

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

Deputations

Consent Items (Items # 1 to 21, 23, 24)

1. Corporate Services Report - Legislative Services 2015-19 dated November 17, p. 1 2015 regarding 2016 Schedule of Meetings.

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

a) THAT Corporate Services Report - Legislative Services 2015-19 dated November 17, 2015 regarding 2016 Schedule of Meetings be received and the following recommendations be adopted:

i) THAT the January through December 2016 meeting schedule (attached as Appendix A) be adopted;

ii) AND THAT the notice requirements for the January 11, 2016 Committee of the Whole meeting be amended to allow for the agenda distribution to occur on January 6, 2016.

2. Corporate Services Report - Legislative Services 2015-20 dated November 19, p. 15 2015 regarding the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan.

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

a) THAT Corporate Services Report - Legislative Services 2015-20 dated November 19, 2015 regarding the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan be received and the following recommendation be adopted:

i) THAT the 2015 Status Update - 2013-2017 Multi-Year Accessibility Plan, attached as Appendix 'A' be approved.

3. Corporate Services Report - Legislative Services 2015-21 dated November 19, 2015 regarding Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027). p. 32

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

a) THAT Corporate Services Commission Report - Legislative Services Report 2015-21 dated November 19, 2015 regarding 'Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027) be received and the following recommendations be adopted.

i) THAT Council adopt the lobbyist registry framework outlined as Option C in Appendix 'A' of this report for the Northern Six Waste Collection Contract (2017-2027);

ii) AND THAT deputations at public meetings from any director, officer, employee, agent or representative of a firm or agent of a firm (whether or not they receive payment) who have an interest in submitting a proposal for the Northern Six Waste Collection Contract (2017-2027) be scheduled after the conclusion of the blackout period;

iii) AND THAT the Clerk provide the municipalities of Aurora, East Gwillimbury, Georgina, King and Whitchurch-Stouffville a copy of Council's extract and staff report.

4. Corporate Services Report - Legislative Services 2015-24 dated November 19, 2015 regarding Selection of Town Crier. p. 41

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

a) THAT Corporate Services Report - Legislative Services 2015-24 dated November 19, 2015 regarding Selection of Town Crier be received and the following recommendations be adopted:

i) THAT staff be directed to work with the Ontario Guild of Town Criers to hold a competition to select a Town Crier for Council appointment;

ii) AND THAT staff be directed to prepare a Volunteer Contract to be brought back with the recommended appointment.

5. Corporate Services Report - Legislative Services 2015-25 dated November 17, 2015 regarding Noise By-law Exemption (VivaNext Bus Rapid Transit Yonge Street). p. 44

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

a) THAT Corporate Services Report - Legislative Services 2015-25 dated November 17, 2015 regarding VivaNext Bus Rapid Transit Yonge Street Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:

i) THAT the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 9:00 p.m. to 7:00 a.m. from December 7, 2015 until December 31, 2016 be approved; excluding the following:

December 25, 2015 (Christmas Day), December 26, 2015 (Boxing Day)

January 1, 2016 (New Year's Day)

December 25, 2016 (Christmas Day)

December 26, 2016 (Boxing Day)

ii) AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.

6. Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding Proposed Trail from Yonge Street to Rita's Avenue. p. 48

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

a) THAT Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be received and the following recommendations be adopted:

i) THAT Council endorse Option 2 contained in this report as the preferred option for the proposed trail connection from Rita's Avenue to Yonge Street;

ii) AND THAT staff organize and hold a Public Information Centre;

iii) AND THAT the costs associated with the proposed land transfer are borne by the Town;

iv) AND THAT the trail connection from Rita's Avenue to Yonge Street be included in the 2016 Capital Budget with a provision of \$630,000 to be funded from reserves;

v) AND THAT the 2015 Capital Budget for Rita's Avenue Trail Connection of \$304,399 be cancelled.

7. Development and Infrastructure Services - Planning and Building Services Report 2015-42 dated November 30, 2015 regarding Glenway Lessons Learned - Priorities and Objectives Action Plan. p. 57

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 2015-42 dated November 30, 2015 regarding Glenway Lessons Learned - Priorities and Objectives Action Plan be received and the following recommendation be adopted:

i) THAT the items listed in Table 1 - Action Plan, form the basis for the future processing of development applications within the Town, as may be deemed appropriate and necessary on an application-by-application basis.

8. Development and Infrastructure Services - Planning and Building Services Report 2015-43 dated November 19, 2015 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision - Lorne Park Gardens Inc. p. 88

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 2015-43 dated November 19, 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 approval be given to Draft Plan of Subdivision 19TN-2014 001, subject to the schedule of conditions set out in Appendix "A" attached to and forming part of this Report;

ii) THAT the application for Official Plan Amendment and Zoning By-law Amendment for lands located at 955 and 995 Mulock Drive be approved and that staff be directed to prepare the necessary Official Plan and Zoning By-law Amendments including a Holding Provision, as necessary;

iii) AND THAT Mr. Ryan Guetter, Weston Consulting, 201 Millway Avenue, Suite 19 Vaughan, ON L4K 5K8 be notified of this action.

9. Development and Infrastructure Services Report - Engineering Services 2015-63 dated November 30, 2015 regarding Woodspring Avenue - Bonshaw Avenue to Town Limit - Bicycle Lanes and On-Street Parking. p. 114

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-63 dated November 30, 2015 regarding Woodspring Avenue - Bonshaw Avenue to Town Limit - Bicycle Lanes and On-Street Parking be received and the following recommendation be adopted:

i) THAT the existing parking restrictions and lane configurations on Woodspring Avenue from Bonshaw Avenue to the Town Limit remain as they are.

10. Development and Infrastructure Services Report - Engineering Services 2015-64 dated November 30, 2015 regarding Bristol Road - Main Street North to Ashworth Drive - Parking Review. p. 119

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-64 dated November 30, 2015 regarding Bristol Road - Main Street North to Ashworth Drive - Parking Review be received and the following recommendations be adopted:

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

Prohibited Parking Anytime on the north side of Bristol Road between Main Street North to the property limit between #565 and #569 Bristol Road;

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

11. Development and Infrastructure Services Report - Engineering Services 2015-67 p. 122
dated November 30, 2015 regarding 'Traffic By-law 2011-24 Housekeeping
Amendments' (Gorham Street and Carlson Drive).

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

a) THAT THAT Development and Infrastructure Services Report – ES 2015-67 dated November 30, 2015, regarding 'Traffic By-law 2011-24 Housekeeping Amendments' be received and the following recommendations be adopted:

i) THAT Schedule VIII (Signalized Intersections) of Traffic By-law 2011-24, as amended, be further amended by adding the following:

9. Gorham Street at Carlson Drive / Doak Lane;

ii) AND THAT Section 1 (Definitions) of Traffic By-law 2011-24, as amended, be further amended by adding the following:

1.32.1 “multi-use path” (MUP) is part of a highway not being part of the roadway that has been improved by paving or other means and designed with sufficient width for both pedestrian and bicycle use;

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

12. Community Services - Economic Development Report 2015-36 p. 124
dated November 17, 2015 regarding Downtown Patios - Pilot Project.

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

a) THAT Community Services - Economic Development Report 2015-36 dated November 17, 2015 regarding the Downtown Patios Pilot Project be received and the following recommendations be adopted:

i) THAT staff be directed to prepare the necessary changes to by-laws to enact a permanent downtown patio program;

ii) AND THAT the program be consistent with established requirements for design, closing hours, accessibility, noise and costs;

iii) AND THAT staff consider up to two additional applicants (maximum four) requiring on-street parking in 2016 subject to established criteria and in consultation with the BIA;

iv) AND THAT the Lower Main Street Business Improvement Association be notified of this decision.

13. Site Plan Review Committee Meeting Minutes of October 26, 2015. p. 132

The Site Plan Review Committee recommends:

a) THAT the Site Plan Review Committee Meeting Minutes of October 26, 2015 be received.

14. Item 1 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Site Plan Approval - 17844 Leslie Street - Ward 3. p. 135

The Site Plan Review Committee recommends:

a) Application for Site Plan Approval to permit a new motor vehicle service station along with a 154m² convenience store with a take-out food establishment and four island gas pumps covered by a canopy be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff; and;

ii) THAT the applicant be directed to work with staff and the neighbouring residents to address comments raised at the meeting by Committee members and residents regarding the right turn only on to Janette Street, lighting and the ability to turn lights off when the business is closed, the hedge row and trees being planted to ensure that there is a good buffering on the west side of property and the pruning of the Siberian Elms;

b) AND THAT Ms. Nicole Sampogna, Associate Planner of Evans Planning Inc., 8481 Keele Street Unit 12, Vaughan, ON L4K 1Z7 be notified of this decision.

15. Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval - 16635 Yonge Street - Ward 6. p. 137

The Site Plan Review Committee recommends:

a) Application for Amendment to Site Plan Approval to permit a new freestanding drug store building having a gross floor area of 1,615.60m² be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff; and;

ii) THAT the applicant be directed to work with staff to address concerns regarding pedestrian visibility at the Savage Road entrance;

b) AND THAT Mr. Mauro Cristini, Project Planner of Metrus Properties, 30 Floral Parkway Concord, ON L4K 4R1 be notified of this decision.

16. New Business Item of the Site Plan Review Committee Minutes of October 26, p. 139 2015.

The Site Plan Review Committee recommends:

a) THAT staff report back to SPRC outlining enhancements to the agenda materials with a view to providing members with a more user friendly agenda package.

17. Heritage Newmarket Advisory Committee Minutes of July 7, September 8 and p. 140 October 6, 2015.

The Heritage Newmarket Advisory Committee recommends:

a) THAT the Heritage Newmarket Advisory Committee Minutes of July 7, September 8 and October 6, 2015 be received.

18. Item 2 of the Heritage Newmarket Advisory Committee Minutes of October 6, p. 157 2015 regarding award nomination.

The Heritage Newmarket Advisory Committee recommends to Council:

a) THAT Ross Caister be recommended for nomination for the Ontario Historical Society's Carnochan Award.

19. Item 7 of the Heritage Newmarket Advisory Committee Minutes of October 6, p. 158 2015 regarding workplan and membership.

The Operational Leadership Team recommends:

THAT the Heritage Newmarket Advisory Committee recommendation b) related to Committee membership be referred to the Appointment Committee.

The Heritage Newmarket Advisory Committee recommends to Council:

a) THAT the Heritage Newmarket Advisory Committee workplan be approved and forwarded to Council;

b) AND THAT Heritage Newmarket Advisory Committee membership be amended from seven (7) to twelve (12) Newmarket residents in order to carry out the Committee responsibilities as prescribed in the Ontario Heritage Act and the Committee's workplan and recommended by the Heritage Newmarket Advisory Committee at the November 4, 2015 meeting.

20. Accessibility Advisory Committee Minutes of September 17, 2015. p. 159

The Accessibility Advisory Committee recommends:

a) THAT the Accessibility Advisory Committee Minutes of September 17, 2015 be received.

21. List of Outstanding Matters. p. 163

Recommendation:

a) THAT the list of Outstanding Matters be received.

Action Items

22. Development and Infrastructure Services Report - Engineering Services 2015-66 dated November 30, 2015 regarding Professional Engineering Consultant Checking and Inspection Services. p. 170

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2015-66 dated November 30, 2015 regarding Professional Engineering Consultant Checking and Inspection Services be received and that Council endorse Option 1 as outlined in this report and that staff be directed to:

i) Continue with the Town's current best practice by extending the Professional Consulting Services Agreement with R.J. Burnside and Associates Limited (RJB) at a 'preferred client discounted rate' (discounted rates that are annually adjusted as per industry standards) for a period of three years, plus two one-year renewal options.

Reports by Regional Representatives

Notices of Motion

Motions

New Business

Closed Session (if required)

Public Hearing Matters

Addendum (Additions and Corrections)

- 1a. Updated 2016 Schedule of Meetings. (Related to Item 1) (Note: Variance to Council meeting date of June 6, 2016 - moved to Tuesday, June 7, 2016 to accommodate FCM conference travel) p. 179

- 21a. Updated Outstanding Matters List. (Related to Item 21) p. 180

23. Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Lease Spaces and Potential Fitness Centre. p. 187

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

a) THAT Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre be received and the following recommendation be adopted:

i) THAT the Town of Newmarket convert the existing restaurant space into an equipment based, membership oriented fitness facility within the capital costs identified.

24. Mr. John Blommestein to address the Committee regarding Item 15 of the agenda being Item 2 of the Site Plan Review Committee Minutes of October 26, 2015 regarding an Application for Amendment to Site Plan Approval - 16635 Yonge Street - Ward 6. p. 192

Adjournment



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November 17, 2015

CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES – 2015-19

TO: Mayor Van Bynen and Members of Council
SUBJECT: 2016 Schedule of Meetings
ORIGIN: Lisa Lyons, Deputy Town Clerk, Legislative Services

RECOMMENDATIONS

THAT Corporate Services Report – Legislative Services – 2015-19 dated November 17, 2015 regarding “2016 Schedule of Meetings” be received; and,

- 1. That the January through December 2016 meeting schedule (attached as Appendix A) be adopted; and**
- 2. That the notice requirements for the January 11, 2016 Committee of the Whole meeting be amended to allow for the agenda distribution to occur on January 6, 2016.**

COMMENTS

The schedule of regular meetings for Committee of the Whole, Committee of the Whole (Public Hearing) and Council has been prepared for Council's consideration and is attached as Appendix A. Special Committee of the Whole and Council Workshop meetings will be included on the schedule for budget and other matters as the dates become available. There may be occasions when additional special meetings are required and the Procedure By-law does provide that special meetings may be called by the Mayor or upon receipt of a petition signed by a majority of the Members of Council.

Variations of the regular schedule include:

- There is a two week break between the meetings cycle in February and March due to March Break;
- A Special Committee of the Whole/Council meeting is included on August 8th to provide for any carry over items from June/July or any other urgent matters; and
- There will be an extra week between the August 29th Committee of the Whole meeting and the September 12th Council meeting due to Labour Day.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report relates to the Well-equipped and Managed link of the Town's Community vision – implementing policy and processes that reflect sound and accountable governance.

CONSULTATION

The Schedule of Meetings calendar, once adopted by Council, will be placed on the Town's website and is regularly updated throughout the year. Also, a notice will be placed on the Town Page advising the public that the full calendar is available for review on the Town's website (weekly editions of the Town Page will provide for a notice of upcoming meetings). A similar procedure will follow should Council amend their schedule in the future.

HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations associated with this report.

BUDGET IMPACT


There is no budget impact associated with the recommendation of this report.

CONTACT

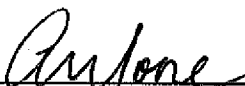
For more information on this report, contact Lisa Lyons, Deputy Town Clerk at 905 953-5300, extension 2203 or by email at lyons@newmarket.ca.



Lisa Lyons
Deputy Town Clerk



Andrew Brouwer
Director of Legislative Services/Town Clerk



Anita Moore
Commissioner of Corporate Services



Newmarket

Appendix 'A'

JANUARY 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
					1 New Year's Day Town Offices Closed	2
3	4	5	6	7	8	9
10	11 10:00 a.m. Sp. CoW (Budget) 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	12	13	14	15	16
17	18 2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC) Council Approval of 2016 Budget	19	20	21	22	23
24	25	26	27	28	29	30
31						



Newmarket

FEBRUARY 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
1	1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	2	3	4	5	6
7	8 2 p.m. – Site Plan Review (CC), if required 7 p.m. – CL (CC)	9	10	11	12	13
14	15 Family Day Town Offices Closed	16	17	18	19	20
21	22 1:30 p.m. – CoW (CC) +/- 3:00 p.m. – CoW (Closed, if req'd)	23	24	25	26	27
28	29 2 p.m. – Site Plan Review (CC), if required 7 p.m. – CL (CC)					

MARCH 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14 March Break	15 March Break	16 March Break	17 March Break	18 March Break	19
20	21 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	22	23	24	25 Good Friday Town Offices Closed	26
27	29 Easter Monday Town Offices Closed	29	30	31		



Newmarket

APRIL 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
					1	2
3	4 2 p.m. – Site Plan Review (CC) 7:00 p.m. – CL (CC)	5	6	7	8	9
10	11	12	13	14	15	16
17	18 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	19	20	21	22	23
24	25 2 p.m. – Site Plan Review (CC) 7:00 p.m. – CL (CC)	26	27	28	29	30



Newmarket

MAY 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
1	2	3	4	5	6	7
8	9 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	10	11	12	13	14
15	16 2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC)	17	18	19	20	21
22	23 Victoria Day Town Offices Closed	24	25	26	27	28
29	30 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	31				



Newmarket

JUNE 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
			1	2	3	4
5	6	7	8	9	10	11
FCM Conference	2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC)				FCM Conference	FCM Conference
12	13	14	15	16	17	18
19	20	21	22	23	24	25
	1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)					
26	27	28	29	30		
	2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC)					



Newmarket

JULY 2016

November 19, 2015

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



Newmarket

AUGUST 2016

November 19, 2015

10

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
	1 Civic Holiday Town Offices Closed.	2	3	4	5	6
7	8 1:30 p.m. – Sp. CoW (Carryover of items June-July) (CC) +/- 3 p.m. – CoW (Closed, if req'd) 7 p.m. – Sp. CL (CC)	9	10	11	12	13
14 AMO Conference	15 AMO Conference	16 AMO Conference	17 AMO Conference	18	19	20
21	22	23	24	25	26	27
28	29 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	30	31			

CL – Council

CoW – Committee of the Whole
(CC) – Council Chambers

CW – Council Workshop



Newmarket

SEPTEMBER 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
				1	2	3
4	5 Labour Day Town Offices Closed	6	7	8	9	10
11	12 2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC)	13	14	15	16	17
18	19	20	21	22	23	24
25	26 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	27	28	29	30	



Newmarket

OCTOBER 2016

November 19, 2015

12

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
						1
2	3 2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC)	4	5	6	7	8
9	10 Thanksgiving Town Offices Closed	11	12	13	14	15
16	17 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	18	19	20	21	22
23	24 2:00 pm – Site Plan Review – if required (CC) 7:00 p.m. – CL (CC)	25	26	27	28	29
30	31					

CL – Council

CoW – Committee of the Whole
(CC) – Council Chambers

CW – Council Workshop



Newmarket

NOVEMBER 2016

November 19, 2015

13

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
		1	2	3	4	5
6	7 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	8	9	10	11	12
13	14 2:00 pm – Site Plan Review – if required (CC) 7:00 p.m. – CL (CC)	15	16	17	18	19
20	21	22	23	24	25	26
27	28 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	29	30			

CL – Council

CoW – Committee of the Whole
(CC) – Council Chambers

CW – Council Workshop



Newmarket

DECEMBER 2016

November 19, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
				1	2	3
4	5 2:00 pm – Site Plan Review – if required (CC) 7:00 p.m. – CL (CC)	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25 Christmas Day Town Offices Closed	26 Boxing Day Town Offices Closed	27			30	31



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November 19, 2015

CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2015-20

TO: Committee of the Whole

SUBJECT: 2015 Status Update – 2013-2017 Multi-year Accessibility Plan

ORIGIN: Lisa Lyons, Deputy Town Clerk

RECOMMENDATION

- a) **THAT Corporate Services – Legislative Services Report 2014-20 dated November 19, 2015, regarding the 2015 Status Update – 2013-2017 Multi-year Accessibility Plan be received;**
- b) **AND THAT the 2015 Status Update – 2013-2017 Multi-year Accessibility Plan, attached as Appendix 'A' be approved.**

PURPOSE

The purpose of this report is to present the 2015 Status Update - 2013-2017 Multi-year Accessibility Plan (attached as Appendix 'A') for Council's approval.

