning circle for Silken Laumann Drive located in the Hydro One corridor from 18 metres to 19 metres to conform to the Town's current Engineering Design Criteria.
4. The Owner shall agree to make any revisions to the final plan as deemed necessary by the Director of Engineering during the Engineering Design Review Process.

Hydro One and Engineering Services

Engineering Services has indicated that Hydro One approval is required for proposed works in the hydro corridor as it relates to the proposed turning circle, sanitary sewer, water supply and grading. Hydro One has completed a preliminary technical review with a final review to be completed through the submission of detailed engineering drawings. Engineering Services has noted that the water service, sanitary, roads and grading within the corridor will require Hydro One approval and that the draft plan should not be approved until Hydro One's acceptance is obtained.

While Hydro One has not provided explicit approvals for proposed works within the hydro corridor, based on the comments to date, it appears that this issue will be resolved soon. This matter will be the subject of a condition of draft approval that will obligate the owner to obtain Hydro's consent for works within the corridor prior to final approval of the plan.

As the proposed access to this site is across the hydro corridor, and the plan necessitates a public turning circle within the corridor, the developer will be responsible for any cost associated with the use of these lands. This is consistent with the approach taken in other areas of the Town such as in the northwest quadrant (Mattamy).

Planning Issues

Compatibility/Urban Design – The proposed two storey townhomes are compatible with the residential uses in the area. If draft plan approved, urban design/architectural control guidelines will be required including upgraded rear facades.

Connectivity – The Parks Policy Master Plan details a conceptual trail system consisting of multi-use, primary and secondary trails. The manual identifies connections in the vicinity of this proposed development that will be taken into consideration though the detail design stage to ensure public access to the Town's trail system as appropriate.

Public Comments

A number of comments were heard at the Statutory Public meeting held on February 24, 2014. The comments have been identified under various headings below.

1. **Environmental concerns (wildlife, environmental impact of development)** – the LSRCA review has now concluded that the proposal will have no negative impacts on the function of the Meadow 2 natural Heritage feature. The plan has been designed to maintain a north/south corridor connection between the meadow habitat to the north and south of the proposed development. These north-south corridors will be vegetated and will provide for the movement of flora and fauna within the meadow habitat maintaining the function across the property.
2. **Loss of recreational use of land** – The subject lands are private property and are not publicly available for use. The remaining Open Space lands in the vicinity are publicly owned. Opportunities for the developer to provide trail connections to and from the site are being recommended.
3. **Increased Traffic** – Traffic impact has been reviewed by Engineering Services and found that no adverse effects on Silken Laumann Drive are expected. In addition, Emergency Services has not identified any concerns with access to this proposal.
4. **Snow removal** - Private snow removal will be required. If there is no appropriate location to store excess snow on site, it will be required to be removed from the site.
5. **Garbage pick-up** – Private garbage pick-up will be required.
6. **Proximity to Hydro transmission (health concerns)** –Hydro provide requirements that relate to setbacks to the swing of transmission lines to ensure the safety of adjacent homeowners, however they do not discuss Electronic Magnetic Fields (EMFs). It would appear that there is no consensus on the impacts of EMFs from hydro transmission lines on public health.
7. **Proximity to the railroad tracks** - HGC Engineering, the proponent's noise consultant, provided the outstanding information to the Town's noise and vibration peer reviewer, Aiolos Engineering. The peer review of the additional material has enabled Aiolos Engineering to provide an approval of the submitted noise and vibration study indicating compliance with Ministry of the Environment requirements.
8. **Potential flooding of SWM ponds** –While detailed designs for the storm facility are still required, Engineering Services are satisfied that any outstanding details can be addressed through condition

of draft approval requirements. Storm ponds are designed to accommodate the 100 year storm events. In the event the pond cannot accommodate the water, a spill way is incorporated to direct water to an appropriate place.

9. Notice to residents – The notice circulation requirements of the Planning Act were complied with. The Ward Councillor also distributed notice in the Community beyond the Planning Act requirements.

Servicing Allocation

Servicing allocation has not been granted for this proposed draft plan of subdivision. If this proposed development is approved, the Holding provision of the Planning Act would be required to be included in the required zoning by-law amendment.

Provincial Policy Statement

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

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

The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

Section 1.1.3. entitled "Settlement Areas" requires that the focus of growth be within settlement areas and promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

Section 1.4 entitled "Housing" encourages an appropriate range and mix of housing types and densities for residential growth including town homes.

Section 2.5 entitled "Public Spaces, Recreation, Parks, Trails and Open Space" encourages healthy, active communities by promoting safe pedestrian friendly streets, facilitating active transportation and community connectivity. The proposed development will be served by sidewalks along the public road leading to the site and trail connection opportunities are identified in the Town's Parks Master Plan.

Section 2.0 entitled "Wise Use and Management of Resources" discusses conserving biodiversity, protecting natural heritage, water, agriculture, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits. Specifically, the PPS indicates that natural features and areas shall be protected for the long term. Through the review of the Environmental work, the LSRCA have determined that there will be no negative impact to the Meadow 2 Natural Heritage Feature consistent with the Town's Official Plan policies.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This application has linkages to the Community Strategic Plan as follows:

Well-Equipped and Managed: by providing opportunities for varied housing types, affordability and densities

COMMUNITY CONSULTATION POLICY

The public meeting for this proposal was held on February 24, 2014. The community has been circulated notice of the Ontario Municipal Board appeals, some of which attended the Ontario Municipal Board pre-hearing and have requested participant status.

BUDGET IMPACT

Operating Budget (Current and Future)

The costs associated with an Ontario Municipal Board hearing will be avoided if the parties are able to present Minutes of Settlement to the Board for consideration and approval.

The appropriate planning application fees have been received for Official Plan amendment, Zoning Bylaw Amendment, Draft Plan of Condominium and Draft Plan of Subdivision. The Town will also receive revenue from development charges and assessment revenue with the development of this subdivision in the event the applications are approved by the Ontario Municipal Board.

Capital Budget

There is no direct capital budget impact as a result of this report.

CONTACT

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; druggle@newmarket.ca

Attachments

- 1 - Location Map
- 2 - Proposed Draft Plan of Subdivision



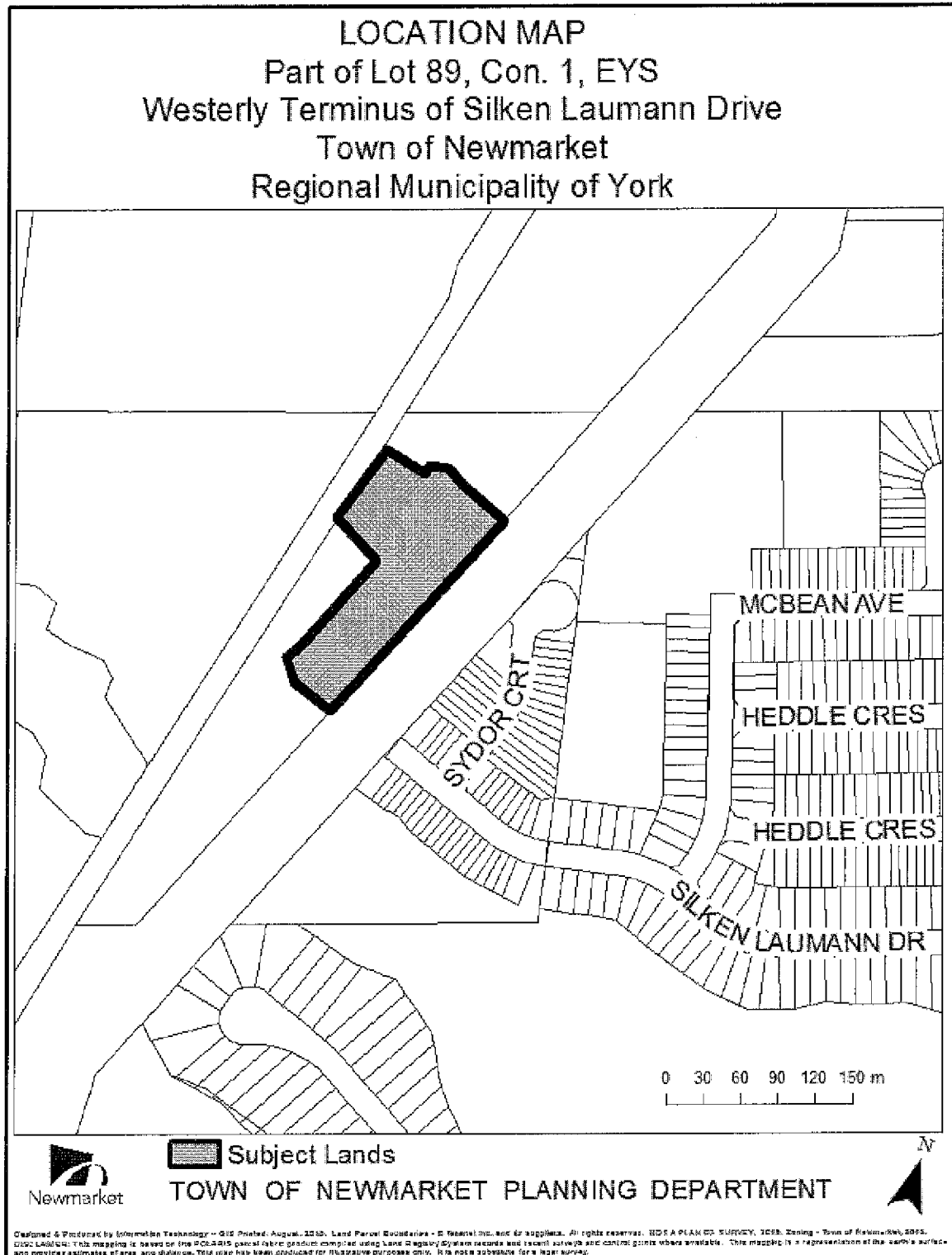
Commissioner Development and Infrastructure Services

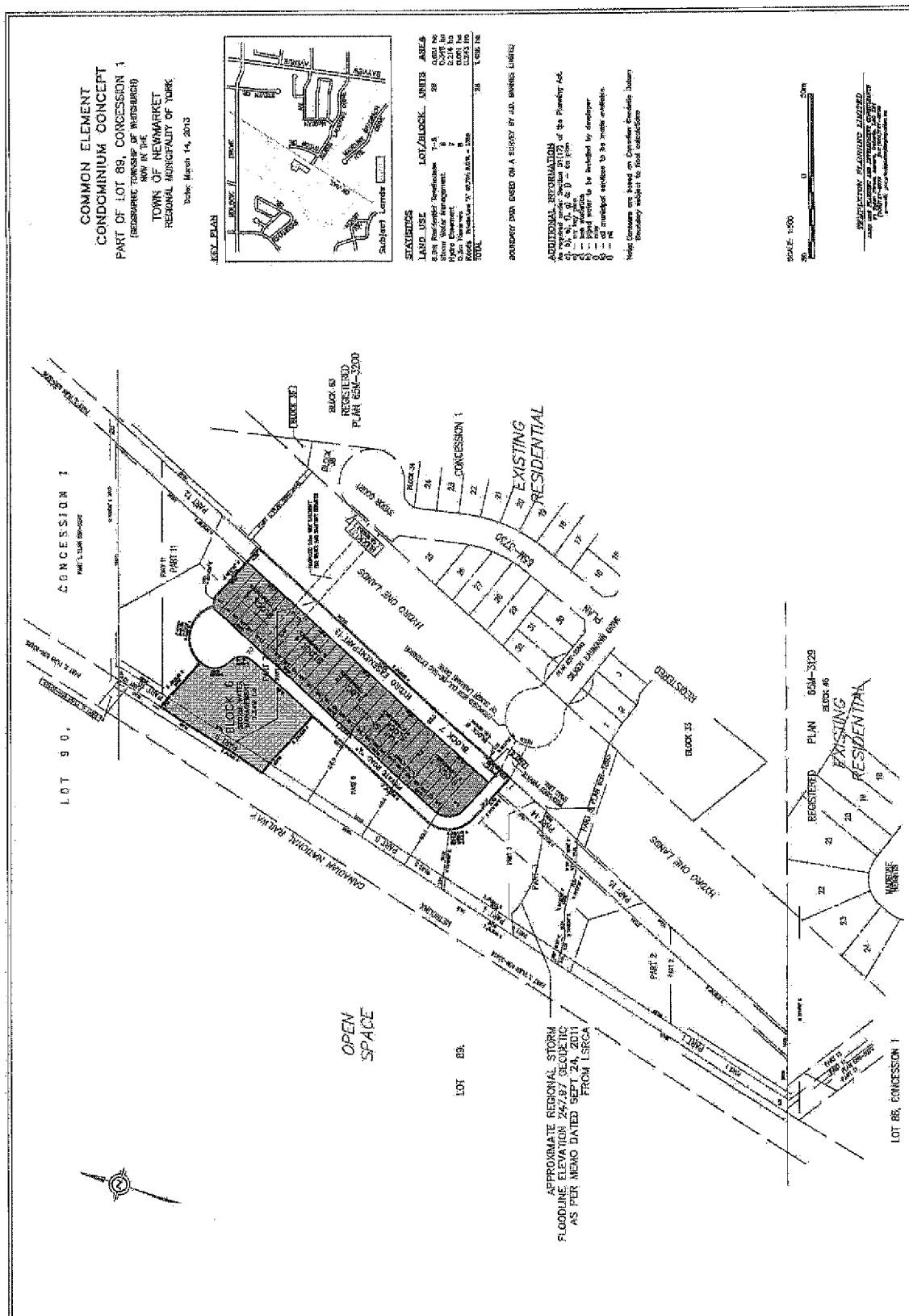


Director of Planning and Building Services



Senior Planner - Community Planning





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August 20, 2015

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2015-37

TO: Committee of the Whole

SUBJECT: Proposed Zoning By-law Technical Amendment
Copper Hills (Goldstein) Subdivision 19T-90064
East side of Leslie Street south of Mulock Drive

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning and Building Services Report 2015-37 dated August 20, 2015 regarding a technical amendment to the Town's comprehensive Zoning By-Law 2010-40 be received and the following recommendation(s) be adopted:

- 1. THAT the proposed technical amendment to comprehensive Zoning By-Law 2010-40 be referred to a public meeting;**
- 2. AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through agency and departmental circulation, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;**

COMMENTS

Location

The subject lands are located within the Copper Hills (Goldstein) subdivision, on the east side of Leslie Street, south of Mulock Drive. Specifically the lots affected are 105, 106, 107, 118, 119, 120, 140, 141, 142, 157 and 158 on Registered Plan 65M-4378. (See Location Map attached)

Background

Copper Hills (Goldstein) subdivision and zoning approvals

Applications for draft plan of subdivision and zoning by-law amendment were appealed to the Ontario Municipal Board by the developer, 724903 Ontario Inc. for the Copper Hills (Goldstein) subdivision on the east side of Leslie Street from Council's refusal to enact the proposed amendment in 2001.

As a result of a two day mediation effort with the Town, developer, the Kingdale Road Residents Group and the Region of York, Minutes of Settlement had been entered into by all parties. A zoning by-law was prepared and conditions of draft approval were drafted, as agreed to by all parties, and approved by the OMB through Order 1597 on November 15, 2002. Specifically, these Minutes of Settlement and Zoning By-law amendment included a provision that required a 45m setback to the northerly lot line of the subdivision adjacent to existing estate lots on Kingdale Road. Specifically item 13 of the Minutes of settlement read:

The Parties agree that the proposed zoning by-law for the subject property will be amended to provide the following siting specifications for proposed lots any parts of which are located within 45m of the northernmost limit of the subject property:

(i) a rear yard (minimum) from any north rear lot line: 45m;

(ii) a side yard (minimum) from any north side lot line: 45m

The site specific by-law included a provision that read:

Providing that notwithstanding any other provisions of the by-law to the contrary, no building or structure or any part thereof, save and except for any structures associated with stormwater management facilities, shall be located within 45 metres of the north boundary of the lands affected by this by-law and shown of Schedule "X" attached hereto.

Comprehensive Zoning By-law 2010-40

Council adopted Zoning By-Law 2010-40 on June 1, 2010 as the Town's new comprehensive zoning by-law. The new By-law 2010-40 replaced the previous Zoning Bylaw 1979-50 and is a set of regulations governing land uses, buildings, and structures within the Town. As Council are aware, a zoning bylaw is a prescriptive document that inherently has little flexibility.

In reviewing proposed sitings for a lot adjacent to the northerly property line of the subdivision, staff realized that the requirement for the 45m setback was inadvertently omitted from the Comprehensive Zoning By-Law 2010-40 and the normal and usual 9m setback would apply to these lands. As the setback was based on minutes of settlement and approved through the Ontario Municipal Board, it is appropriate to amend the comprehensive zoning by-law to re-establish the 45m setback.

However, it is our understanding that the owners of the land (Copper Hills) would prefer to have a lesser setback than the 45m to allow for a house design that the developer indicates would be better suited for the established lots that cannot be achieved with a 45m setback. We assume the owner of the lands will provide formal comments on this proposed technical amendment either at the recommended public meeting for otherwise.

Official Plan Considerations

The subject lands are designated Emerging Residential in the Town's 2006 Official Plan which permit this form of dwelling unit. The Official Plan does not provide details on standards for specific zones, but rather recognizes that the zoning by-law regulates the use of land including the erection, location and use of buildings. The requested relief would conform to the general intent and purpose of the Official Plan.

Provincial Policy Statement

The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with this policy statement. This technical amendment is consistent with the PPS.

Departmental and Agency Comments

Comments received from department and agencies will be addressed throughout this process.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The continued development of this parcel of land is in accordance with the Newmarket Official Plan and has linkages to the Community Strategic Plan as follows:

Well Balanced: encouraging a sense of community through an appropriate mix of land uses and amenities.

Well-Planned & Connected: implementing the policies of the Official Plan

COMMUNITY CONSULTATION POLICY

A statutory public meeting will be required as part of the Planning Act requirements for the proposed changes to the zoning bylaw.

BUDGET IMPACT

Should the technical amendment process be referred to a public meeting, there will be the typical costs associated with providing notice and holding the public meeting.

CONTACT

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; druggle@newmarket.ca

Attachments

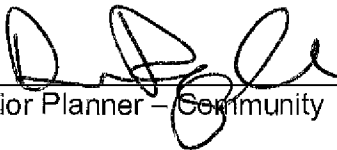
Location Map



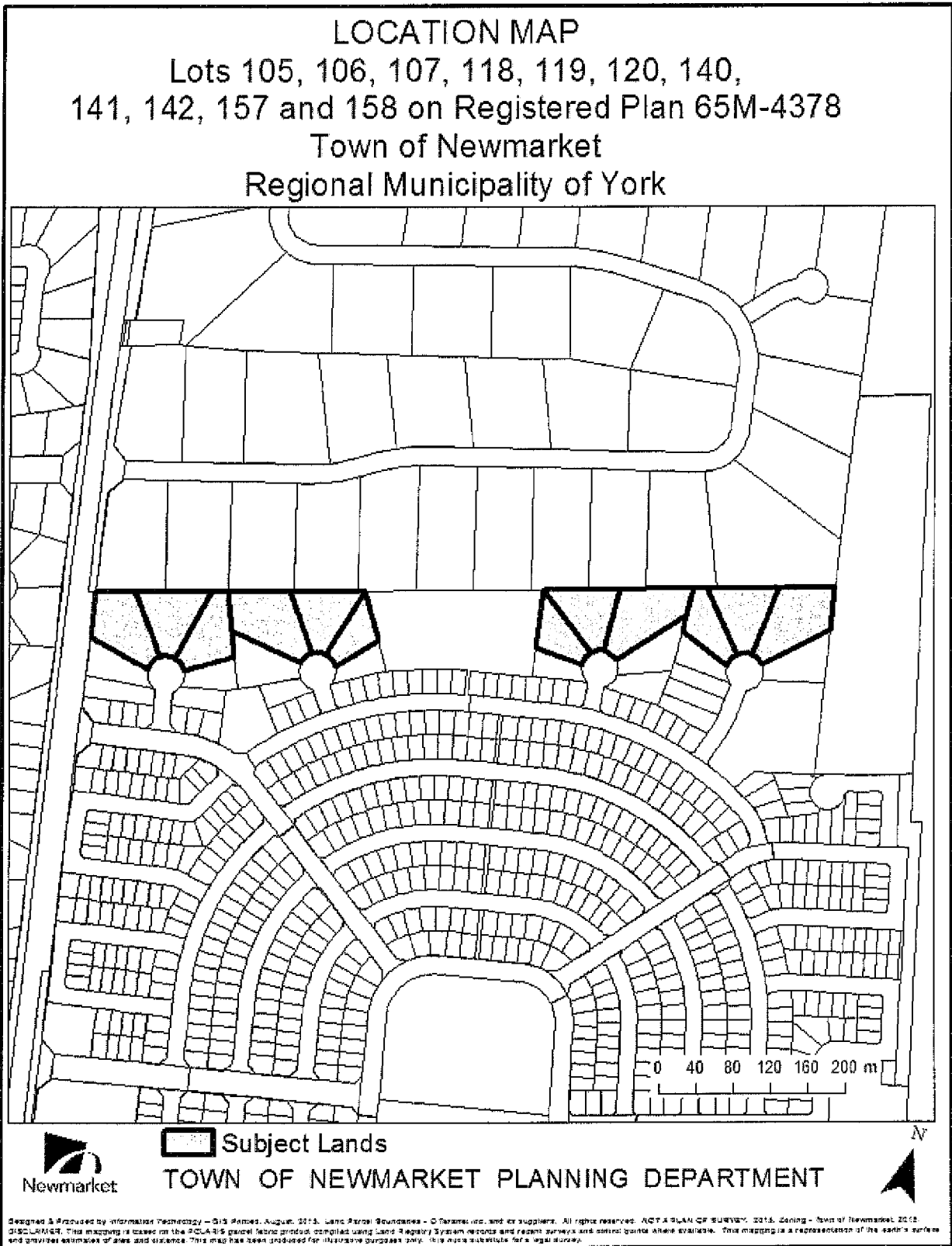
Director of Planning and Building Services



Commissioner of Development and Infrastructure
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August 5, 2015

DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2015-45

TO: Committee of the Whole

SUBJECT: Main Street South – Accessible Parking Space
File No.: T.08 T.30 Main Street South

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2015-45 dated August 5, 2015 regarding “Main Street South – Accessible Parking Space” be received and the following recommendations be adopted:

1. **THAT Section 11 (Loading Zones) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:**
 - 11.e. **Main Street South the southerly two on-street parking spaces between Botsford Street and Timothy Street;**
2. **AND THAT Section 11 (Loading Zones) of the Parking By-law 1993-62, as amended, be further amended by adding the following:**
 - 11.e. **Main Street South the second space north of Timothy Street between Botsford Street and Timothy Street;**
3. **AND THAT one (1) accessible parking space be installed in the southerly most parking space between Botsford Street and Timothy Street;**
4. **AND THAT the necessary By-law be prepared and submitted to Council for its approval.**

COMMENTS

With the changing needs and use of the on-street parking on Main Street South, the Town has received requests for an additional accessible parking space between Botsford Street and Timothy Street.

Staff reviewed possible locations in consultation with the Accessibility Advisory Committee and determined that the best location is the southernmost parking space immediately north of Timothy Street. In 2012, this parking space and the space immediately north of it had been converted from standard street parking to limited loading zone parking spaces. This was done to accommodate receiving needs of businesses whose loading zones were impacted during the reconstruction of Cedar Street.

Since 2012, the parking dynamics have changed and there is now a need for additional accessible parking on Main Street South. Therefore, it is recommended that, in order to place an accessible parking space on Main Street South, one of the current limited loading zone parking spaces at this location will have to be removed and replaced with the accessible parking space.

PUBLIC CONSULTATION

As per the requirements of the Integrated Accessibility Standards, the Town's Accessibility Advisory Group was consulted and are in agreement with the location of the accessible parking space.

A copy of this report will be forwarded to the Downtown Business Improvement Area.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

HUMAN RESOURCE CONSIDERATIONS

No impact on current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

No impact on the Operating Budget.

Capital Budget


The additional signage and implementation will be in the order of \$500.00 to \$1,000.00 depending on number of poles and underground utilities.