BACKGROUND

Ontario Legislation Requires Accessibility Planning

The Integrated Accessibility Standards Regulation (IASR) requires the municipality to establish, maintain and document a Multi-year Accessibility Plan and provide annual reporting on the plan's progress. Council approved the Multi-year Accessibility Plan on December 16, 2013. The Status Update attached as Appendix 'A' is the second annual report on achievements since the approval of the Multi-year Accessibility Plan.

COMMENTS

The development of the status update included input from staff across the organization. 'Accessibility Champions' were appointed from each department to ensure all staff has access to accessibility related information/tools and that achievements and barriers are captured in each status update.

Next Steps:

- Post the Council approved 2015 Status Update on the Town's website;
- Implement requirements of Multi-year Accessibility Plan identified for 2016;
- Continue to review the Multi-year Accessibility Plan and provide an annual progress report in 2016; and
- Submit Compliance Report to Accessibility Directorate of Ontario before December 31, 2015.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report aligns with the Town's Strategic Plan directions through the enrichment of lives, increased accessibility, service excellence, improved inter-connectivity, and well respected in achieving balanced living.

CONSULTATION

Consultation has taken place with staff and the Newmarket Accessibility Advisory Committee in the development of the 2015 Status Update. Additionally, staff maintains membership in the Ontario Network of Accessibility Professionals (ONAP), which provides the opportunity to share accessibility planning resources and initiatives province-wide.

HUMAN RESOURCE CONSIDERATIONS

There are no Human Resources considerations related to this report.

BUDGET IMPACT

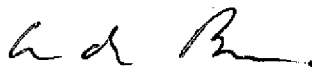
Costs to implement requirements of the Multi-year Accessibility Plan will continue to be addressed by the various responsible departments.

CONTACT


For more information on this report, contact Lisa Lyons, Deputy Town Clerk at 905 953-5300 extension 2203 or via email at llyons@newmarket.ca



Lisa Lyons
Deputy Town Clerk



Andrew Brouwer
Director of Legislative Services/Town Clerk



Anita Moore
Commissioner of Corporate Services



Town of Newmarket
COUNCIL EXTRACT

Extract from the Minutes of the
Accessibility Advisory Committee Meeting
held on November 19, 2015

Item 3 of the Accessibility Advisory Committee Minutes of November 19, 2015.

3. 2015 Status Update - Town of Newmarket Multi-year Accessibility Plan.

The Council/Committee Coordinator provided a verbal update regarding the 2015 Status Update – Town of Newmarket Multi-year Accessibility Plan and summarized the changes that have been made to date since the draft plan was circulated to the Committee in October, 2015.

Moved by: Jeremy Slessor
Seconded by: Gloria Couves

a) THAT the 2015 Status Update - Town of Newmarket Multi-year Accessibility Plan be received;

b) AND THAT the 2015 Status Update - Town of Newmarket Multi-year Accessibility Plan be forwarded to Council for approval.

2015 Status Update Town of Newmarket Multi-year Accessibility Plan



Equal Opportunity | Integration | Independence | Dignity

A Message from Newmarket Council



Newmarket Town Council, 2014 - 2018

Council is pleased to present the 2015 Status Report to the Town's Multi-year Accessibility Plan. The Town continues its efforts to improve its services, facilities and programs in order to encourage accessibility for everyone that lives in and visits Newmarket.

We remain committed to working with Newmarket's Accessibility Advisory Committee, staff, and business partners to enhance and foster a community that meets the needs of people with disabilities and supports the vision of the Town of Newmarket being a community 'Well Beyond the Ordinary'.

A Message from the Newmarket Accessibility Advisory Committee

The Town of Newmarket's Accessibility Advisory Committee's mandate is to encourage and facilitate accessibility for all persons with disabilities in Newmarket by providing advice, recommendations and assistance to Council and staff to develop and facilitate strategies for the identification and elimination of barriers for citizens with disabilities. We are pleased to act on the community's behalf by advising Council on a number of key initiatives that support achieving an accessible Newmarket. The 2015 Status Report to the Town's 2013-2017 Multi-year Accessibility Plan demonstrates the work that has been done to identify and remove barriers in accordance with the *Accessibility for Ontarians with Disabilities Act*. We encourage residents to review this Status Report to learn more about how Newmarket is working to create an accessible community.

Accessibility Advisory Committee Members

Members	Staff
Steve Foglia <i>Chair</i>	Pat McIntosh <i>Recreation Programmer</i>
Gloria Couves	
Linda Jones	Lisa Lyons
Michael Morrison	<i>Deputy Clerk</i>
Jeremy Slessor	
Richard Wilson	
Councillor Christina Bisanz	

Accessibility Advisory Committee Update

The Newmarket Accessibility Advisory Committee continues to provide valuable advice and feedback to Council and staff, in addition to participating in various accessibility-related activities. Since the implementation of the Multi-year Accessibility Plan, the Newmarket Accessibility Advisory Committee has:

- **Organized National Access Awareness Week Celebrations**
The Committee hosted a successful National Access Awareness Week event on June 1, 2015 outside the Recreation Pop-Up Shop at the Upper Canada Mall. The event, celebrating accessibility and abilities included an experiential maze and wheelchair dancing demonstration. National Access Awareness Week continues to grow each year, with plans underway for the 2016 events.
- Reviewed plans and provided recommendations for the initiatives and projects which include the following:
 - the location of an additional accessible parking space on Main Street in downtown Newmarket;
 - a proposed sidewalk installation on Millard Avenue;
 - a proposed sidewalk installation on Srigley Street.
- Inspected sidewalks to ensure that new and replacement sidewalk slabs are constructed in accordance with the Town's sidewalk standard (by removing troweling around expansion joints), which was implemented as a result of an Accessibility Advisory Committee recommendation.
- Reviewed Site Plan applications and provided recommendations on accessibility related conditions to staff.
- Provided advice on the Town of Newmarket's Accessibility Plan update.
- Provided ongoing public awareness of accessibility.

Update on 2013- 2017 Initiatives

Outlined in the following pages are the projects associated with the prevention and removal of barriers specifically to persons with disabilities that live, work and visit Newmarket. By removing barriers for persons with disabilities, we are removing barriers for everyone.

This Status Report outlines which accessibility initiatives have been addressed in 2015 and which initiatives are being targeted for 2015 and beyond. Similar to the Multi-year Accessibility Plan, this Status Report lists projects that are associated with each of the accessibility standards under the AODA.



Photo from 2014 National Access Awareness Week

Update on 2013 – 2017 Initiatives

General Initiatives			
Project Title	Description	Status	Notes
Accessibility Plans (s.4)	An outline of Newmarket's strategy to remove and prevent barriers and meet the requirements and obligations of the AODA.	Complete	Newmarket's 2013 – 2017 Multi-year Accessibility Plan was presented to Council and approved on December 16, 2013.
	An annual status report on the progress of the initiatives identified in Newmarket's 2013 – 2017 Multi-year Accessibility Plan must be completed	Ongoing	This is Newmarket's second annual status report for the 2013 – 2017 Multi-year Accessibility Plan. The Plan is reviewed annually by the Accessibility Advisory Committee
	Accessibility plans must be posted on the website and provided in an alternate format upon request.	Ongoing.	All accessibility plans have been posted on the Town's website in an accessible format and are available in an alternate format upon request.
	Review and update the accessibility plan at least once every five years	Ongoing	A Compliance Report must be submitted to the Accessibility Directorate of Ontario by December 31, 2015.
Training (s.7)	Develop, deliver and coordinate mandatory accessibility training for all employees, volunteers and third party vendors. Staff is responsible for delivering standards and in-depth training appropriate to the duties of the employees, volunteers and other persons.	Complete	An in house video was produced to train staff accessibility standards referred to in this Regulation and on the Human Rights Code as it pertains to persons with disabilities. Staff completed a short quiz at the end of the video. All staff was trained before January 1, 2014 and the training is included in mandatory new employee orientation. The video is also available on the Town's website.

Update on 2013 – 2017 Initiatives

Information and Communications Standards			
Project Title	Description	Status	Notes
Feedback (s.11)	Accessible formats and communication supports shall be provided, upon request, to those with disabilities.	Complete	Communications has been placing the statement "If you require this information in an alternate format, please contact 905-895-5193" in previous years on all print materials and added the statement to all media releases. Media releases are distributed electronically and posted on the Town's website.
Accessible formats and communication supports (s.12)	Upon request, provide or arrange for accessible formats and communication supports for persons with disabilities in a timely fashion with no additional costs.	Ongoing	Communications has been placing the statement "If you require this information in an alternate format, please contact 905-895-5193" in previous years on all print materials and added the statement to all media releases. Media releases are distributed electronically and posted on the Town's website.
	Responsible for consulting the person making a request for alternate formats to determine the suitable accessible format or communication support.	Ongoing	Town of Newmarket staff will consult with persons with disabilities to determine the suitability of accessible formats and communication supports on an on-going basis when such formats or supports are requested.
Accessible websites and web content (s.14)	In accordance with legislation, ensure that the Town's website is accessible and include further enhancements and improvements as outlined by the IASR.	Complete, with additional web based content and documents to be added once converted to an accessible format.	New Town website was launched in August, 2015 with design and content that meets the WCAG 2.0 "AA" level requirements. Documents from the former website are being converted to accessible formats, time and resource permitting.

Update on 2013 – 2017 Initiatives

Employment Standards			
Project Title	Description	Status	Notes
Performance Management (s.30) Career development and advancement (s.31) Redeploying (s.32)	Performance management, career development and redeployment take into consideration the accessibility/accommodation needs of employees with disabilities.	Complete	Human Resources have drafted and implemented policies and procedures related to performance management, career development and redeployment/return to work. The Performance Management Process was redesigned in 2015. Review of any individual accommodation plans is required prior to completion of performance reviews and supervisory training is required to assist Supervisors in identifying the difference between performance and disability related issues.

Design of Public Spaces Standards (Accessibility Standards for the Built Environment)			
Project Title	Description	Status	Notes
Application (s.80.2)	Applies to any newly constructed or redeveloped public spaces on or after the legislated dates.	Ongoing	The Design of Public Spaces Standards are under review with a strategy being developed for each requirement before the January 1, 2017 compliance deadline.

Barrier Identification Update

Initiatives have taken place in the Town of Newmarket to identify, remove and prevent barriers to persons with disabilities. Since 2003, there have been over 100 actions completed through the accessibility planning process. These actions are identified in past Accessibility Plans which are available on the Town of Newmarket website, www.newmarket.ca

Actions completed in 2015:

Town Facilities	
Magna Centre	New bleachers have been installed in the gym to meet accessibility requirements.
Newmarket Seniors' Meeting Place	Washrooms have been renovated to include and increase the number of available accessible washroom stalls.

Town Departments and Programming		
Department	Item	Notes
Corporate Communications	Print Notices	<p>Where possible, when designing pieces, Communications uses 12 point, sans serif fonts with contrasting colours to comply with the AODA.</p> <p>Design pieces that are difficult to read online, such as the PDF of the weekly Town Page, are posted as an accessible Word text version on the website.</p> <p>Communications has created accessible media release, advisories, PSA and Community Event Listing templates in Microsoft Word so that the documents maintain their accessible integrity when converted to PDF.</p>
	Website	<p>The Town launched a new website in August, 2015, that includes an accessibility section that details the Town's accessibility plans and commitment to accessibility.</p> <p>In the Accessibility section of the website, the following statement has been included: "The Town of Newmarket website meets the current standards outlined in the Accessibility for Ontarians with Disabilities Act (AODA). The website conforms to the WCAG 2.0 Level AA guidelines (current standards are Level A). The website features BrowseAloud, a tool which adds speech and reading support to extend the reach of the website for people of all abilities.</p>

Town Departments and Programming

Department	Item	Notes
Corporate Communications	Website	Every effort has been made to update current Town PDF documents (2014 and later) and third party documents on the website and make them fully accessible. If you require any historical documents (2013 and earlier) or encounter any other documents that you require in an alternate format, please contact the Town of Newmarket at 905-895-5193."
Customer Services	Customer Service	Customer Services continues to be committed to adhering to all applicable legislation and corporate accessibility related policies. In addition, Customer Services areas throughout the Town offer accessible counters. If an accessible counter is not available, accommodations are easily made. Customer Service also reports any issues that may impact visitors to Town facilities in order to ensure that public areas are well-maintained and that any issues are reported and resolved in a timely manner, as necessary.
Engineering Services	Sidewalks	Sidewalk standards have been redesigned by removing the trawl lines between each bays expansion joint in order to soften the ride and enhance safety for those using wheelchairs.
	Recruitment and Hiring	<p>All HR processes incorporate statements about the Town's recruitment and HR processes that advise employees and applicants of the commitment to accommodate persons with disabilities.</p> <p>In 2014, HR developed a partnership with Focus to provide employment for a resident with disabilities.</p> <p>In a recent employment contract and in accordance with all employment offers - the following statement is included: "Accessibility -- The Town of Newmarket have policies and processes in place to provide accommodation for employees with disabilities. If you require a specific accommodation because of a disability, please contact the HR department to discuss how appropriate accommodations can be made before you begin your employment with the Town."</p>
Human Resources	Policies	Human Resources is undertaking a review of HR policies and will incorporate processes to ensure accessibility is available to all.
	Recruitment	All candidates are advised that the Town of Newmarket is committed to a fair and equitable recruitment process and will accommodate persons with disabilities in accordance with Human Rights legislation.

Town Departments and Programming		
Department	Item	Notes
Human Resources	Recruitment	<p>When using HRSmart to set up interviews, the statement below is included in the on-line invitation. "As the Town of Newmarket supports a diverse workforce with a fair and equitable recruitment process, please let us know if you require accommodation for a disability."</p> <ul style="list-style-type: none"> • When calling candidates, the Hiring Manager must advise them over the phone of accommodation. • Should a candidate require accommodation call your HR Consultant for immediate assistance in coordinating the request." <p>While interviews are scheduled as quickly as possible, flexibility is required to schedule candidates who may require more notice due to their schedules, work commitment, accessibility requirements or vacation.</p>
	Information Technology	
	GIS	"Try the Tri" 3D was launched to provide an alternative visual display of a triathlon event held at the Ray Twinney Complex.
	Equipment	Smartphones were deployed across the organization. The phones provide accessibility features within their operating systems.
	Training Initiatives	IT Staff procured accessibility training for Microsoft Word and Acrobat users who manage content on the Town's website to ensure that each document posted online is accessible.
	Website	The Town launched a new website in August, 2015. Web design and content meet Level A and Level AA WCAG 2.0 requirements as they related to the AODA. The Town utilizes a service to monitor and evaluate the website's accessibility ratings.
Legislative Services	Council Support	Each Member of Council has been provided with an iPad to view and annotate agendas electronically. The AgendaToGo application permits users to zoom in on any item to increase visual accessibility.
	Licensing	DocuPet, an online animal registration site was launched in 2015. This supports mobility initiatives and enhances convenience for everyone by enabling online pet registration.
	Municipal Election – Accessibility Plan	Council was presented with a public report outlining measures that Legislative Services took through the election process to identify and remove barriers to persons with disabilities.

Town Departments and Programming		
Department	Item	Notes
Legislative Services	Municipal Election – Accessibility Plan	<p>Of note, measures included:</p> <ul style="list-style-type: none"> • additional advance voting opportunities; • an assistive voting device and supports which provides for an independent voting experience; • consultation and information sharing with disability support agencies. <p>Legislative Services is currently reviewing internet voting with Council which has the benefit of supporting an independent voting experience for persons with disabilities.</p>
	Training Initiatives	<p>An information session on the Built Standard was provided to Engineering Services staff.</p> <p>All Committee members have been provided with an orientation session which includes mandatory training related to the ODA, AODA, Customer Service Standard and the IASR.</p>
Library	Equipment	<p>A self-service check-in station has been installed. This station is fully accessible.</p> <p>The computer monitor at one self-service check out station has been adjusted to improve access and visibility.</p>
	Facility Related Upgrades	A request has been included in the 2016 budget to repaint the outside ramp and stairs with an anti-slip coating. In addition, yellow contrast paint will be reapplied to the nose of each step for improved visibility and safety.
	Partnerships	The Library has maintained its partnership with the Centre for Equitable Library Access (CELA) which provides material for any individual with a print disability. http://www.newmarketpl.ca/cnib
	Policies	<p>The following policies have been updated to meet AODA and IASR regulations:</p> <ul style="list-style-type: none"> • Employee Accommodation Process • Functional Accessibility Report • Individual Accommodation Plan • Return to Work Program and Plan <p>An accessibility tagline has been added to all job advertisements stating that "The Newmarket Public Library is committed to accommodate all applicants in accordance with the Ontario Human Rights Code for all employment activities including the recruitment process."</p>

Town Departments and Programming		
Department	Item	Notes
Library	Website and administrative initiatives	<p>Development of a new website is currently underway. This website will meet all IASR standards and is expected to launch in 2016.</p> <p>Two staff members have been provided with Accessible Document Training in order to learn the fundamentals for creating accessible Microsoft Word and Acrobat documents.</p>
Procurement Services	Website	All applicable procurement documents are now provided as fillable forms and documents have been made accessible to comply with the IASR.
Public Works Services	Facilities	<p>A consultant has been obtained to complete an audit of outdoor park washroom facilities and provide recommendations on how they can be made accessible.</p> <p>A request has been included in the 2016 budget to secure funds to make one park washroom per year accessible.</p>
	Operations	Broken sidewalks have been replaced. Trip hazards have been cut and ramps have been installed at Riverwalk Commons.
	Parks	<p>A ramp has been installed at the amphitheatre at Fairy Lake.</p> <p>Parks continues to provide accessible playgrounds and has increased the through walkways. Examples of accessible playgrounds are: Bonshaw Park, Rene Bray Park and Comfort Lane.</p> <p>All portable washroom facilities must be accessible.</p>

Other Ways Newmarket Continues to Remove Barriers and Improve Access

In addition to working through the requirements of Ontario's accessibility legislation, we are committed to improving our programs and services through other means.

The Town continues to ensure compliance in the following areas:

- Policies and procedures on providing goods or services to persons with disabilities
- Communication with persons with disabilities in a manner that takes into consideration their disability
- Policies related to persons with disabilities using assistive devices, service animals and support persons to access services
- Training for all staff and each person that interacts with members of the public or other third parties on behalf of the Town
- Customer feedback regarding the provision of customer service to persons with disabilities
- Notice of service disruptions when facilities or services that are accessed by the public are temporarily disrupted
- Town documents are available in an alternate format upon request

As outlined in this Status Report, many initiatives are underway with more anticipated to be completed in 2016. The Town of Newmarket will continue to identify and remove barriers in order to create accessible spaces and services that everyone can use. Newmarket is committed to moving forward and ensuring that the town continues with its commitment to being a community 'Well Beyond the Ordinary'.