CONTACT

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

Prepared by:


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


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


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





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August 5, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2015-46**

TO: Committee of the Whole
SUBJECT: Pearson Street – Parking Restrictions
File No.: T.08 T.30 Pearson Street
ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2015-46 dated August 5, 2015 regarding “Pearson Street – Parking Restrictions” be received and the following recommendation be adopted:

THAT no additional parking restrictions be implemented on Pearson Street.

COMMENTS

Through the Ward Councillor, Engineering Services received a concern from a resident on Second Street regarding parking near the intersection of Prospect Street and Pearson Street. Engineering Services undertook the process outlined in the Corporate Parking Policy which begins with contacting the community for their feedback. It was concluded that the majority of residents on Pearson Street (fronting and flanking) are against any changes to the current existing parking regulations.

Therefore, it is recommended that there be no changes to the existing parking restrictions on Pearson Street at this time.

PUBLIC CONSULTATION

A letter was sent to the Pearson community (west of Prospect Street) on May 22, 2015 to solicit their comments on the proposed changes to parking restrictions. A total of three households would be impacted by the proposed change and were contacted. Out of the households contacted, two were against any changes, and one was in favour of the proposal.

A copy of this report will be forwarded to the affected residents prior to the Committee of the Whole Meeting so that residents may attend the Committee of the Whole meeting or present a deputation if they so wish.

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BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

HUMAN RESOURCE CONSIDERATIONS

No impact on current staffing levels.

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

No impact on the Operating Budget.

Capital Budget


No impact on the Capital Budget.

CONTACT

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

Prepared by:


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August 6, 2015**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2015-47**

TO: Committee of the Whole

SUBJECT: Patti McCulloch Way – Parking Restrictions
File No.: T.08 T.30 Patti McCulloch

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2015-47 dated August 6, 2015 regarding “Patti McCulloch Way – Parking Restrictions” be received and the following recommendation be adopted:

THAT no additional parking restrictions be implemented on Patti McCulloch Way.

COMMENTS

Through the Ward Councillor, Engineering Services received a concern from a resident regarding parking on Patti McCulloch Way. Engineering Services undertook the process outlined in the Corporate Parking Policy which begins with contacting the community for their feedback. The Town received no response from the community.

Therefore, it is recommended that there be no changes to the existing parking restrictions on Patti McCulloch Way at this time.

PUBLIC CONSULTATION

A letter was sent to the Patti McCulloch community (just south of Woodspring Avenue) on May 22, 2015 to solicit their comments on the proposed changes to parking restrictions. A total of six (6) households would be impacted by the proposed changes and were contacted. Out of the households contacted, the Town did not receive any responses.

A copy of this report will be forwarded to affected residents prior to the Committee of the Whole Meeting so that residents may attend the Committee of the Whole meeting or present a deputation if they so wish.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

HUMAN RESOURCE CONSIDERATIONS

No impact on current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

No impact on the Operating Budget.

Capital Budget

No impact on the Capital Budget.

CONTACT

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

Prepared by:



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



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P. Noehammer, P.Eng., Commissioner
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August 11, 2015

DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2015-48

TO: Committee of the Whole

SUBJECT: Final Acceptance and Assumption of the Stormwater Management Pond for
Criterion Development (Summerhill South)
ES File No.: D.24.64

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

1. **THAT Development and Infrastructure Services Report – ES 2015-48 dated August 11, 2015 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill South) be received and the following recommendation(s) be adopted;**
2. **AND THAT the request for final Acceptance and Assumption of Stormwater Management Pond for Criterion Development (Summerhill South) as shown on the attached map be finally accepted and assumed by the Town;**
3. **AND THAT the Clerk's office notify Mr. Paul Minz of Criterion Development Corporation, and Mr. John Kaczor, A.Sc.T., of MMM Group Limited of these recommendations.**

COMMENTS

We are in receipt of an application from MMM Group Limited on behalf of Criterion Development Corporation, wherein a request for final acceptance and assumption of the Stormwater Management Pond for Criterion Development (Summerhill South) is made.

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

All required documentation has been provided and reviewed by our checking consultant, R.J. Burnside & Associates Ltd., who have provided their recommendation for final acceptance and assumption. At this time, no recommendation to release the performance security has been made.

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

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

There is no public consultation with this recommendation.

BUDGET IMPACT

Operating Budget (Current and Future)

With this recommendation, the above captioned Stormwater Management Pond for Criterion Development (Summerhill South) will now be under the Town's Operating Budget.

CONTACT

For more information on this report, contact Victoria Klyuev at 905-895-5193 extension 2513 or by e-mail at, vklyuev@newmarket.ca



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



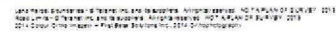
R. Bingham, C.E.T.,
Manager, Engineering and Technical Services



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



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





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August 12, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
PUBLIC WORKS SERVICES 2015-49**

TO: Committee of the Whole
SUBJECT: Main Street – Waste Management Solutions
ORIGIN: Director, Public Works Services

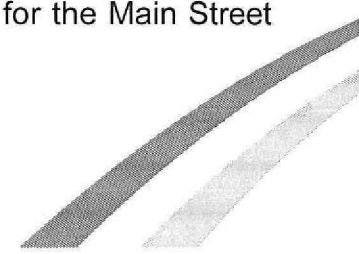
RECOMMENDATIONS

THAT Development and Infrastructure Services Report Public Works Services – PWS 2015-49, dated August 4, 2015 regarding Main Street – Waste Management Solutions, be received and the following recommendation(s) be adopted:

- 1. THAT staff bring forward the purchase of new lids for the existing containers that have a larger opening to accept larger items during the 2016 draft capital budget requests;**
- 2. AND THAT staff send letters to the property owners and tenants advising that waste should only be placed out for collection on Tuesdays and Fridays by 6:00 a.m.;**
- 3. AND THAT staff bring forward the purchase of a mobile surveillance camera in the 2016 draft capital budget requests to provide evidence on the source of waste being left at the containers;**
- 4. AND THAT staff bring forward a proposal for weekend service for collection of waste in containers on Main Street from Water Street to Millard Avenue in the 2016 draft operating budget requests;**
- 5. AND THAT staff continue to explore options for waste collection improvements in the downtown core.**

BACKGROUND

This report has been prepared in response to Council's motion of June 1, 2015, that requested staff to prepare a report in 90 days on possible waste management solutions for the Main Street Area, specifically as it pertains to weekend waste storage and collection.



COMMENTS

An issue becoming more prevalent in the past few years is the accumulation and overflowing of debris on top of the waste containers on Main Street, especially in the downtown core. Presently, Main Street (from Water Street to Davis Drive), Cedar Street and Market Square receive curbside collection for waste, blue and green bin by the Town's solid waste contractor twice a week; Tuesdays and Fridays between 6:30 am and 8:00 am. These times were selected to minimize conflict with traffic and parking in the downtown area. In addition the Public Works Services Department provides a further service emptying the twenty (20) waste containers three more times a week; Monday, Wednesday and Friday. This enhanced level of service is not provided anywhere else in the Town.

The current lids on the waste containers are designed with a small opening to allow depositing of small items only and not grocery bags full of material, this contributes to material either being placed on top of the containers or on the sidewalk around the containers. Replacing the lids to allow for a larger opening should allow larger items/bags to be placed inside the containers.

The present service level still does not stop the "dumping/leaving" of the debris throughout the day, presumably by tenants occupying living areas above the businesses. This practice persists seven days a week as there is no waste storage area available for tenants within the buildings. Notices advising landlords and tenants were hand delivered by a BIA member in 2014 to each unit and notices were mailed to registered property owners at the same time indicating not to place material at the containers except for designated curbside collection days. Unfortunately this practice still takes place and decreases the aesthetics of the downtown core. Staff propose greater surveillance of this practice to determine the source of waste being left at containers.

The character and vibrancy of Main Street itself is changing, with many additional places to eat or purchase food items, longer hours and some businesses open seven days a week. An increase in the number of special events in the downtown core area also increases the demand on the waste containers outside of regular business hours and weekends.

Presently, there is no regularly scheduled weekend service provided by staff to empty the waste containers. It is only provided by exception if there is an approved road closure permit for an event on Main Street, where staff when setting up the traffic control devices for the closure will empty the waste containers and collect any bags/debris on Main Street. If the event draws large crowds, containers may fill up; however, they are not collected until the next regular business day. Weekend collection would improve the appearance of the downtown.

The Cedar Street and the downtown core area do not provide a suitable location for large bulk lift containers to be placed for tenants to use in the off hours because of the tight movement restrictions for the large garbage trucks required.

PUBLIC CONSULTATION

No public consultation was obtained for this report.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Deliver affordable, efficient and effective solid waste collection services that meet or exceed provincially mandated requirements, Council, BIA and the public expectations, while promoting and encouraging solid waste diversion through recycling, composting, rethinking, reusing, reducing and implementing programs to achieve a realistic diversion rate and environmental protection.

HUMAN RESOURCE CONSIDERATIONS

None required at this time.

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

Operating costs for staff to carry out collection of waste on weekends will be included in the 2016 draft Operating budget requests.

Capital Budget

Capital costs to change the waste container lids and purchase a mobile surveillance camera will be included in the 2016 draft Capital Budget requests.

CONTACT

For more information on this report, please contact Christopher Kalimootoo at extension 2551; ckalimootoo@newmarket.ca.

Prepared by:



C. Kalimootoo, BA, P.Eng, MPA, PMP
Director, Public Works Services



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



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August 19, 2015

**CHIEF ADMINISTRATIVE OFFICER REPORT /HUMAN RESOURCES
REPORT #2015-06**

TO: Mayor Van Bynen & Members of Council

SUBJECT: NTAG Deputation June 22, 2015 re: Budget, Performance Objectives and other Corporate Matters

ORIGIN: CAO/Human Resources

RECOMMENDATIONS

THAT CAO/Human Resources Report #2015-06 dated August 19, 2015 regarding NTAG Deputation June 22, 2015 re: Budget, Performance Objectives and other Corporate Matters be received and the following recommendation be adopted:

AND THAT in accordance with Council's Strategic Priority of Community Engagement, an open house and Public Information Centre be scheduled prior to the end of 2015 as an opportunity to inform and engage all interested residents and stakeholders on matters of general public interest.

COMMENTS

This report is intended to address comments made by the Newmarket Taxpayers Advocacy Group (NTAG) to Council on June 22 at which time the deputation expressed some concerns respecting the process, or possible lack thereof of establishing the Town's Strategic Priorities and the linkage to Performance Management processes for staff in supervisory roles. The municipality has also received requests for information from the public related to strategic planning processes, financial management and controls, business incentive programs, civic planning and corporate policies.

For efficiency purposes, as staff continues to expend time and resources with respect to these requests, it is being proposed that the Town host an open house 'drop in' for interested residents and stakeholders providing an opportunity to share with all of the community, our strategic planning and measurement processes as well as other information.

In the meantime, the remainder of this report sets out at a high level, some of our processes related to:

- Establishment of Council strategic priorities
- Cascading of Strategic Priorities down through the organization from the CAO
- Performance Management
- Succession Planning
- Staff Development

1. Establishment of Strategic Priorities 2012-2014

Each term of office the CAO is responsible for establishing a process that will support Council in identifying and solidifying strategic priorities for the term of office. Once set the CAO is responsible for aligning administrative goals of the organization to Council's priorities. The priorities are broken down into strategic focus areas and translated into corporate actions that will deliver on the established priorities. The Council Strategic Priorities for this term are being finalized (see link to report below).

NTAG requested in their deputation information related to performance objectives and other administrative matters. The final December 2014 Strategic Priorities Report Card and Summary Action Plan are provided by way of the following links to show how progress is tracked at a high level recognizing individual success is tracked through a more formal performance process:



[CAO/Strategic Initiatives Information Report 2015-01 re: 2014-2018 Strategic Priorities](#)

[CAO/Strategic Initiatives Information Report 2015-01 re: Council Strategic Priorities - 2012 to 2014 Final Report Card & Summary Action Plan](#)

The 2012-2014 CAO priorities for example contain the following overriding priorities to:

- Oversee the successful implementation of Council Strategic Priorities
- Direct core strategies, master plans, programs and initiatives approved by Council to their successful implementation and completion to maintain the current ranking as one of Canada's Top Towns to Live In.

A specific example from the CAO's 2013 Priorities and the linkage to Council's Priorities is as follows:

Council Strategic Priority	CAO Priority
Strategic Focus Area: Fiscal Responsibility (2013/14 Budget)	Budget 2013/14 <ul style="list-style-type: none"> • Establish Council's budget priorities for

<ul style="list-style-type: none"> • Identify new sources of revenue (RSS) • Review Asset Replacement Fund (ARF) 	<p>2013</p> <ul style="list-style-type: none"> • Oversee the delivery of the 2013 draft budget to Council and achieve approval by end of 2012 <p>Capital Financing Study</p> <ul style="list-style-type: none"> • Oversee the completion of the Capital Financing Sustainability Strategy Parts 1 and 2 by end of 2013 and advance DC update for finalization in 2014. • Commence 2014 Budget strategy
--	---

The status of the Council priorities and related action items is reviewed regularly with Council with report cards every 6 months.

2. Cascading of Strategic Priorities

Each term when strategic priorities are established, the CAO undertakes to ensure communication of the priorities to all areas of the corporation, both through written form and personally at Town Halls and Coffee With events. Through the Commissioners, and in consultation with senior management, departmental strategies are developed to deliver on the corporate priorities. In turn, these priorities are translated into work plans and are cascaded down to the front lines thus ensuring alignment of departmental priorities with corporate priorities.

3. Performance Management/Succession Planning/Staff Development

The Town committed to a performance management model in 2002. While 2015 kicked off an updated program and the new program is in test mode in 2015, departments are required to engage with employees throughout the year relative to established individual and/or team objectives and competency development objectives.

Staff development can take many forms. It is not just simply about formal training but rather about exposing staff to other forms of development. This may include participation on committees, temporary secondments to other areas, leading projects, mentoring, etc. It is this inclusive approach that contributes to a culture where rewards are not measured strictly in dollars but in a sense of engagement, fulfillment and respect, which in turn lends itself to a high performing culture. This type of approach supports succession planning.

The Town recently launched an online learning and development program called Harvard ManageMentor that accommodates various styles of learning given the 4 generations in the workplace and supports both knowledge and competency development. Development through this program is tied directly to the formal Performance Partnership Program which is aligned with departmental and corporate strategic objectives. Evidence of the success of the Town's approach

was reflected in the recent Professional Development Award from CAMA (Canadian Association of Municipal Administrators). The Town received the Professional Development Award which recognizes a community that has developed a unique and innovative program for their staff and can be replicated in other communities.

The evolution of the various programs that support employee development and a positive employee culture support a higher level of creativity and innovation, a culture of trust and collaboration which in turn results in greater outcomes. This employment brand is then translated into an attraction and retention strategy which ultimately serves the community. Creating and maintaining a motivated, engaged and inspired workforce has greatly contributed to the Towns' success in many areas.

4. Fiscal Responsibility

The Town of Newmarket has adopted a budget and budget control process that takes place through public consultation, Council strategic and fiscal direction and staff action annually. Council sets targets, strategic and project considerations and service levels. The Council budget presentations and staff reports can be found on the Town website.

Staff have continually sought out efficiencies as part of this annual process to meet or exceed Budget targets while maintaining Council approved service levels. This has resulted in significant cost saving, cost avoidance, innovation and service level enhancements over many years. Examples include:

- Collaborative initiatives such as with the N6 (northern six municipalities of York Region) on items such as solid waste collection, insurance, audit and training
- Energy reduction programs in facilities and energy generation through solar panel programs
- Revenue sourcing and maximization such as sponsorship and the Service Pricing Policy
- Efficiencies such as shared resources with partner municipalities and others
- New technologies such as LED street lighting

The result being that Newmarket taxes are below the Region and GTA average according to the most recent BMA study.

In conclusion, the Town of Newmarket administration strives to create an engaged and empowered workforce focused on customer service, public service excellence and innovation in an environment of significant complexity, growing demands, ever-increasing legislative requirements, technological change and competition for resources and economic development.

In addition, the organization is governed by an extensive and comprehensive set of policies, guidelines and processes of a modern, progressive municipality with many different lines of business.

It is staff's intent to showcase in more detail at the Open House being proposed our processes related to such things as strategic planning, financial management and controls, business incentive programs, civic Planning, and corporate policies.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This Report supports the Strategic Plan direction Well-Equipped and Managed by implementing policy and processes that reflect sound and accountable governance through leading-edge management and the efficient management of municipal services.

CONSULTATION

Consultation with the Commissioners was carried out as part of the preparation of this report.

HUMAN RESOURCE CONSIDERATIONS

The recommendations contained in this report have no immediate impact on staffing levels.

BUDGET IMPACT - Operating and Capital Budgets (Current and Future)

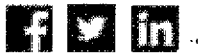
This report has no direct impact on the Town's operating or capital budgets.

CONTACT

For more information on this report, contact Bob Shelton, CAO or the Director of Human Resources, Lynn Georgeff.



Bob Shelton, Chief Administrative Officer



Please consider the environment before printing this email.

From: Milne, Lindsay

Sent: Thursday, July 02, 2015 3:44 PM

To: Chris Kalimootoo ; cmarsales@markham.ca; Gagan Sandhu; George Flint - Town of Richmond Hill (gflint@richmondhill.ca); Hordowick, Julie; Hurley, Sean; Ilmar Simanovskis; Jennifer Rose; John Hannah; Loukes, Peter; McDowell, Laura; Mike Cole; Milne, Lindsay; Rob Flindall

Subject: York Regional Council Adopts Resolution on Extended Producer Responsibility in Ontario

Dear Partners,

On June 18, 2015, staff reported to York Region Committee of the Whole in regards to the pending waste reduction legislation in Ontario. The report, recommendations and presentation can be viewed [at this link](#).

The report outlines the process the Province has undertaken to update the Waste Diversion Act; the challenges faced by municipalities under the current system; and our position on the key considerations for developing a new waste reduction framework with extended producer responsibility. Regional Council passed a resolution to support the development of a "Made-in-Ontario" framework for extended producer responsibility that respects the complexity of the integrated waste management system in Ontario and compensates municipalities for the collection, transfer and processing of designated wastes without compromising service levels to residents or the environment. Regional Chair Emmerson also sent a letter to the Minister of the Environment and Climate Change, reiterating our position on this issue (please see attached).

A copy of the report with the resolution will be circulated to local municipal councils via the clerk's office. Please consider encouraging your council to endorse the resolution as a way of supporting the municipal position on this important issue.

We will continue to keep you posted on the developments on this issue. Once the MOECC releases draft material for comment, we will set up a workshop to gather your input for a formal submission in response.

Regards,

Lindsay Milne | Manager (Acting), Sustainable Waste Management, Environmental Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 905-830-4444 ext. 75714 | C: 905-716-3167 (if applicable) | lindsay.milne@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



A161005



June 26, 2015

Mr. Andrew Brouwer
 Director of Legislative Services and Town Clerk
 Town of Newmarket
 395 Mulock Drive
 P.O. Box 328
 Newmarket, ON L3Y 4X7

CORPORATE SERVICES		OFFICE OF THE COMMISSIONER	
INCOMING MAIL	REFD TO	OFFICE OF DEVELOPMENT & INFRASTRUCTURE SERVICES	
JUL 08 2015		JUL 10 2015	
C. Kellerman		Refer	Initial
P. Dechamplain			

RECEIVED
 JUL 03 2015
 BYLAWS DEPT.

Dear Mr. Brouwer:

**Re: Pending Waste Reduction and Resource Recovery Framework
 Legislation Update**

I am writing to seek your municipality's endorsement of York Region's resolution regarding the legislative framework for waste reduction and recovery. This resolution can be found in Attachment 1 of the enclosed report.

Also, Regional Council, at its meeting held on June 25, 2015 adopted the following recommendations regarding "Pending Waste Reduction and Resource Recovery Framework Legislation Update":

1. Receipt of the presentation by Laura McDowell, Director, Environmental Promotion and Protection and Dave Gordon, Manager, Sustainable Waste Management, Environmental Services.
2. Adoption of the following recommendations contained in the report dated June 8, 2015 from the Commissioner of Environmental Services, as amended:
 1. Council adopt a modified proposed Association of Municipalities of Ontario resolution in support of a "made in-Ontario" legislative framework for waste reduction and resource recovery that supports full producer responsibility with a legislated role for municipalities that respects the current complexity of the integrated waste management system (Revised Attachment 1).
 2. Council authorize the Chairman to write to the Minister of the Environment and Climate Change in support of a "made in Ontario" model for full producer responsibility including total cost reimbursement for collection, transfer and processing of designated wastes that respects the complexity of the integrated waste management system, and to emphasize in the letter York Region's successes in innovative waste reduction strategies.

3. Council requests the Ministry of the Environment and Climate Change continue to engage with York Region and municipal associations to fully understand the impact of changes to the integrated waste management system under various extended producer responsibility models to develop a "made in Ontario" model.
4. The Regional Clerk circulate this report and attachments to Clerks of the local municipalities for local municipal endorsement as well as circulate to the Ministry of the Environment and Climate Change as acknowledgement of Council endorsement.
3. Receipt of the memorandum from Erin Mahoney, Commissioner of Environmental Services, dated June 25, 2015 regarding "Update on 2015 Blue Box Funding for Ontario Municipalities".

Copies of Minute Extracts #137 and #139 acknowledging Regional Council's endorsement, Clause 2 of Committee of the Whole Report No. 12 with three attachments and the memorandum from Erin Mahoney, Commissioner of Environmental Services, regarding "Update on 2015 Blue Box Funding for Ontario Municipalities" with one attachment are enclosed for your information and endorsement.

Please contact Laura McDowell, Director, Environmental Promotion and Protection, at 905-830-4444 ext. 75077 if you have any questions with respect to this matter.

Sincerely,


 Denis Kelly
 Regional Clerk

/C. Clark
 Attachment (7)



Minute Nos. 137 and 139 as recorded in the Minutes of the meeting of the Council of The Regional Municipality of York held on June 25, 2015.

137 Update on 2015 Blue Box Funding for Ontario Municipalities

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Ferri that Council receive the communication from Erin Mahoney, Commissioner of Environmental Services, dated June 25, 2015 and refer it to consideration of Clause 2 of Committee of the Whole Report No. 12.

Carried

...

139 Report No. 12 of Committee of the Whole – June 18, 2015

It was moved by Mayor Pellegrini, seconded by Mayor Van Bynen that Council adopt the recommendations in Report No. 12 of Committee of the Whole with the following amendments as noted:

Clause 2 – Pending Waste Reduction and Resource Recovery Framework Legislation Update

Amendment to staff recommendation 2 to read as follows:

2. Council authorize the Chairman to write to the Minister of the Environment and Climate Change in support of a "made in Ontario" model for full producer responsibility including total cost reimbursement for collection, transfer and processing of designated wastes that respects the complexity of the integrated waste management system, *and to emphasize in the letter York Region's successes in innovative waste reduction strategies.*

Carried



Clause 2 in Report No. 12 of Committee of the Whole was adopted by the Council of The Regional Municipality of York at its meeting held on June 25, 2015 with the following amendments:

Amendment to staff recommendation 2 to read as follows:

2. Council authorize the Chairman to write to the Minister of the Environment and Climate Change in support of a "made in Ontario" model for full producer responsibility including total cost reimbursement for collection, transfer and processing of designated wastes that respects the complexity of the integrated waste management system, *and to emphasize in the letter York Region's successes in innovative waste reduction strategies.*

Add the following recommendation:

3. Receipt of the memorandum from Erin Mahoney, Commissioner of Environmental Services, dated June 25, 2015 regarding "Update on 2015 Blue Box Funding for Ontario Municipalities".