The Town of Newmarket is committed to meeting the needs of persons with disabilities in a timely manner through the implementation of policies and to ensure that persons with disabilities shall have equitable access to all Town programs, goods, services and facilities allowing them to benefit from the same services, in the same place and in a similar way as other customers, respecting the four core principles of:

- Independence
- Dignity
- Integration
- Equal Opportunity

The Town of Newmarket's policies related to Accessibility align with the Town's Strategic Plan directions through:

- the enrichment of lives
- increased accessibility
- service excellence
- improved inter-connectivity
- being well respected in achieving balanced living

The Town of Newmarket welcomes your comments regarding this report.

Feedback on this report and accessibility related matters can be provided to:
info@newmarket.ca
www.newmarket.ca



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November 19, 2015

CORPORATE SERVICES REPORT- LEGISLATIVE SERVICES #2015-21

TO: Mayor Van Bynen and Members of Council

SUBJECT: Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027)

ORIGIN: Legislative Services


RECOMMENDATIONS

THAT Corporate Services Commission Report – Legislative Services Report 2015-21 dated November 19, 2015 regarding “Lobbyist Registry for the Northern Six Waste Collection Contract (2017-2027)” be received and the following recommendations be adopted:

- 1. THAT Council adopt the lobbyist registry framework outlined as Option C in Appendix A of this report for the Northern Six Waste Collection Contract (2017-2027);**
- 2. AND THAT deputations at public meetings from any director, officer, employee, agent or representative of a firm or agent of a firm (whether or not they receive payment) who have an interest in submitting a proposal for the Northern Six Waste Collection Contract (2017-2027) be scheduled after the conclusion of the blackout period;**
- 3. AND THAT the Clerk provide the municipalities of Aurora, East Gwillimbury, Georgina, King and Whitchurch-Stouffville a copy of Council’s extract and staff report.**

COMMENTS

This report provides additional background on lobbying considerations related to the release of the Request for Proposals (RFP) for the Northern Six Waste Collection Contract (2017-2027), as requested at the November 9, 2015 Committee of the Whole meeting. The report recommends a lobbyist registry framework for use by Newmarket Members of Council and Town employees prior to the release of the Request for Proposals (RFP) for the Northern Six Waste Collection Contract (2017-2027).



Details of the Northern Six Waste Collection Contract (2017-2027) are outlined in Development and Infrastructure Services – Public Works Services Report 2015-58 which is included in the November 9, 2015 Committee of the Whole agenda or from Chris Kalimootoo, Director of Public Works by contact him by email at ckalimootoo@newmarket.ca or by telephone at 905-953-5300, ext. 2551.

Background

In the context of the public sector, lobbying generally consists of activities that can influence the opinions or actions of a public office holder, which may be an elected official or an employee of a public institution. When undertaken in an ethical and transparent manner, lobbying has the potential to help public office holders make informed decisions. In order to help ensure lobbying activities occur in an ethical and transparent manner, federal and provincial legislation has been established to define lobbying and lobbyists and to provide a system of public disclosure of lobbying activities through a publicly accessible registry. In addition, the legislation provides for an independent accountability officer responsible for administering the lobbyist registry.

The Municipal Act, 2001 allows municipalities to pass a lobbying by-law setting out definitions of lobbying and lobbyists and to provide for a lobbyist registry framework and appointment of a lobbyist registrar responsible for registration functions, education and enforcement. In Ontario, the cities of Hamilton, Ottawa and Toronto have established lobbying by-laws and appointed a lobbyist registrar and involve lobbying activities broadly and corporately.

Many public institutions have adopted related policies or practices that support similar lobbying rules or guidelines envisioned in the lobbying legislation. For example, the Town's Procurement By-law prohibits lobbying of elected officials and Town employees by proponents after the release of bid documents and ends when the contract is signed by the Town (referred to as the "blackout period"). The blackout period ensures that there is no inappropriate influence of elected officials and Town employees by proponents and fairness in the evaluation and selection process. A municipality may also establish lobbying rules or guidelines prior to the release of a bid document where the dollar value of the contract is particularly high and/or where there is likely to be active lobbying of public office holders. These rules or guidelines relate to communications with Members of Council and Town employees, including communications at public meetings through public deputations.

Staff recommend Council give consideration to lobbying rules or guidelines prior to the release of the request for proposals for the Northern Six Waste Collection Contract (2017-2027). Options are outlined in Appendix A.

Deputations

Currently, the Town's Procurement By-law prohibits deputations at public meetings by proponents related to the procurement during the blackout period which begins once the bid document is issued and ends when the contract is signed by the Town and the selected proponent. A proponent may make a deputation at a public meeting during the blackout period on unrelated matters.

The Procurement By-law does not strictly prohibit deputations from being made at public meetings prior to the issuance of a bid document. Council should consider the optics of allowing potential proponents to make a deputation at a public meeting so close to the issuance of the request for proposals. This is particularly important to consider in the context of Council meetings where motions and directions to staff can be made. Even if the motion is to simply receive a deputation and refer any information presented to staff, there should be no perception that this information will influence staff's preparation of the request for proposals and related bid documentation based on the interests of one or more potential proponent. It is recommended that deputations at public meetings from potential proponents be scheduled after the conclusion of the blackout period.

Interaction with Council as a whole through a deputation at a public meeting can be contrasted with lobbying communications between potential proponents and individual Members of Council, where Council's statutory authority is not present.

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.

CONSULTATION

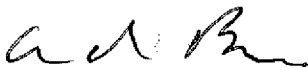
Consultation was undertaken with the Director of Legal Services/Municipal Solicitor, Manager of Procurement Services, Director of Public Works and the Office of the Lobbyist Registrar for

BUDGET IMPACT (CURRENT AND FUTURE)

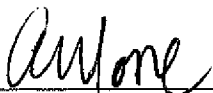
Administrative resources associated with recommended Option C in Appendix A are accommodated within the existing Legislative Services budget.

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.



Andrew Brouwer, Director of Legislative Services/Town Clerk



Anita Moore, Commissioner of Corporate Services

Options for Lobbying Rules & Guidelines

Option	Description	Analysis
Option A – No lobbyist rules or guidelines established for the time period prior to the issuance of the request for proposals for the Northern Six Waste Collection Contract (2017-2027) (status quo).	<p>No lobbyist rules or guidelines established for the time period prior to the issuance of the request for proposals for the Northern Six Waste Collection Contract (2017-2027).</p> <p>Individual Members of Council use their own discretion when communicating (in person, by telephone, by e-mail, or other means electronic or otherwise) with potential proponents, which may include, among other scenarios:</p> <ul style="list-style-type: none">- Refusing or not acknowledging communication with potential proponents;- Allowing communication with potential proponents for the purpose of providing process information only, or to acknowledge receipt or to indicate communication will be passed on to a relevant Town employee; or- Allowing any form of communication. <p>Communications from potential proponents to Town staff will be referred to Procurement Department staff (current practice).</p>	<p>Pros</p> <ul style="list-style-type: none">- Status quo and no administrative resources required. <p>Cons</p> <ul style="list-style-type: none">- No rules or guidelines differentiating lobbying communications from other communications.- Inconsistency in approaches taken by individual Members of Council when communicating with potential proponents.- No requirement for disclosure of communications with potential proponents through a public registry.

Corporate Services Commission Report – Legislative Services Report 2015-21 – Appendix A

Option	Description	Analysis
Option B – Newmarket Council motion to restrict Member of Council communication with potential proponents prior to the issuance of the request for proposals for the Northern Six Waste Collection Contract (2017-2027), with the exception of acknowledging and referring potential proponents to Procurement Department staff.	<p>Draft motion:</p> <p>“That communication between Members of Council with potential proponents prior to the issuance of the request for proposals for the Northern Six Waste Collection Contract (2017-2027) be limited to acknowledging and referring potential proponents to Procurement Department staff.”</p> <p>Communications from potential proponents to Town staff will be referred to Procurement Department staff (current practice).</p> <p>Members of Council and Town staff will be provided with a form email and a letter from the Clerk outlining Council's motion, which can be provided to potential proponents should they acknowledge their communication. In addition, the Clerk will provide an overview to Councilor's assistants.</p>	<p>Pros:</p> <ul style="list-style-type: none"> - Simple and requires minimal administrative resources. - Consistent approach by both Members of Council and Town staff. - Refers all communications to Procurement Department ensuring consistent communications on process matters. <p>Cons:</p> <ul style="list-style-type: none"> - Council motion would only apply to the Council and staff of the Town of Newmarket. - Restrict Members of Council in their representative role and access to information from potential proponents prior to the blackout period. - Potential proponents may require information from Members of Council about local issues to help inform their proposal responses. - No requirement for public disclosure of lobbying communications through a registry. - May not be practical in social settings. - Motion does not provide the Town with authority to investigate, recommend or impose penalties for non-compliance.
Option C (Recommended) – Establish a lobbyist registry framework for the time period prior to the issuance of the request for proposals for the Northern Six Waste Collection Contract (2017-2027).	<p>Provides for a lobbyist registry framework prior to the issuance of the request for proposals for the Northern Six Waste Collection contract (2017-2027), as outlined below.</p> <p><u>Lobbyists</u></p> <p>For the purposes of the registry, lobbyists include any director, officer, employee, agent or representative of a firm or agent of a firm (whether or not they receive payment) who have an interest in submitting a proposal for the Northern Six Waste Collection Contract (2017-2027). Among other examples, lobbyists include any director, officer, employee, agent or representative of a firm or agent of:</p> <ul style="list-style-type: none"> - A firm currently providing services identified in the RFP; - Firms partnering to submit a proposal; and, - Firms yet to form who wish to submit a proposal. <p>Lobbyists do not include representatives or agents of firms with a general economic or other interest in the Northern Six Waste Collection Contract (2017-2027) and have no interest in submitting a proposal. This mirrors the</p>	<p>Pros:</p> <ul style="list-style-type: none"> - Acknowledges lobbying by potential proponents is a natural and may be a helpful form of communication. - Does not restrict Members of Council in their representative role. - Provides for a clear definition of lobbying and lobbyist, differentiating lobbying communications from other forms of communication. - Potential proponents may require information from Members of Council about local issues prior to the release of the request for proposals. - Allows for public review of lobbying activities. - Because lobbying is defined and a disclosure process is provided for, Members of Council and Town staff are protected from circumstances where lobbying does not occur, avoiding public speculation. This may be particularly helpful at public events and gatherings where Members of Council, Town staff and potential proponents are in attendance. <p>Cons</p> <ul style="list-style-type: none"> - Framework would only apply to the Council and staff of the Town of Newmarket. - Requires administrative resources (Members of Council and Town staff). - Framework does not provide the Town with authority to investigate, recommend or

Option	Description	Analysis
	<p>type of firms who would not be subject to the “black out” period required by the RFP.</p> <p><u>Lobbying</u></p> <p>Lobbying includes any communication between representatives or agents of lobbyists and a Member of Newmarket Council or Town employees, whether this occurs in person, by telephone, by e-mail, or other means electronic or otherwise where the subject of the communication is directly or indirectly related to the Northern Six Waste Collection Contract (2017-2027).</p> <p>Lobbying does not include communications from lobbyists where the communication is not acknowledged, acknowledged only or acknowledged and passed on to the Procurement Department. In addition, lobbying does not include Procurement staff (and staff in other departments involved in the procurement process) communication with lobbyists related to the Northern Six Waste Collection Contract (2017-2027).</p>	<p>impose penalties for non-compliance.</p>

Option	Description	Analysis														
	Examples:															
	<table><tr><th>Scenario</th><th>Considered lobbying & required to be registered</th></tr><tr><td>Councillor or Councillor's assistant receives call, email or letter from potential proponent & does not respond.</td><td>No</td></tr><tr><td>Councillor or Councillor's assistant receives call, email or letter from potential proponent & responds by acknowledging the communication and requesting they contact Procurement Department.</td><td>No</td></tr><tr><td>Councillor receives call, email or letter from potential proponent & responds by outlining their concerns about garbage & waste collection in their view.</td><td>Yes</td></tr><tr><td>Councillor meets potential proponent in a social setting & discusses holiday plans.</td><td>No</td></tr><tr><td>Councillor meets potential proponent in a social setting & discusses waste collection in Newmarket.</td><td>Yes</td></tr><tr><td>Staff member receives a letter at home from a potential proponent asking that they write their Councillor to support their company.</td><td>Yes</td></tr></table>	Scenario	Considered lobbying & required to be registered	Councillor or Councillor's assistant receives call, email or letter from potential proponent & does not respond.	No	Councillor or Councillor's assistant receives call, email or letter from potential proponent & responds by acknowledging the communication and requesting they contact Procurement Department.	No	Councillor receives call, email or letter from potential proponent & responds by outlining their concerns about garbage & waste collection in their view.	Yes	Councillor meets potential proponent in a social setting & discusses holiday plans.	No	Councillor meets potential proponent in a social setting & discusses waste collection in Newmarket.	Yes	Staff member receives a letter at home from a potential proponent asking that they write their Councillor to support their company.	Yes	
	Scenario	Considered lobbying & required to be registered														
	Councillor or Councillor's assistant receives call, email or letter from potential proponent & does not respond.	No														
	Councillor or Councillor's assistant receives call, email or letter from potential proponent & responds by acknowledging the communication and requesting they contact Procurement Department.	No														
	Councillor receives call, email or letter from potential proponent & responds by outlining their concerns about garbage & waste collection in their view.	Yes														
	Councillor meets potential proponent in a social setting & discusses holiday plans.	No														
	Councillor meets potential proponent in a social setting & discusses waste collection in Newmarket.	Yes														
Staff member receives a letter at home from a potential proponent asking that they write their Councillor to support their company.	Yes															

Option	Description		Analysis
	<p>Councillor's assistant meets potential proponent in a social setting & asks that she or he book a meeting with the Councillor to discuss the waste collection in Newmarket.</p>	<p>Yes</p>	
	<p><u>Administration of lobbyist registry</u></p> <p>In terms of the administration of the lobbyist registry, Members of Council and Town employees will be provided with a form which identifies the name of the Member of Council or Town employee, name and address of the lobbyist, date and time of the communication and how the communication occurred (i.e., by telephone, by e-mail, or other means electronic or otherwise) and a field where the Member of Council or Town employee can include a summary of the communication. An information sheet outlining the purpose, use and disclosure of information collected will be produced for Members of Council to provide to lobbyists. Given that lobbying occurs between firms (i.e., businesses) and Members of Council, there are no considerations relative to the collection, use and disclosure of personal information.</p> <p>Information about the lobbyist registry will be communicated on the Town's website.</p> <p>Where lobbying has occurred, Members of Council and Town employees will be requested to submit their lobbying forms every week to Legislative Services and will be posted on the Town's website and made available at the Legislative Services Department shortly thereafter. If lobbying does not occur, no forms are required to be submitted.</p> <p>Lobbying forms and information sheets will be made available by December 16, following Council approval on December 14, 2015. Posting of the voluntary lobbyist registry will commence the week of January 4, 2016.</p>		

Option	Description	Analysis
Option D – Establish a lobbyist registry and appoint a lobbyist registrar as provided for in the Municipal Act, 2001.	Lobbyist registry regime envisioned under Municipal Act, 2001 is broad in nature and applies to communications between municipal councillors and municipal staff generally and provides for the appointment of a lobbyist registrar responsible for administrative and enforcement responsibilities.	Given the short timeframe before the issuance of the RFP for the Northern Six Waste Collection Contract (2017-2027) in the spring of 2016 and existing priorities and resources, it would be impractical for Council to establish a broad lobbyist by-law and the potential appointment of a lobbyist registrar envisioned in the Municipal Act, 2001.



CORPORATE SERVICES – LEGISLATIVE SERVICES
TOWN OF NEWMARKET
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905.895.5193

November 19, 2015

CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES – 2015-24

TO: Mayor Van Bynen and Members of Council
SUBJECT: Selection of Town Crier
ORIGIN: Lisa Lyons, Deputy Town Clerk, Legislative Services

RECOMMENDATIONS

THAT Corporate Services Report – Legislative Services – 2015-24 dated November 19, 2015 regarding "Selection of Town Crier" be received; and,

- 1. THAT staff be directed to work with the Ontario Guild of Town Criers to hold a competition to select a Town Crier for Council appointment; and,**
- 2. THAT staff be directed to prepare a Volunteer Contract to be brought back with the recommended appointment.**

BACKGROUND

On June 25, 2015, correspondence was received by the Mayor's office from Mr. Athol Hart requesting that the Town consider appointing him as the Official Town Crier for Newmarket. This request was placed on a Committee of the Whole agenda with the staff recommendation that the correspondence be received and referred to staff to organize a Town Crier competition at a future event.

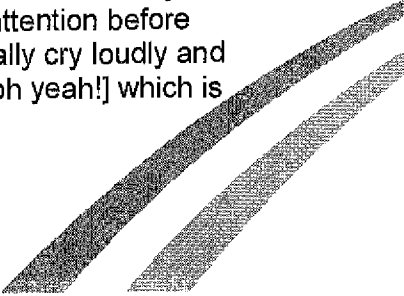
At the October 5, 2015 Council meeting, Council directed that staff work with the Ontario Guild of Town Criers to identify an appropriate process for Town Crier selection and report back within 30 days.

COMMENTS

What is a Town Crier?

The Ontario Guild of Town Criers states:

A Town Crier makes proclamations and announcements for his or her town or community. Criers attend functions or celebrations and ring their bell to get everyone's attention before reading a special announcement or proclamation from a scroll. Criers normally cry loudly and clearly so that all can hear. They use the traditional opening word "OYEZ! [oh yeah!]" which is a very old french term meaning "To Hearken" or "Hear YE!"



What is the difference between a Town Crier and an Official Town Crier?

Being appointed as an Official Town Crier for a municipality, the Crier is given the authority to say, "On behalf of his/her Worship and the Member of Council, congratulations is extended to...", and when invited, may attend events and proclaim greetings of Council. A Crier for a historical association does not have the same ability.

Staff contacted the Ontario Guild of Town Criers and have confirmed the following information:

- A motion by the appointing municipality is required to appoint an "Official Town Crier";
- Some municipalities will define that the Town Crier is an official volunteer and not in the employ of the Town and will enter into a Volunteer Agreement which recognizes the dignity of the position and sets out guidelines and directives for the position in relation to the Town;
- Municipalities may require that the Town Crier be a member of the Ontario Guild of Town Criers and abide by its statement of Ethics and Conduct;
- Town Criers may represent the Town at Provincial, National and International competitions;
- Appointments may coincide with the Term of Council;
- An honorarium may be paid ranging from 50 to 500 dollars, travel expenses and uniform expenses may also be reimbursed;
- Some Town Criers may attend limited municipal functions and others appear well over 100 times a year;
- Town Criers may also be privately contacted to provide cries for business openings, weddings/anniversaries or charity events
- Selection of a Town Crier has varied across the Province with smaller municipalities simply appointing when approached by an interested party, and other larger municipalities such as Oakville and St. Catharines having organized competitions with the Ontario Guild of Town Criers.