2

Pending Waste Reduction and Resource Recovery Framework Legislation Update

Committee of the Whole recommends:

1. Receipt of the presentation by Laura McDowell, Director, Environmental Promotion and Protection and Dave Gordon, Manager, Sustainable Waste Management, Environmental Services.
2. Adoption of the following recommendations contained in the report dated June 8, 2015 from the Commissioner of Environmental Services, as amended:
 1. *Council adopt a modified proposed Association of Municipalities of Ontario resolution in support of a "made in-Ontario" legislative framework for waste reduction and resource recovery that supports full producer responsibility with a legislated role for municipalities that respects the current complexity of the integrated waste management system (Revised Attachment 1).*

Pending Waste Reduction and Resource Recovery Framework Legislation

2. Council authorize the Chairman to write to the Minister of the Environment and Climate Change in support of a "made in Ontario" model for full producer responsibility including total cost reimbursement for collection, transfer and processing of designated wastes that respects the complexity of the integrated waste management system.
3. Council requests the Ministry of the Environment and Climate Change continue to engage with York Region and municipal associations to fully understand the impact of changes to the integrated waste management system under various extended producer responsibility models to develop a "made in Ontario" model.
4. The Regional Clerk circulate this report and attachments to Clerks of the local municipalities *for local municipal endorsement as well as circulate to the Ministry of the Environment and Climate Change as acknowledgement of Council endorsement.*

1. Recommendations

It is recommended that:

1. Council adopt the Association of Municipalities of Ontario resolution in support of full producer responsibility and development of a new provincial legislative framework for waste reduction and resource recovery (Attachment 1).
2. Council authorize the Chairman to write to the Minister of the Environment and Climate Change in support of a "made in Ontario" model for full producer responsibility including total cost reimbursement for collection, transfer and processing of designated wastes that respects the complexity of the integrated waste management system.
3. Council requests the Ministry of the Environment and Climate Change continue to engage with York Region and municipal associations to fully understand the impact of changes to the integrated waste management system under various extended producer responsibility models to develop a "made in Ontario" model.
4. The Regional Clerk circulate this report and attachments to Clerks of the local municipalities and the Ministry of the Environment and Climate Change as acknowledgement of Council endorsement.

Pending Waste Reduction and Resource Recovery Framework Legislation

2. Purpose

This report updates Council on pending waste reduction legislation and potential implications for York Region and its local municipal partners. It recommends support for a resolution proposed by the Association of the Municipalities of Ontario on full producer responsibility and support for continued advocacy for municipal interests in new provincial waste management policy and legislation.

3. Background

Current waste management legislation in Ontario subject to continuing criticism from various stakeholders

Currently, waste management in Ontario is governed by the *Waste Diversion Act, 2002*. In September 2002, the Minister of the Environment (the Minister) designated Blue Box materials as the target of the first waste diversion program under the Act. Waste diversion programs for used oil and used tires were designated in March 2003, to be followed over the next two years by electronic wastes and household hazardous wastes. The *Waste Diversion Act, 2002* obligates stewards, companies or first importers who produce packaging and printed paper, to fund 50 per cent of the total cost of waste management for materials they manufacture. The steward funding obligation is subject to an annual negotiation through the Municipal Industry Program Committee. Municipal Industry Program Committee membership is comprised of representatives of municipalities and stewards (Stewardship Ontario) and is chaired by the executive director of Waste Diversion Ontario (WDO). The Municipal Industry Program Committee provides WDO with a recommendation for the amount of the steward obligation for any given operational year. Continuing criticisms expressed by municipal and industry stakeholders about the process include:

- The system allows industry stewards to prioritize minimizing costs to businesses over achieving increased waste diversion
- Industry stewards argue they could achieve higher efficiencies of scale if they had full control of Ontario's recycling system
- Focus on recycling rather than waste reduction and reuse
- Current *Waste Diversion Act, 2002* framework under which stewards and municipalities negotiate the steward obligation for a given year remains challenging

Pending Waste Reduction and Resource Recovery Framework Legislation

Challenges in negotiating steward obligation led to arbitration that awarded 50 per cent of total net costs to municipalities in 2014

Historically, negotiations at the Municipal Industry Program Committee have been challenging and have gradually resulted in the steward obligation falling below 50 per cent of the total cost of management of packaging and printed paper waste. In 2014, the Municipal Industry Program Committee could not reach an agreement on the steward obligation and the dispute was sent to arbitration by the WDO. The Arbitrator provided a thorough decision which concluded the 2014 steward obligation was correctly calculated as 50 per cent of the total net costs as submitted by municipalities. Accordingly, municipalities received the full 50 per cent of reported net costs for 2014, which was approximately \$15.6M more funding than the stewards were seeking to pay. The Arbitrator recommended that the method adopted for 2014 - the use of the Municipal Datacall and the WDO verification process - be used in future years subject to review and discussion at the Municipal Industry Program Committee as to any adjustments that need to be made each year.

Waste Diversion Ontario moves to mediation between AMO/City of Toronto and Stewardship Ontario to determine the 2015 Steward Blue Box Obligation

For the 2015 Steward Blue Box obligation negotiation, municipalities requested that WDO use the methodology the Arbitrator based his 2014 decision on until new waste recovery legislation is introduced. The Stewards did not agree, favouring their historical position that the steward obligation be based on effectiveness and efficiency measures applied to the Municipal Datacall results. WDO has ordered a mediation process to explore all possible options to determine the 2015 steward obligation. Municipalities believe total costs as submitted to the Municipal Datacall reflect the final steward obligation. Interim 2015 Blue Box funding will be calculated using the Arbitrator's method of determining the 2014 steward obligation. The results of mediation and any potential arbitration proceedings will determine the final 2015 steward obligation.

The Province previously introduced new waste reduction framework legislation in 2013, but it did not receive Royal Assent

Provincial review of the *Waste Diversion Act, 2002* began in 2008 with consultations and resulted in the release of "From Waste to Worth" Minister's report in October 2009 on updating the existing *Waste Diversion Act, 2002*. In June 2013, the Ontario Government released Bill 91: Proposed Waste Reduction Act (2013). The proposed Act (2013) did not receive Royal Assent due to a General Election call. The proposed legislation reflected years of advocacy for the municipal position by York Region and municipal associations such as the

Pending Waste Reduction and Resource Recovery Framework Legislation

Association of Municipalities of Ontario (AMO), Municipal Waste Association and Regional Public Works Commissioners of Ontario (RPWCO). Table 1 summarizes the timeline of activities where municipalities advocated for improved and revised waste reduction legislation through Bill 91.

Table 1
Municipal advocacy timeline for
improved waste reduction legislation in Ontario

Date	Municipal advocacy efforts
June 6, 2013	<ul style="list-style-type: none"> • Bill 91, the proposed Waste Reduction Act, is introduced in the Ontario Legislature and posted to the EBR. 90 Day Comment Period opens and closes September 4, 2014
June 6, 2013 - August 23, 2013	<ul style="list-style-type: none"> • Formal consultations with MOECC take place on Bill 91. All stakeholders are engaged, including stewards, municipalities, service providers, municipal associations, non-governmental organizations and residents.
June 19, 2013	<ul style="list-style-type: none"> • Commissioner, Environmental Services briefs Environmental Services Committee on release of Bill 91
September 4, 2013	<ul style="list-style-type: none"> • York Region submits comments to MOECC on Bill 91. Municipal associations (AMO, MWA, RPWCO) submit joint comments to MOECC on Bill 91
September 26, 2013	<ul style="list-style-type: none"> • Regional Council receives Report No. 2 of Committee Of the Whole (September 19, 2013), including "Review of Bill 91, Proposed Waste Reduction Act 2013". Regional Council provides additional comments to Ministry on Bill 91
May 2, 2014	<ul style="list-style-type: none"> • Ontario General Election Call; Bill 91 dies

Minister announced 2015 legislative agenda to include reform of Ontario's waste diversion legislation, including a move to full producer responsibility

In November 2014, the Minister announced that reform of Ontario's waste diversion legislation, including a move to full producer responsibility, would be on the legislative agenda for 2015. Ministry of the Environment and Climate Change (MOECC) staff have described the new waste management legislation as a transformative policy framework for resource recovery, which will include new legislation that, if passed, would make stewards responsible for the full cost of end-of-life management of their products and packaging.

Pending Waste Reduction and Resource Recovery Framework Legislation

Ministry of the Environment and Climate Change scheduled sector based consultations with stakeholders on developing new waste management legislation in 2015

In early March, the MOECC held a multi-stakeholder forum to discuss the vision, scope and outcomes of a new policy framework for waste management in Ontario. Following this meeting, sector-based consultation sessions, scheduled in April and May, were attended by York Region staff, other municipalities and municipal associations to discuss key policy areas of the proposed legislation. The sector-based consultation sessions offered opportunities for stakeholders to raise their perspectives on the new waste management legislation. Representatives from stewards, municipalities, waste management industry and environmental non-governmental organizations were scheduled as separate consultation sessions to help move the framework forward.

Industry organizations have approached municipal staff and Councils asking to support resolutions regarding producer responsibility

The Minister's announcement regarding the pending release of new waste management legislation has been met with enthusiasm from all stakeholders. Many waste management and environmental organizations are publishing their proposed input on the potential for new legislation.

Within this context, some industry organizations have approached municipal staff and Councils asking to support resolutions regarding producer responsibility. Some of the resolutions proposed to municipalities have the potential to undermine the collective municipal interest by endorsing positions which may disproportionately benefit stewards.

Extended Producer Responsibility framework introduced in British Columbia is proving challenging for many municipalities

In May 2014, the Government of British Columbia approved a new stewardship plan for packaging and printed paper. These materials are managed via the Blue Box program in Ontario. Stewards, represented by Multi-Material British Columbia (MMBC), are now responsible for 100 per cent of the costs of collection and processing of residential packaging and printed paper. Under the MMBC model, municipalities have the option to collect packaging and printed paper and are compensated for collection at a rate determined by MMBC. If the rate offered by MMBC does not cover the cost of recycling services, the municipality can opt out of collection or choose to subsidize remaining costs using the tax base.

Pending Waste Reduction and Resource Recovery Framework Legislation

The MMBC framework for extended producer responsibility has presented challenges for some municipalities in British Columbia. Many municipalities are not able to collect materials at the low rate offered by MMBC and some have described initial negotiations with the stewards as one-sided. MMBC introduced maximum allowable contamination limits at processing centres that most Ontario municipalities would struggle to achieve. In addition, MMBC has autonomy to decide which materials are included in curbside collection. Glass has been removed from residential curbside collection, leaving depot collection as the only option for most residents to divert glass. British Columbia municipalities typically do not own processing infrastructure, unlike York Region which owns a materials recovery facility and would need to seek compensation for its capital investment if no longer in the business of processing.

York Region staff does not support the British Columbia model for extended producer responsibility as it does not recognize the integrated waste management system in Ontario

Introduction of an extended producer responsibility framework in Ontario similar to the one in British Columbia could have significant impacts on capital assets and contractual obligations. York Region staff does not support the British Columbia model for extended producer responsibility. A "made in Ontario" model is needed that builds on best practices from other communities and respects the role municipalities play as stewards of the environment and service providers for our residents.

4. Analysis and Options

Association of Municipalities of Ontario releases proposed resolution on producer responsibility and development of a new provincial framework for waste recovery

Regional staff contacted the Association of Municipalities of Ontario (AMO) with concern regarding industry organizations such as the Canadians for Clean Prosperity approaching municipalities seeking Council endorsements on the new waste management framework legislation that contradicted municipal interests. AMO responded by producing a sample resolution in support of full producer responsibility and development of a new Provincial legislative framework for waste recovery for consideration of municipal Councils. The proposed resolution was sent to all Ontario municipalities for consideration. Regional staff have reviewed and recommend this resolution as representative of York Region's interests regarding a new legislative framework for waste management.

Pending Waste Reduction and Resource Recovery Framework Legislation

The recommended Council resolution (Attachment 1) outlines many of the critical requirements for municipalities regarding a sustainable integrated waste management system including the importance of maintaining a municipal role to ensure customer service and environmental performance of the integrated waste management system remain integral priorities.

Association of Municipalities of Ontario releases discussion paper on Waste Reduction and Resource Recovery Framework Legislation

While individual municipalities are obligated to advocate for their own unique positions and needs, critical needs and interests of municipal governments in Ontario are universal. A collective effort to communicate these interests will have a more significant impact than a distributed response. AMO, working in collaboration with the City of Toronto, Regional Public Works Commissioners of Ontario and the Municipal Waste Association developed a position paper outlining the requirements which any new legislative framework must address. Critical municipal requirements outlined in the paper are:

- Continue to provide an integrated waste management system to Ontario residents
- Maximize diversion from landfill by diverting and recovering as much waste material as possible
- Minimize cost to municipal taxpayers to manage packaging and printed paper by shifting the full cost of end-of-life management to stewards, including the cost to manage designated products that end up in the disposal stream
- Equitable access for residents no matter where they live in Ontario to ensure convenient access to programs to encourage participation and maximize diversion of designated products
- Municipalities must be fairly compensated for any capital assets, investments and other contractual obligations that do not form part of the new legislative framework with an adequate transition period from the current system
- Clear rules and roles with balanced and accountable governance to enable decision making and dispute resolution with effective oversight that will ensure compliance with new legislation
- Municipalities, as a sector, must be formally recognized to act collectively on matters of governance, contract negotiations, dispute resolution and allocation of funds amongst municipalities

Pending Waste Reduction and Resource Recovery Framework Legislation

- Municipalities must have the right to maintain or reclaim the exclusive right to collect Blue Box materials from their residents and to be fairly compensated for this service
- Municipal right to compete fairly for blue box processing at a competitive rate from stewards for these services

The AMO discussion paper also examines the need for appropriate compensation for hazardous and special wastes, expanded producer responsibility to additional products, increased organics diversion and municipal-controlled access to funds for continuous improvement. The AMO discussion paper has been included as an attachment to this report (Attachments 2 and 3).

Municipal position on extended producer responsibility has been developed and revised through participation in previous consultations on proposed legislation

Through responses to Provincial discussion papers and proposed legislation, York Region and municipal associations such as AMO, Regional Public Works Commissioners of Ontario and the Municipal Waste Association have developed positions on new waste reduction framework legislation and extended producer responsibility. York Region staff work closely with municipal associations to ensure our positions align wherever possible. Regional staff have and will continue to advocate for inclusion of the 4th R – Recovery – as diversion in the provincial waste diversion reporting hierarchy. Notable advocacy positions shared between York Region and municipal associations include:

- Legislated municipal role in integrated waste management system
- Removal of the current 50 per cent funding cap for collection and processing of packaging and printed paper (Blue Box)
- Fair and transparent process for determining reasonable costs
- Fair compensation for assets and infrastructure affected by any new waste management framework
- Recognition of municipal mandate to divert potentially hazardous materials to protect municipal water quality and water sources

York Region staff are committed to working with municipalities and representative associations to develop a 'made-in-Ontario' framework for extended producer responsibility which respects the complexity of the integrated waste management system and compensates municipalities for the collection, transfer and processing of designated wastes without compromising service levels to residents or the environment.

Pending Waste Reduction and Resource Recovery Framework Legislation

Municipal associations' position on processing of blue box waste reflects diversity of processing arrangements across province

The municipal role, as a right, to collect packaging and printed paper (Blue Box materials) is collectively accepted by individual municipalities and their representative associations. All Ontario municipalities provide integrated collection of garbage and Blue Box materials and, in many cases, organics. The convenience of this integrated service ensures resident participation and diversion of waste from disposal and economic efficiency by procuring all collection services as part of a single contract.

The role of municipalities in the processing of packaging and printed paper is less precise. Some municipalities own and operate their own processing facilities, while some deliver this service via contracting of private facilities. A change in the processing system for Blue Box materials will impact some municipalities more than others. Those like York Region that have invested in infrastructure to process Blue Box materials face more significant impacts if the control over processing of materials is shifted to the stewards. Those currently contracting out processing of Blue Box materials will have less of a stake in this issue.

The position taken by municipal associations on processing packaging and printed paper has evolved to reflect the diversity of views in their membership. In 2013, AMO, the Municipal Waste Association and Regional Public Works Commissioners of Ontario made a submission on Bill 91 that supported a legislated role for municipalities in collection and processing with 100 per cent funding for cost of efficient service provision. In 2015, this position has changed to support a legislated role for municipalities to provide collection services with an opportunity to compete for processing services at a market rate.

Pending Waste Reduction and Resource Recovery Framework Legislation

Table 2

Comparison of Municipal Associations' response to Bill 91 and AMO Municipal Discussion Paper on Processing of Packaging and Printed Paper (Blue Box) – 2013 v. 2015

Municipal association (AMO, MWA, RPWCO) submission on Bill 91 (2013)	AMO Municipal Discussion Paper, April 2015
<ul style="list-style-type: none"> • Members agree that stewards should pay 100 per cent of cost of efficient collection, transfer and processing of packaging and printed paper in the waste stream • Multi-stakeholder process for reasonable cost determination be established to allow municipalities and stewards to reach agreement in timely manner 	<ul style="list-style-type: none"> • Municipal role, as of right, in collection of Blue Box materials with fair compensation • Municipal right to compete fairly for Blue Box processing and the right to retain processing of these materials with reimbursement at a competitive rate

Bill 91 did not receive Royal Assent and was deferred at least partially due to stewards' concerns regarding the legislated municipal role in the waste management system, specifically on processing of blue box materials. As a result, the recent AMO discussion paper proposes municipalities retain a fully funded role in collection of designated wastes and the right to compete fairly for processing these wastes.

York Region staff will continue to advocate for protection of municipal infrastructure and assets

York Region owns the York Region Waste Management Centre in East Gwillimbury and contracts operation of the facility to Miller Waste Systems. The Region has made significant investments into waste management infrastructure to ensure the success of our waste diversion programs. The Waste Management Centre is among the best performing facilities in Ontario, consistently capturing over 90 per cent of program recyclables in the inbound blue box stream. The Waste Management Centre required an initial investment of more than \$33 million and approximately \$8.5 million in capital upgrades have been made since 2011. The Public Sector Accounting Board value of the Waste Management Centre as of December 31, 2014 is \$23.3 million. The total replacement value of the Waste Management Centre is currently \$51.1 million.

Potential impacts arising under a new waste management framework, including those impacts on contractual obligations and capital assets, are currently unclear. York Region staff and municipal associations will advocate that any new legislation should be based on a 'made in Ontario' full producer responsibility

Pending Waste Reduction and Resource Recovery Framework Legislation

system that sees collection and processing of materials funded by producers with a clear role for municipalities in developing and delivering programs to our residents and communities.

Any new model must respect municipal role in protecting water quality and ability to protect against unintended consequences of changes in waste programs

Municipalities are stewards of the environment, providing clean, safe drinking water to our communities, responsibly treating wastewater and protecting water sources in a heavily regulated environment as well as providing efficient waste management services. These integrated services that municipalities provide have the potential for unintended consequences as a result of changes to waste programs that would see stewards take over a portion of the waste management system. For instance, household hazardous waste and pharmaceuticals can impact water quality if they are not managed properly. Municipalities play an important role in informing residents on proper disposal and providing access to convenient drop-off locations. Municipal waste audits identify any cross-contamination, which informs corrective education and promotion. Municipalities need continued control of hazardous or special waste programs to ensure these materials are managed correctly and that there is no adverse impact to the environment.

Similarly, the integrated waste management systems operated by municipalities have interdependent streams. Changes in materials or service levels in one stream will have impacts on the broader system. York Region and its local municipal partners are leaders in waste diversion because of very inclusive diversion programs strongly supported by our residents. New waste management policy or legislation needs to consider not only the financial aspects of the blue box stream but also the broader implications on other streams and overall diversion. For example, York and Durham Regions have committed to a specific diversion target as part of the Environmental Compliance Approval for the Durham York Energy Centre. Achieving this target could potentially be impacted by any changes in service levels associated with the stewards assuming responsibility for delivery of part of the integrated waste management system. Municipalities need to play an important role in design and delivery of these programs to ensure environmental performance in waste and water quality is not compromised.

Link to key Council-approved plans

Regional advocacy on producer responsibility and active participation in consultations on new waste reduction and resource recovery framework legislation are key components of the SM4RT Living Integrated Waste Management Master Plan.

Pending Waste Reduction and Resource Recovery Framework Legislation

Endorsement of the attached resolution on producer responsibility is linked to and consistent with other Regional Strategies:

- Vision 2051
- 2015 to 2019 Strategic Plan

Specifically, the principles behind new waste reduction and resource recovery framework legislation support Regional goals identified in Vision 2051 by valuing waste as a resource. The proposed legislation also supports the 2015-2019 Strategic Plan goals of managing the Region's finances prudently and increasing the percentage of waste diverted from landfill.

5. Financial Implications

Net budget impact of future program changes unclear

Although the new waste management framework has not yet been drafted, it must recognize that municipal governments have borne much of the cost of waste diversion to date and continue to bear the primary burden when waste materials are not effectively collected and processed. Table 3 shows the Regional operating costs for waste management for all streams versus funding provided by stewards under the current system. Blue Box represents less than 30 per cent of the approximately 336,000 tonnes of waste managed. Even under a fully funded Blue Box system, costs for collecting and processing other streams such as organics and residual waste would still be borne by municipalities. In 2015, waste management services make up five per cent of the Regional budget.

Reimbursable costs and addition of designated materials for reimbursement has not yet been determined. Risks associated with additional administrative burden from program fragmentation, contractual obligations or capital assets and impacts to transfer station infrastructure are also unclear in advance of new legislation. Contributions to the Region's capital reserve fund for waste management are also contingent on receipt of steward funding for the Blue Box program and market revenue for recyclables. Any framework which reduces the convenience of the Blue Box program for residents may place increased cost pressure on managing other waste streams. Given these unknowns, the net effect on the waste management operations budget from a move to full producer responsibility is not clear and will continue to be monitored by staff.

Pending Waste Reduction and Resource Recovery Framework Legislation

Table 3
Regional System Operating Costs vs. Funding Received from Stewards

Regional Operating Costs	2013 \$	2014 \$	2015 \$ (Budget)
Blue Box Regional Costs	13,886,000	12,872,000	13,496,000
Blue Box Market Revenue	(8,530,000)	(6,900,000)	(7,200,000)
WDO funding (Regional portion)*	(3,315,000)	(3,381,000) (forecasted)	N/A
Net Blue Box Cost	2,041,000	2,591,000	N/A
Green Bin	15,600,000	17,310,000	17,621,000
Yard Waste	2,951,000	4,043,000	3,195,000
HHW	749,500	900,000	962,000
Residual Waste	14,400,000	13,023,000	17,621,000
Other (drop-off depots)	2,288,000	1,846,000	\$1,444,000
Total System Costs	38,029,500	39,713,000	N/A

* WDO funding is split 50/50 with the local municipalities

Negotiations and consultation with producers and regulators require senior staff resources

York Region staff support the move to a "made in Ontario" full producer responsibility system that sees collection and processing of materials funded by producers with a clear role for municipalities in developing and delivering programs. Practical implementation will be challenging given the variety of stewards and potentially substantial assortment of producer responsibility programs. Staff will recommend the Ministry continue to consult extensively with municipalities across Ontario to better understand the challenges and impacts of changing the waste management system in Ontario in advance of making any policy or legislative decisions. Staff will recommend to the Ministry that municipal staff program management costs be eligible for reimbursement to ensure taxpayers are not penalized in the event stewards organize into inefficient collectives.

In collaboration with AMO and other municipal associations, Regional staff resources will continue to advocate for municipal interests in this new legislation including a fair cost recovery framework related to delivery of the Blue Box Program.

Pending Waste Reduction and Resource Recovery Framework Legislation

6. Local Municipal Impact

The impacts of a new waste management framework on local municipalities are unclear. Introduction of an extended producer responsibility framework similar to that in British Columbia could decrease resident access to waste diversion programs, affect service levels and change the role of municipalities in the integrated waste management system. Potentially additional funds and resources may be required to accommodate system changes.

Regional staff advised our local municipal partners in May at the Strategic Waste Policy Committee meeting that new waste management framework legislation is expected in 2015. Local municipal staff will provide comments for inclusion in the Regional response and may also submit their own comments. Regional staff will continue to engage the Strategic Waste Policy Committee to ensure local municipal issues are addressed in any York Region response to future legislation.

AMO resolution shared with local municipal staff

The proposed AMO resolution regarding Producer Responsibility and Development of a New Provincial Framework for Waste Recovery has been shared with all local municipal partners for their consideration. Recommendation four of this report also requests that copies of this report be circulated to local municipal councils to continue to make them aware of the Regional position on this legislation. They will have the option to endorse a similar resolution at this time if desired.

7. Conclusion

Legislative framework based on a “made in Ontario” full producer responsibility model respecting the role of municipalities in program delivery will preserve diversion success, service levels and environmental performance

The current *Waste Diversion Act, 2002* framework in which stewards and municipalities negotiate the steward obligation for a given year remains challenging. Municipalities are ready to work with the Province and other stakeholders to develop a more sustainable waste management framework for Ontario. A “made in Ontario” solution that respects the current complexity and functionality of the integrated waste management system is needed. Ontario and York Region are considered leaders in diversion and any new changes to legislation must protect against the erosion of this success. A “made-in-Ontario” extended producer responsibility framework needs to be carefully implemented

Pending Waste Reduction and Resource Recovery Framework Legislation

with a strong, legislated role for municipalities to ensure service levels and environmental performance is maintained. York Region staff will continue to engage with the Province and the stewards on future waste management regulations.

In support of the municipal requirements for an integrated waste management system, Regional staff recommend that Council support the resolution from AMO (Attachment 1) regarding full producer responsibility and the development of a new legislative framework for waste reduction and resource recovery.

For more information on this report, please contact Laura McDowell, Director, Environmental Promotion and Protection, ext. 75077.

The Senior Management Group has reviewed this report.

Attachments

#6123796

Accessible formats or communication supports are available upon request

**Proposed Modified AMO Resolution on Producer Responsibility and
Development of a New Provincial Framework for Waste Recovery**

"Whereas municipalities have no control over the form of municipal solid waste that is generated from packaging and products that enter their jurisdiction;

Whereas municipal taxpayers bear more than 50% of the cost of waste disposal and recycling of packaging and printed paper in the waste stream, which products are increasingly complex, multi-material and expensive to recycle, reclaim or dispose of;

Whereas the Minister of the Environment and Climate Change has committed to replacing the current waste diversion legislation, but has not yet introduced replacement legislation to the legislature;

Whereas producer responsibility provides that producers be responsible for 100% of the costs of certain designated wastes for full cost of end-of-life management for such products and packaging;

Whereas municipalities should not have to bear the cost of managing the disposal of these materials;

Whereas waste is a valuable resource;

Whereas producer responsibility would provide considerable savings to York Region residents and grow the local economy as producers innovate to reduce waste, develop more easily recyclable packaging and work with municipalities on better ways to collect and process it;

Whereas increased recycling and reclamation could add 13,000 good, high-quality jobs in Ontario and contribute more than \$1.5 billion every year to Ontario's economy;

Therefore be it resolved that The Regional Municipality of York calls on the Ontario Government to introduce legislation to replace the *Waste Diversion Act* with a "made-in-Ontario" framework based on full Producer Responsibility with a legislated role for municipalities that respects the current complexity and functionality of the integrated waste management system, and ensures producers are responsible for 100 per cent of the end-of-life costs of designated waste, and that producers need to work with the municipal sector on those Producer Responsibility programs so that municipalities are fairly compensated for services provided to manage designated waste that enters the municipal system and to maintain service levels.



Office of the President

April 15, 2015

Sent via e-mail: gmurray.mpp@liberal.ola.org

The Honourable Glen Murray
 Minister of the Environment and Climate Change
 77 Wellesley Street West
 11th Floor, Ferguson Block
 Toronto, Ontario M7A 2T5

Dear Minister Murray:

Since 2008, the Province has called for shifting the financial burden from property taxpayers to producers for end-of-life management of products and packaging. It is time to make this happen. The new legislative framework must result in measurable reduction and diversion of waste from disposal while striking a balance that provides producers with the authority they require to manage these costs while also being fair to municipalities. It is essential that the new framework recognize that these diversion and recovery programs are elements in an integrated waste management system for residents.

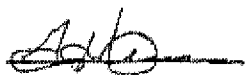
AMO, working closely with the City of Toronto, the Regional Public Works Commissioners of Ontario and Municipal Waste Association, has developed a Municipal Discussion Paper that outlines the critical needs and interests of municipal governments which the new framework needs to address. This paper, on behalf of the sector, is based on work we've done on Bill 91 and our experience with the current *Waste Diversion Act*, 2002. In the absence of new draft legislation we have provided this paper for your consideration and we look forward to discussing any new legislation as it is being developed.

As you know, municipal governments are primarily responsible for Ontario's existing residential integrated waste management system that manages annually over 4.9 million tonnes of material at a cost of over \$1 billion. Over 47% of this material is diverted from disposal and taxpayers have borne much of the cost of waste diversion over the last thirty plus years. Additionally, municipalities bear the primary burden when waste materials are not effectively collected and reused, because residual wastes end up in municipal disposal facilities, sewers, or streets (as litter).

We are ready to work with the Province along with other interested waste diversion parties, including producers and services providers, to address issues that have become apparent with the *Waste Diversion Act*. We remain committed to realizing our shared objectives of environmental protection and striving to minimize impacts to water, soil, and air in our communities.

We would be happy to discuss any of the elements of this paper with you and MOECC officials in further detail and look forward to continued conversation on how together we can design a new legislative framework for more effective waste diversion in Ontario.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary McNamara', followed by a horizontal line.

Gary McNamara
AMO President

cc: The Honourable Ted McMeekin, Minister of Municipal Affairs and Housing



New Waste Reduction and Resource Recovery Framework Legislation

April 15, 2015

Association of
Municipalities
of Ontario

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Municipal Discussion Paper-

Introduction

Development of a new legislative framework to replace the *Waste Diversion Act* 2002 is underway. In the Fall 2014 mandate letter to the Minister of Environment and Climate Change, Premier Wynne has requested this be brought forward:

"Developing and implementing improved approaches to waste diversion. Your ministry will do so by building on the release of the Waste Reduction Strategy and working with industry, municipalities, and other stakeholders toward the objective of reintroducing waste reduction legislation. The goal for your ministry is to ensure the ongoing sustainability and appropriate governance of waste diversion programs. This is critical to protecting the environment, recovering economic value in the waste stream, and reaping greenhouse gas (GHG) reduction benefits by using resources more efficiently."

This is an important initiative for Ontario and provides an opportunity to achieve many public goods, including improved resource utilization and reduction in greenhouse gas (GHG) emissions.

This paper outlines the critical needs and interests of municipal governments, which the new framework must address. Municipal governments also reflect the interests of Ontario taxpayers who use and pay for waste management services, including waste diversion.

Municipal governments are primarily responsible for Ontario's existing residential integrated waste management system that manages annually over 4.9 million tonnes of material at a cost of over \$1 billion. Over 47% of this material is diverted from disposal and taxpayers have borne much of the cost of waste diversion over the last thirty plus years. Additionally, municipalities bear the primary burden when waste materials are not effectively collected and reused, because residual wastes end up in municipal disposal facilities¹, sewers or streets (as litter).

Since 2008, the province has called for shifting the financial burden from taxpayers to producers for end-of-life management of products and packaging. It is time to make this happen.

The new legislative framework must result in measurable reduction and diversion of waste from disposal while striking a balance that provides producers with the authority they require to manage these costs while also being fair to municipalities. It is essential that the framework recognize that these diversion and recovery programs are elements in an integrated waste management system for residents.

¹ Disposal refers to a treatment methodology for garbage that has not been reduced, reused, recycled or composted and includes, but not limited to, landfill, transfer station and energy-from-waste technologies.

Background

Municipalities are the primary providers of waste management services to residents in communities of all sizes across Ontario. The services provided have evolved over time to include:

- Collection and safe disposal of garbage to address public health and sanitation issues for over a century
- Adding collection and processing of printed paper and packaging over 30 years ago, initially on a voluntary basis, then as required by Regulation 101/94 to increase utilization of precious natural resources and energy
- Collection and composting of leaf and yard waste, and later food waste in many jurisdictions to keep these materials out of disposal and produce a valuable amendment to improve soil quality
- Establishment of depots and special collection days for hazardous materials, electronics, pharmaceuticals and sharps to keep harmful toxins out of disposal and water treatment systems and reduce impacts on natural environment and human health.

Today, we have been told that Ontario municipalities operate one of the most advanced integrated waste management systems in the world that includes:

- Delivery of an integrated waste management system to over 5 million households
- Collection, processing, marketing and disposal of almost 4.9 million tonnes of material at an estimated total annual cost of over \$1 billion to taxpayers
- Disposal infrastructure consisting of 24 landfills and one energy-from-waste facility with an estimated value of over \$1.6 billion
- Collection and processing of over 900,000 tonnes of printed paper and packaging at a cost of over \$325 million and conversion of this material into usable commodities with a market revenue value of over \$87 million
- Collection depots and special events for hazardous materials that manage almost 18,000 tonnes annually at an estimated cost of almost \$26 million
- Collection and processing of 900,000 tonnes of organics (leaf and yard waste, food waste) at a cost estimated in excess of \$225 million to produce soil amendment.

Municipal waste management services are primarily provided to residential customers however a small amount of waste from the Industrial, Commercial and Institutional (ICI) sector is collected from business improvement areas and small businesses for sake of efficiency and reducing impact of numerous collection vehicles on streets. As a result, our submission is focused on the residential stream.

As mentioned further in the paper however, we urge the Province to take action on a waste diversion scheme that addresses the ICI sector where diversion rates are extremely low compared with the residential sector. In order to meet Provincial waste reduction and diversion targets it will be critical to ensure the legislative framework address the ICI sector. Products and packaging are resources that should be recovered no matter if they are generated in the residential or the ICI waste stream.

Complementary programs are required to increase diversion in ICI sector and remove confusion amongst consumers so they can recycle material whether at home or out in the community.

At first reading of the *Waste Diversion Act 2002* (WDA), the Minister of the Environment stated that "This legislation firmly establishes a partnership between industry and the municipalities and lays out the framework for a recycling system that will serve this province for years to come."²

The Waste Diversion Act (2002) and the subsequent plans developed under it provide a mix of cost responsibility schemes depending on the material. It ranges from shared responsibility on the blue box program (50/50 cost split) to elements of full producer responsibility for other programs (Waste electrical and electronic equipment (WEEE), municipal hazardous and special waste (MHSW), and tires).

Programs under the Act have had some success but have not reached their full potential. A core issue for municipal governments and consumers is that the implementation of the programs has not considered the impact on the residential integrated waste management system. The result has been an increase in costs for municipal governments and a confusing array of collection options for consumers.

There has been growing discord between municipalities and producers on fair compensation for delivery of the blue box program. This resulted in formal dispute resolution through arbitration in 2014 and the shared responsibility model unfortunately perpetuates constant conflict between the funding parties.

The municipal hazardous and special waste program has been through several iterations with the designated materials being split into three phases or groupings. The original intent was to implement a comprehensive program; however this was never completed due to concerns over 'eco fees' in 2010. As a result, the program is now very complex and fragmented for consumers and municipal governments. Different items are accepted at different locations and this is confusing for consumers. Municipalities continue to collect the majority of these materials despite having a minimal portion of the collection channel and have had to bear high financial and environmental costs to properly manage these materials.³

The waste electronic and electrical equipment program has experienced extreme changes in incentive payments to collectors and processors. This has created a highly unstable market with little predictability.

Although not under the WDA, but via regulation under the *Environmental Protection Act*, the pharmaceutical and sharps program has resulted in an increase in quantities of these materials in the municipal collection channel despite industry devising a return-to-retail model that provides no funding for municipal management of these materials. Despite the lack of funding, municipalities

² Official Report of Debates (Hansard) June 26, 2001; first reading of Waste Diversion Act

³ In 2013, municipalities collected an estimated 57% of MHSW in Stewardship Ontario's Orange Drop program while providing less than 2.5% of the collection sites offered

continue to collect these materials through their MHSW collection programs to provide adequate service to their residents and reduce environmental impacts from these products.

Despite these challenges, municipalities have, and will continue to be a trusted partner of the Province to deliver these services to Ontarians due to our shared objectives of environmental protection and striving to minimize impacts to water, soil and air in our communities

Ontario municipal governments are looking forward to working with the Province to address issues that have become apparent with the WDA and apply the knowledge gained over the last 30 years and beyond.

Provincial Goals/ Public Goods

Municipalities support the high level objectives the Province is aiming to address with this new legislative framework.

- Increasing the efficiency by which natural resources and energy are utilized
- Moving to a competitive circular economy vs. current consumption-based economy
- Reducing greenhouse gas emissions
- Moving focus further up the waste management hierarchy to drive reduction and reuse efforts in addition to recycling and recovery (e.g. food waste reduction strategy, textile reuse etc.)
- More design for the environment in products and packaging that see more durable or reusable products while using less packaging and fewer hazardous materials
- Expanding new legislative framework to encompass diversion in ICI sector
- Cost effective green procurement initiatives
- Strengthen competition in the marketplace.

Municipalities understand that these are provincial policy objectives on which the MOECC will take the lead.

Critical Municipal Requirements

The new legislative framework must:

- Continue to provide an integrated waste management system Ontario residents,
- Recognize that municipal governments have borne much of the cost of waste diversion to date, and
- Recognize that municipal governments bear the primary burden when waste materials are not effectively collected and reused, because residual wastes end up in municipal disposal sites, sewers or streets as litter.

To build on this further, listed below are several requirements the new legislative framework must address.

Disposal capacity is limited in Ontario and new facilities are difficult to site with approval processes that span years. These sites can lead to environmental impacts such as leachate that can pose risk to precious groundwater resources and greenhouse gas production. Additionally, disposal sites have large land requirements that can displace higher level land use activities such as agriculture, employment lands and housing. Disposal sites will continue to be required for safe management of materials that are not captured in diversion programs, however it's critical to maximize the capacity that is available by diverting as much valuable resources as possible and increase the efficiency by which we utilize natural resources and energy.

The full cost of end-of-life management for products and packaging must be shifted to producers to internalize these costs in the sale of their products.

This would include the costs to divert the products and convert them back into usable commodities and resources as well as the costs to manage designated products and packaging in the collection and disposal stream. The disposal stream would include landfill, energy-from-waste facilities, transfer stations and additionally litter and sewer systems.

If branded products and packaging enter any municipal waste stream, municipalities should be fully compensated for the real cost of managing those wastes. While producers are free to manage their wastes outside the municipal waste stream, the municipal waste streams receive a substantial portion of all such wastes.

Municipal waste management services are primarily provided to residential customers however and as noted earlier, a small amount of waste from ICI sector is collected from business improvement areas and small businesses for sake of efficiency and reducing impact of numerous collection vehicles on streets. Municipalities would expect to be fairly compensated for services provided to collect and manage this limited amount of ICI material as well.

The new legislative framework should consider the entire integrated waste stream and contemplate designation of all potential useful resources in the waste stream including but not limited to: printed paper and packaging, hazardous waste, old electronics, pharmaceuticals and sharps, tires, and organics. Recovering resources should move beyond the designations currently identified in the Waste Diversion Act (2002).

U. S. DEPARTMENT OF AGRICULTURE OFFICE OF THE SECRETARY

Ontario residents must have convenient access to programs. This helps encourage participation and maximizing separation of designated products and packaging for recovery. It will be critical to ensure that residents have access to some type of program no matter where they live in the Province. The

scope, frequency and form of program may be different in various regions of the Province to recognize cost realities, but equitable access is critical.

The new legislative framework must include mandatory geographic coverage that is at least equal to, and optimally, expands upon the level of service provided under the current system.

It will also be important to ensure that residents living in multi-residential buildings (i.e. apartments and condominiums) are adequately serviced and afforded convenient access to programs. Diversion rates in multi-residential buildings lag those attained in single family households for a multitude of reasons including: lack of convenient access to separate bins for designated materials, lack of space for sufficient recycling containers, anonymity etc. With intensification occurring in many jurisdictions the percentage of residents residing in multi-residential building will continue to grow. It's critical that plans to specifically address challenges in multi-residential buildings are developed.

Integration of Roles and Responsibilities within the Integrated Waste Management System

A new legislative framework will establish different roles and responsibilities within the integrated waste management system. It will be important to ensure that these changes are reflected in other pieces of legislation, regulations and statutory instruments.

In addition to repealing regulation 101/94, many other regulatory changes may be required, including amendments to the Municipal Act, to the EPA, and to Environmental Compliance Approvals for many existing municipal waste facilities.

Municipalities cannot be held liable to drive outcomes that they are no longer responsible for and the entire legislative regime pertaining to waste must be updated to reflect this.

Compensation for Stranded Assets, Investments and Other Obligations

Municipalities must be fairly compensated for any stranded assets, investments and other obligations that do not form part of the system under a new legislative framework.

In order to comply with O. Reg. 101/94, and with repeated encouragements from Ministers of the Environment to increase waste diversion, municipalities have invested hundreds of millions of dollars in waste processing infrastructure, entered into long term contracts with each other and with the private sector, and have incurred long-term obligations to employees. Municipalities cannot simply break these contracts, terminate these employees and write off these investments, especially without fair compensation.

There will need to be an adequate transition period from the current system design and responsibilities to that envisioned in the new framework. It will be critical to provide sufficient time for wind down of existing contractual arrangements between municipalities and service providers and to determine fair compensation for stranded assets and other obligations for municipalities who will not be providing services under a new legislative framework. Additionally, municipal Councils will need sufficient time to consider and approve any new arrangements and changes in responsibility for delivery of services.

The new legislative framework must have clearly defined roles and responsibilities for all key players including municipal governments, producers and service providers.

There must also be clear rules and targets that are open and transparent with appropriate penalties and incentives to ensure compliance. Key performance indicators and metrics are required to measure results and track progress towards intended outcomes. Currently, waste diversion is measured on a weight-basis, however with rapid changes in products and packaging and movement towards lighter weight materials, this needs to be re-examined. Metrics that track volume and/or units sold and recovered may be more applicable.

Effective oversight is critical to ensure a level playing field for all stakeholders and that diversion objectives are achieved. The oversight agency needs an adequate level of authority to enable decision making and dispute resolution and to effectively enforce the rules set out in the legislative framework.

The oversight agency requires a non-interest based board that operates in a highly transparent manner and provides opportunities for affected parties and stakeholders to have input. The board needs to be accountable for decisions and actions. Board members should have knowledge and skills applicable to the program area and should be compensated to ensure appropriate competencies given the magnitude of the programs and associated costs. The process for appointing board members needs to be carefully considered and must not indirectly create a board predisposed toward any of the affected parties or stakeholders.

The oversight agency also requires sufficient competency-based staff and financial resources to ensure required duties are professionally fulfilled.

Both the WDA and Bill 91 provided for producers to act as a group, but not municipalities. It is unreasonable and unfair to expect every individual municipal government to deal individually with a large numbers of producers and their agents. Municipalities as a sector require the ability to act collectively, especially in matters of governance, in data collection and management, master contract negotiations, in dispute resolution and in allocation of funds among municipalities.

Municipalities will propose a mechanism for funding and governing such collective action later in 2015.

Figure 1. A schematic diagram of the experimental design. The subjects were divided into two groups: the control group and the experimental group. The control group received a standard training program, while the experimental group received a modified training program. The results of the training program were compared between the two groups.

Decision making, compensation methodologies and all other decisions must be based on transparent, reliable, accessible data and methods. We understand the need to protect proprietary information; however a reasonable amount of data must be shared and accessible by all stakeholders to ensure transparency and enable informed decision making.

In the case of determining compensation methodologies and payment incentives, the rationale and methodology by which this is determined must be transparent to ensure it is based on good facts and is fair to all parties.

Important Municipal Objectives

Waste Diversion Act (WDA) and *Waste Diversion Regulations* (WDR) are the primary legislative instruments that govern waste management in Ontario.

Municipalities must have the right, if they choose, to maintain or reclaim the exclusive right to collect Blue Box material from their residents, and to be fairly compensated for this service.

Recycling collection forms a key component of the integrated waste management system municipalities provide for residents and to a lesser extent, businesses in their communities. In many cases, the same truck provides multiple functions on a single pass, and recycling collection is an integrated part of waste collection contracts. In depot systems, recycling is typically one component of an integrated drop-off centre that also provides collection of garbage, hazardous materials and electronics in many cases.

Municipalities must be able to continue to provide these services if they so choose, to avoid fragmenting the integrated nature of the waste management system and burdening consumers with increased costs and truck traffic. Municipally-managed collection is highly valued by municipal residents, and is an important point of contact between residents and their local government.

As stated earlier, some municipalities collect a small portion of ICI waste from business improvement areas and small businesses for sake of efficiency and reducing impact of numerous collection vehicles on streets. Municipalities should be fairly compensated for costs associated with managing these materials and the compensation should not be treated any differently than that for residential material.

Compensation cannot be left primarily to be negotiated between municipalities and producers. The parties do not have equal bargaining power, and critical questions must not be left to negotiations, either individually or in groups. Waste diversion is a regulated activity, precisely because ordinary free market activity produces results that are contrary to the public interest, and allows commercial actors to produce large externalities that are transferred to municipalities and taxpayers as well as the natural environment.

A demand that municipalities must negotiate and agree with stewards simply reinforces the market power of these commercial actors, and in the municipal sector's perspective has produced adverse results for municipalities since the adoption of the *Waste Diversion Act* in 2002.

Particularly in the case of Blue Box collection, stewards should be required to pay the verified costs actually incurred by municipalities, determined in an objective manner that does not require steward agreement. In the 2014 arbitration between AMO/City of Toronto and Stewardship Ontario the arbitrator's recommendation that stewards should pay costs reported through the Datacall, as verified by WDO, was deemed an acceptable option. The Québec model, which excludes both high and low outliers, offers another reasonable precedent. The British Columbia model of 'take it or leave it' incentives determined solely by producers does not.

The rules and methodology for determining fair compensation need to be regulated to avoid the increasingly unproductive negotiations between the parties.

Municipalities have been required to operate the processing and marketing of collected printed paper and packaging for over 30 years, and have developed substantial infrastructure and expertise for this purpose.

Municipalities must have the right, if they choose, to provide processing services for printed paper and packaging, on a level playing field with the private sector. For the few municipalities who are not successful in competing for these services but want to retain processing for the benefit of their community, arrangements should be made to afford the municipality the opportunity to continue to provide these services, be compensated at the competitive rate from producers and absorb the additional costs of these services.

It is critical that the processing system for the Province be regulated to ensure:

- Level playing field for all stakeholders who wish to compete to provide processing services
- That a diverse range of service providers be ultimately engaged to provide these services to ensure continued competition and avoid market monopolies.

Careful consideration must be put to developing a transition plan that would enable any transfer of processing responsibility from some municipalities to producers. This would include contractual obligations between municipalities and service providers and fair compensation for any municipal assets or investments that are stranded as a result of the new responsibilities.

Municipal governments must be fairly compensated to manage or administer any major new costs that result from the new legislative framework.

For example:

- If disposal bans or levies are utilized and municipalities are expected to administer and enforce their application, there must be fair compensation for these activities
- If there is a desire to harmonize the list of materials accepted in any of the diversion programs, whether full-scale harmonization across the Province or partial harmonization depending on geographic considerations, municipalities must be fairly compensated for the additional costs to do so.

the province, municipalities and the private sector. The province should consider a compensation framework that looks at cost plus punitive charges as a stronger incentive to producers to keep toxics out of the environment.

Given the toxic nature of these products and the significant environmental impact they can cause to our water, air and soil, municipalities must have the ability to provide collection services for these materials where producer systems are not adequately preventing them from entering the municipal system (disposal, sewers, etc.) and be entitled to fair compensation.

The Province should consider a compensation framework that looks at cost plus punitive charges as a stronger incentive to producers to keep toxics out of the environment.

Additionally, municipalities must have the right, if they choose, to compete for providing collection services for Hazardous waste, electronics, pharmaceuticals and sharps and any other designated toxic material. A level playing field must be ensured for all stakeholders who wish to compete to provide these services.

Many municipalities currently offer depots and event days for toxic materials where many items can be brought to one location for safe collection, transportation, processing and disposal. These depots and events have been successful as evidenced in Stewardship Ontario's Orange Drop program where municipalities collected an estimated 57% of the total material in the program while providing less than 2.5% of the collection sites offered.

These numbers illustrate the efficacy of the municipal collection system for hazardous wastes. Many return-to-retail and other non-municipal programs were initiated under the Orange Drop program to purportedly drive higher diversion of these materials. What has ensued has been a fragmented program with many retailers no longer providing these services and if so, only taking a limited amount of materials. The municipal depot and special event programs have been a consistent producer of tonnage for this program despite a very small portion of the collection channel.

Expanding the current program to include more products

Shifting the financial burden for end of life management of products and packaging should go beyond the current programs developed under the WDA and EPA (pharmaceuticals and sharps).