The Ontario Guild of Town Criers has offered to assist the Town of Newmarket in establishing a Town Crier either through official appointment or contest. In discussions with the Director of Recreation and Culture, it was suggested that holding a competition as part of the grand opening of the Old Town Hall would promote the ancient and honourable craft of Town Crying, while celebrating the re-opening of such a valuable historical site for the Town of Newmarket.

The competition would be advertised and each participant would be provided with a proclamation to be performed. Each Crier would be encouraged to put their own creative energies and twist into their performance. Visitors to the event would be invited to cheer on their favorite competitors and would witness the selection of the new Town Crier. The Ontario Guild of Town Criers has offered to provide judges.

As being appointed an Official Town Crier, an individual may be provided financial compensation for attending events whether on behalf of the Town or for private functions. As such, proceeding with a competition provides transparency to this Town appointment.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report relates to the Well-equipped and Managed link of the Town's Community vision – implementing policy and processes that reflect sound and accountable governance.

CONSULTATION

This report was prepared in consultation with the Ontario Guild of Town Criers, various municipalities in York Region and throughout Ontario, and with the Director of Recreation and Culture.

HUMAN RESOURCE CONSIDERATIONS

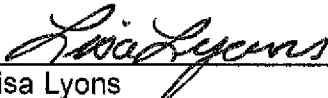
There are no human resource considerations associated with this report.

BUDGET IMPACT

An honorarium may be provided by the Town for Town related events. Attendance of the Town Crier at such events would be at the invitation of the Town. In the past, a Town Crier has been used at the Council Inaugural meeting and Santa Claus Parade for example, and have been given an honorarium of approximately \$100.00 to \$150.00. As indicated above, the Town Crier may be employed at private events and compensation would be provided by the event organizer, subject to the Volunteer Agreement.

CONTACT

For more information on this report, contact Lisa Lyons, Deputy Town Clerk at 905 953-5300, extension 2203 or by email at llyons@newmarket.ca.



Lisa Lyons
Deputy Town Clerk



Andrew Brouwer
Director of Legislative Services/Town Clerk



Anita Moore
Commissioner of Corporate Services

November 17, 2015

**CORPORATE SERVICES REPORT –
LEGISLATIVE SERVICES 2015-25**

TO: Committee of the Whole

SUBJECT: *VivaNext Bus Rapid Transit Y3.2 Yonge Street (Noise By-law Exemption)*

ORIGIN: Director, Legislative Services/Town Clerk & Supervisor, By-law Enforcement

RECOMMENDATIONS

THAT Corporate Services Report – Legislative Services 2015-25 dated November 17, 2015 regarding vivaNext Bus Rapid Transit Y3.2 Yonge Street Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:

1. **THAT the request from RapidLINK for a noise exemption to perform necessary works for the vivaNext Bus Rapid Transit Y3.2 project between the hours of 9:00 pm to 7:00 am from December 7, 2015 until December 31, 2016, be approved; excluding the following:**

Year 2015	Year 2016
December 25, 2015 (Christmas Day)	January 1, 2016(New Year's Day)
December 26, 2015 (Boxing Day)	December 25, 2016 (Christmas Day)
	December 26, 2016 (Boxing Day)

2. **AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.**

COMMENTS

This report is to seek Council's approval of request for an exemption from the Noise By-law (By-law 2004-94) from RapidLINK in regarding to the vivaNext Bus Rapid Transit Y3.2 project located approximately 200m south of Sawmill Valley Drive to 200m north of Davis Drive along the Yonge Street corridor. Appendix A includes a letter of request from Habib Gailan, Senior Quality Control Administrator, RapidLINK. The request relates to various works to be performed for the vivaNext Bus Rapid Transit Y3.2 project. The work is to take place from December 7, 2015 to December 31, 2016.

Attachment "A" outlines details to the request.

The Region's request is to undertake the work at non-peak hours being (9 p.m. through 7 a.m.) when the traffic is less congested so as to minimize disruption to businesses and residents

The Noise By-law restricts the operation of construction equipment or the conduct of any alteration or repair of any building between the 8 p.m. and 7 a.m. Monday through Friday and 8 p.m. to 9 p.m. on Saturdays, Sundays and holidays.

The York Region Rapid transit Corporation's Liaison Specialists will coordinate advanced communication and notification with the public.

Similar noise exemption requests have been granted by Council since January 2013.

Given the context for the process required to be undertaken, staff recommends approval of the exemption request to the Noise By-law during the hours requested.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report relates to the "Well Equipped and Managed" link of the Town's community vision implementing policy and processes that reflect sound, accountable governance.

HUMAN RESOURCE CONSIDERATION

There are no human resources considerations related to this report.

BUDGET IMPACT (CURRENT AND FUTURE)


There are no budget impacts related to this report.

CONTACT

For more information on this report, please contact Lesley Long, Supervisor of Bylaws at llong@newmarket.ca or at 905 953-5300, ext. 2222



Lesley Long, Supervisor of Bylaw Enforcement



Andrew Brouwer, Director, Legislative Services /Town Clerk



Anita Moore, Commissioner of Corporate Services



VivaNext Yonge St Rapidway - DESIGN BUILD

October 27, 2015

To Ms. Lesley Long - Supervisor, Bylaw Enforcement Legislative Services at Town of Newmarket

From Habib Gailan, P.Eng.
EMAIL habib.gailan@ca.crh.com

Subject: REQUEST FOR EXEMPTION FROM THE TOWN OF NEWMARKET'S NOISE BYLAW (2004-94)
VIVA NEXT BUS RAPID TRANSIT Y3.2 - YONGE STREET FROM SAWMILL VALLEY DRIVE TO DAVIS DRIVE

This request is submitted on behalf of the RapidLINK design-build team retained by York Region Rapid Transit Commission (YRRTC) to construct the Yonge Street VIVA Next BRT project. To complete work in the Y3.2 segment, RapidLINK's civil work will take place from approximately 200m south of Sawmill Valley Drive northerly to 200m north of Davis Drive within the Town of Newmarket. We propose to carry out several civil activities work during the evening/night and to do so, RapidLINK will require an exemption from the Town's Noise by-law.

Civil work activities in the evening/night will:

- Avoid conflicts with the construction currently on-going on Davis Drive;
- Minimize traffic congestion at the Yonge Street and Davis Drive intersection;
- Be less disruptive to the local businesses along Yonge Street;
- Reduce interaction with the public (questions from passer byers) and disruption to pedestrian traffic; and
- Reduce user delays; and
- Result in fewer complaints from the public and businesses along this section of Yonge Street.

It is understood the Town requires project specific information to prepare a Request for Exemption from the Town's noise by-law, which will be subsequently presented to the Town of Newmarket Council for approval.

The work carried out by RapidLINK will include routine civil work activities along the roadway and boulevards of Yonge Street within the limits referenced above. The civil work activities will include the following:

- Mainline Paving
- Reinstatement of driveways
- Concrete curb installation
- Watermain shutdowns and maintenance
- Storm and Sanitary sewer works
- Hydrovac and utility installations
- Drilling and caisson installation
- Private Property works
- Transformer relocations
- Excavation and trucking of materials
- Traffic closures
- Sidewalk closures



VivaNext Yonge St Rapidway - DESIGN.BUILD

The requested exemption is a time-sensitive issue as we anticipate our civil work activities will commence immediately and will be completed by December 2016. During this period, we are requesting exemption of the Noise By-Law between the hours of 19:00 and 07:00.

Please note that all public notification/communication to be carried out through Community Liaison at York Region Rapid Transit Commission "YRRTC".

We trust this provides the Town with the required information to process the Request for Exemption. If you have any questions or concerns, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Habib Gallan".

Habib Gallan, P.Eng.
Sr. Quality Control Administrator
York RapidLINK Constructors

Cc:

Jeff Fellman, Project Manager, York RapidLINK Constructors

Linda Gregatto, Deputy Project Manager, York RapidLINK Constructors


PLANNING & BUILDING SERVICES
TOWN OF NEWMARKET

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November 19, 2015

JOINT DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES AND ENGINEERING SERVICES REPORT 2015-44

TO: Committee of the Whole

SUBJECT: Proposed Trail from Yonge Street to Rita's Avenue

ORIGIN: Engineering Services/Planning and Building Services

RECOMMENDATIONS

THAT Joint Development & Infrastructure Services/Planning and Building Services/Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be received and the following recommendation(s) be adopted:

- 1. THAT Council endorse Option 2 contained in this report as the preferred option for the proposed trail connection from Rita's Avenue to Yonge Street;**
- 2. AND THAT Staff organize and hold a Public Information Centre;**
- 3. AND THAT the costs associated with the proposed land transfer are borne by the Town;**
- 4. AND THAT the trail connection from Rita's Avenue to Yonge Street be included in the 2016 Capital Budget with a provision of \$630,000 to be funded from reserves;**
- 5. AND THAT the 2015 Capital Budget for Rita's Avenue Trail Connection of \$304,399 be cancelled.**

Background

Through the 2012 subdivision agreement between Landmark Estates (1209104 Ontario Limited) and the Town of Newmarket, a strip of land, measuring 9.2 metres in width stretching from Rita's Avenue to Yonge Street was conveyed to the Town for the purposes of a trail connection intended to be constructed in 2015. The intention to convey these lands to the municipality had been contemplated since the plan was originally draft plan approved by the Region of York in 1994.

Residents on Tom Taylor Crescent attended the August 25, 2014 Committee of the Whole meeting presenting a petition to Council requesting reconsideration of the implementation of this trail/walkway.

At the September 8, 2014 Council meeting, the following recommendations were adopted:

THAT any construction plans and future work on the proposed walkway on Tom Taylor Crescent be immediately halted;

AND THAT staff explore all options associated with alternate treatments, including conveyance and naturalization for that area and report back to Committee of the Whole.

Staff brought forward a subsequent report to the April 13, 2015 Committee of the Whole meeting recommending Council direct staff to implement the trail and organize the required Public Information Centre. Council received the report and ultimately adopted the below recommendation:

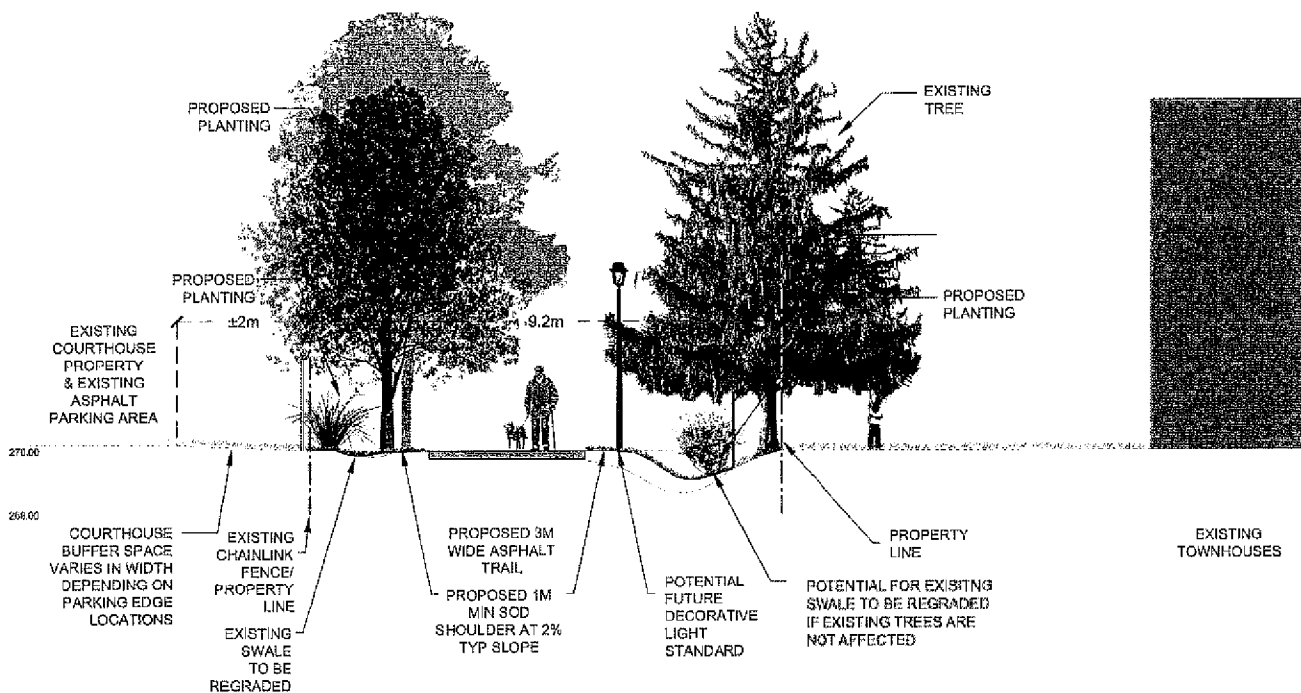
THAT Staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.

Engineering services retained Stantec Consulting Ltd. to prepare a study to assess the feasibility of developing the proposed trail. The objective of the study being to analyse the general physical conditions of the study area and recommend design options for a trail system that will have minimal environmental impact while maintaining pedestrian safety and accessibility.

The report recommends two options which are outlined below.

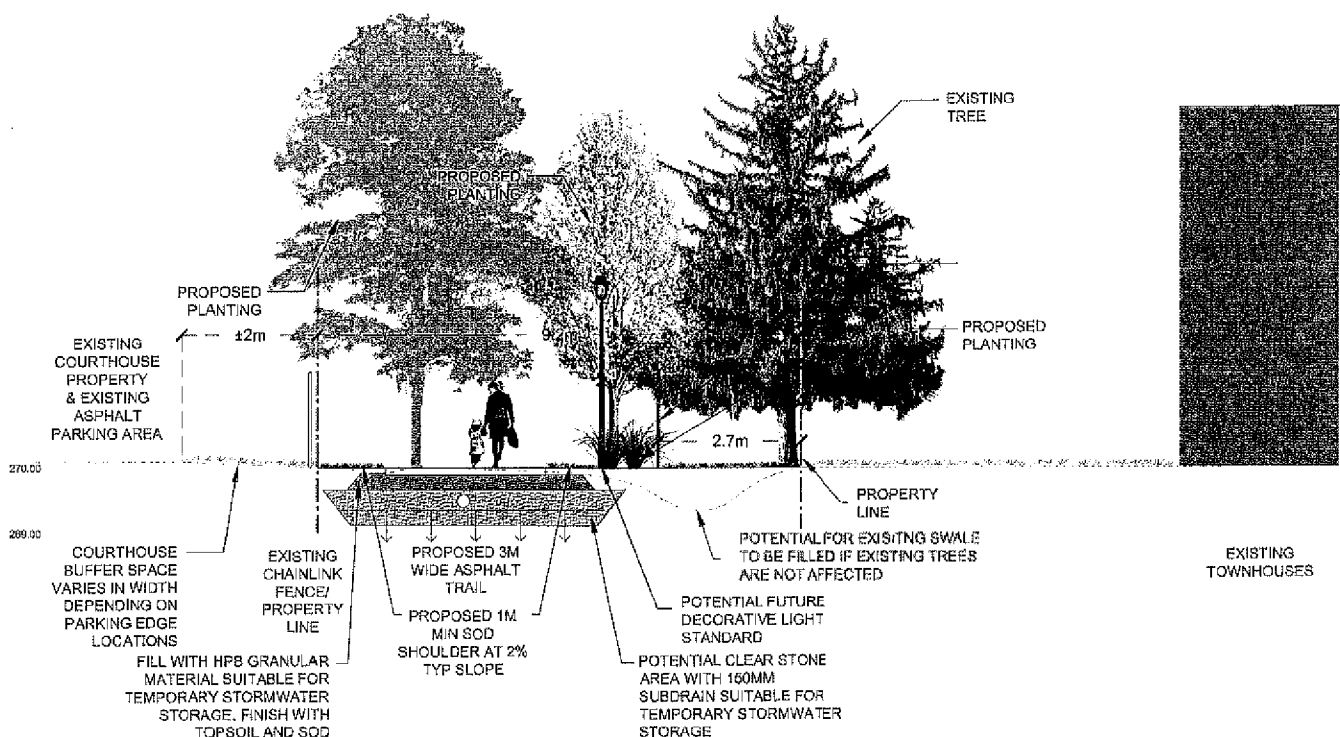
Summary of Option #1:

- 3.0m wide asphalt trail (2% cross slope). Trail base to be determined during detailed design phase, following recommendations from future geotechnical investigations.
- 1.0m wide sodded shoulders per each side of trail (2% cross slope).
- Trail Alignment is centred within open space between the Courthouse property and rear lot line of the townhomes.
- Minimize import and exporting of materials. Detailed design to aim for a cut and fill balance.
- Tree removal will be required. Individual trees to be identified by project arborist during detailed design phase.
- Preliminary cost for Option #1 is \$465,000.00
- Option #1 provides an opportunity to extend the rear residential lots by 1 metre to the north of the existing rear lot property line.



Summary of Option #2:

- 3.0m wide porous hard surface (i.e. porous concrete) with 2% cross slope above granular base layers that support temporary storage of storm water and infiltration.
- 1.0m wide sodded shoulders per each side of trail (2% cross slope).
- Trail Alignment is located closer to Courthouse property (approximately 1 metre south of existing chain link fence to proposed edge of trail).
- Provides greater separation between trail and existing rear lot line of the townhomes.
- Requires filling in of existing depressions and import of additional material.
- Trees along chain link fence south of courthouse property will require removal. Trees closer to town house properties will be impacted less. Individual trees to be identified by project arborist during detailed design phase.
- Preliminary cost for Option #2 is \$630,000.00
- Option #2 provides an opportunity to extend the rear residential lots by 2.7 metres to the north of the existing rear lot property line.



The Capital Projects Parks Development Coordinator has reviewed the report and the recommended options and provided the following comments.

Engineering Services strongly recommends that the Town proceed with the development of a trail connection from Rita's Avenue to Yonge Street as it is the last and crucial connection required to complete the west to east trail network indirectly from Bathurst to Yonge Streets which will promote more walking and biking to the proposed intensification area. Both trail options are feasible but each one has different conditions. Characteristics of Option 1 and Option 2 may be merged to create a hybrid; however, that has not been shown in the feasibility report and can be further examined through detailed design. The following chart lists the pros and cons of Trail Option 1 and Trail Option 2.

Option 1	
<p style="text-align: center;"><u>Pros</u></p> <ul style="list-style-type: none"> • Less Expensive • More trees are preserved and protected • Space for additional trees to be planted along the shared property line with the Courthouse. • Minimal grading and disruption to the existing site. • Can take all regular maintenance vehicular traffic. 	<p style="text-align: center;"><u>Cons</u></p> <ul style="list-style-type: none"> • Only provides existing residents with a 1 metre extension to their backyard. • The 1 metre extension drops off into a swale at that point. • Existing trees along the shared property line between the Town and the existing residents may conflict with or be affected by the proposed decorative wood fence. • May flood or become saturated during high storm periods (to be determined during detailed design)

Option 2	
<p style="text-align: center;"><u>Pros</u></p> <ul style="list-style-type: none"> • Provides existing residents with approximately a 2.7 metre extension to their backyard. • The proposed 2.7 metre extension would see the swale filled in to create a flat sodded area. • Introduces the use of permeable paving and encourages infiltration rather than conveying water to the storm sewer. • More aesthetically pleasing - whole site will appear new and clean (complete makeover). • Site will be safer for users with minimal grade change. • More flat ground suitable for additional shrub and perennial planting. • Requirement for winter maintenance, both financially physically, (ie ploughing, salting, and chipping ice) is reduced and possibly even eliminated. • Risk of flooding is reduced or even possibly eliminated (to be determined during detailed design). 	<p style="text-align: center;"><u>Cons</u></p> <ul style="list-style-type: none"> • More Expensive • More trees will be removed to accommodate the closer trail alignment to the Courthouse property line. • Less space to plant trees along the courthouse property line – May need to discuss removal of courthouse fence and share the cost in planting trees on the property line. • Extensive grading and disruption to the site. • Additional fall maintenance – Permeable concrete surface requires leaves and debris to be blown out or vacuumed up from the pores in the surface to ensure surface remains permeable. • Cannot take heavy vehicular traffic (Regular vehicle size such as pick-up truck or car is acceptable.)

Other notes to consider:

1. The swale along both south and north property lines cannot be filled in without incorporating the use of Permeable paving.
2. The pedestrian trail lighting is a provisional item that may be removed to lower the cost; however, it will be more difficult and more expensive to add it in at a later date in Option 2 because of the underground water storage and infiltration gallery.
3. A feature seating node and a place making feature are included in both budget options at the trail entrance off of Yonge Street. These items are important elements to creating character and a sense of place; however, if necessary they may be reduced due to budgetary constraints.

Land Conveyances

Both options above include conveyance of land to adjacent property owners. To support the conveyances, a reference plan would be required and there would be fees associated with the

land transfer to the adjacent residents. As the conveyances would be to properties that have been developed by way of a condominium corporation, Legal Services are reviewing the appropriate process to address the transfer of land. It is not anticipated to be a significant cost.

CONCLUSION

Based on the above, staff are recommending Council endorse Option 2 as the preferred option. This option provides for the Low Impact Development design. As the Town and Lake Simcoe Region Conservation Authority are strongly encouraging Low Impact Development design in current developments, it is important to lead by example in progressive stormwater management techniques. This option also provides for a larger conveyance to the adjacent property owners which will assist in mitigating privacy concerns along with the proposed fencing and landscaping.

This proposed trail would link the existing east-west trail system from Billy Watson Park on Bathurst Street through the road network and existing walkways between roads to Yonge Street.

BUDGET IMPACT (CURRENT AND FUTURE)

In 2014 Council approved a budget of \$310,000 funded from reserves; Staff recommends cancelling this prior project and budget approval and setting a new budget of \$630,000 funded from reserves as part of the 2016 budget process representing a net increase of \$320,000.

It should be noted there may be opportunities to reduce the trail implementation costs through the detailed design stage. Grant opportunities may also be available through the LSRCA for the Low Impact Design feature. Costs associated with the conveyance of land and organizing and holding the required Public Information Centre of approximately \$5,000 have been included in the project costs estimate.

PUBLIC CONSULTATION

As recommended by this report as per the Town's policy when establishing new trails, a Public Information Centre (PIC) will be held to garner input from the community. Notice of the PIC will be provided by mail, posted on the Town's website and included in the Town Page in the ERA.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The continued development of pedestrian trails has linkages to the Community Strategic Plan as follows:

Living Well – health safety and the environment is a focus of the Official Plan, promoted through the development of recreational opportunities and the protection of the Town's natural heritage.

Well Equipped & Managed – providing exceptional community, recreational and cultural opportunities to encourage personal interest and development, promote activity and enrich lives.

Well Planned & Connected – enhancing travel to, from and within the community, while providing a variety of linkages through neighbourhoods.

Well Respected – inspire partnerships and cooperation between all stakeholders, acting as a champion for cooperation and collaboration.

CONTACT

For more information on this report, contact: Mike Ashworth at 905-953-5300, ext. 2510 mashworth@newmarket.ca or Dave Ruggle at 905-953-5300, ext 2454; druggle@newmarket.ca

Attachments

A - Location Map



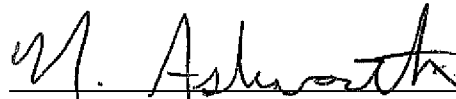
Commissioner, Development and
Infrastructure Services



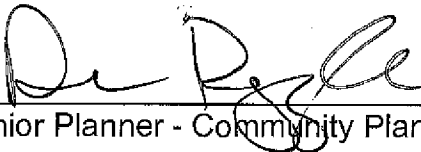
Director of Planning & Building Services



for Director of Engineering Services



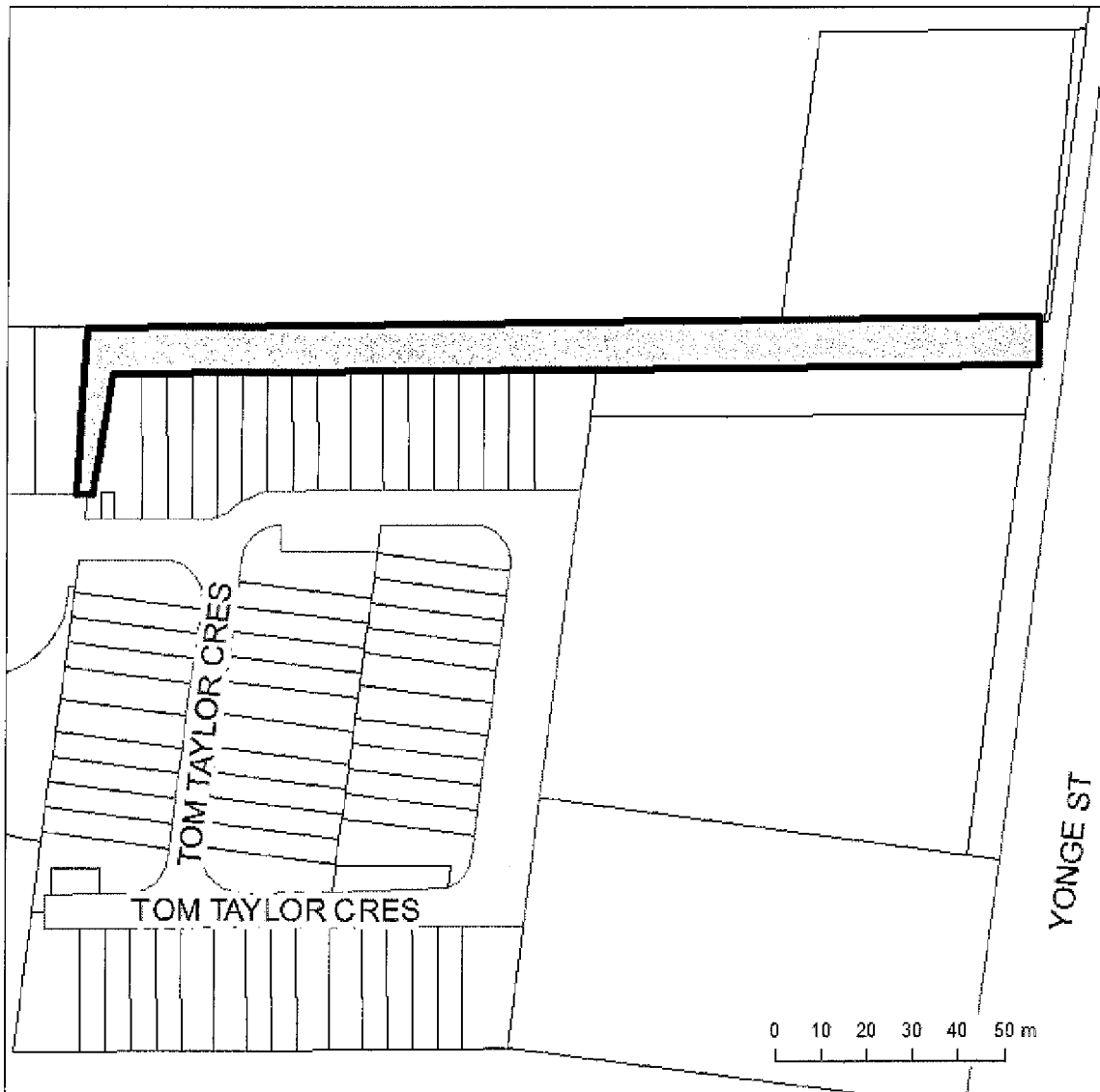
Capital Projects Parks Development Coordinator




Senior Planner - Community Planning

LOCATION MAP

Trail Connection from Rita's Ave. to Yonge Street



 Subject Lands

TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology - GIS Group, November 2015. Land Parcel Boundaries - QTSurveys, and its suppliers. All rights reserved. NOT A PLAN OR SURVEY. 2015. Zoning - Town of Newmarket, 2015. DISCLAIMER: The mapping is based on the POLARS parcel fabric provided, compiled using Geo Registry System records and recent surveys and control points where available. This mapping is a representation of the land's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. This map is not suitable for legal survey.

T/O's Services/Planning Development related documentation/280 Cycle street/Location map rita to yonge.mxd



DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES
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November 30, 2015

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2015-42

TO: Committee of the Whole

SUBJECT: Glenway Lessons Learned – Priorities and Objectives Action Plan

ORIGIN: Development & Infrastructure Services/Planning & Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning & Building Services Report 2015-42 dated November 30, 2015 regarding Glenway Lessons Learned – Priorities and Objectives Action Plan be received and the following recommendation(s) be adopted:

1. THAT the items listed in Table 1 - Action Plan, form the basis for the future processing of development applications within the Town, as may be deemed appropriate and necessary on an application-by-application basis.

COMMENTS

At its meeting on September 14, 2015, Council directed staff to report back with an action plan regarding priorities and objectives identified at the Glenway Lessons Learned facilitated session as summarized by the independent facilitator (refer to the attached consultant report).

The consultant's report summarized numerous comments raised at the workshop as *"things that could or should be done differently and/or could be done in the future"*, and categorized them into various themes. Staff has carefully reviewed and analyzed the suggestions in the report and has identified the following proposed actions (refer to Table 1 – Action Plan) to be undertaken as it relates to the processing of future development applications and community engagement in general:

Table 1 – Action Plan

Theme	Workshop Suggestions	Actions	Timing
Ownership/Leadership/ Communication	<p>Ensure that residents are part of the process</p> <p>The Town should provide more thorough and frequent updates to citizens</p>	<p>Continue with alternative public consultation methods such as non-statutory PICs, resident meetings, etc., as appropriate on an application-by-application basis.</p> <p>Staff to provide status updates on development applications to Ward Councillors for distribution at Ward meetings.</p> <p>Consider small working/discussion groups.</p>	Immediate
Position-taking/Negotiation	<p>Consider mediation through an independent third party</p> <p>Place greater emphasis on negotiation/mediation</p>	<p>Issue a consultant RFP for an external facilitator/mediator to be used - as needed - early in the process where an application may be complex to strive for a conciliatory approach among parties.</p>	Report to Council within 90 days on budget and process/timing implications
Communication / understanding/consultation	<p>Encourage developers to present concept to the neighbourhood earlier in the process</p> <p>Ensure that developer-led PICs and meetings present information in a fair way that invites meaningful dialogue and issue exploration</p> <p>Enhance Town ability to provide clarity on Planning Act matters</p>	<p>As part of the pre-consultation meeting request that developers hold an information meeting to present the concept prior to submitting the formal application, as needed.</p> <p>Request that the information to be presented at a developer-led PIC be provided to staff to allow staff to comment on the material in a preliminary way.</p> <p>Provide information on Planning process, etc., at Town events such as the 2015 Community Open House.</p>	Immediate
OMB authority / discretion/accountability	Advocate for OMB reform	Council to comment/provide recommendations on proposed amendments to the <i>Ontario Municipal Board Act</i> as may be initiated by the Province.	As opportunities arise

Staff is also encouraged that many of the suggestions raised at the facilitated session are already being done by staff and Council, either as a legislated requirement, historical practice, or with a view to continuous improvement. Additional details/examples are included in Appendix "A" to this report.

Other Considerations

As can be expected, and as discussed in the meeting summary, there are some inconsistencies in the suggestions raised at the session, and this is simply because of the diversity of participants, which included staff, Council, residents, and the developer. For example, one suggestion noted that "Council should declare, – early on- their support for the community (if this is, in fact, the case)", whereas another comment suggested that "all parties should refrain from adopting 'hard positions' until the complete set of facts/information is known."

A number of the suggestions noted at the facilitated session relate to the Town providing better or more public consultation. Public consultation is a key element of the Planning process, and staff supports efforts to engage residents in more effective ways. At the same time, Council will also recall the advice of N. Barry Lyon Consultants at a recent Council workshop regarding marketing the corridors in which the benefits of a streamlined, predictable planning process was identified as an important factor for developers. As such, the Town should balance these factors (additional consultation vs. a streamlined process), and focus on more effective consultation as outlined in the Action Plan.

Finally, a number of the suggestions raised at the session are outside of the authority of the Town – for example, the Town has no authority to require that the OMB provide its written report in a timely manner or within a specific timeframe.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Continuous improvement related to the way in which development applications are processed supports Council's strategic priority of community engagement, as well as the following branches of the Community Strategic Plan:

Well-equipped and managed: implementing policy and processes that reflect sound and accountable governance

Well-respected: promoting engagement in civic affairs

CONSULTATION

The information gathered at the Lessons Learned facilitated session from residents, the developer, staff, and Council provided the basis for this report.

HUMAN RESOURCE CONSIDERATIONS

Not applicable to this report.

BUDGET IMPACT

Additional and/or new forms of public consultation and/or the use of third-party mediation consultants as outlined in the proposed Action Plan will have budget implications on the Town, as will staff attendance at PICs or developer/residents' meetings where necessary in terms of staff overtime.

CONTACT

For more information on this report, contact P. Noehammer, Commissioner, Development and Infrastructure Services at 905 953-5300 or at pnoehammer@newmarket.ca.


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

Appendix "A" – Current Practices

Appendix "B" – GLPi Facilitated Session Meeting Summary

APPENDIX “A” - CURRENT PRACTICES

THEME	WORKSHOP SUGGESTION	TOWN PRACTICE/STAFF COMMENT
Issue ownership / leadership	Ensure that requisite studies/policies are in place – better equip the Town to protect/defend its Official Plan	The Official Plan and Secondary Plan are fully compliant with Provincial and Regional planning policy, and are updated as new Provincial legislation or Regional policy is passed. Amendments to the Official Plan can be appropriate and landowners have the right to apply to amend the Town’s planning documents. The list of studies required to be submitted with an application then equips the Town with the ability to fully evaluate any such applications.
Issue ownership / leadership	Canvass other municipalities with experience regarding similar development issues – and learn from those experiences with a view to charting a better course of action	<p>Staff continuously canvasses other municipalities on a full range of planning matters to understand how various issues are dealt with, which then allows Newmarket to adopt an approach that is appropriate for Newmarket’s situation. Most recently, in the development of the recreational vehicle zoning standards, staff contacted numerous municipalities within and outside of York Region to get an understanding as to how other municipalities regulate this issue. In addition to these informal discussions, there are regular formal meetings at the senior staff level with all York Region municipalities to discuss emerging planning issues.</p> <p>Staff and Council also strive to be leaders in terms of discovering innovative and creative solutions to matters affecting the municipality, and it is therefore not always necessary or appropriate to follow what other municipalities are doing.</p>
Communication/Understanding/ Consultation	Ensure that residents are part of the process (Note: this item is also part of the proposed Action Plan)	<p>Community engagement is one of Council’s strategic priorities and while the Marianneville application, and in particular the Lessons Learned workshop, confirmed the importance of public consultation, staff continuously looks for new and innovative ways to engage the public not only on planning matters, but on many aspects of the Town’s business. During the development of the Secondary Plan, in addition to the statutory planning process, community engagement included:</p> <ul style="list-style-type: none">• kitchen table committees• non-statutory Public Information Centres• joint Public Information Centres with York Region/Viva• consultation with focus groups such as cycling groups and teenagers/young adults• individual meetings with community groups and residents <p>To better engage residents, staff also recently used a phone poll, web poll, and staff attendance at the farmer’s market to solicit comments on the proposed changes to the recreational vehicle zoning provisions.</p> <p>Recent changes to the look of statutory public meeting signs now include a picture of the proposed development concept to also better help inform residents of what is being proposed.</p> <p>With regard to the Marianneville application, in addition to the statutory consultation, staff augmented the notice requirements to include all of the Glenway subdivision, met as requested with the Glenway Preservation Association (GPA) and other interested members of the public to discuss both the process and technical matters associated with the plan, prepared a ‘Q and A’ and attended a meeting of the GPA to discuss a variety of issues and questions associated with the processing of the application, staff’s and Council’s roles, etc..</p> <p>Subsequent to the OMB decision, the Town held a PIC where details regarding matters such as the proposed construction management plan, interface compatibility, urban design, grading, tree preservation, trail locations, etc., were made available for comment by the public. The facilitated session at the end of the process also provided an opportunity to engage the public, and a similar session could be used earlier in the process on complex applications to help clarify, early on, the planning and development review process and roles of the various parties.</p>

APPENDIX “A” - CURRENT PRACTICES

THEME	WORKSHOP SUGGESTION	TOWN PRACTICE/STAFF COMMENT
Communication/Understanding/ Consultation	Inform and engage residents as soon as redevelopment is understood to be a likely possibility/have staff provide earlier ‘heads-up” alerts to Council regarding any potential applications of significance to the Town’s Official Plan	<p>It is not always possible to know when a development application may be filed - even after a pre-consultation meeting has been held the landowner does not always follow through with a formal application; however, in instances where staff does anticipate it, staff often does and will continue to advise the Ward Councillor and/or members of Council of the potential application. In the case of the Marianneville application, once staff was made aware that the property had been sold, staff did advise the Ward Councillor and immediately prepared an information sheet for residents and Council outlining the land uses and planning process that would need to be followed should a development application be filed.</p> <p>The idea that Council should be alerted to any potential applications of significance to amend the Official Plan assumes that any such applications are not appropriate. Official Plan amendments can be appropriate and desirable, and it is through the review process where this is evaluated and upon which staff makes its recommendations to Council.</p>
Communication/Understanding/ Consultation	Consider advance ‘red-flagging’ of potentially contentious development applications, and share this information broadly	<p>Any particular application may become contentious – even those that staff may not initially believe will be so. Once an application is received, the preliminary staff report identifies early in the process any key issues arising from the circulation of the application, and this report is made available to the public.</p> <p>In terms of providing advance notice of potentially contentious applications, staff fields inquiries daily from landowners contemplating development opportunities – including potentially contentious proposals, however not all of these inquiries result in a subsequent development application. Staff does not believe it is in the public interest or the interest of Council to prematurely raise concerns about potentially contentious applications. The Planning Act process allows for each application to be considered on its merits, and for Council to make a decision on each application based on all input received through the review process.</p>
Communication/Understanding/ Consultation	Solicit and communicate an early legal opinion on key concepts and the process (including the principle of development)	Staff consults with legal services and solicits external planning and legal advice as needed on many matters related to development inquiries including process-related matters, other case studies, best practices, etc. The preliminary staff report also serves to solicit and communicate early opinions and potential issues associated with the application.
Communication/Understanding/ Consultation	Freedom of Information (FOI) requests should be met in a reasonable timeframe (and in cases where the requested information is no longer ‘in play’, Council should relax the requirements for information release	<p>Staff consistently meets FOI timeframes.</p> <p>Council currently has the ability to release closed session matters if it deems appropriate, and deals with such requests on an issue-by-issue basis.</p>
Planning Act/Process	Ensure that the application is fully complete before the 180-day clock starts.	This is a Planning Act requirement and standard practice of staff.
Planning Act/Process	Establish a clear and well-publicized list of all criteria (a ‘check-list’) that must be met for an application to be considered complete.	Section 16.1.6 <u>Complete Applications</u> of the Official Plan (approved in 2008) contains a list of reports/studies required for a complete application. This list was updated in 2012 through a public planning process (OPA #7).