The 2009 Ministry of Environment paper titled 'Waste to Worth: The Role of Waste Diversion in the Green Economy' outlined a schedule for extending producer responsibility to more products and waste streams such as printed paper and packaging in the ICI sector, expanding the current definition of electronic waste, construction and demolition waste, branded organics, bulky items such as furniture and mattresses, and small household items such as toys.

This list of products and schedule should be re-visited and updated as part of the new legislative framework to ensure Ontario can reach our waste diversion goals and increase the efficiency by which we utilize natural resources and energy and minimize the impact on our climate.

Many municipal governments have already introduced collection of household organics on a voluntary basis to meet environmental goals and reduce disposal requirements.

However, given the heavy financial burden associated with these programs, they should not be mandatory until substantial funding is provided by the stewards of branded organics such as diapers, food packaging, disposable paper products, etc. Branded organics represent over 14%⁴ of the tonnage collected in Toronto's green bin program.

In addition, organics programs are severely hampered by an excessively demanding regulatory structure on issues such as odour emissions, rules for use of finished compost and arduous approvals process. In order to successfully implement increased diversion of organic waste, these regulatory issues would need to be addressed.

Continued funding for municipal waste management programs

The new legislative framework must provide continued access to a fund for expenditures needed for continuous improvement for municipalities. Funding could come from pro-rata contributions by municipalities on an annual basis as deductions from fair compensation from producers for services provided and other funding opportunities.

Smaller municipalities, in particular, also require access to technical support and training.

The fund should be managed, and the training provided, by a collective of municipalities. Producer involvement is not required as it may create excessive conflict between different objectives and priorities.

The funding should not be limited to improvements for systems related to designated materials but to be utilized across all components of an integrated waste management system.

Conclusion

Municipalities are ready to work with the Province along with other interested waste diversion parties, including producers and service providers, to address issues that have become apparent with the *Waste Diversion Act (2002)*. We remain committed to realizing our shared objectives of environmental protection and striving to minimize impacts to water, soil and air in our communities.

We would be happy to discuss any of the elements of this paper with you and MOECC officials in further detail and look forward to continued conversation on how together we can design a new legislative framework for waste diversion in Ontario.

⁴ City of Toronto 2012-2013 Single Family Waste Composition Study



Environmental Services Department

Memorandum

TO: Members of Regional Council

FROM: Erin Mahoney, Commissioner of Environmental Services

DATE: June 25, 2015

RE: Update on 2015 Blue Box Funding for Ontario Municipalities

This memo updates Regional Council on the recent Waste Diversion Ontario (WDO) Board of Director's decision on 2015 blue box funding for Ontario Municipalities (Attachment 1) and accordingly updates content in the original staff report referred to in Clause 2 of Committee of the Whole Report No. 12, dated June 18, 2015.

Minister of the Environment and Climate Change orders WDO to determine 2015 Steward Blue Box Obligation

Waste Diversion Ontario informed the Minister of the Environment and Climate Change (the Minister) that mediation regarding the 2015 Steward Blue Box obligation was unsuccessful. In response, on June 16, 2015, the Minister ordered WDO to take necessary steps to determine payments for 2015 and subsequent years, where the Municipal Industry Program Committee (MIPC) is unable to achieve consensus on payments. Waste Diversion Ontario has the authority and responsibility to do so under Section 5.2 of the *Blue Box Program Plan* and subsection 25(5) of the *Waste Diversion Act, 2002*. The Minister also directed WDO to establish a panel to develop recommendations on how cost containment principles contained in the *Blue Box Program Plan* could be used in the annual determination of industry funding to municipalities. Waste Diversion Ontario is expected to report back on its recommendations for cost containment in September 2015.

Waste Diversion Ontario Board of Directors determines 2015 blue box funding for municipalities to be full 50 per cent of total net costs.

The WDO Board of Directors met on June 17th following receipt of instruction from the Minister to determine the 2015 Steward Blue Box Obligation. On June 18th, the WDO Board of Directors announced the total amount of 2015 funding to be provided to Ontario municipalities will be \$114,600,548, calculated using the methodology recommended by the arbitrator in 2014. This amount represents 50 per cent of total net costs for municipalities, as submitted via the Municipal Datacall process.

June 25, 2015 2
Update on 2015 Blue Box Funding for Ontario Municipalities

Precise funding amounts for 2015 for York Region and its local municipal partners will be determined and communicated by WDO before July 1, 2015. However it is expected that funding to York Region and its local municipal partners will be higher than the amount budgeted for 2015, as a result of the adoption by WDO of the methodology recommended by the arbitrator.

Adoption of the methodology recommended by the arbitrator in 2014 and award of the full 50 percent of total net costs reflects years of advocacy by York Region, its local municipal partners and municipal associations supporting fair and increased reimbursement of municipal costs.

ORIGINAL SIGNED

Erin Mahoney, M. Eng.

Attachment

Sh/LM

#6140050

WDO Board of Director's Decision on 2015 Blue Box Funding for Municipalities

June 18, 2015

Each year, the amount of funding Ontario municipalities receive for their Blue Box program is determined by Waste Diversion Ontario, based on a recommendation from the Municipal Industry Program Committee (MIPC), which oversees the Blue Box Program.

Earlier this year, MIPC advised WDO that it was unable to reach an agreement on the amount of industry funding to be provided to Ontario municipalities for their 2015 Blue Box programs. Each year, this funding is sent to individual municipalities in four instalments, beginning on or about July 1.

This past April, the WDO Board directed MIPC to select a mediator to work with them, in an effort to reach an agreement. Last week, the mediator informed WDO that the mediation process had ended with the parties still unable to reach an agreement.

As a result, the WDO Board met yesterday to determine the 2015 funding, as it has the authority and responsibility to do. In addition, the Minister of the Environment and Climate Change, the Honourable Glen Murray, informed WDO that he expected WDO to fulfill this responsibility without delay.

Yesterday (June 17, 2015), the WDO Board determined that the total amount of 2015 funding to be provided to Ontario municipalities operating a Blue Box program will be \$114,600,548, calculated using the same methodology used by an arbitrator, the Honourable Robert Armstrong, Q.C., who was retained last year by the parties to determine the 2014 Blue Box steward obligation.

The WDO Board has directed Stewardship Ontario, the industry-funded organization established under the Waste Diversion Act to provide this industry funding, to commence paying the 2015 industry funding for each municipality's Blue Box program on or about July 1, 2015, beginning with the first quarterly instalment of this funding. Further details of this payment may be found below.

This determination results in a total 2015 Steward Obligation of \$114,600,548 to be paid by Stewardship Ontario through quarterly instalments commencing on June 30, 2015. Of this:

- \$2,000,000 is to be directed to the CIF;
- \$6,945,011 is the in-kind contribution; and
- \$105,655,537 is to be paid out in cash to Ontario municipalities.

Within the next week, WDO will place on the WDO website the amount owing to each municipality.

-2-

Yesterday, the WDO Board also directed WDO's CEO to establish a panel to develop recommendations on how the cost containment principles contained in the Blue Box Program Plan could be used in the annual determination of industry funding to municipalities for the Blue Box Program. The panel has also been directed to provide recommendations on the future of the In-kind Program, a program of free advertising provided to municipalities each year by the newspaper industry Blue Box stewards to fulfil their funding obligation.

This panel will include industry and municipal representatives and will report its recommendations to WDO in September 2015. The Minister of the Environment and Climate Change has asked WDO to provide him with WDO's recommendations on cost containment by the end of September. Further details on this panel will be shared next month.



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CORPORATE SERVICES INFORMATION REPORT- LEGISLATIVE SERVICES – 2015-11

TO: Mayor Van Bynen and Members of Council

SUBJECT: Status Report, Review of Draft Council Code of Conduct

ORIGIN: Legislative Services

COMMENTS

This Information Report outlines the status activities undertaken to date and next steps regarding the review the Draft Council Code of Conduct (the Code). Pursuant to the Procedure By-law, any Member of Council may request that an Information Report be included on an upcoming Committee of the Whole agenda for discussion.

Following an RFP for consulting services to review the Code issued April 9, 2015, EthicScan lead by Mr. David Nitkin was selected as the successful firm. Mr. Nitkin brings extensive experience developing policies, undertaking research, training and providing advice to a range of public and private sector organizations on ethics matters. He has also served in the capacity of a municipal Integrity Commissioner.

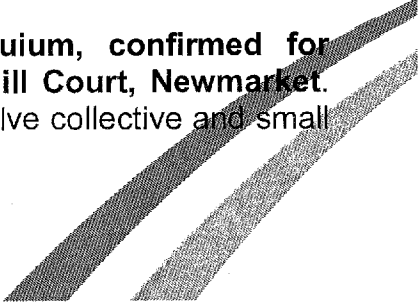
The review of the Code process involves three phases: Phase 1: interviews with internal stakeholders and related research; Phase 2: public consultation; and Phase 3: Council consideration of options and/or recommendations related to the Code.

Phase 1

The week of June 22, Mr. Nitkin held confidential interviews with individual Members of Council, senior staff and representatives of the Employee Relations and Internal Communications (ERIC) to identify individual perspectives and common themes related to Council Member conduct and ethics generally, and standards identified in the Code and related corporate policies. In addition, Mr. Nitkin is undertaking a review of Code related documentation and current municipal ethics regimes generally.

Phase 2

Public consultation will take the form of an interactive colloquium, confirmed for September 16, 2015, 7 p.m. at the Operations Centre, 1275 Maple Hill Court, Newmarket. The colloquium will be facilitated by Mr. Nitkin and his colleagues and involve collective and small



group discussions related to the Code generally and specific Code provisions related to spouses/partners of Members of Council, the inquiry/complaints procedure, the remediation and discipline framework, conflicts of interest, charity events and social media.

In addition to general public notice, individuals who previously provided input on the Code will be informed of the September 16 colloquium where contact information is on file. Members of Council are encouraged to invite individuals and groups who may have an interest in providing input on the Code to attend the September 16 colloquium.

Phase 3

Following public input, Mr. Nitkin will work with senior staff to refine the Code and related corporate policies and provide options and/or recommendations for input by Council at a Council Workshop, currently scheduled for October 19, 2015, 10 a.m. in the Council Chamber. Input from the Council Workshop will be used to inform final recommendations, to come forward at a Committee of the Whole meeting following the October 19, 2015 Council Workshop.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

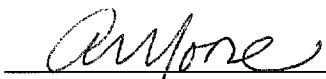
The initiative relates to the Well-equipped and managed link of the Town's Community Vision-implementing policy and processes that reflect sound and accountable governance.

BUDGET IMPACT (CURRENT AND FUTURE)

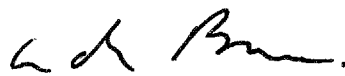
Consulting costs related to the review the draft Council Code of Conduct are accommodated within the contingency account (10911.4404.19).

CONTACT

For more information on this report, please contact Andrew Brouwer, Director of Legislative Services/Town Clerk at abrouwer@newmarket.ca or at 905 953-5300, ext. 2211.



Anita Moore, Commissioner of Corporate Services



Andrew Brouwer, Director of Legislative Services / Town Clerk



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July 24, 2015

REPORT – INFORMATION REPORT # 2015-33

TO: Mayor and Members of Council
 SLT/OLT

SUBJECT: Glenway Lessons Learned – Facilitator's Report

ORIGIN: Development & Infrastructure Services

COMMENTS

The purpose of this Information Report is to advise members of Council and SLT/OLT that the facilitator for the Glenway Lessons Learned session has submitted his summary report to the Town. A copy of the report is attached to this Information Report.

In accordance with the Procedure By-law, any Member of Council may request this Information Report be placed on an upcoming Committee of the Whole agenda for discussion through the Clerk.

The facilitated session was held on June 23, 2015 at the Newmarket Seniors Meeting Place and was led by Glenn Pothier, an independent facilitator hired by the Town. As noted in the summary report, the focus of the session was *"to assess what might be learned from the Glenway experience that can be applied to future development-related initiatives in the Town."*

The attached document is written as a descriptive session summary (as opposed to a recommendations report), and reflects the three broadly defined phases of the development as discussed at the session:

- Pre-Application
- Application Processing to Appeals
- Pre-Hearings/Hearings and OMB Decision

In our initial review of the report, staff notes that there are some suggestions that the Town has done or is already doing. The Town's formal request to the Province in May to extend the processing timelines for development applications, the inclusion in the Official Plan of required studies and documents necessary to deem an application complete, and the provision of supporting studies and documents on the Town's website in an effort to provide residents with more and easier access to information on specific development applications are a few examples.

Staff is also considering implementing other suggestions raised at the session and summarized in the facilitator's report such as alternative methods of public consultation and how and when

information is shared with the public. The future use of consultants will also be explored by staff. In times of high demand, or where specific, specialized expertise is required, the use of consultants is a common municipal practice to help support staff in processing applications; however, it is apparent that the scope of work and/or the direction provided to the consultant must be clearly identified and made clear to Council, staff, and the public early in the process to avoid confusion over each party's role.

Staff will continue to review the summary report and intends to evaluate and further develop any changes to current processes and to work through the requisite resourcing needs and expected outcomes. Staff would then implement appropriate changes on an on-going basis and would bring forward any recommended improvements to Council requiring additional budget or that reflect significant changes to the development review process.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The on-going review of how the Town does business and interacts with its residents and the development community supports the following branches of the Town's Strategic Plan:

Well-equipped & managed: implementing policy and processes that reflect sound and accountable governance

Well-respected: promoting engagement in civic affairs

HUMAN RESOURCE CONSIDERATIONS

Not applicable to this Information Report.

BUDGET IMPACT

The facilitator's fees have not yet been forwarded to the Town and will be communicated to Council once the invoice has been received.

CONTACT

For more information on this report, contact P. Noehammer, Commissioner of Development & Infrastructure Services.

for 
 Director of Planning

 Chief Administrative Officer


 Commissioner of Development &
 Infrastructure Services

Attachment: GLPi Facilitated Session Meeting Summary



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Meeting Summary

**A Facilitated Lessons Learned Session
Concerning the Former Glenway Golf Course Lands
Marianneville Developments Limited Project**
Learning from the past...with an eye to the future

Meeting Date/Time/Location:

June 23rd, 2015

7:00-9:00 p.m.

Newmarket Seniors' Meeting Place (474 Davis Drive)

Newmarket, Ontario

Preface and Meeting Purpose

This open invitation session brought together members of the public, community group/neighbourhood representatives, Town staff and elected officials, the developer and associated representatives, planners and others with some connection to or interest in the former Glenway Golf Course lands Marianneville Developments Limited Project (henceforth referred to as 'Glenway'). As a '*learn from the past with an eye to the future*' initiative, the session had a forward-looking overarching focus: *To assess what might be learned from the Glenway experience that can be applied to future development-related initiatives in the Town.*

In total, approximately 50 people attended the meeting. All session participants are to be commended for their productive contributions.

More specifically, the session had the following key objectives:

- To debrief on the Glenway experience — share perceived process-related frustrations, issues and gaps;
- To identify potential action-oriented options for process-related changes that can inform the management of future Town development;
- To engage in an honest and informed exploration of the salient issues; and
- To engage meaningful multi-stakeholder participation and harness the collective insight of the group.

In addition, the session agenda provided for a brief discussion of next steps and closing comments from the Town's Mayor.

The meeting began with the session facilitator welcoming everyone to the meeting, thanking the group for their participation, providing an overview of the session objectives and agenda, and introducing elected officials in attendance. The facilitator also highlighted some key principles and parameters to help guide the group discussion.

The following summarizes the participant discussion-related meeting highlights for each of the agenda components.

Process-Related 'Itches' — and Identification of Potential Changes

A number of individuals and groups have been critical of different facets of the Glenway development process. Some feel: *that things were not done that could or should have been; that things that were done could have been done differently or better; and that there were notable gaps and flaws in the process.*

This component of the meeting was about providing participants with the opportunity to 'give voice' to these concerns and, perhaps more importantly, to identify what various parties (Town staff and elected officials; developers; development consultants; residents and community groups; the Ontario Municipal Board and others) could or should do differently. To give the conversation some structure and greater focus, participants were invited to do this for each of the three broadly defined phases of the initiative:

- **Pre-Application** — the time period up to and including the Town confirmation of a complete application (up to May 2012) covering the following key events:
 - Hiring of an external consultant (September 2011)
 - Pre-consultation (January 2012)
 - Application submission (April 2012)
 - Application deemed complete (May 2012)
- **Application Processing to Appeals** — the time period from May 2012 to April 2013, including application submission to Decision of Council and appeals, and covering the following key events:
 - Application circulation (May 2012)
 - Commenting from departments and agencies
 - Report directing referral to Statutory Public Meeting (December 2012)
 - Public Meeting (January 2013)
 - Appeals (April 2013)
- **Pre-Hearings/Hearings and OMB Decision** — the time period from May 2013 to April 2014, including the final planning report, pre-hearing and Phase One/Phase Two hearings, and covering the following key events:
 - Pre-Hearing 1 (August 2013)
 - Settlement offer(s)
 - Final Planning Report recommends denial of applications based on outstanding technical issues (November 2013)
 - Pre-Hearing 2 (December 2013)
 - Phase 1 Hearing (March 2014)
 - Direction to settle - Phase 2 Hearing (April 2014)
 - Phase 2 settlement hearing (April 2014)

The following summarizes the collective input from the various roundtable discussions by each of the three phases. Each table respectfully captured the essence of comments shared on pre-prepared recording templates — information from which serves as the basis for the substantive content of the remainder of this report. Of note, randomly selected tables were invited to share discussion highlights in plenary as part of a brief ‘response sharing’ segment for each phase of the initiative.

Please also note that in the interest of fairness and comprehensiveness, this summary reflects the range of participant perceptions as provided through the recording templates — and makes no judgments about the veracity of the views shared. Moreover, attempts have been made to combine the same or similar points (where precise wording may have differed slightly), while maintaining the integrity of the core meaning. Though the chronology of events would suggest that certain participant input might have been better situated under a different phase, comments have typically been left in the categories in which they were provided.

Given the variety of stakeholders and viewpoints, the complexity of the topics, and the gravity of the issues involved in this kind of contentious development application, it is not surprising that there were sometimes very different and occasionally diametrically opposing views on certain items. These are included and help portray the diversity of opinion.

In terms of reporting structure, the identified process-related frustrations, issues and gaps are described first (they have been clustered under broad topic headings/themes, and are presented in no particular order). These are followed by related participant suggestions for things that could or should have been done differently and/or could be done in the case of future development applications (these are delineated using a boxed table-style presentation and are shown in orange font). Of note, though certain points could be included in multiple categories — a ‘best fit’ approach has been emphasized.

As made obvious in the remainder of this section, key issues and forward-looking suggestions typically revolve around the following higher-level themes:

- Issue ownership/leadership;
- Awareness/communication/understanding;
- Consultation/engagement;
- Planning Act process and related practices;
- Resourcing and role scoping/direction;
- Preparation/participation;
- Inflexibility/position-taking;
- Negotiation;
- Power imbalances;
- Costs and impacts; and
- OMB authority/discretion/accountability.

Pre-Application Phase: *The time period up to and including the Town confirmation of a complete application (up to May 2012).*

Identified process-related frustrations, issues and gaps

Issue Ownership/Leadership-Related

- Lack of a clear and well understood shared vision for the Town and its future articulated by Town leaders — something around which the community could collectively rally.
- Seeming Town reluctance to aggressively defend its own policies and assume a leadership position — resulting in community members having to secure an external consultant to assist.
- Insufficient emphasis placed by the Town on its own adopted Official Plan and, more specifically, the content relating to open space and green space.
- Town staff and elected officials inclined to claim a sense of powerlessness/helplessness given Planning Act requirements, OMB processes, etc.
- Town elected officials not working effectively with the planning department.
- General lack of elected official direction/leadership on the issue.
- Questions about the degree to which Council and staff considered ‘acting’ on the Glenway lands prior to their purchase and the submission of the subsequent development application — and related concerns about missed opportunities re: what could have been done early in the process or as part of advance planning/activity.
- Lack of clarity regarding the Town’s consideration of land purchase.
- Missed Town opportunity to purchase all or a portion of the Glenway site.
- Absence of a policy framework for parkland requirements at the time of the application [subsequently addressed].
- An early community bid (2008) to purchase the Glenway lands that fell through — and inaction on other options explored.
- Newmarket’s inability to learn from what other municipalities in Ontario have experienced in similar situations involving developers and/or the OMB.

Things that could or should have been done differently and/or could be done in the future...

- Town purchase of some/all of the Glenway lands (or lands that might be subject to future development).
- Introduction of an interim control by-law to prevent the application from proceeding — and to provide the opportunity to secure and fully review studies with implications for the disposition of the land and related issues.
- Ensure that requisite studies/policies are in place — better equip the Town to protect/defend its Official Plan.
- Ensure that Council receives more regular updates from staff.
- Canvas other municipalities with experience regarding similar development issues — and learn from those experiences with a view to charting a better course of action.

Communication/Understanding/Consultation-Related

- Residents became aware of the pending application too late in the process — and ensuing consultation/discussion was focused on pre-set topics (and without regard to bigger picture issues and opportunities).
- Insufficient engagement of the community/neighbourhood residents early enough in the process.
- The development plan continued to evolve throughout the consultation process — creating a moving target and difficulty for those involved.
- Local community group contacts unknown during early stages of the process.
- Lack of full disclosure of in-camera Council meeting content re: the potential acquisition of important land parcels such as Glenway — and a sense that there were too many in-camera sessions.
- Lack of transparency on key issues pertinent to the OMB hearing (for example, regarding Town interest/intent to purchase the Glenway lands) and other issues — and that relevant information from the sessions was not introduced/used at the hearing to bolster the Town's position (or used to address the OMB adjudicator's contention that the Town had not shown an interest in purchasing the lands).
- Residents felt cutout of the process — or that their voice was minimized.

Things that could or should have been done differently and/or could be done in the future...

- Assign a Town resource to pre-identify and proactively share information about potentially contentious development applications.
- Inform and engage residents as soon as redevelopment is understood to be a likely possibility.
- Consider advance 'red-flagging' of potentially contentious development applications — and share this information broadly.
- Have staff provide earlier 'heads-up' alerts to Council re: any potential applications of significance to the Town's Official Plan.
- Developer should present the concept to the neighbourhood earlier in the process.
- Solicit and communicate an early legal opinion on key concepts and the process (including the principle of development).
- Enhance Town ability to provide clarity on Planning Act-related matters in ways that are understandable to non-planners/lay-people.
- The Town should provide more thorough and frequent updates to citizens.
- Freedom of Information (FOI) requests should be met in a reasonable time frame (and in cases where the requested information is no longer 'in play,' Council should relax the requirements for information release).
- Clearly define and communicate the criteria used to determine 'in camera' Council meetings re: land acquisition/disposal — and fine tune the approach to allow for a greater level of transparency and public

understanding/discussion.

- Ensure that developer-led Public Information Centres (PICs) and meetings present information in a fair way that invites meaningful dialogue and issues exploration (do not present things as a fait accompli).
- Ensure that residents are part of the process.
- Share the development concept — and any Council-related decisions — earlier in the process to better facilitate community dialogue and input to the process.

Planning Act and Process/Practice-Related

- General challenge of meeting timeframes set by the Planning Act.
- The necessity to work with the 180-day clock set by the Planning Act — and the fact that the clock does not 're-set' when further answers/clarifications are sought by staff.
- Lack of community and Council understanding of the nuance and subtlety of the planning and OMB process — resulting in questionable decision-making.
- The intent underlying the Town's Official Plan and vision for Newmarket was neither well understood nor communicated — within the Town office and the broader community.
- Town acceptance of an incomplete (or insufficiently complete) development application — despite various missing information having been identified.
- The size of the development — bigger than expected/what should be permitted adjacent to an established residential area.
- Inability to successfully convey Planning Act requirements and permissible actions to property owners/residents.
- Developers have too much control of the process — and Town staff are too friendly with developers.
- Insufficient public 'say' in the process and their own local government.

Things that could or should have been done differently and/or could be done in the future...

- Advocate for revisions to the Planning Act re: timing for processing applications (and allowing for clock re-setting when there are outstanding questions/issues/information gaps regarding an application).
- Development applications should be processed at the Town's pace, not the developers.
- Ensure that the development application is complete — with all required studies in place — before deeming it so.
- Establish a clear and well-publicized list of all criteria (a 'check-list') that must be met for an application to be considered complete.
- Better review and consider the implications of the approved Official Plan — this should influence decisions regarding development applications (both prior to and after them being submitted).
- Ensure that an approved Official Plan has strong standing and is fully compliant (and defensible).