APPENDIX “A” - CURRENT PRACTICES

THEME	WORKSHOP SUGGESTION	TOWN PRACTICE/STAFF COMMENT
Communication/Understanding/ Consultation	Clearly define and communicate the criteria used to determine ‘in camera’ Council meetings regarding land acquisition/disposal – and fine tune the approach to allow for a greater level of transparency and public understanding/discussion	<p>Staff and Council continue to review the legislation and best practices regarding what constitutes closed session matters with a view to promoting transparency and public understanding. The way in which recent staff reports have been prepared and considered regarding the Hollingsworth property matter, for example, reflects the Town’s efforts to ensure that only those matters that are directly related to approved closed session issues are contained in the closed session reports.</p> <p>Information about open and closed meeting rules will be available for the Town’s public open house to be held the evening of Thursday, December 3 at the Community Centre and Lions Hall, 200 Doug Duncan Drive, Newmarket. In addition, Legislative Services is reviewing web content to enhance information about the Town’s accountability and transparency policies and practices, including open and closed meeting rules.</p>
Communication/Understanding/ Consultation	Share the development concept – and any Council-related decisions – earlier in the process to better facilitate community dialogue and input into the process	<p>Staff currently provides the development concept as soon as a complete application has been submitted. Under the terms of the Town’s Planning Application form, this is when it becomes a public document. Providing the development concept prior to receiving the formal application would require the applicant’s approval, and there have been instances in the past where the developer has agreed to do so. Staff has identified a potential action item related to the sharing of the development concept in this report.</p> <p>Regarding Council decisions, typically the first “decision” is to refer an application to a statutory public meeting, and this action is immediately publicly available with the live-streaming of Committee and Council meetings.</p>
Planning Act/Process	Advocate for revisions to the Planning Act regarding timing for processing applications (and allowing for clock re-setting when there are outstanding questions / issues/ information gaps regarding an application)	<p>In May of this year the Town formally requested that the Ministry of Municipal Affairs and Housing double the processing timelines for development applications to 360 days for official plan amendments and plans of subdivision, 240 days for zoning applications and 60 days for site plans. The Town also requested a number of other changes to the Planning Act, including, among other things:</p> <ul style="list-style-type: none">• increase the prescribed time frames for municipalities to consider whether an application is complete;• remove the provisions that allow for an appeal of failure to declare an application complete;• notices/circulation provisions under the Planning Act and the OMB procedures should be updated to allow for notice via e-mail• the Planning Act should be amended to address and prevent the future application of the “clergy principle” in order to prevent outdated planning documents from prevailing.
Planning Act/Process	Ensure that the development application is complete – with all required studies in place – before deeming it so.	<p>This is already a Planning Act provision, and a standard practice of the Town. An application is deemed complete once all studies have been submitted – this does not mean that staff agrees with the findings and recommendations of the studies at that time; rather, that a study related to noise impacts, for example, has been submitted with the application. The peer review process will then confirm or refute the findings of the study and, where necessary, require additional analysis to be carried out by the developer.</p>
Planning Act/Process	Ensure that an approved Official Plan has strong standing and is fully compliant (and defensible).	<p>The Official Plan fully conforms to the Provincial Growth Plan and the Regional Official Plan and was completed in consultation with the Region and Province. Notwithstanding this, it is neither unusual nor inappropriate to consider amendments to the Official Plan; every landowner has the right to submit such an application and the prescribed Planning Act process (and any additional consultation/review) then allows for the review of that application.</p>

APPENDIX “A” - CURRENT PRACTICES

THEME	WORKSHOP SUGGESTION	TOWN PRACTICE/STAFF COMMENT
Planning Act/Process	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 developments.	The Town currently has the ability to negotiate land purchases with every application (as well as with lands not subject to a development application), and staff and Council continuously seek out properties across the municipality in strategic locations that could address one or more of the Town’s strategic initiatives. Outside of the expropriation process, however, there is no mechanism to obligate a landowner to sell land to the Town, particularly at a lower cost. Where the Town does enter into negotiations to purchase land, there is a formal process that includes one or more appraisals to establish fair market value.
Resourcing/Role Scoping	Create a well-established mechanism that would improve the Town’s ability to respond swiftly to needs using external consultants on retainer as needed.	The Town currently has a number of contracted consultants (peer reviewers) that provide expert advice on a number of matters, including: noise impacts, tree protection, enhancement, and replacement, engineering (grading, traffic, etc.), market analysis, heritage, and general planning and environmental matters. Once a complete application has been filed, the studies/reports associated with a particular issue are forwarded to the peer reviewer for comments
Preparation/Participation / Resources	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	<p>During the final stages of preparing the Secondary Plan, Council directed staff to hire outside legal counsel to review the document prior to Council’s final consideration of the document in an effort to remove any ambiguity, to strengthen/clarify policies as necessary, and generally to ensure the Town’s intentions were as clear as possible.</p> <p>Town staff, along with the legal counsel who provided that advice, is now involved in the OMB process associated with the appeals on the Secondary Plan.</p> <p>Notwithstanding the intent or strength of the Official Plan/Secondary Plan policies, any landowner has the right to submit an application to amend the Plan, and the prescribed Planning Act process (and any additional consultation/review) then allows for the review of that application.</p>
Planning Act/Process	Developers could choose to work collaboratively with the Town in the time period beyond the 180-day appeal deadline.	Staff has previously discussed with Council and residents the difficulties associated with meeting the Planning Act timeframes even on a relatively straight-forward application. Notwithstanding this, it has been staff’s experience that applicants are generally willing to work with the Town beyond the Planning Act timeframes, and staff encourages this approach with all applications that may extend beyond legislated timeframes. As an example, during the on-going review of the proposed development on the northeast corner of Yonge/Millard, the developer continues to work collaboratively with staff, the Ward Councillor, and area residents beyond the Planning Act timeframes in an effort to arrive at a development concept that will be acceptable to all parties.
Power Imbalances/Tactics/ Negotiation	Council should have more honestly assessed the situation/likelihood of success before the OMB and done more to encourage a settlement solution	Following the phase 1 hearing regarding the principle of development, Council did direct staff to negotiate a resolution of the technical details of the development, and on April 14, 2014 Committee of the Whole adopted recommendations relating to a settlement of the phase 2 hearing. Prior to that, in 2013, Council was also open to considering a settlement solution when it adopted the following recommendation: “THAT the revised settlement offer prepared by Ira Kagan dated November 20, 2013 be referred to staff for a comprehensive review and report back to a closed session Committee of the Whole.”
Resourcing/Role Scoping	Reconsider the practice of retaining an external consultant to lead and independently work on significant development applications	The use of external consultants to independently process development applications is not a standard or typical practice of the Town, however in the case of the Marianneville application Council considered the merits of doing so, particularly in light of staff’s on-going role and duties with many other Town initiatives at the time.

APPENDIX “A” - CURRENT PRACTICES

THEME	WORKSHOP SUGGESTION	TOWN PRACTICE/STAFF COMMENT
Resourcing/Role Scoping	Ensure clarity of mandate/role/scope prior to hiring a planning consultant	<p>The Town has a rigorous RFP process that includes the identification of the project scope and the expected deliverables. In the case of the consultant hired by the Town for the Marianneville application, the following was outlined in the RFP:</p> <p>Role of the Consultant</p> <p>The successful consultant shall act as the Town’s Planning advisor for the development application and as such shall provide the following services:</p> <ul style="list-style-type: none">• Convene and attend the pre-consultation meeting with the Owner (if applicable from a timing perspective) to identify the studies to be submitted with the application as per the Town’s Official Plan• Review the application for completeness in accordance with the Town’s Official Plan• Review and comment on the Planning Justification Report and consolidate comments from external agencies, Council, and the public in support of making a final recommendation to Council• Draft Public Meeting notice• Prepare reports for Committee of the Whole/Council’s consideration, including, but not limited to:<ul style="list-style-type: none">- preliminary report prior to a public meeting- final report following a Statutory Public Meeting and any other public consultation meetings with a recommendation to Committee/Council (i.e. recommendation to approve or deny the application)• Attend and participate in Committee of the Whole and Council meetings, Statutory Public Meetings and any other Public Information Centres as may be required by Council to answer questions from Council and the public• Establish a protocol to be available to answer questions from, and provide information to, Council, staff, external agencies, residents and resident groups, throughout the Planning process• Ensure that all Planning Act requirements are met with regard to application processing timelines <p>Staff recommended the use of an outside consultant for the Marianneville application to ensure that the staffing and resources necessary to process the application were available, thereby allowing Town Planning staff to continue to focus on current and on-going priorities and initiatives such as the Urban Centres Secondary Plan/Transportation Study, the Tools for Intensification analysis, Viva implementation, site plan applications and the continued build-out of the northwest and southwest quadrant secondary plans.</p>



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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

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

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November 19, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES
REPORT 2015-43**

TO: Committee of the Whole

SUBJECT: **Application for Official Plan and Zoning Bylaw Amendment and
Draft Plan of Subdivision
955 and 995 Mulock Drive
North Side of Mulock Drive, West of Leslie Street
Lorne Park Gardens Inc.
D9-NP 13 28, D12-NP 13 28, D14-NP 13 28**

ORIGIN: Planning and Building Services


RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning and Building Services Report 2015-43 dated November 19, 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 approval be given to Draft Plan of Subdivision 19TN-2014 001, subject to the schedule of conditions set out in Appendix "A" attached to and forming part of this Report;**
- 2. THAT the application for Official Plan Amendment and Zoning By-law Amendment for lands located at 955 and 995 Mulock Drive, be approved and that Staff be directed to prepare the necessary Official Plan and Zoning By-law Amendments including a Holding Provision, as necessary;**
- 3. AND THAT Ryan Guetter, Weston Consulting, 201 Millway Avenue, Suite 19 Vaughan, ON L4K 5K8 be notified of this action.**

COMMENTS**Location**

The Subject Lands are located on the north side of Mulock Drive, west of Leslie Street (See Location Map attached). The property has an area of approximately 2 hectares and has a frontage



on Mulock Drive of approximately 124 metres. The properties are municipally known as 955 and 995 Mulock Drive.

Proposal

The applicant is proposing to amend the existing Stable Residential designation to allow for the proposed townhouse dwelling type. The application also proposes to rezone the subject lands from the Residential Detached Dwelling 60m zone (R1-A) to the Residential Townhouse Dwelling 3 (R4-R) zone to permit a common element condominium. The original plan has been revised since the public meeting. The number of units has been reduced from 85 to 73 at grade townhomes within 12 townhouse blocks on the subject lands. The area of woodlot to be preserved has increased from 0.28ha to 0.46ha. A private amenity space (Tot lot) has also now been included in the plan with an area of 330m².

As the proposed development is intended to be developed as a parcel of tied land Condominium Corporation, applications for site plan approval, draft plan of Condominium approval and part lot control exemption will be required.

Statutory Public Meeting

Council held the required statutory Public meeting on January 12, 2015 and public comments focused on the following:

Concern regarding the retention and future ownership of the Woodlot

As noted above, the plan has been revised to increase the amount of wooded area to be preserved from the originally proposed 0.28ha to 0.46 ha. The appropriateness of the tree removals have been reviewed by the Town and Lake Simcoe Region Conservation Authority (LSRCA) and determined to be acceptable from an ecological perspective. A draft plan condition has been included, requiring an Ecological Offsetting Plan to address the woodland feature removal on the property and demonstrating appropriate compensation on and/or off site, to the satisfaction of the LSRCA and the town. An Edge Management Plan is also required to ensure the forest edge is protected by new plantings. The woodlot is proposed to remain in private ownership to be maintained and managed by the future condominium corporation.

Concern with lack of green space and privacy

The owner has revised the plan to include a 330m² private amenity space in the northwest corner of the site plan. The plan has also been revised to include the preservation of a significant portion of the existing woodlot on the property. The proposed landscape plan details wood privacy fencing along the east and west lot lines and landscaping is shown in the rear yards of dwellings within the plan.

Adequacy of existing services

The Town's Engineering Department has reviewed and commented on the proposed servicing arrangement which is discussed further below.

Concern with disruptive construction activity/ Prohibition of heavy vehicles on existing private roads

A construction management report will be required through the detailed design stage that will address such issues as vehicular access, contractor parking, construction schedule and material storage amongst other requirements. Furthermore, development activity will be required to abide by the town's noise by-law.

Buffers to shield headlights

Plantings have been accommodated in the Edge Management Plan around the periphery of the proposed visitor parking areas which will mitigate impacts from headlights of vehicles using these spaces. This can be further reviewed at the detailed design stage where if the plantings are deemed not sufficient for this purpose, a small headlight shielding fence can be installed.

Traffic concerns

Discussed under Roads and Traffic below.

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.

Staff's preliminary report identified Section 2.1.4 of the PPS under the Natural Heritage Section as being relevant as it indicates that development shall not be permitted in significant woodlands south and east of the Canadian Shield. Significant, in regard to woodlands, means "...an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history".

Staff and the LSRCA have worked with the developer to preserve a significant portion of the existing woodlot on the subject land and have included conditions of approval that will assist in ensuring the future health of the remaining woodlot as well as compensating for any loss.

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.

This proposal appears to be consistent with the relevant provisions the of Provincial Policy Statement (2005).

Official Plan Considerations

The subject property is designated Stable Residential on Schedule “A” Land Use Plan in the 2006 Official Plan. The Stable Residential permitted uses include single and semi-detached dwellings, but would preclude townhomes. The applicant is applying to amend the existing designation on the subject lands to permit ground related townhomes. Staff, the Region and the LSRCA recommends that the woodlot be designated as an Environmental Protection zone to ensure its future protection.

Section 3.9 of the Official Plan regarding intensification in stable residential areas indicates that the creation of new lots for the purposes of infilling shall be permitted subject to compatibility with the scale of the surrounding neighbourhood, they physical suitability of the site to accommodate the proposed infill housing, availability of hard services and road access requirements.

The proposed development is generally compatible with the surrounding uses being townhome dwellings to the immediate north and east; Newmarket High School to the west and a development of single and semi-detached dwellings on the south side of Mulock Drive, a regional road.

With regard to the physical suitability of the site to accommodate the proposed development, the lands drop significantly from Mulock Drive to the rear limit of the proposed development requiring a number of retaining walls which, while permitted, the Town attempts to minimize the amount and heights of retaining walls as they are a maintenance burden for Town, and if on private property, the homeowner would be required to maintain at their cost. If this proposal is approved, Engineering Services have indicated any walls should be part of the condominium common elements to be the responsibility of the future condominium corporation.

The availability of hard services to accommodate the development is discussed further in this report under “Servicing Review” below.

Road access is also discussed further below under Roads and Traffic.

The proposed rezoning and draft plan of subdivision application appears to conform with the purpose and intent of the Official Plan. If the Official Plan amendment is adopted, it will be forwarded to the Region of York for final approval.

Zoning Bylaw Consideration

The Subject Property is currently zoned Residential Detached Dwelling 60m zone (R1-A) by Bylaw Number 2010-40, as amended. The Applicant wishes to rezone the Subject Property to the Residential Townhouse Dwelling 3 (R4-R) to implement the plan. Staff are recommending that the woodlot be rezoned to the Environmental Protection - Open Space (OS-EP) permitting only passive recreational uses such as trails as well as required infrastructure.

Staff have utilised Section 16.1.1, policy 3 in the Town's Official Plan with regards to the Zoning By-Law Amendment:

3. *In considering an amendment to the Zoning By-Law, Council shall be satisfied that:*

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

The applicant has applied for an Official Plan amendment that would permit townhouses on these lands. As a result of the review and analysis of the submitted studies and reports, staff are recommending approval of the Official Plan Amendment, including designating the woodlot as Natural Heritage. All relevant policies of the Official Plan have been addressed.

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

As noted above under the Official Plan discussion, the proposed development is generally compatible with the surrounding uses being townhome dwellings to the immediate north and east; Newmarket High School to the west and a development of single and semi detached dwellings on the south side of Mulock Drive, a Regional Road.

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

Nuisance effects typically refer to impact of noise and airborne particles on occupiers of neighbouring properties, usually from employment uses. It is not anticipated that this development will cause any nuisance effects with the exception of construction activities which will be addressed in a construction management plan at the detailed design stage.

d. *adequate municipal services are available;*

Discussed below under "Servicing Review" below.

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

The proposed townhome development can be appropriately accommodated on these lands by providing typical front and rear yard setback for dwellings, a private amenity space and preservation of a woodlot.

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

This proposal accesses Mulock Drive, a Regional Road. The Region of York staff have provided no objection to the applications and have provided comments to be addressed through the detailed design. Regional conditions of draft approval have also been provided which are appended to this report.

- g. the on-site parking, loading and circulation facilities are adequate; and,*
The private road is adequately sized to meet town standards and is sufficient for emergency services. The visitor parking is being provided in accordance with the Town's zoning bylaw requirements.
- h. public notice has been given in accordance with the Planning Act.*
Public Notice was provided in accordance with the Planning Act by providing direct mail out to the surrounding community and Notice signs being erected on the property. The Statutory public meeting was held on January 12, 2015.

The Holding Provision under the Planning Act is recommended with the requirements for removal to include allocation of servicing by Council and that the necessary agreements have been entered into.

Roads and Traffic

Mulock Drive is a Regional Road under the jurisdiction of the Region of York. York Region Development Approvals have reviewed the traffic reports and have provided no objection to the applications. Comments have been provided that are to be addressed through the detailed design stage and conditions of draft plan approval have been provided. Improvements to Mulock Drive, including a new turning lane, are required.

Servicing Review

Engineering Services have reviewed the Functional Servicing Report and have provided the following comment on the proposal.

Sanitary Servicing: The Functional Servicing Report (FSR) prepared in support of the application proposes to discharge sanitary sewage from this proposed development to an existing 250 mm diameter sanitary stub sewer located in the neighbouring On Bogart Pond development and can confirm that flow from this proposed development was allowed for in the design of the existing development.

The Applicant, through its Planning Consultant, has advised that legal permission to connect to the sanitary stub on neighbouring lands in the form of an easement is in place. It is not clear at this point if legal permission to access the stubs for connection of the new sewer through the existing condominium is in place. Formal permission to access the stub through the neighbouring lands for the purposes of constructing and maintaining the sewer will be required prior to any work proceeding with construction of the sewer connection. The Applicant's Consultant has advised that they have had amicable discussions with the Condominium Board and Property manager regarding this matter and that written permission from the Condominium will be secured.

Storm Drainage: Stormwater from the proposed development will be controlled on-site and will discharge at or below predevelopment rates to the existing 450 mm diameter storm sewer located in the neighbouring On Bogart Pond development. Quantity control will be provided in underground storage pipes. Quality control will be provided with an oil/grit separator. Infiltration trenches and perforated exfiltration pipes below the storm sewer system will also be incorporated into the design. We are satisfied that the measures proposed can provide adequate quantity and quality controls.

As was the case with the proposed connection to the sanitary sewer stub on the neighboring lands, the Applicant's Consultant has confirmed that an easement is in place to permit the connection of the storm sewer from this development to the existing stub on the neighboring lands. They have also confirmed that written permission from the Condominium will be secured to permit access to construct and maintain the storm connection.

In order to minimize disturbance to the woodlot at the north end of the property, construction of the storm and sanitary sewer connections across the woodlot will be carried out using directional drilling technology. Some disturbance of the woodlot in the vicinity of the connection points to the existing sewers in the On Bogart Pond Condominium is necessary. The Town's Arborist has reviewed the area which will be disturbed and has advised that no significant trees would be impacted.

Water Distribution: Water supply for this development will be provided by constructing a watermain from this proposed development along the north side of Mulock Drive and connecting to the existing watermain on Leslie Street. The developer will be required to obtain any approvals required from the Region of York for the watermain being proposed within the Regional road allowance.

We are satisfied that the site can be adequately serviced with water.

Servicing Allocation

Servicing has not been allocated to this development. Allocation will be reviewed through the annual servicing allocation review in the spring of 2016.

Draft Plan Conditions

As a result of the circulation of the particulars of this proposal, the Planning Department has received comments from various agencies. In those instances where appropriate conditions have been recommended, they have been included in Appendix "A", along with the normal and usual Town of Newmarket and agency Conditions of Draft Plan approval.

Engineering Services Conditions unique to this proposed development relating ensuring appropriate servicing are as follows:

- (1) The Owner shall agree to create a Condominium Corporation which will be responsible for the maintenance of all works external to the buildings. The works shall include but not be limited to roads, sewers, Stormwater management facilities, watermain, retaining walls and landscaping including grass cutting.

- (2) 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 in advance of the First Engineering Submission. The Owner shall agree in an Agreement to carry out, or cause to be carried out, the recommendations set out in the approved report, to the satisfaction of the Town, at the sole expense of the Owner.
- (3) Prior to final approval, the Owner shall satisfy the Town's Director of Engineering Services and Director of Legal Services that appropriate arrangements have been made with York Condominium Corporation 969 with regards to access for construction and maintenance of the storm and sanitary sewer outlets in accordance with the Functional Servicing Report prepared by Valdor Engineering, dated September 2015 or any updated version thereof.

Lake Simcoe Region Conservation Authority Conditions unique to this proposed development relating ensuring appropriate servicing are as follows:

- (1) That prior to final approval, the Owner shall provide an Ecological Offsetting Plan to address woodland feature removal on the property, demonstrating appropriate compensation on and/or off-site, to the satisfaction of the LSRCA.
- (2) That prior to final plan approval, the Owner shall prepare an Edge Management Plan and Tree Preservation & Protection Plan to the satisfaction of the Town and LSRCA.
- (3) That prior to final approval the Owner shall successfully amend the Zoning By-law to rezone the northern "Tree Preservation area" as shown on the site Grading Plan to a site specific Environmental Protection (OS-EP) zone limiting the uses to conservation, passive recreational uses, trails and infrastructure.
- (4) The Owner shall agree in an Agreement to demarcate the environmentally significant areas ('Tree Preservation Area' on the 'Site Grading Plan' by means such as fencing i.e. cedar rail and/or living) and signage.

BUDGET IMPACT (CURRENT AND FUTURE)

Application fees have been received, and the Town will receive revenue from assessment fees, development charges and permit fees from any land use decisions made on the subject properties.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This application for Draft Plan of Subdivision supports the Community Strategic Plan by being *Well*-planned & connected through the implementation of the Official Plan; being *Well*-equipped & managed by providing for varied housing types and densities within the area; and, being *Well*

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

CONTACT

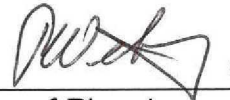
For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; druggle@newmarket.ca

Attachments

- 1 - Location Map
- 2 - Proposed Draft Plan of Subdivision
- 3- Proposed site plan
- 4- Landscape Concept Plan
- 5- Appendix "A" (Conditions of Draft Approval)



Commissioner Development and Infrastructure
Services



Director of Planning and Building Services



Senior Planner – Community Planning

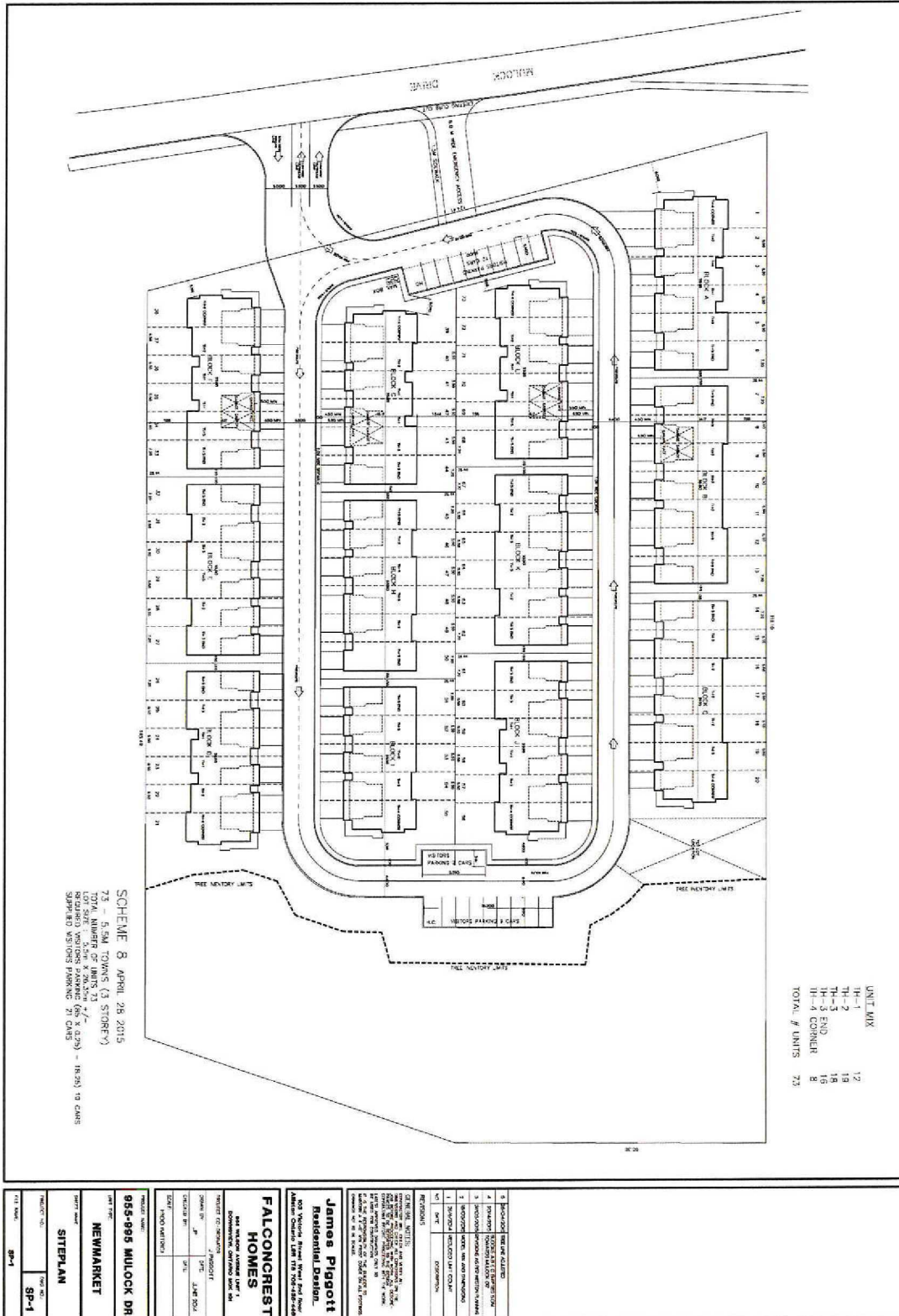
LOCATION MAP

955 & 995 Mulock Drive North side of Mulock Drive West of Leslie Street



TOWN OF NEWMARKET PLANNING DEPARTMENT

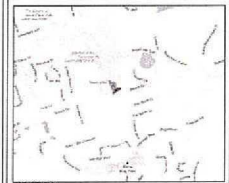
Designed & Produced by: InfoMap Technology - GIS Sources: 2007 Copernicus Images - © J.D. Jones Limited, 2007 Orthophotography; Land Parcel Boundaries - © Terrestrial and its suppliers. All rights reserved. NOT A PLAN OF SUBDIVISION. 2009; Municipal Boundaries - Geomatics Division, Planning and Development Services Department © The Regional Municipality of York, 2009.
 DISCLAIMER: This mapping is based on the POLARIS parcel fabric products compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. It is not a substitute for a legal survey.





GENERAL NOTES

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



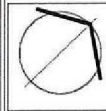
KEY PLAN

LEGEND

- EXISTING TREES TO BE PRESERVED
- MINIMUM TREE PROTECTION ZONE
- EXISTING TREES TO BE REMOVED
- TREE PROTECTION HOARDING

NO.	DATE	REVISION	BY
1	APRIL 23, 2015	AS PER NEW SITE PLAN	S.B.K.
2	NOV 12 2014	ISSUED FOR SUBMISSION	S.B.K.
3	AUG 28 2014	LIMIT OF DISTURBANCE HATCHING	S.B.K.
4	NOV 11 2013	ISSUED FOR RE-ZONING	S.B.K.
5	NOV 4 2013	BASED ON LATEST SITE VISIT	S.B.K.
6	AUG 8 2013	REVISED SITE PLAN 50% DONE	S.B.K.

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



S.B.K.
 5779 ALBERTA STREET, SUITE 303
 WOODBURN, ONTARIO, L7R 3G5
 416.893.6169 F. 905.712.3101
 WWW.STRYBOS.COM

STRYBOS BARRON KING
 LANDSCAPE ARCHITECTURE

PROJECT:
PROPOSED RESIDENTIAL DEVELOPMENT
 955 & 995 MULOCK DRIVE
 NEWMARKET, ONTARIO

DRAWING TITLE

LANDSCAPE CONCEPT PLAN

SCALE: 1 : 400

DATE: APRIL 24, 2015

DRAWN BY: S.B.K.

CHECKED BY: MG

PROJECT NO:

13-4405

DRAWING NO:

L100

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**THE CONDITIONS OF THE COUNCIL OF THE TOWN OF NEWMARKET TO BE SATISFIED PRIOR
TO RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION
19TN 2014 001 ARE AS FOLLOWS:**

General

- (1) That draft approval shall relate to the draft plan of subdivision prepared by Weston Consulting dated November 13, 2013 showing Block 1 for Condominium townhouse units.
- (2) All road allowances shall be named to the satisfaction of the Town of Newmarket and the Regional Municipality of York.
- (3) The Owner shall enter into a Subdivision and/or Site Plan Agreement with the Town of Newmarket, agreeing to satisfy all conditions, financial and otherwise, of the Town of Newmarket; prior to final approval, the agreement will be registered by the Town of Newmarket against the lands to which it applies as provided for in the *Planning Act*.
- (4) The Owner shall agree in the Subdivision and/or Site Plan Agreement to make payment to the Town for all applicable Development Charges, in accordance with the Town's Development Charges By-law which is in effect at the time.
- (5) Prior to final approval, arrangements shall be made to secure permanent access to a public highway to this draft plan of subdivision by way of a dedicated, constructed and paved public roadway, to the satisfaction of the Director of Engineering Services, the Municipal Solicitor and, if applicable, the Regional Municipality of York.
- (6) Such easements as may be required for public utility, servicing or drainage purposes shall be granted to the appropriate authority, without monetary consideration and free of all encumbrances.

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- (7) The Owner shall agree in the Subdivision and/or Site Plan Agreement to have a qualified consultant prepare, to the satisfaction of the Town of Newmarket, a Noise Impact and Attenuation Study. Further, the Owner shall agree in the Subdivision and/or Site Plan Agreement that any noise attenuation measures including warning clauses and any noise control features, including landscaping, berming and/or screening for aesthetic purposes, which are recommended by the said approved study and as accepted by the Town, shall be implemented at the Owner's expense.
- (8) The Owner shall agree in the Subdivision and/or Site Plan Agreement that roads, services, and other works installed by the Owner shall be in accordance with the standards and specifications of the Town of Newmarket, and shall include watermains, sanitary sewage works, storm sewage works, adequate pavement width for roadways, curbs, gutters, street lighting, regulatory signs, street signs, transit facilities, community mail boxes, intersection design including daylighting or sight triangles and 0.3 metre reserves, temporary turning circles, and any other services or facilities as required.
- (9) The Owner shall agree in the Subdivision and/or Site Plan Agreement to grant access, on reasonable terms and conditions, to any telecommunications service provider indicating an interest to locate within a municipal right-of-way.
- (10) The Owner shall agree in the Subdivision and/or Site Plan Agreement to make available to all perspective purchasers of residential units within the subdivision, and to display in a prominent location within the sales office, the following:
 - (a) the latest version of the approved draft plan;
 - (b) the proposed location of any and all sidewalks, street furniture, community mail boxes, parks (including all recreational facilities to be provided), schools, open space areas, environmental protection areas, stormwater management facilities, landscaping, entranceway features, special features such as tiered retaining walls or similar structures, special lot grading, noise attenuation measures (both internal and external to the dwelling unit), erosion control facilities, buffer areas, watercourses, accurate representations of proposed and existing surrounding land uses within 150 metres of the

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boundaries of the draft plan, and any proposed warning clauses or restrictive covenants to be registered on title;

- (c) a copy of the approved zoning by-law for the lands, together with the Subdivision and/or Site Plan Agreement (when approved by the Town of Newmarket); and
- (d) any other requirements as may be set out in the Subdivision and/or Site Plan Agreement

Further, the Owner shall agree to keep all of the above material up-to-date, and reflect the most current approvals, and/or submissions regarding the plan, and/or engineering design drawings. Prior to final approval, the owner shall provide a copy of all sales material and promotional literature currently used at the sales office, along with a letter from the Owner/Developer confirming that the sales and promotional literature complies with all Agency and Departmental approvals obtained to date to the Director of Planning and Building Services.

- (11) The Owner Shall Agree in the Subdivision and/or Site Plan Agreement to abide by any servicing allocation policy as approved by the Town and amended from time to time.
- (12) The Owner shall agree in the Subdivision and/or Site Plan Agreement to prepare, to the satisfaction of the Town, a Homeowner's Manual which shall be distributed to all purchasers which outlines:
 - (a) the Town's waste diversion and recycling programs and proper usage of the bins;
 - (b) the environmental sensitivity of the open space areas and trail systems and provides educational material regarding disturbances from residential development and the role that individual homeowners can have such as yard waste composting, reduced fertilizer and pesticide use, natural area re-vegetation, impacts of noise and lighting, domestic pet impacts and controls, invasive plant spreading and discharge of swimming pool water.
- (13) The Owner shall agree in the Subdivision and/or Site Plan Agreement to pay the Town the cost for the recycling containers (three recycling containers, one Blue box, one Green Bin and one Kitchen collector) required for the development and provide said containers to each purchaser at the time of occupancy.

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- (14) Where required by the Town, the Owner shall agree in the Subdivision and/or Site Plan Agreement, where applicable, to cause warning clauses, in wording satisfactory to the Town, to be included in all offers of purchase and sale, and to be registered on title, for all lots or blocks within the Plan affected by the following matters such as but not limited to:
- (a) Mail from a Community Mailbox;
 - (b) Street trees;
 - (c) Traffic Calming Measures;
 - (d) Lots fronting on a collector road;
 - (e) Transit Routes;
 - (f) Temporary Cul-de-sacs and Turning Circles;
 - (g) Proximity to Active Farms and Agricultural Uses;
 - (h) Stormwater Management Facilities;
 - (i) Subdivision Design Features and Landscaping Features and/or Special Features;
 - (j) Noise;
 - (k) Illumination of Athletic Fields;
 - (l) Lands abutting a trail system;
 - (m) Open Space Lands to remain in their natural state;
 - (n) Extended Footings and Engineered Fill;
 - (o) Lot Grading and Preservation of Existing Vegetation;
 - (p) Basement Walk-outs and Access to Rear Yard;
 - (q) Rear Lot Catch basins;
 - (r) Private Gates to Open Space Areas and Stormwater Management ponds; and
 - (s) Carbon Monoxide Detectors.

Regional Municipality of York Conditions

- (15) The road allowances included within the plan shall be named to the satisfaction of the Town of Newmarket and York Region.
- (16) The Owner shall agree in the Subdivision and/or Site Plan Agreement that the Owner shall save harmless the Town of Newmarket and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- (17) The Owner shall agree in the Subdivision and/or Site Plan Agreement that any direct connection to a York Region water or wastewater system requires

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Regional approval prior to construction, and engineering drawings showing details of the connection shall be submitted to Infrastructure Asset Management Branch of the Environmental Services Department for approval.

- (18) For all lands, the Holding (H) provisions of Section 36 of the *Ontario Planning Act* shall be used in conjunction with all residential zone categories in order to ensure that site plan approval and development of these lands does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the *Ontario Planning Act*. The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:
- The Town of Newmarket approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 to 36 months depending on the complexity of the development) to permit the site plan registration; or,
 - The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Town of Newmarket allocates the capacity to this development.
- (19) Given the proximity of the subject site to York Region municipal production wells, prior to final approval, the Owner shall conduct a subsurface investigation to identify any need for dewatering and/or groundwater depressurization, and where applicable, submit a detailed dewatering plan prepared by a qualified professional to the Region for approval.
- (20) Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision to the satisfaction of the Community Planning and Development Services Division. The report/plan, submitted to the Community Planning and Development Services Division for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
- (21) The Owner shall agree in the Subdivision and/or Site Plan Agreement, in wording satisfactory to the Community Planning and Development Services

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Division, to implement the recommendations of the functional transportation report/plan as approved by the Community Planning and Development Services Division.

- (22) Prior to final approval, the Owner shall submit detailed engineering drawings, to the Community Planning and Development Services Division for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Community Planning and Development Services Division. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
- (23) Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to the Community Planning and Development Services Division, Attention: Manager, Development Engineering, that includes the following drawings:
- a) Plan and Profile for the York Region road and intersections;
 - b) Grading and Servicing;
 - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - d) Construction Access Design;
 - e) Utility and underground services Location Plans;
 - f) Paving Marking and Signage Plans;
 - g) Traffic Control/Management Plans;
 - h) Erosion and Siltation Control Plans;
 - i) Landscaping Plans, including tree preservation, relocation and removals;
 - j) Requirements of York Region Transit/Viva
- (24) Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to the Community Planning and Development Services Division, Attention: Mrs. Eva Pulnicki, P.Eng.