- Zoning change requested — amendment for hotel as a permitted use.
- Implement a condition of development that would give the Town the right of first refusal to purchase (at a lower cost) significant lands being considered for development.
- Town to have preserved the Official Plan designation and/or established greater clarity on the open space designation.

Resourcing and Role Scoping/Definition-Related

- Internal Town capacity limitations requiring the outsourcing of work to external planning consultants.
- Current skill-sets of staff encourages/necessitates use of external consultants.
- Town decision to retain an outside consultant to work on the Glenway file, rather than using a senior Town planner.
- Hiring of a planning consultant not done with enough stakeholder involvement.
- Unclear mandate of and parameters for the hired planning consultant — and questions about whether either was in place.
- Improperly defined/scoped external consultant work — and questionable Town oversight of the individual hired (and questions about the reporting relationship/chain of reporting and process management).
- No one at the Town willing to take responsibility for the actions/decisions/recommendations of the retained consultant.
- Appearance that the external consultant reported directly to Council — suggesting that the planning consultant's recommendation becomes a de facto decision to Council.

Things that could or should have been done differently and/or could be done in the future...

- Reconsider the practice of retaining an external consultant to lead and independently work on significant development applications (particularly if the individual is to be given broad latitude to act outside of a strong internal reporting structure).
- Do not hire an external consultant prior to pre-consultation having occurred.
- Hire additional Town staff planning resources.
- Create a well-established mechanism that would improve the Town's ability to respond swiftly to needs using external consultants on retainer as needed.
- Ensure clarity of mandate/role/scope prior to hiring a planning consultant.
- Only hire planning consultants that can/will defend the Town's Official Plan.
- The retained planning consultant should have communicated her opinion (that development should occur) prior to writing her report — Council would then have had the opportunity to dismiss her and retain a planner with an opinion consistent with their own (i.e. that development should not occur).

Inflexibility/Position-Taking/Negotiation-Related

- A sense that some/many parties — developer, councillors, community members — adopted early and intransigent positions prior to being in possession of the full analysis and facts.
- The initial PIC hosted by the developer implied that the development was a done deal — resulting in an adversarial reaction from residents/the community.
- Developer pledge at the outset of the process to commit to a nine-hole golf course (that became a divisive 'bargaining chip' in the process).

Things that could or should have been done differently and/or could be done in the future...

- All parties should refrain from adopting 'hard positions' until the complete set of facts/information is known.
- All parties should have demonstrated a greater willingness to meaningfully engage in dialogue and be more open to a negotiated solution.
- Consider mediation through an independent third-party

Application Processing to Appeals: *The time period from May 2012 to April 2013, including application submission to Decision of Council and appeals.*

Identified process-related frustrations, issues and gaps

Awareness/Communication/Understanding-Related

- Residents knew little about the process (many relied on the little they saw in the local newspaper, through social media and councillor newsletters).
- Many in the community did not understand the process and how one can engage in it — including opportunities for appeals.
- Full results/details of the Transportation Study unknown/not shared.
- The process was difficult to follow — the development plan continued to evolve and was a moving target.
- Inadequate communication between Town staff and council — councillors receive information just prior to 'approval votes' leaving little time for considered thought.
- Insufficient detail on matters of importance to the community provided by the developer at PICs.
- The community always had to go to outside consultants/resources with questions — the retained external consultant ignored the community and no one from the Town would assume responsibility.

Things that could or should have been done differently and/or could be done in the future...

- Enhance communication to/education for residents re: process, project status, issue updates, opportunity for comment, timing, milestones, etc.
- Strengthen community understanding of a planner's professional obligations

and independence — whether on staff or retained by the Town (that is, the requirement to provide professional advice to a client/decision-maker without concern for 'fear or favour').

- Create a pro bono advisory group of professionals who would be willing to assist residents with understanding issues and process.
- Town staff and elected officials need to be more responsive in public meetings.

Planning Act/Process-Related

- The 180-day Planning Act appeal period stipulation is short for complex applications leaving limited time for comprehensive review of supporting documents.
- Process timelines are too tight.
- The development application was lacking in depth and detail — hindering full/thoughtful analysis.
- All of the applications and plans create confusion and serve to split the community.

Things that could or should have been done differently and/or could be done in the future...

- Developers could choose to work collaboratively with the Town in the time period beyond the 180-day appeal deadline.
- Ensure that the application is fully complete before the 180-day clock starts.
- Provide the community with more time to respond to the application and secure/hire expertise.
- Clarify land use designations/rules.
- The Town should review/act on the entire lands in order to mitigate the multiple application approach.

Consultation/Engagement/Negotiation-Related

- Public meeting formats/approaches/venues were not conducive to meaningful, constructive input.
- The process is too adversarial.
- The public meetings became a forum for getting people angry and causing division — a lot of questions were inadequately or never answered (including follow-up answer sheets that came too late from the developer).
- Developer-led consultations were not meaningful.
- Putting councillors 'on the spot' in large public meetings and requesting their positions regarding support/opposition of a development application — prior to all facts being known — is both unwise and unproductive.
- After community consultation and input, the developer added to the number of homes on the site — this was contrary to what the community wanted (*how did the number of units steadily increase?*).

- Challenging to conduct meaningful negotiation and respond to 'last minute deals' with the developer and their lawyers in the room.
- The Town typically did not respond to feedback provided by citizens.
- Public input seems to disappear in a void — there is no follow-up on how it has been acted upon.
- Lack of staff capability/proficiency in community engagement.
- Too much focus on technical analysis and not enough on consensus building.

Things that could or should have been done differently and/or could be done in the future...

- The community and the developer should have a greater opportunity to discuss issues together.
- Create avenues for residents to meet directly with the developers — separate from community/neighbourhood groups.
- A meeting between the developer and residents should be a requirement (in particular, for major applications where the potential for conflict exists).
- Use a more collaborative approach in which all parties work together toward a mutually agreeable development proposal — a 'win-win' or compromise scenario.
- Hire an independent consultant on retainer who can lead/facilitate productive meetings.
- Place greater emphasis on negotiation/mediation.
- The developer could/should better and more diligently address community comments — and seek agreeable solutions prior to appeal.
- The issues need to be broken into smaller more manageable parts and addressed in a workshop format that allows for more constructive dialogue.
- Citizens need to have — and feel they have — a real voice throughout the process (more than just a developer 'checking a box' to indicate community consultation).

Issue Ownership/Leadership-Related

- No one at the Town seemed to be responsible or accountable — or diligently managing the process.
- There is an impression of a lack of leadership and imbalance in roles — Council appeared to leave the matter in the hands of staff who in turn put things in the hands of an external consultant.
- Elected officials were far too passive — the Glenway Preservation Association (GPA) had to step-in and lead the process.
- Unknown level of Town support for arguing at the OMB and uncertain level of commitment to this tact.
- Misalignment between Town staff and council hampered the process of securing resources for use at the OMB.
- Unwillingness of the Town to include the lands adjacent to the GO station in the secondary planning process.

- Town staff did not sufficiently raise concerns about missing or poorly completed studies in support of the application — and aggressively challenge the degree to which the development meets the intent of the Official Plan.
- Poor Town management of human resources/consultants (a well compensated consultant retained by the Town became a 'star witness' for the developer — *how does this happen?*).

Things that could or should have been done differently and/or could be done in the future...

- Council needs to declare — early on — their support for the community (if this is, in fact, the case).
- The Town needs to clearly establish who is in control and identify a clear position.
- Create a Town template for organizing resources/expertise to better respond to complex/contentious development applications.
- Council (and the Town generally) need to take greater control and provide more/better direction to planning staff and consultants re: the Town's vision and Official Plan priorities, while respecting a planner's professional obligations and independence.

Inflexibility/Position Taking-Related

- Community members' non-conciliatory position re: opposition to the development.
- The developer's non-conciliatory position re: willingness to modify the development and/or mitigate its impacts.
- Councillors stating positions before being in possession of all of the facts.
- The strategic decision to fully fight/oppose the development application was questionable and may have been based on decision-maker naïveté.

Things that could or should have been done differently and/or could be done in the future...

- All parties should refrain from adopting 'hard positions' until the complete set of facts/information is known.
- All parties should have demonstrated a greater willingness to meaningfully engage in dialogue and be more open to a negotiated solution.

Pre-Hearings/Hearings and OMB Decision: *The time period from May 2013 to April 2014, including the final planning report, and pre-hearing and Phase One/Phase Two hearings.*

Identified process-related frustrations, issues and gaps

OMB Authority/Discretion/Accountability-Related

- OMB over-writing Town decisions/desires.
- The OMB's seeming ability to over-rule the town's Official Plan — despite the Town meeting all Places to Grow requirements — and siding with the developer.
- The OMB is unelected and seemingly not accountable to anyone.
- The OMB process is flawed.
- OMB hearings are highly structured and adversarial.
- No transcript of the verbal decision is available. (*Why is this the case?*)

Things that could or should have been done differently and/or could be done in the future...

- Advocate for OMB reform (changes to OMB practices and authority) — reduce the OMB's ability to undermine Ontario communities.
- Give communities greater control over their growth and development.
- If the province has approved a municipality's Official Plan, it should trump the OMB.
- Ensure that the OMB written report is delivered in a timely manner (i.e. before municipal elections) — to do otherwise creates suspicion.

Studies/Plans/Focus-Related

- Is something as large as Glenway beyond the scope of an Official Plan Amendment?
- Lack of environmental studies in place.
- Why was the focus only on the issue of the principle of development?
- The hearing was only focused on two things: technical issues and development principles.

Things that could or should have been done differently and/or could be done in the future...

- Should the process distinguish between minor and major Official Plan Amendments in the context of a recently approved Official Plan — should Glenway have been deferred to the next Official Plan Review?
- Broaden the scope of what is addressed at OMB hearings.
- Ensure that all required studies are in place/complete.

Power Imbalances/Tactics/Negotiation-Related

- Cash-rich developers can hire large teams to argue for their positions.
- Cash-strapped community members (who must use after tax dollars) and towns are often out-resourced, putting them at a disadvantage.
- The focus on last minute settlement offers rather than meaningful negotiation/mediation.
- It is challenging to negotiate with large groups.
- Developer reluctance to engage the community — using an OMB hearing as a looming threat.
- The settlement opportunity was not seized/negotiated in good faith — the offer could have been 'sweetened.'
- Two settlement offers were presented (and prepared with great consideration and effort) — though they were made public, they were not seriously considered (the second offer appeared to hardly have been reviewed and did not receive the courtesy of a response).
- Developer-led consultations/negotiations were not meaningful.

Things that could or should have been done differently and/or could be done in the future...

- Communities across Ontario should band together and share information/strategies for supporting their Official Plans and winning at the OMB.
- Improve the consultation, collaboration and cooperation between the Town and community to maximize effectiveness and chances of positive OMB outcomes — create a mechanism for better communication, knowledge sharing and engagement with the community around specific issues.
- Improve information sharing generally.
- Consider using an outside facilitator to lead charrette-style processes.
- Hire an independent consultant on retainer who can lead/facilitate productive meetings.
- Hold more public meetings — in line with Environmental Assessment Act requirements.
- A mediation process could be undertaken during the pre-hearing stage.
- Increase the focus on settlement offers with a view to negotiating agreeable outcomes for all parties — including the potential for a significant offer from the developer that would avoid an OMB hearing and with a realistic opportunity to be accepted.
- Town staff and Council should have at least considered the second settlement offer and discussed it with residents — the offers were a good deal (particularly in light of the OMB outcome and low likelihood of the Town/GPA being successful at the hearing).
- Council should have more honestly assessed the situation/likelihood of success before the OMB and done more to encourage a settlement solution.
- Consider using the pre-hearing to force mediation for a set timeframe.

Cost/Impacts-Related

- Councillors reported an inflated cost for the Town's defense of Glenway to the media.
- Was the one million dollars spent by the Town worth it — would council have taken the same approach if it was not an election year?
- No discussion of the increased tax burden to ratepayers to fund the infrastructure required for development.
- No mention of expected water challenges/issues.

<i>Things that could or should have been done differently and/or could be done in the future...</i>

- | |
|--|
| <ul style="list-style-type: none"> • Consider/place residents above profits. • Councillors need to be more forthcoming to residents about options and the likelihood of success at the OMB. • Better take into account costs. |
|--|

Preparation/Participation/Resources-Related

- Town challenges in securing expert witnesses to support a position different from that of the planning consulting initially retained by the Town.
- Lack of Town staff presence — in particular, planning staff — at OMB hearings (at a minimum, it would have been instructive for them to be there).
- Given that the external planning consultant initially retained by the Town was regarded as a 'member of staff' — and having taken the position that development should be permitted — there was no effort by Town staff to stay engaged in the process.
- The external planning consultant initially retained by the Town was not directed/instructed to seek ways to defend the Town's Official Plan.
- Insufficiently skilled (or improperly briefed/prepared) Town representatives at the OMB hearing — inadequate experts and defense of the Town's Official Plan.
- Hiring Town representatives (lawyer, planner) too late in the process — not leaving them with enough time to prepare.
- Town's external lawyer was more focused on negotiation rather than how to defend Newmarket's Official Plan.
- Seemingly insufficient Town preparation for the OMB hearing — and lack of accountability.
- Town waited too long for recommendations from staff regarding steps to take to defend the Newmarket Official Plan.
- Town staff and council not on the same page regarding orientation/approach to the OMB hearing.
- OMB hearing process poorly managed by the Town — there was an inadequately presented Town case (given the failure to raise the issue of the location of the GO station and to put the Glenway lands through a land use review).

- Failure to act years ago to lay the groundwork for success (OMB adjudicator said the Town lost the case due to things not done years ago).
- Residents (the GPA) should have allowed the Town to fight Phase One of the hearing — instead, using their resources to work-out technical details in Phase Two that may have resulted in a more palatable solution during the hearing.
- Was the overall community well represented by the GPA?
- Was there a way to include other community interests?

Things that could or should have been done differently and/or could be done in the future...

- Ensure planning staff (and others as required) attend OMB hearings — and substantively contribute to making the case for the Town's position and provide support/context to hired experts.
- Ensure that experts retained by the town (lawyers, planners, etc.) have the requisite knowledge, background and skills to bolster the Town's position — and that they are retained early enough to allow for sufficient preparation.
- Place greater emphasis on a sound Town strategy to increase the probability of a successful outcome at an OMB hearing — including securing the requisite resources as soon as possible and equipping them to succeed.
- Develop a Town strategy to better defend its Official Plan before the OMB — and ensure that the Town is fully prepared for all aspects of the hearing.
- Keep all of the arguments together, rather than separating them — a dangerous precedent has now been set by the 'unbundling.'

Other Comments

Beyond the core information described above, participants shared the following additional questions/comments:

- How do we go about getting a public inquiry into the whole process?
- Should the Office of the Ombudsman be engaged to look into the whole Glenway issue?
- What can Newmarket do to help other municipalities in Ontario (all 444 of them)?
- Should the rapid transit way have been built to Bathurst?
- Why did the town have to pay Ruth Victor [the planning consultant initially retained by the Town] to be a witness at the OMB hearing to help defeat Newmarket's own Official Plan?
- Moraine land is subject to development.
- Councillors are elected to make difficult decisions and not to pander to ratepayers — at the expense of the entire tax base.
- The Official Plan is not the only piece of pertinent planning legislation. There needs to be better awareness and understanding of all other legislation — regional, provincial, etc. The OMB hearing seemed to be based entirely on the Official Plan with little consideration of the bigger picture.

An Eye to the Future — Key Messages and Lessons Learned

A key session focus was providing participants with the opportunity to share summative key messages and lessons learned. Building on the identification of concerns and potential process-related refinements/enhancements (and brief sharing of selected of these in plenary), each table was invited to complete a ‘two-by-four’ exercise, in essence, recording responses to the following questions:

- *What are the top two messages or pieces of advice to the Town (the ‘Town’ being broadly defined)?*
- *What are the top four lessons learned?*

The collective outcomes of this exercise are summarized in the tables that follow.

Again, in the interest of fairness and comprehensiveness, the following summary reflects all participant input as provided through the recording templates — and makes no judgments about the views shared. Moreover, attempts have been made to combine the same or similar points (in cases where the precise wording may have differed slightly), while maintaining the integrity of the core meaning. The order of the points shown should not be construed as being suggestive of importance or priority.

Key Messages
<ul style="list-style-type: none"> • Town officials need to be better caretakers of Newmarket’s interests. • Elected officials must represent the voters — and have the integrity to do so. • Council should make hard decisions — not pander to ratepayers. • Town council and staff need to demonstrate greater leadership and accountability (including implementing a process to identify contentious issues and options in a timely manner). • The Town must better support, protect and vigorously defend its own Official Plan — be careful not to set bad precedents and be willing to stand-up/fight for what the Town believes in. • If the Town does not believe they can defend the Official Plan, then change it. • Improve communication — to/from the community, between staff and council, and between all parties generally. • There is a need to more aggressively bring different parties together to identify potential compromises. • Improve methods of and approaches to community consultation — ensure that they are more timely (and conducted earlier), genuine, thorough, meaningful/substantive, well-facilitated, and focused on solutions and consensus building. • Review emerging trends to improve community input and consultation on: Planning Act education, development proposals, and other specific topics of interest. • The Town must do a more robust risk evaluation at the outset of the initiative — including getting legal, planning and other opinions.

- Once the land is gone (i.e. lost to development), it's gone!
- Better prepare for OMB hearings — get highly skilled, professional representation that knows what to say, ask and do.
- The entire development process needs to be clarified.
- Strive for a more conciliatory approach among key parties to a complex development application — the developer, community members, Town officials — and, if required, use mediation during the OMB pre-hearing stage.
- The Town does not seem to have a planning staff that is up to the challenges that Newmarket currently faces and will face — there is a need to 'reshuffle the deck' and ensure that fully competent staff who can get the job done are in place.
- There are so many things that could have been built/uses for the Glenway lands that would have better served the community and the Town as a whole — key priorities remain unfilled and needs unmet.

Key Lessons Learned

- The Town was/is powerless in front of the OMB.
- The Province does not listen to municipalities.
- The burden to the taxpayer is not being disclosed.
- The Town needs to increase its internal resources/competencies/skills.
- The Town should retain sufficient 'on-call/retainer' external resource capacity to be brought-in when required for complex planning projects or when particular expertise is required.
- Ensure that every planning application has at least one internal staff resource assigned to it — ensuring appropriate oversight, direction-setting, etc.
- The Town needs to better participate in the OMB process — staff should attend hearings and participate in the process (regardless of whether an external planner has been retained).
- Ensure that the Town is 'OMB-ready' from a legal and process perspective — regarding any potential development.
- Make decisions to purchase/not purchase lands more transparent.
- The only way to ensure that land is kept 'green' in perpetuity is for the Town to own it.
- In the case of anyone looking to develop private green space, the Town should either put prohibitions on the ability to develop the lands and/or ensure that the Town has the option to purchase them.
- Discussions regarding the Glenway lands (around holes 13-18) need to begin immediately and include exploration of public-private uses and needs.
- Use a more consultative process in future discussions.
- Improve mediation/negotiation to try reach a settlement that is in the interest of all parties (and that avoids the OMB).
- Better and more meaningfully involve residents in the process.
- Mature, stable residential areas should not be built upon.
- Be very cognizant of the timeframe of 180 days prior to going to the OMB.

- The work of retained planning consultants needs to be clearly defined/scoped, differentiated from the role of staff, and appropriately directed (including clear instruction from Council).
- Transparency needs to be improved across the board — for council discussions/decisions and staff process/progress.
- In camera council meetings should be used judiciously and fine-tuned to allow for greater public understanding/discussion/consultation — the practice of closed-session meetings should be reviewed.
- There is a need for improved information sharing/communication methodologies (to facilitate understanding of the Planning Act and effective engagement).
- There is a need to improve/enhance approaches to community consultation and engagement — consider the use of smaller working/discussion groups.
- The Town (in conjunction with York Region) should continue to provide commentary/advocate to the province re: various aspects of the Planning Act related to OMB reform.
- Planners and councillors should 'inhabit the same universe.'
- Town staff and council need to heed the advice and information they are given, recognize a losing argument and work to negotiate the best deal possible with the developer to minimize impacts/issues for residents.
- Council needs to assume greater ownership of major development issues.
- Council and staff need to improve project management.
- External consultants retained by the Town must back the will of the Town and community.

Looking Ahead

As part of a brief end-of-session activity, next steps were described and the Mayor of Newmarket was invited to share any observations or comments.

Next Steps

The independent facilitator identified the following as near-term next steps and activities flowing from the meeting:

- GLPi to synthesize the collective input from meeting participants and produce the session summary [done by way of this report].
- Town officials to review the session outcomes — and, as per the assurance of the Town's CAO — look to identify key ideas/strategies/initiatives regarding what can be done better/differently regarding future development in Newmarket.
- All parties to consider the 'lessons learned' session outcomes and determine implications for future action/practices.

Observations From the Mayor

Newmarket Mayor Tony Van Bynen shared some complimentary remarks about the value of the session, the facilitation and participant contributions before noting that:

- The Town looks forward to reviewing the session summary and seriously considering participant input and the range of ideas put forward;
- Glenway was a complex and challenging development application with a number of sensitive issues — there is much that everyone can learn from it;
- It is important for everyone to reflect on the Glenway experience and apply knowledge gained to future initiatives;
- There is a need for more constructive consultation and engagement — and a willingness to engage in dialogue and negotiation; and
- Participant opinion and information sharing at the session is much appreciated.

The session facilitator then thanked all participants for their valued contributions to the session — and for the opportunity to work with the group — before formally drawing the session to a close.

Appendix

- Workshop Agenda

Date: June 23rd, 2015 (7:00-9:00 p.m.)
 Location: Newmarket Seniors' Meeting Place — 474 Davis Drive

***A Facilitated Lessons Learned Session
 Concerning the Former Glenway Golf Course Lands
 Marianneville Developments Limited Project
 Learning from the past...with an eye to the future***

Agenda

Overarching Meeting Objectives:

- Debrief on the Glenway experience — share perceived process-related frustrations, issues and gaps.
- Identify potential action-oriented options for process-related changes that can inform the management of future Town development.
- Engage in an honest and informed exploration of the salient issues.
- Engage meaningful multi-stakeholder participation and harness the collective insight of the group.

7:00 Opening Remarks

- Welcome and session purpose/agenda overview
- Discussion principles
- Key introductions

7:15 Key Process-Related Itches by Phase — and Identification of Potential Changes

- For each of the three project phases:
 - What are the perceived process-related frustrations, issues and gaps?
 - What could or should various parties have done differently in this phase? *In the future, wouldn't it be great if...[what]?*
 - *Rapid response sharing*

8:30 A '2x4' Exercise

- What are the top two messages or pieces of advice to the Town?
- What are the top four lessons learned?
- *Highlights sharing*

8:50 Looking Ahead

- What's next — how does the session input get acted on?
- Words from the Mayor

8:55 Closing Remarks and Adjournment

TOWN OF NEWMARKET

Outstanding Matters

Item Subject	Recommendation	Date to come back to Committee	Comments
1. Council - January 20, 2014 – Item 33	D & I Services Report – ES 2013-49 Checking Consultant Professional Consulting Services Contract Extension THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside Associates Ltd. for a period of up to two (2) years from the date of Council approval to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards; AND THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services Contract.	Q3, 2015	Engineering Services working with Procurement to research the history of the contract.
2. Council - May 5, 2014 – Item 54	THAT staff report back to Council on the implementation of improved signage and advertising for notification regarding Official Plan and Zoning By-law Amendments.	Q4, 2015	
3. Council – June 23, 2014 – Item 3	Mr. Scott Cholewa regarding a petition for a splash pad in the Copper Hills subdivision (Ward 1). THAT the deputation of Mr. Scott Cholewa regarding a petition for a splash pad in the Frank Stronach Park be received; AND THAT the request for a splash pad in Frank Stronach Park be referred to the 2015 budget process and added to the Recreation Master Plan.	2015	Item referred to as part of the Recreation Playbook process.

Item Subject	Recommendation	Date to come back to Committee	Comments
4. Council – December 15, 2014 – Item 7	Corporate Services Report - Financial Services 2014-36 dated November 24, 2014 regarding 2015 User Fees and Charges - Water and Wastewater Rates. a) THAT Corporate Services Report - Financial Services 2014-36 dated November 24, 2014 regarding 2015 User Fees and Charges - Water and Wastewater Rates be received and the following recommendations be adopted: i) THAT the attached Schedule 'A' being the Town of Newmarket Water and Wastewater Rates be approved and adopted by By-law; ii) AND THAT the Water and Wastewater Rate adjustments come into full force and effect as of January 1, 2015; iii) AND THAT staff be directed to update the 6-Year Water and Wastewater Financial Plan and to include further review of the rate structure in this update.	Master Plan Update and 2015 Water Rate Review Q3, 2015	
5. Committee of the Whole – March 23, 2015 – Item 18 – Main Street District Business Improvement Area Board of Management Minutes of November 18, 2014	THAT the request for an additional accessible parking space to be added to Main Street between Botsford Street and Timothy Street be referred to staff.	August 31, 2015	

Item Subject	Recommendation	Date to come back to Committee	Comments
<p>7. Council – March 30, 2015 – Item 33 Corporate Services Report – Financial Services 2015-20 regarding Decision Packages and Infrastructure Levy.</p>	<p>THAT Council direct staff to bring back a report providing phasing options that allow for achieving Council enhancement priorities related to traffic mitigation, sidewalk plowing and CreateIT at Southlake while maintaining the Council motion to target a budgeted tax increase of 2% to 2.5%;</p> <p>a) AND THAT staff provide a report within 120 days on the use of the funds budgeted for the Business Development Officer;</p> <p>b) AND THAT staff advise of the recommended approach for realignment of the added resource and provide goals, timelines, implementation and projected outcomes for each of the next five years;</p> <p>c) AND THAT staff provide a report within 90 days outlining the required resources, related costs and sources of funding available to implement a targeted marketing program to advance the redevelopment of Davis Drive properties for implementation by Q4 2015;</p> <p>d) AND THAT the report include how this can be accomplished without impacting the current and proposed economic development plans initiatives.</p>	<p>July, 2015 August, 2015 Q4</p> <p>August, 2015 Q4</p>	<p>June, 2015 Q4</p>
<p>8. Committee of the Whole – April 13, 2015 – Item 28 Joint Development and Infrastructure Services Report – Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.</p>	<p>THAT staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.</p>	<p>Q4, 2015</p>	

Item Subject	Recommendation	Date to come back to Committee	Comments
9. Council – April 20, 2015 – Item 7	THAT staff provide a report within six months related to internet voting.	Q4, 2015	Workshop scheduled October 5, 2015 – 10:00 a.m.
10. Committee of the Whole – May 25, 2015 – Item 2 – Parkland Dedication By-law	<p>THAT the Parkland Dedication By-law for the Town of Newmarket as contained in Attachment 1 be received;</p> <p>ii) AND THAT staff be directed to provide notice to the public, the development community and BILD of the proposed by-law;</p> <p>iii) AND THAT following public input that staff summarize in a report to the Committee of the Whole the issues identified and the comments received along with the final recommendation for the Parkland Dedication By-law for Council's approval;</p> <p>iv) AND THAT staff be directed to report back to Committee of the Whole on the other funding strategies to address the identified shortfall of Town-wide parkland in conjunction with the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.</p>	Q4, 2015	
11. Committee of the Whole – May 25, 2015 – Item 19 – Motion - Councillor Sponga	THAT staff prepare a report in 90 days on possible waste management solutions for the Main Street Area, specifically as it pertains to weekend waste storage and collection.	August 31, 2015	

	Item Subject	Recommendation	Date to come back to Committee	Comments
12.	Committee of the Whole – May 25, 2015 – Item 20 – Motion – Councillor Sponga	THAT staff review the Film Permit Policy and Permitting Process and report back within 150 days to include maps with designated locations for parking and production and that the cost of additional parking enforcement be added to the permit on a cost recovery basis.	October, 2015	Information Report to be provided advising of status
13.	Committee of the Whole – May 25, 2015 – Item 23 – Hollingsworth Arena Site Facility	THAT staff prepare a public report for an upcoming Committee of the Whole meeting outlining the options, issues, and opportunities related to the Hollingsworth Arena site and facility, including the San Michael Homes Developments proposal presented at the May 25, 2015 Council Workshop and previous Council direction.	June 22, 2015	
14.	Council – June 22, 2015 – Item 31 D & I Services Report – ES 2015-34 – McCaifrey Road – Traffic Review	THAT a report be prepared for an upcoming Committee of the Whole or Council meeting following a site visit by the Ward Councillor and Town staff that includes alternate traffic mitigation measures including but not limited to chicanes, roundabouts, pedestrian islands, road watch program or crosswalk; AND THAT this report address traffic impacts related to new development on the Glenway lands, York Region Annex building and the Yonge Street VivaNext project.	Q4	

Clerks Department
clerks@newmarket.ca

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

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

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

Council / Committee date: _____

Agenda Item # ? Subject: Fund Raising

Name: Gary Worters

Address:

<i>Street Address</i>	Newmarket
<i>Town/City</i>	<i>Postal Code</i>

Phone: Home: _____ **Business:** _____

Fax #: na E-mail Address: _____

Name of Group or Person(s) being represented (if applicable)
Gary Worters

Brief summary of the issue or purpose of your deputation:

This will be a brief presentation of a new concept to raise funds that could be donated to appropriate charities

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act , R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905 895-5193 Ext. 2202; Fax 905-953-5100.

395 Mulock Drive, P.O. Box 328, STN MAIN NEWMARKET, ON L3Y 4X7
Tel: 905-895-5193 Fax: 905-953-5100

VISIT OUR WEB SITE AT: www.newmarket.ca

Re: Deputation outline.

Recently I had an opportunity to visit our east provinces, Nova Scotia, New Brunswick and Quebec.

While having breakfast during my stopover in Fredericton, New Brunswick I came across an article in the local newspaper. The article was about a new idea to assist in collecting donations. In the case of Fredericton the monies collected are to be passed over to street people and vagrants.

However in Newmarket, to the best of my knowledge this is not an issue. But the concept became quite appealing as a means to collect funds for the many charities and our food bank.

I would like to point out this is not a new idea. After researching the concept I found that Windsor, Ontario Calgary, Alberta and a few cities in Quebec have implemented this idea.

I wish to present this program to our Mayor and Council members.

Thank you,

Gary Worters
Newmarket

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Subject:

Date of Meeting: Agenda Item No.:

☒ I wish to address Council / Committee

☐ I request future notification of meetings.

Name:

Organization / Group/ Business represented:

Address: Postal Code:

Email:

Home Phone: Business Phone:

Be advised that all Council and Committee of the Whole meetings are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

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



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

www.newmarket.ca
 info@newmarket.ca
 905.895.5193

August 17, 2015

**JOINT DEVELOPMENT & INFRASTRUCTURE SERVICES, ENGINEERING SERVICES AND
 COMMUNITY SERVICES, ECONOMIC DEVELOPMENT AND CORPORATE SERVICES,
 LEGISLATIVE SERVICES REPORT 2015-51**

TO: Committee of the Whole

SUBJECT: P1 Parking Lot Review
 File No.: T08 Timothy

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Joint Development & Infrastructure Services, Community Services and Corporate Services Report – ES2015-51 dated August 17, 2015 regarding P1 Parking Lot Review be received and the following recommendations be adopted:

1. THAT Schedule II (Municipal Parking Lots) – Parking Lot P1 of the Parking By-law 1993-62, as amended, be further amended by adding the following:
 - c) No Parking between Friday 9:00 pm to Monday 8:00 am from May 1st to October 31st.
2. AND THAT the necessary Bylaws be prepared and submitted to Council for their approval;
3. AND THAT weekend loading operations at the P1 Parking Lot be restricted from May 1 to October 31;
4. AND THAT reasonable access to the properties at 352 Doug Duncan Drive be maintained during the closure of Timothy Street for events;
5. AND THAT the three (3) southwestern-most located parking spaces be removed from public parking between May 1 and October 31 to allow for maintenance access;
6. AND THAT all stakeholders involved be forwarded a copy of this report and Council extract by the Clerk.

COMMENTS

In late June, the Main Street BIA contacted the Town inquiring about the locked status of the P1 Parking Lot gates. P1 consists of 16 parking spaces on the south side of Timothy Street between the Holland River and Doug Duncan Drive. The parking lot also provides loading access via a registered easement to the building known as 247 Main Street South/352 Doug Duncan Drive (Buckley's Insurance Company and the two (2) restaurants in the lower building on the east side of the river).

The current Parking Bylaw 2011-41, which was intended to align with the objectives of the Downtown Parking Plan, was adopted shortly after the completion of Riverwalk Commons. The bylaw currently prohibits overnight parking and imposes a 3-hour limit from Monday to Saturday 9:00 am to 5:00 pm. Since 2011, the Farmer's Market and other event uses of Riverwalk Commons have become more prominent and residents have embraced the Riverwalk Commons area south of Timothy as desirable park space.

In June of 2011, a permanent easement was granted across P1 by the Town to the owner of 247 Main Street/352 Doug Duncan Drive to provide access to the building. Access to these lands is controlled by the Town via lockable P-gates, although the agreement permits the owner access Monday to Fridays, 8am to 6pm between June 21 and September 21. The owner is provided a key as part of the agreement. The gates remain permanently open at all other times throughout the year.

There has become a growing need since Riverwalk Commons opened to balance the use of the parking lot for public space against the need for more downtown parking, while ensuring building access as per the easement agreement. This had led to some confusion as to when the gate would be opened/closed and by whom under which authority.

The Main Street BIA's view is that public parking should be maximized by keeping the gates open as much as possible during the summer. It recognizes, however, the need to close the gates on weekends to minimize disruptions to the Farmers Market and other events, in particular to avoid the possibility of parked cars interfering with event set-up. Further, Town Public Works staff require access to the newly-planted garden and existing utility box adjacent to P1 and located immediately north of 247 Main Street/352 Doug Duncan Drive. Public Works therefore recommends these areas remain parking free, which effectively eliminates three parking spaces. A series of flower pots and bike racks are proposed that would block access at this point, and which can be easily moved to ensure access for maintenance while maximizing the public space on weekends for the Farmers Market and events.

Based on the analysis of the competing needs, it is recommended that the Parking Bylaw be amended accordingly:

1. Add an additional restriction of No Parking from 9:00 pm Friday to 8:00 am Monday between May 1 and October 31.
2. The 3-hour limit remains, with the continuation of no overnight parking.

3. Events that require the closure of Timothy Street between Doug Duncan Drive and Cedar Street be required to provide a clear 6 metre travel path, free of vendors or booths, to allow emergency vehicles access to the building at 352 Doug Duncan Drive (restaurants).

These recommendations should allow more parking in the downtown area, allow for the protection of the public space during the summer months, provide adequate access by loading operations and emergency service vehicles, and remove the inconsistent and confused application of the gate.

PUBLIC CONSULTATION

No formal public consultation was undertaken in the preparation of this report. Several discussions were held with the Main Street BIA as well the owner of the 247 Main Street/352 Doug Duncan Drive to receive context informing these recommendations.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

HUMAN RESOURCE CONSIDERATIONS

No impact to current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

No impact to the Operating Budget.

Capital Budget

There is a small impact to the Capital budget (less than \$4,000.00) for the parking restriction signage and additional flower pots.

CONTACT

For more information on this report, please contact Rachel Prudhomme at 905-895-5193 extension 2501; rprudhomme@newmarket.ca.

Prepared by:



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



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



C. Kallio, Economic Development Officer
Community Services



I. McDougall, Commissioner
Community Services



A. Brouwer, Director of Legislative Services
Corporate Services



A. Moore, Commissioner
Corporate Services



**Development and Infrastructure Services - ENGINEERING SERVICES****Town of Newmarket**

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395 Mulock Drive

engineering@newmarket.ca

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T: 905 895.5193

Newmarket, ON L3Y 4X7

F: 905 953 5138

August 26, 2015**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2015-52**

TO: Committee of the Whole

SUBJECT: Final Acceptance and Assumption of the Stormwater Management Pond for
Criterion Development (Summerhill Woods)
ES File No.: D.24.65

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

1. **THAT Development and Infrastructure Services Report – ES 2015-52 dated August 26, 2015 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill Woods) be received and the following recommendation(s) be adopted;**
2. **THAT the request for final Acceptance and Assumption of the Stormwater Management Pond for Criterion Development (Summerhill Woods) as shown on the attached map be finally accepted and assumed by the Town;**
3. **AND THAT the Clerk's office notify Mr. Paul Minz of Criterion Development Corporation, and Mr. John Kaczor, A.Sc.T., of MMM Group Limited of these recommendations.**

COMMENTS

We are in receipt of an application from MMM Group Limited on behalf of Criterion Development Corporation, wherein a request for final acceptance and assumption of the Stormwater Management Pond for Criterion Development (Summerhill Woods) is made.

A decorative, light-colored curved line or swoosh in the bottom right corner of the page.

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

All required documentation has been provided and reviewed by our checking consultant, R.J. Burnside & Associates Ltd., who have provided their recommendation for final acceptance and assumption. At this time, no recommendation to release the performance security has been made.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

There is no public consultation with this recommendation.

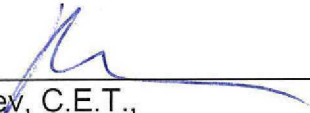
BUDGET IMPACT

Operating Budget (Current and Future)

With this recommendation, the above captioned Stormwater Management Pond for Criterion Development (Summerhill Woods) will now be under the Town's Operating Budget.

CONTACT

For more information on this report, contact Victoria Klyuev at 905-895-5193 extension 2513 or by e-mail at, vklyuev@newmarket.ca



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



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



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



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



THIS PROJECT IS A DEVELOPMENT OF THE SUMMERHILL WOODS RESIDENTIAL SUBDIVISION. THE PLAN OF SURVEY IS THE FINAL PLAN OF SURVEY FOR THE PROJECT. THE PLAN OF SURVEY IS THE FINAL PLAN OF SURVEY FOR THE PROJECT. THE PLAN OF SURVEY IS THE FINAL PLAN OF SURVEY FOR THE PROJECT.



Summerhill Woods Residential Subdivision Final Acceptance
and Assumption of Stormwater Management Pond

THE PLAN OF SURVEY IS THE FINAL PLAN OF SURVEY FOR THE PROJECT. THE PLAN OF SURVEY IS THE FINAL PLAN OF SURVEY FOR THE PROJECT. THE PLAN OF SURVEY IS THE FINAL PLAN OF SURVEY FOR THE PROJECT.



THE 206 OF
MAYOR FRED
EISENBERGER
CITY OF HAMILTON



July 16th, 2015

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

To the Mayor and Members of Council:

As you may know, on 15 April 2015, the City of Hamilton passed a Roads–Equipment Installation By-law regulating the installation of equipment on, in and under its road allowance, including the community mailboxes being installed by Canada Post as it eliminates home delivery.

Canada Post's challenge to the By-law, an application to Ontario's Superior Court, has been successful. On 24 June 2015, the City's Council recommended that this decision be appealed to the Ontario Court of Appeal. In making their recommendation, they considered an opinion provided by the Honourable Ian Binnie, which is attached to this email. Mr. Binnie's firm of Lenczner Slaght has been retained.

The City of Hamilton's position, in short, is that municipalities have the authority to reasonably regulate their road allowance, and can apply minimum standards to the community mailboxes which ensure the protection of persons and property without conflicting with Canada Post's authority to determine how the mail is delivered.

On 25 June 2015, the Federation of Canadian Municipalities decided to seek intervenor status on the appeal. In doing so, FCM states that it is not questioning Canada Post's policy decision to eliminate door-to-door mail delivery, but is supporting municipalities' rights and duties to manage the road allowance for the benefit of all users.

We are asking for your support in this appeal by means of a financial contribution.

Any questions you have should be directed to Janice Atwood-Petkovski, City Solicitor, 905-546-2424 ext.4636, Janice.Atwood-Petkovski@hamilton.ca. We would appreciate your early response. Thank you for your serious consideration of this matter.

Sincerely,

Fred Eisenberger
Mayor

Attachments

Hamilton Roads – Equipment Installation By-Law

<http://www2.hamilton.ca/NR/rdonlyres/89365AF5-8ECE-4DC5-B26C-3FD45B8F0B37/0/15091.pdf>

Ontario Superior Court Decision

<https://www.canlii.org/en/on/onsc/doc/2015/2015onsc3615/2015onsc3615.html?searchUrlHash=AAAAQAUY2FuYWRRhHBvc3QgaGFtaWx0b24AAAAAQ&resultIndex=1>

The meeting of the Appointment Committee was held on Monday, July 6, 2015 in Cane A & B, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Councillor Bisanz

Absent: Councillor Twinney

Staff Present: I. McDougall, Commissioner of Community Services
M. Mayes, Director of Financial Services/Treasurer
C. Service, Director of Recreation and Culture
C. Kallio, Economic Development Officer
L. Lyons, Deputy Clerk
C. Schritt, Traffic Technician
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 2:04 p.m.

Councillor Bisanz in the Chair.

Additions & Corrections to the Agenda

None.

Declarations of Pecuniary Interest

Councillor Bisanz declared an interest in the applications to the Audit Committee, as a family member has applied. She advised that she would not take part in the discussion or voting of the matter.

Deputations/Presentations

None.

Approval of Minutes

1. Appointment Committee Minutes of April 20, 2015.

Moved by: Mayor Van Bynen

Seconded by: Councillor Bisanz

THAT the Appointment Committee Minutes of April 20, 2015 be approved.

Carried

2. Appointment Committee (Closed Session) Minutes of April 20, 2015.

Moved by: Mayor Van Bynen

Seconded by: Councillor Bisanz

THAT the Appointment Committee (Closed Session) Minutes of April 20, 2015 be approved.

Carried

Closed Session

3. Personal matters about identifiable individuals as per Section 239 (2)(b) of the Municipal Act - Applications to the following Committees:
 - a) Audit Committee
 - b) Elman W. Campbell Museum Board
 - c) Newmarket Downtown Development Subcommittee
 - d) Newmarket Economic Development Advisory Committee
 - e) Newmarket Environmental Advisory Committee

Moved by: Mayor Van Bynen

Seconded by: Councillor Bisanz

THAT the Appointment Committee resolve into Closed Session for the purpose of discussing Personal matters about identifiable individuals as per Section 239 (2)(b) of the Municipal Act.

Carried

The Appointment Committee resolved into Closed Session at 2:11 p.m.

The Appointment Committee (Closed Session) Minutes are recorded under separate cover.

The Appointment Committee resumed into Public Session at 3:17 p.m.

Items for Discussion

4. Verbal Update from the Deputy Clerk regarding Committee Terms of Reference.

The Deputy Clerk provided a status update on revisions to the Terms of Reference for each Committee and advised that staff are currently aiming to have the Committee appointments and amended Terms of Reference before Council for consideration at the August 10, 2015 Special Committee of the Whole meeting.

5. Schedule of Upcoming Meetings and Interviews.

The Deputy Clerk inquired whether the Committee was able to set upcoming meeting dates. Staff will work with the Executive Assistant to the Mayor and Executive Assistant to Councillors in order to determine an interview schedule.

New Business

None.

Adjournment

Moved by: Mayor Van Bynen

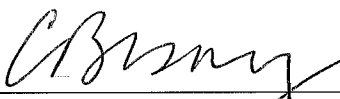
Seconded by: Councillor Bisanz

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 3:26 p.m.

August 27/15
Date


Christina Bisanz, Chair

The meeting of the Appointment Committee was held on Thursday, August 27, 2015 in Davis Room, 395 Mulock Drive, Newmarket.

Members Present: Councillor Twinney, Chair
Mayor Van Bynen
Councillor Bisanz

Staff Present: I. McDougall, Commissioner of Community Services
L. Lyons, Deputy Clerk
C. Finnerty, Council/Committee Coordinator

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

Councillor Twinney in the Chair.

Additions & Corrections to the Agenda

The Deputy Clerk distributed copies of the amended Newmarket Environmental Advisory Committee Terms of Reference for consideration with the other Terms of Reference included on the agenda.

Moved by: Councillor Bisanz
Seconded by: Mayor Van Bynen

THAT the Newmarket Environmental Advisory Committee Terms of Reference be included for consideration on the agenda.

Carried

Declarations of Pecuniary Interest

Councillor Bisanz declared an interest in the applications to the Audit Committee, as a family member has applied. She advised that she would not take part in the discussion or voting of the matter.

Approval of Minutes

1. Appointment Committee Minutes of July 6, 2015.

Moved by: Councillor Bisanz
Seconded by: Mayor Van Bynen

THAT the Appointment Committee Minutes of July 6, 2015 be approved.

Carried

2. Appointment Committee (Closed Session) Minutes of July 6, 2015.

Moved by: Councillor Bisanz
Seconded by: Mayor Van Bynen

THAT the Appointment Committee (Closed Session) Minutes of July 6, 2015 be approved.

Carried

Closed Session

3. Personal matters about identifiable individuals as per Section 239 (2)(b) of the Municipal Act - Interview Results for the following Committees:

- a) Audit Committee
- b) Newmarket Economic Development Advisory Committee

Moved by: Mayor Van Bynen
Seconded by: Councillor Bisanz

THAT the Appointment Committee resolve into Closed Session for the purpose of discussing personal matters about identifiable individuals as per Section 239 (2)(b) of the Municipal Act.

Carried

The Appointment Committee resolved into Closed Session at 10:45 a.m.

The Appointment Committee (Closed Session) Minutes are recorded under separate cover.

The Appointment Committee resumed into Public Session at 11:04 a.m.

Items for Discussion

4. Terms of Reference Review.

The Deputy Clerk provided background related to the Terms of Reference review and advised that meetings were held with each Committee Chair and that a survey was circulated to all committee members to obtain input on their experience and identified areas for improvement. Feedback from this process, along with input from the Council Workshop was incorporated into the revised Terms of Reference documents for each Committee.

a) Accessibility Advisory Committee

The Deputy Clerk provided a summary of the amendments to the Terms of Reference. Discussion ensued regarding the number of members appointed to the Committee and providing flexibility in membership in order to take into consideration representation of various disabilities on the Committee.

Moved by: Mayor Van Bynen

Seconded by: Councillor Bisanz

a) THAT the Accessibility Advisory Committee Terms of Reference – Committee Composition be amended as follows:

i) “A minimum of six (6) residents, a majority of who must have a disability and consideration of the appointment of additional members with disabilities not represented.”

b) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

Carried

b) Appeal Committee

The Deputy Clerk summarized the amendments to the Terms of Reference. She advised that the Terms of Reference was new as the Committee was formerly incorporated into the Property Standards Committee.

c) Audit Committee

The Deputy Clerk advised that no substantive amendments were made to the Committee's mandate.

d) Committee of Adjustment

The Deputy Clerk advised that no substantive amendments were made to the Committee's mandate. Discussion ensued regarding the requirement of an alternate member.

e) Elman W. Campbell Museum Board

The Deputy Clerk advised no substantive amendments were made to the Committee's mandate, however an amendment to the Museum Board By-law 1983-17 may be required at a later date.

f) Heritage Newmarket Advisory Committee

The Deputy Clerk advised that no substantive amendments were made to the Committee's mandate.

g) Newmarket Downtown Financial Investment Committee (formerly NDDS)

The Deputy Clerk summarized the amendments to the Terms of Reference. Discussion ensued regarding the amended name of the Committee; it was recommended that the name be amended to Newmarket Downtown Development Committee.

Moved by: Councillor Bisanz
Seconded by: Mayor Van Bynen

a) THAT the Newmarket Downtown Development Subcommittee be renamed Newmarket Downtown Development Committee;

b) AND THAT the word 'citizens' be replaced with 'residents' in the Committee Composition;

c) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

Carried

h) **Newmarket Economic Development Advisory Committee**

The Deputy Clerk advised of the amendments to the Newmarket Economic Development Advisory Committee Terms of Reference, including the composition and inclusion of an annual community economic development congress meeting and annual stakeholder meetings and the term of office for the Committee.

Moved by: Mayor Van Bynen

Seconded by: Councillor Bisanz

a) THAT the Newmarket Economic Development Advisory Committee Terms of Reference – Term of Office be replaced as follows:

i) "Each Committee member shall sit for a two year term coinciding with the beginning of a new term of Council. At the expiration of the first two year term, each member is eligible to continue for an additional two year period, to the end of the term of Council. In accordance with the Appointment Policy, each member may only sit for four consecutive two year terms."

b) AND THAT the amended Terms of Reference be forwarded to Council for consideration.

Carried

i) **Property Standards Committee**

The Deputy Clerk advised that no substantive amendments were made to the Committee's mandate.

j) **Newmarket Environmental Advisory Committee (NEAC)**

The Deputy Clerk advised that substantial amendments were made to the NEAC Terms of Reference, in consultation with the former Committee Chair. The amendments were a result of feedback from the Committee members that expressed a need for a more specific and focused mandate and dedicated staff support for the Committee.

Moved by: Councillor Bisanz
Seconded by: Mayor Van Bynen

THAT the Terms of Reference for the Appeal Committee, Audit Committee, Committee of Adjustment, Elman W. Campbell Museum Board, Heritage Newmarket Advisory Committee, Property Standards Committee and Newmarket Environmental Advisory Committee be approved and forwarded to Council for consideration.

Carried

New Business

None.

Adjournment

Moved by: Mayor Van Bynen
Seconded by: Councillor Bisanz

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 12:03 p.m.

Date

Councillor Twinney, Chair



Town of Newmarket

TERMS OF REFERENCE

NAME: Appeal Committee

REPORTS TO: Council

STATUS: Statutory

ESTABLISHED: June 23, 1980

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Appeal Committee is a quasi-judicial body that shall meet and deliberate as required by the legislation pursuant to which the by-laws have been enacted, and when necessary in order to hear appeals pursuant to these by-laws.

The Appeal Committee will also serve as fence-viewers under the authority of the *Line Fences Act, 1990*, as amended.

MANDATE

The Appeal Committee is established for the purpose of hearing appeals pursuant to the following Town of Newmarket by-laws:

- Animal Control By-law 2008-61, as amended
- Fence By-law 2000-63
- Fireworks By-law 2015-18
- Refreshment Vehicle Licensing By-law 2014-11, as amended
- Sign By-law 2014-11, as amended
- Taxicab Licensing By-law 2013-28

The Committee will be responsible for the following:

- To hear and determine all applications made, proceedings instituted and matters brought before it and for such purpose to make such orders, give such directions, issue such approvals, deny or vary applications and otherwise do and perform all such acts, matters, deeds and things as may be necessary or incidental to the exercise of the powers conferred upon the Appeal Committee.
- To perform such other functions and duties as are now or hereafter conferred upon or assigned to the Appeal Committee by municipal By-law or under statutory authority.
- To make, give or issue or refuse to make, give or issue any order, directions, regulation, rule, permission, approval, certificate or direction, which it has power to make, give or issue.

Deliverables

The Committee will accomplish its mandate by:

- Conducting hearings as required
- Arbitrating fence dispatches between property owners

Strategic Plan Linkages

The Appeal Committee meets the following Corporate Strategic Goals:

- *Living Well:* By focusing on health, safety and the environment to promote activity and enrich lives.
- *Efficiency/financial Management.* By ensuring effective and efficient services.

The Appeal Committee meets the following Council Strategic Priority:

- *Efficiency/financial Management.* By ensuring effective and efficient services.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Appeal Committee will be composed of:

- Five (5) residents

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Persons with legal tribunal governance experience;
- Persons with land use experience;
- Persons with real estate experience.

FREQUENCY OF MEETINGS

Meetings are held on an as required basis monthly.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

\$50.00 per member per meeting

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket

TERMS OF REFERENCE

NAME: Audit Committee

REPORTS TO: Council

STATUS: Advisory

ESTABLISHED: June 19, 1995

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Audit Committee is authorized under the *Municipal Act, 2001, Section 296* and was established by Council resolution on June 19, 1995.

The Audit Committee is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Audit Committee shall assist the Council in maintaining the financial integrity of the municipality.

The Committee will be responsible for the following:

- To provide advice and recommendations to Council with respect to the financial control framework including financial reporting, accounting policies, information systems integrity, approval processes and the safeguard of assets.
- To provide advice and recommendations to Council with respect to the appointment of the External Auditor, the scope and timing of the audit.
- To review and provide recommendations to Council regarding the annual report and management letter of the External Auditor.
- To make recommendations with respect to the work plan of the Internal Auditor and to provide comment and advice with respect to the recommendations of the Internal Auditor respecting the issues of internal financial control.
- To provide advice and recommendations to Council with respect to any special project or issue as requested by Council.

Deliverables

The Committee will accomplish its mandate by:

- Recommending approval of the annual financial statements.

- Reviewing the newly issued external auditors' management letter with Senior Management.
- Reviewing and approving the scope of the external audit.
- Following up with senior management on disposition of the previous year's external auditors' management letter points.

Strategic Plan Linkages

The mandate meets the following Corporate Strategic Goals:

- *Well-equipped and managed:* By focusing on Fiscal Responsibility, Leadership excellence and leading edge management, efficient management of capital assets and municipal services to meet existing and future operational needs.

The mandate meets the following Council Strategic Priorities:

- *Efficiency/Financial Management:* By ensuring effective and efficient services and measuring the Town's performance.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Audit Committee will be composed of:

- Three (3) residents
- Three (3) Members of Council (Mayor and two (2) Councillors)

The Audit Committee shall be supported by:

- Chief Administrative Officer
- Chief Executive Officer of the Newmarket Library
- Commissioner of Corporate Services
- Director of Financial Services/Treasurer

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Persons with knowledge of accounting policies
- Persons with knowledge of risk management
- Persons with knowledge of financial auditing

FREQUENCY OF MEETINGS

Three (3) times annually (or as required)

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket

TERMS OF REFERENCE

NAME: Committee of Adjustment

REPORTS TO: Council

STATUS: Statutory

ESTABLISHED: January 11, 1971

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Committee of Adjustment is authorized under the *Planning Act R.S.O, c. P.13, s.44 (1)* and By-law Number 1971-2.

The Committee of Adjustment is required to adhere to the provisions outlined in the *Planning Act*, Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Newmarket Committee of Adjustment is a quasi-judicial body that considers applications from property owners. Council does not ratify the decisions of the Committee. If any individual (or the Town Council) wishes to appeal a decision of the Committee, it must do so to the Ontario Municipal Board.

The Committee will be responsible for considering applications for the following:

- Minor Variances from the provisions of the Zoning By-law.
- Extensions, enlargements or variations of existing legal non-conforming uses under the Zoning By-law.
- Land Division (severing a new lot from an existing lot, adding land to an existing lot, easements, mortgages or leases in excess of 21 years).
- Determine whether a particular use conforms with the provisions of the Zoning By-law where the uses of land, building or structures permitted in the by-law are defined in general terms.

Deliverables

The Committee will accomplish its mandate by:

- Reviewing the merits of the application, the documentation and evidence put forward and rendering decisions on the applications, in accordance with the requirements of the Planning Act.
- Hearing presentations from property owner(s), applicants, or authorized agents(s)

- Making a decision based on the presentation by the property owner(s), authorized agent(s), and the staff report to the Committee of Adjustment.
- Approving, refusing, tabling, deferring or modifying the recommendations of the staff report to the Committee of Adjustment.

Strategic Plan Linkages

This mandate meets the following Corporate Strategic Goal:

- *Well-equipped and managed.* By ensuring an ideal mix of residential, commercial, industrial and institutional land use.

This mandate meets the following Council Strategic Priority:

- *Efficiency/ Financial Management.* Ensuring effective and efficient services.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Committee of Adjustment will be composed of:

- Five (5) residents
- One (1) resident alternate

The Committee of Adjustment will be supported by:

- Planning Staff

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Residents/property owners;
- Commitment and interest in the community;
- Persons with knowledge of planning and planning legislation;
- Persons with knowledge of building and building legislation;
- Knowledge and interest in the subject area;
- Skills functioning as members of a team;
- Problem solving skills, interpersonal communication skills;
- Facilitation skills.

FREQUENCY OF MEETINGS

Once (1) per month as required, during the day.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

- Committee Chair - \$90.00 per meeting
- Member - \$75.00 per meeting

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket

TERMS OF REFERENCE

NAME: Elman W. Campbell Museum Board

REPORTS TO: Council

STATUS: Statutory

ESTABLISHED: February 7, 1983

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Elman W. Campbell Museum Board was established through the adoption of By-law 1983-17.

The Elman W. Campbell Museum Board is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Elman W. Campbell Museum Board is responsible for advising on the development of policies and programs for the operation of the Elman W. Campbell Museum at 134 Main Street South.

Deliverables

The Board will accomplish its mandate by:

- Attending regular meetings.
- Dedicating additional time to projects outside of regular meeting times.

Strategic Plan Linkages

This mandate meets the following Corporate Strategic Goals:

- *Well-balanced:* By focusing on arts, culture, entertainment and heritage preservation.

This mandate meets the following Council Strategic Priorities:

- *Enhanced recreational Opportunities:* By enhancing our recreation and community facilities.
- *Efficiency/ Financial Management:* By ensuring effective and efficient services.

BOARD COMPOSITION AND STAFF RESOURCES

The Elman W. Campbell Museum Board will be composed of:

- Four (4) Newmarket residents
- One (1) member of Council
- One (1) member of Heritage Newmarket
- One (1) member of Newmarket Historical Society

The Elman W. Campbell Museum Board will be supported by:

- Recreation and Culture Department.

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Persons with knowledge of museum services.
- Persons who have experience with board governance.
- Persons who have experience with recreation programming.
- Persons who have experience with event planning.

FREQUENCY OF MEETINGS

Board meets once per month in the evening.

BUDGET CONSIDERATION

The fiscal year of the Board shall be from January 1 to December 31. The Board will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

A Member's term on the Board shall be concurrent with the Term of Council, unless otherwise indicated in the Board's Mandate, or until a successor is appointed.

BOARD REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Board.



Town of Newmarket **TERMS OF REFERENCE**

NAME:	Heritage Newmarket Advisory Committee
REPORTS TO:	Council
STATUS:	Statutory
ESTABLISHED:	July 21, 1980 (Local Architectural Conservation Advisory Committee) November 12, 2001 (Heritage Newmarket Advisory Committee)

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Heritage Newmarket Advisory Committee is authorized under the *Ontario Heritage Act*, Part IV, S. 27 and By-laws 1980-74 and 2001-132.

The Heritage Newmarket Advisory Committee is required to adhere to the provisions outlined in the Town's Procedural By-law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Heritage Newmarket Advisory Committee has been created to assist the Town of Newmarket in achieving its goals for the documentation and preservation of historical structures, buildings, properties and artifacts.

The Committee will be responsible for the following:

- Advising and assisting Council on matters related to designation under Parts IV and V of the *Ontario Heritage Act*, the conservation of historic structures and the architectural and natural heritage of the community.

Deliverables

The Committee will accomplish its mandate by:

- Providing recommendations to Council with respect to the designation of buildings or sites under the *Ontario Heritage Act* as being of Cultural Heritage Value or interest.
- Reviewing applications for the completion of works on designated sites in order to ensure the features of the structure or site that are of Cultural Heritage Value or interest are preserved.
- Reviewing development applications involving sites or structures of Cultural Heritage Value or interest to make recommendations to Council on measures to incorporate or preserve these features in the development proposals.
- Conducting research on the community and creating reference materials regarding the history related to the structures and features of the community.

- Participating in the planning and carrying out of education programs such as tours of the municipality outlining these significant features.

Strategic Plan Linkages

This mandate meets the following Corporate Strategic Goals:

- *Living Well*: By centering on Environmental protection and natural heritage preservation.
- *Well-balanced*: By focusing on arts, culture, entertainment and heritage preservation.

This mandate meets the following Council Strategic Priorities:

- *Enhanced Recreational Activities*: By supporting community and neighbourhood projects.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Heritage Newmarket Advisory Committee will be composed of:

- Six (6) Newmarket residents
- One (1) Member of Council

The Heritage Newmarket Advisory Committee will supported by:

- Senior Planner

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Knowledge of heritage legislation
- Heritage architectural design and research skills
- Skills functioning as members of a team
- Problem solving skills, interpersonal communication skills
- Facilitation skills
- Interest in the community

FREQUENCY OF MEETINGS

Once per month in the evening.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request aligned with the work plan that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments and/or workplan shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket **TERMS OF REFERENCE**

NAME: Newmarket Environmental Advisory Committee (NEAC)

REPORTS TO: Council

STATUS: Advisory

ESTABLISHED: June 24, 2002 (Interim Committee)
August 16, 2004 (Permanent Instatement)

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Newmarket Environmental Advisory Committee (NEAC) was authorized by Council on June 24, 2002.

NEAC is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

NEAC is responsible for providing advice and recommendations to Council and staff with respect to environmental issues in the Town. Additional responsibilities include facilitating education and outreach, and providing volunteer support related to special events or programs approved by Council.

The Committee will be responsible for the following:

- Provide advice to Council and Staff with respect to the following defined focused areas, reviewed each year with NEAC and Council:
 - Municipal Energy Plan
 - Municipal Storm Water Management Plan
 - Low Impact Development plans
 - Energy efficiency of municipal owned properties
- Education and Outreach, including planning of an annual public forum and administering such things as the Ian Grey Award.
- Community involvement including events such as Earth Hour, the Annual community Garage Sale and E-waste.
- Other focus areas as identified in the NEAC work plan as approved by Council.

Deliverables

The Committee will accomplish its mandate by:

- Reviewing and commenting to Council, as requested, on environmentally related plans, by-laws, development proposals and studies.
- Researching and assisting with the gathering, organizing and condensing of data in order for the Town to make necessary information available to public and private groups, as requested.
- Planning and organizing events and activities for stewardship, education and outreach.
- Liaising with other environmental advisory committees, including York Region environmental groups and organizations.
- Coordinating events with other environmental groups, where possible.
- Giving out educational information and interacting with the public at events.

Strategic Plan Linkages

This mandate meets the following Corporate Strategic Goals:

- *Living Well:* By focusing on environmental protection and natural heritage preservation.
- *Well-balanced:* By developing green and open spaces, parks and playing fields.

This mandate meets the following Council Strategic Priorities:

- *Efficiency/financial Management:* By ensuring effective and efficient services.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Newmarket Environmental Advisory Committee will be composed of:

- Eight (8) residents
- One (1) member of Council

The Newmarket Environmental Advisory Committee will be supported by:

- Dedicated staff liaison to ensure coordination of communication and information between the Town, community partners and NEAC
- Technical Staff, as required.
- Legislative Services Staff

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

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

FREQUENCY OF MEETINGS

- Six (6) times annually in the evening and attendance at a number of informal sub-committee meetings.
- Attendance at community events may also be required.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

Each Committee member shall sit for a two year term coinciding with the beginning of a new term of Council. At the expiration of the first two year term, each member is eligible to continue for an additional two year period, to the end of the term of Council. In accordance with the Appointment Policy, each member may only sit for four consecutive two year terms.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket **TERMS OF REFERENCE**

NAME: Property Standards Committee

REPORTS TO: Council

STATUS: Statutory

ESTABLISHED: June 23, 1980

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Property Standards Committee is established under the authority of the *Building Code Act, 1992 SO. 1992 c. 23* and the Town's Property Standards By-law 1999-34, as amended.

The Property Standards Committee is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Property Standards Committee is a quasi-judicial body that hears appeals by property owners or their agents who have received an order of the Property Standard Officer from the Town.

The Committee will be responsible to:

- Confirm the Property Standards Order; or
- Modify the Property Standards Order; or
- Quash the Property Standards Order; or
- Extend the time for complying with the order provided that, in the opinion of the Committee, the general intent and purpose of the Property Standards By-law is maintained.

Deliverables

The Committee will accomplish its mandate by:

- Conducting hearings, as required

Strategic Plan Linkages

The Property Standards Committee meets the following Corporate Strategic Goals:

- *Living Well:* By focusing on health, safety and the environment to promote activity and enrich lives.

- *Efficiency/financial Management:* By ensuring effective and efficient services.

The Property Standards Committee meets the following Council Strategic Priorities:

- *Efficiency/financial Management:* By ensuring effective and efficient services.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Property Standards Committee will be composed of:

- Five (5) residents

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Persons with legal tribunal governance experience
- Persons with land use experience
- Persons with real estate experience

FREQUENCY OF MEETINGS

As required, on as-needed basis (at the availability of the individuals involved)

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

\$50.00 per meeting per member.

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket **TERMS OF REFERENCE**

NAME: Accessibility Advisory Committee

REPORTS TO: Council

STATUS: Statutory

ESTABLISHED: August 19, 2002

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Accessibility Advisory Committee is authorized under the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*.

The Accessibility Advisory Committee is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Accessibility Advisory Committee will encourage and facilitate accessibility for all persons with disabilities in the Town of Newmarket.

The Committee will be responsible for the following:

- Providing advice, recommendations and assistance to Council to develop and facilitate strategies for the identification and elimination of barriers for citizens with disabilities.
- Promoting accessibility related public outreach, education and awareness initiatives.

Deliverables

The Committee will accomplish its mandate by:

- Advising Council on the Multi-year Accessibility Plan as required by the Act. The Multi-year Accessibility Plan will work to identify, remove and prevent barriers to persons with disabilities.
- Providing comments and recommendations related to the accessibility of a building, structure and premise (or parts thereof) that the Town purchases, constructs, significantly renovates and/or leases.
- Providing comments and recommendations related to accessibility for selected site plan drawings and subdivision agreements. (For example building accessibility, curb cuts on roadways, audible traffic signals, etc.)

- Providing comments and recommendations on such things as selected designated parking, existing by-laws, services, practices, programs and policies of the Town and how they relate to persons with disabilities.
- Providing comments and recommendations on how the needs of persons with disabilities can be better served through the Town's purchasing of goods and/or services.
- Reviewing federal and provincial government directives and regulations in order to give Council advice about these directives and regulations.
- Consulting other municipalities, York Region government and local stakeholder groups on accessibility issues, policies and committee guidelines.
- Perform other duties that may be in the Regulations to the Act as they are developed.

Strategic Plan Linkages

The Accessibility Advisory committee meets the following Corporate Strategic Goals:

- *Living Well*: By centering on safety and security.
- *Well Balanced*: Due to its focus on increased accessibility for people with disabilities.

The Accessibility Advisory committee meets the following Council Strategic Priorities:

- *Efficiency/Financial Management*: By ensuring effective and efficient services.
- *Enhanced Recreational Opportunities*: By enhancing the Town of Newmarket's recreation and community facilities.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Accessibility Advisory Committee will be composed of:

- A minimum of six (6) residents, a majority of who must have a disability and consideration of the appointment of additional members with disabilities not represented.
- One (1) Member of Council

The Accessibility Advisory Committee will be supported by:

- Legislative Services Staff
- Recreation Programmer, Family & Special Needs

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Persons with physical disabilities (visual, speech, hearing, deaf, brain injury, use of wheelchair etc.)

- Persons with cognitive disabilities (intellectual impairments)
- Persons with perceptual disabilities (learning disabilities)
- Persons with mental health disabilities
- Persons with an interest in disability awareness or support people with disabilities

FREQUENCY OF MEETINGS

Six (6) times annually during the day.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

A Member's term on the Committee shall be two years, with the option to keep the committee going an additional two years if membership or attendance is maintained.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket **TERMS OF REFERENCE**

NAME:	Newmarket Downtown Development Committee
REPORTS TO:	Council
STATUS:	Advisory
ESTABLISHED:	July 14, 2003

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Newmarket Downtown Development Committee, formerly the Newmarket Downtown Development Sub-Committee (NDDS) was authorized by Council in July 2003 through By-law 2003-90.

The Newmarket Downtown Development Committee is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Newmarket Downtown Development Committee's goal is undertake the economic development, growth and revitalization of Newmarket's Historic Downtown as defined in the Community Improvement Plan (CIP) and to improve the economic and social well-being of the community as a whole.

The Committee will be responsible for the following:

- Working to revitalize and sustain the downtown community.
- Creating stimulating partnerships using municipal and other public/private incentives.

Deliverables

The Committee will accomplish its mandate by:

- Reviewing and making recommendations to the CAO regarding funding application requests under the Community Improvement Plan's Financial Incentives Program.
- Helping determine future uses of vacant buildings.
- Supporting the improvement and expansion of downtown properties.
- Acting as an information source for the area.
- Promoting design, improvements and re-development that respects our environment and heritage.

- Support recommendations of the Newmarket Heritage Conservation District Committee where applicable, during deliberations of funding requests.

Strategic Plan Linkages

This mandate meets the following Corporate Strategic Goals:

- *Living Well:* Environmental protection and natural heritage protection.
- *Well-equipped and managed:* Fiscal Responsibility, Clear vision of the Future and aligned corporate/business plans.

This mandate meets the following Council Strategic Priorities:

- *Economic Development/Jobs:* Supporting innovative projects and partnerships with various sectors.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Newmarket Downtown Development Committee will be composed of:

- Four (4) residents
- Ward 5 Councillor

The Newmarket Downtown Development Committee will be supported by:

- Economic Development staff resources

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Property owners or business tenants located within the downtown Community Improvement Plan Area are preferred.

FREQUENCY OF MEETINGS

- Monthly, subject to the submission of sufficient Financial Incentive Program Applications.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket **TERMS OF REFERENCE**

NAME:	Newmarket Economic Development Advisory Committee
REPORTS TO:	Council
STATUS:	Advisory
ESTABLISHED:	February 12, 2007

ENABLING LEGISLATION/AUTHORIZING BY-LAW

Legal and Development Services – Economic Development Report 2007-02 provided the framework for the establishment of the Newmarket Economic Development Advisory Committee and was adopted by Council on February 12, 2007.

The Newmarket Economic Development Advisory Committee (NEDAC) is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

NEDAC will provide Council and staff with strategic advice on facilitating and promoting balanced, sustainable, long-term economic growth that will benefit Newmarket and its residents through the attraction, expansion and retention of businesses.

The Committee will be responsible for the following:

- Liaise with the business community to identify potential opportunities for business development.
- Provide guidance and feedback to Council and the Economic Development Officer on strategic directions for economic development.

Deliverables

The Committee will accomplish its mandate through:

- Regular quarterly meetings (or at the call of the Chair as required to deal with urgent Committee business);
- Coordination of an annual Community Economic Development Congress;
- Participation in economic development promotional events/activities as required.

Strategic Plan Linkages

This mandate meets the following Corporate Strategic Goals:

- *Well-equipped and well-managed:* by focusing on an appropriate mix of jobs to population and people to industry while providing an ideal mix of residential, commercial, industrial and institutional land use;
- *Well-balanced:* by encouraging a sense of community through an appropriate mix of land uses and amenities;
- *Well-planned and connected:* by promoting downtown and neighbourhood revitalization as well as a long term strategy for growth matched with short term action plans.

This mandate meets the following Council Strategic Priority:

- *Economic Development/Jobs:* by supporting innovative projects and partnerships with various sectors.

COMMITTEE COMPOSITION AND STAFF RESOURCES

NEDAC will be composed of:

- Seven (7) residents
- Two (2) Members of Council (Mayor, Deputy Mayor & Regional Councillor)
- One (1) representative from Chamber of Commerce
- CAO

NEDAC will be supported by:

- Commissioner of Community Services and staff resources from the Economic Development Office
- Legislative Services staff.

Qualifications

Consideration shall be given to inclusion of the following individuals with experience in the following sections during the appointment process:

- Health Sector Innovation
- Business Services
- Information and Communication Technology Industries, including Digital Media
- Post-Secondary Education
- Industrial Commercial Institutional (ICI)
- Manufacturing

FREQUENCY OF MEETINGS

- Quarterly (or at the call of the Chair as required to deal with urgent Committee business);
- One (1) annual Economic Development Congress
- One (1) annual NEDAC/Community Stakeholder group representatives meeting.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. Any expenses required to support this Committee will be provided through the annual Economic Development budget.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

Each Committee member shall sit for a two year term coinciding with the beginning of a new term of Council. At the expiration of the first two year term, each member is eligible to continue for an additional two year period, to the end of the term of Council. In accordance with the Appointment Policy, each member may only sit for four consecutive two year terms.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.