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- (25) Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Community Planning and Development Services Division and illustrated on the Engineering Drawings.
- (26) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that all existing driveways along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
- (27) Prior to final approval, the Owner shall provide a copy of the Subdivision and/or Site Plan Agreement to the Community Planning and Development Services Division, outlining all requirements of the Community Planning and Development Services Division.
- (28) Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
 - a) All existing woody vegetation within the York Region road Right-of-Way,
 - b) Tree protection measures to be implemented on and off the York Region road Right-of-Way to protect right of way vegetation to be preserved,
 - c) Any woody vegetation within the York Region road Right-of-Way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
 - d) A planting plan for all new and relocated vegetation to be planted within the York Region road Right-of-Way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed and included in the subdivision agreement, they will require the approval of the Town and be supported by a Maintenance Agreement between the Town and the Region for Town maintenance of these features; any such Maintenance Agreement should indicate that where the area municipality does not maintain the feature to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.

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- (29) Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Community Planning and Development Services Division recommending noise attenuation features.
- (30) The Owner shall agree in the Subdivision and/or Site Plan Agreement, in wording satisfactory to the Community Planning and Development Services Division, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Community Planning and Development Services Division.
- (31) The Owner shall agree in the Subdivision and/or Site Plan Agreement, in wording satisfactory to the Community Planning and Development Services Division, that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
- (32) The following warning clause shall be included in a registered portion of the Subdivision and/or Site Plan Agreement with respect to the lots or blocks affected:
"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".
- (33) Where noise attenuation features will abut a York Region Right-of-Way, the Owner shall agree in the Subdivision and/or Site Plan Agreement, in wording satisfactory to York Region's Community Planning and Development Services Division, as follows:
 - a) That no part of any noise attenuation feature shall be constructed on or within the York Region Right-of-Way;
 - b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - c) That maintenance of the noise barriers and fences bordering on York Region Right-of-Ways shall not be the responsibility of York Region; and

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- d) That any landscaping provided on York Region Right-of-Way by the Owner or the area municipality for aesthetic purposes must be approved by the Community Planning and Development Services Division and shall be maintained by the area municipality with the exception of the usual grass maintenance.
- (34) The Owner shall agree in the Subdivision and/or Site Plan Agreement, in wording satisfactory to the Community Planning and Development Services Division, to be responsible to decommission any existing wells on the owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the Town.
- (35) The Owner shall agree in the Subdivision and/or Site Plan Agreement, in wording satisfactory to the Community Planning and Development Services Division, that any future entrance access shall be designed to intersect Mulock Drive at a right angle, or on a common tangent.
- (36) Prior to final approval, the Owner shall demonstrate, to the satisfaction of Community Planning and Development Services Division, that the throat width of street access entrance shall be designed to accommodate one 5.0 metre inbound lane and two 3.5 metre outbound lanes for a distance of 30.0 metres from the widened limit of Mulock Drive.
- (37) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right-of-Way, then the Owner shall provide a satisfactory buffer or easement to the Town, at no cost to the Region.
- (38) The Owner shall agree in the Subdivision and/or Site Plan Agreement, in wording satisfactory to the Community Planning and Development Services Division, that the Owner will be responsible for determining the location of all utility plants within York Region Right-of-Way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner

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shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

- (39) Prior to final approval, the Owner shall submit engineering plans, for York Region's approval, that identify on the plans the Transit requirements.
- (40) Prior to final approval, the Owner shall demonstrate, to the satisfaction of Community Planning and Development Services, that the Owner will provide the installation of visual screening along the internal road that is parallel and adjacent to Mulock Drive, consisting of either a screening fence or a combination of a berm and appropriate planting, to a minimum of 1.8 metres in height, to be located outside of the Region's right of way. The Owner shall submit to Community Planning and Development Services Division for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
- (41) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Community Planning and Development Services Division, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right-of-Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
- (42) The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

Lake Simcoe Region Conservation Authority

- (43) Prior to final Plan approval and any major site alteration, the following shall be prepared to the satisfaction of the Lake Simcoe Region Conservation Authority:
- A detailed Stormwater Management Report in conformity with stormwater management policies of the Lake Simcoe Protection Plan (Policies 4.8-4.11) and the LSRCA Technical Guidelines for Stormwater Management Plans;
 - A detailed Erosion and Sedimentation Control Plan
 - A detailed Grading and Drainage Plan

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- A Water Balance as per Designated Policy 4.8 of the LSPP;
- A Phosphorous Budget in Accordance with Designated Policy 4.8 of the LSPP;
- A detailed Edge Management Plan; and
- A detailed Low Impact Development Evaluation demonstrating the means to maximize the use of Low Impact Development (LID) measures consistent with Policy 1.6.6.7 of the Provincial Policy Statement (2014)

- (44) That prior to final approval, the Owner shall provide an Ecological Offsetting Plan to address woodland feature removal on the property, demonstrating appropriate compensation on and/or off-site, to the satisfaction of the LSRCA.
- (45) That prior to final plan approval, the Owner shall prepare an Edge Management Plan and Tree Preservation & Protection Plan to the satisfaction of the Town and LSRCA.
- (46) The Owner shall agree in the Subdivision and/or Site Plan Agreement to carry out, or cause to be carried out the recommendations and requirements contained within the plans, reports, and studies as approved by the LSRCA.
- (47) The Owner shall agree in an the Subdivision and/or Site Plan Agreement to retain a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and studies, as approved by the LSRCA.
- (48) The Owner shall agree in the Subdivision and/or Site Plan Agreement to any major site alteration or grading, proper erosion and sediment control measures must be in place in accordance with the approved Erosion and Sediment Control Plan and Grading Plan.
- (49) The Owner shall agree in the Subdivision and/or Site Plan Agreement that prior to the creation of any impervious surface such as roads and buildings, stormwater management facilities must be put in place in accordance with the approved plans.
- (50) That the Owner shall agree in the Subdivision and/or Site Plan Agreement to monitor, inspect and maintain the Stormwater management works on a periodic basis in accordance with 4.10 & 4.11 – DP of the LSPP.

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- (51) That the Owner shall agree in the Subdivision and/or Site Plan Agreement to ensure the following measures are implemented in accordance with 4.20 – DP of the Lake Simcoe Protection Plan:
 - a) Keep the removal of vegetation, grading and soil compaction to the minimum necessary to carry out development activity;
 - b) Removal of vegetation shall not occur more than 30 days prior to grading and construction;
 - c) Put in place structures to control and convey run-off;
 - d) Minimize sediment that is eroded offsite during construction;
 - e) Seed exposed soils once construction is complete and seasonal conditions permit; and,
 - f) Ensure erosion and sediment controls are implemented effectively.
- (52) That prior to final approval the Owner shall successfully amend the Zoning By-law to rezone the northern "Tree Preservation area" as shown on the site Grading Plan to a site specific Environmental Protection (OS-EP) zone limiting the uses to conservation, passive recreational uses, trails and infrastructure.
- (53) The Owner shall agree in the Subdivision and/or Site Plan Agreement to demarcate the environmentally significant areas ('Tree Preservation Area' on the 'Site Grading Plan' by means such as fencing i.e. cedar rail and/or living) and signage.
- (54) That the Owner shall agree in the Subdivision and/or Site Plan Agreement to grant any easements required for stormwater management purposes to the Town.
- (55) Prior to final approval, the Owner shall pay all the required development fees to the Conservation Authority in accordance with the LSRCA's Fees Policy under the Conservation Authorities Act.
- (56) That prior to final plan approval, the Owner shall obtain a permit from the LSRCA for any development within an area subject to Ontario Regulation 179/06 under the Conservation Authorities Act.

Newmarket Hydro

- (57) The Owner shall agree in the Subdivision and/or Site Plan Agreement to make such arrangements as are satisfactory to Newmarket Hydro for the provision of hydro-electric servicing, both overhead and underground and to convey such

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lands and/or easements as may be required, at no cost and free from encumbrances.

Canada Post

- (58) The Owner shall agree in the Subdivision and/or Site Plan Agreement to consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
- (59) The Owner shall agree in the Subdivision and/or Site Plan Agreement to include in all offers of purchase and sale a statement advising prospective purchasers that mail delivery will be from a designated Community Mailbox and to include the exact locations (list of lot numbers) of each of these Community Mailbox locations.
- (60) The Owner shall agree in the Subdivision and/or Site Plan Agreement to provide the following for each Community Mailbox site and to include these requirements on appropriate servicing plans:
 - (a) an appropriately sized sidewalk section (concrete pad), as per Canada Post specifications to place the Community Mailbox;
 - (b) any required walkway across the boulevard, as per Town of Newmarket standards; and
 - (c) any required curb depressions for wheelchair access.
- (61) The Owner agrees in the Subdivision and/or Site Plan Agreement to determine and provide a suitable temporary Community Mailbox location(s) to be "fit up" prior to first occupancy, which may be utilized by Canada Post until the criteria identified in Condition No. 98 is completed at the permanent Community Mailbox site location(s).

Other

- (62) The Town of Newmarket shall advise that Conditions 1 to 15 inclusive and Conditions 62 to 66 inclusive have been satisfied.

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APPENDIX "A"

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- (63) The Region of York shall advise that Condition 3 and Conditions 15 to 42 inclusive have been satisfied.
- (64) The Lake Simcoe Region Conservation Authority shall advise that Conditions 43 to 56 inclusive have been satisfied.
- (65) Newmarket Hydro shall advise that Condition 57 has been satisfied.
- (66) Canada Post shall advise that Conditions 58 to 61 inclusive have been satisfied.

ISSUED at Newmarket this day of , 2015.

Richard Nethery, B.E.S., M.C.I.P., R.P.P.
Director of Planning and Building Services

NOTE: WHERE FINAL APPROVAL FOR REGISTRATION HAS NOT BEEN GIVEN WITHIN THREE YEARS AFTER THE DATE UPON WHICH APPROVAL TO THE PROPOSED PLAN OF SUBDIVISION WAS GIVEN, THE TOWN OF NEWMARKET MAY, AT ITS DISCRETION, AND PURSUANT TO THE PLANNING ACT, R.S.O. 1990, WITHDRAW ITS APPROVAL TO THIS PROPOSED PLAN OF SUBDIVISION, UNLESS APPROVAL HAS BEEN SOONER WITHDRAWN, BUT THE TOWN OF NEWMARKET MAY FROM TIME TO TIME EXTEND THE DURATION OF THE APPROVAL.

THE LSRCA SHALL REQUIRE THE FOLLOWING PRIOR TO THE ISSUANCE OF A CLEARANCE LETTER:

1. A COPY OF THE EXECUTED SUBDIVISION AGREEMENT;
2. A COPY OF THE DRAFT M-PLAN; AND
3. A LETTER FROM THE DEVELOPER'S PLANNING CONSULTANT OUTLINING HOW EACH OF THE CONDITIONS OF DRAFT PLAN APPROVAL HAS BEEN MET TO THE SATISFACTION OF THE CONSERVATION AUTHORITY.

November 30, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2015-63**

TO: Committee of the Whole

SUBJECT: Woodspring Avenue – Bonshaw Avenue to Town Limit
Bicycle Lanes and On-street Parking
File No.: T.08 T.30 Woodspring

ORIGIN: Director, Engineering Services

RECOMMENDATION

THAT Development and Infrastructure Services Report – ES 2015-63 dated November 30, 2015 regarding “Woodspring Avenue – Bonshaw Avenue to Town Limit – Bicycle Lanes and On-street Parking” be received and the following recommendation be adopted:

THAT the existing parking restrictions and lane configurations on Woodspring Avenue from Bonshaw Avenue to the Town Limit remain as they are.

BACKGROUND

At its regular meeting of October 5, 2015, Town Council adopted the following recommendation:

“THAT staff be directed to report back within 60 days on options to reinstate on-street parking on Woodspring Avenue that is complimentary to the existing bicycle lanes”.

Town staff was approached by East Gwillimbury in early 2014 to consider continuing the bicycle lanes on Woodspring Avenue from Bonshaw Avenue (where they then ended), northward to Green Lane. This would also provide connectivity to a future multi-use path being constructed by York Region.

That same year, Town staff explored this proposal according to the Town’s policy, which included public consultation for the proposed bicycle lanes and for the parking bylaw changes that would be needed to implement the bike lanes. The work had to be done in tandem with the Town of East Gwillimbury to avoid having bike lanes that ended at the Town of Newmarket limits without any connectivity to Green Lane.

Unfortunately, due to delays at the Town of East Gwillimbury, the work to create the bike lanes had to be postponed until the late summer of 2015. In preparation for the work, the Town of Newmarket still proceeded with the amendments to the Town's Parking Bylaw (2014-31) that were required to implement the bike lanes. The amendments to the parking bylaw were enacted on May 26, 2014.

The Town's Corporate Parking Policy, as approved by Council, states that there is a 2-year moratorium on reviewing any parking changes that are made throughout the Town. This would mean that the parking amendments made on Woodspring Ave would not be subject to review until May 2016. However, as a result of a request from the Ward Councillor, Town staff is providing this report to clarify the reasons for the recent parking amendments, the rationale for maintaining them as they currently are and the options that are available to residents who need more parking.

COMMENTS

As a result of the parking bylaw amendment in 2014 that was described previously in this report, there is currently no parking allowed on either side of Woodspring Avenue. Prior to the parking restriction change, there was a "peak hour" parking restriction (from 7:00 to 9:00 a.m. and from 4:00 to 6:00 p.m.) on the east side of the road, in addition to the Town's standard 3-hour limit parking restriction.

From a technical and safety perspective, no changes to the current parking restrictions or lane configurations on Woodspring Avenue are being recommended at this time. There are many reasons for this. First, having both parking and bike lanes on the same side of the road often leads to harmful conflicts between cyclists and cars, especially with car doors as they are being opened. Secondly, if on-street parking is reinstated on Woodspring Avenue and the bicycle lanes remain, the centre-turn lane would have to be removed to accommodate the space requirements for both parking and cycling. Therefore, if parking were to be reinstated, it would be allowed only on one-side of the street. New left turn lanes and proper tapers would be required at all intersections to provide safe right-of-way control based on the road volumes that exist on this road. And finally, leaving the bicycle lanes as they are now provides a road pattern and design that are consistent and predictable for drivers throughout the length of Woodspring Avenue. This consistency and predictability enhances safety and is of benefit to the public, whether driving or cycling.

It is of importance to realize that, out of the 48 households that front onto Woodspring Avenue between Bonshaw Avenue and the Town limit, 42 of those households have double width driveways and double car garages. These residents have the ability to park 4 to 6 vehicles on their property without needing to use the road for parking. The remaining 6 households, which consist of the semi-detached homes at the northeast corner of the Woodspring/Bonshaw intersection, have single car width driveways and single car garages. These households can accommodate 3 cars that can be parked on each individual private property.



During the project research, the aerial photo to the left is a snapshot taken from the Town's SOGIS system. The aerial photograph was taken in the spring of 2014 prior to the implementation of the bicycle lanes. What is interesting in this snapshot of Woodspring Avenue is that there are 5 vehicles parked on the road, but most driveways are empty of cars.

There are two situations where parking may be insufficient, as shown below, but there are also options available to these residents for unusual circumstances. The cases to consider are:

1. The need to have an empty driveway for re-surfacing, snow clearing or other specific driveway activities; and
2. The need for additional temporary parking for visitors when the driveway is full.

In either of the cases above, off-site temporary parking is needed. But, according to the previous work done by the Parking Advisory Committee, there are four main solutions available to address such circumstances:

1. Asking a neighbour: This is a simple solution because many neighbours have extra parking available in their driveway and would not mind lending some space temporarily to help a resident in need of additional parking.
2. Clearing out the garage. This is a simple solution to increase on-site parking supply. Unfortunately, many people tend to use their garage as storage space rather than for parking.
3. Parking a block away. This option would require a short walk, but some of the side streets allow parking on at least one side of the road for a maximum of 3 hours. If parking is required for more than 3 hours (such as when re-paving a driveway), a parking exemption can be provided by the Town.
4. Parking at a Park. This option is not always possible in all locations of the Town but, in this case, Bonshaw Park has a small parking lot available. Parking at a park is also useful for those who have a large number of visitors that could park in this location and be shuttled to the house by the homeowner, if required.

PUBLIC CONSULTATION

There was no public consultation in the preparation of this report. The public consultation was conducted in 2014 when the parking bylaw was amended to prohibit parking where there are now bike lanes on Woodspring Avenue. The process followed for public consultation was that outlined in the Town's Corporate Parking Policy.

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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Senior Transportation Coordinator


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


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



Area of Study



DEVELOPMENT & INFRASTRUCTURE SERVICES – ENGINEERING SERVICES
 TOWN OF NEWMARKET
 395 Mulock Drive
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November 30, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
 ENGINEERING SERVICES 2015-64**

TO: Committee of the Whole

SUBJECT: Bristol Road – Main Street North to Ashworth Drive – Parking Review
 File No.: T08 T.30 Bristol Road East

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES2015-64 dated November 30, 2015 regarding Bristol Road – Main Street North to Ashworth Drive - Parking Review, be received and the following recommendations be adopted:

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

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Bristol Road	North	Main Street North to the property limit between #565 and #569 Bristol Road	Anytime

2. AND THAT the necessary By-laws be prepared and submitted to Council for their approval.

COMMENTS

The Ward Councillor brought this matter to the attention of the Engineering Services Department, advising that the on-street parking was causing traffic concerns. When inspecting the site, Town staff observed that there was continual parking on both sides of the street, extending into the taper lanes of the intersection.

Town staff proposed to create “no parking” zones on both sides of Bristol Road from Main Street North to a point approximately 1/3 of the way along the street. This would create a clear zone for traffic, while residents could still park along the east half of the street on both sides.

Town staff polled the community for input and received some interesting insight. The cars that were continually parked consisted of a mix of residents' vehicles and possible construction workforces' personal vehicles from the 2nd Concession job site. This would explain the longer term parking that was seen throughout the daytime on the street. An important fact is that, although the potential for traffic operation issues did exist as a result of the parked cars, they actually provided traffic calming into the community by narrowing the travelled portion of the road. Results of the polling showed that the majority of respondents were against any change in the existing parking.

A clear path to any signalized intersection is important to ensure safe traffic operations. Therefore, it is recommended that a balanced approach be implemented whereby parking is only restricted on the north side. This "no parking" zone would cause the community to lose only one (1) parking space on the street, and it would provide a relatively clear path to the intersection while still having the benefits of on-street parking and traffic calming effects.

PUBLIC CONSULTATION

On September 25, 2015, Engineering Services contacted the Bristol Road community between Main Street North and Ashworth Drive. Nine (9) households (which directly fronted or flanked the proposed area of study) were subject to the mail-out. The Town received five (5) responses (55% return), of which four (80%) were against the proposed "No Parking Zone" on both sides of the street, while only one (20%) was in favour of the proposal.

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

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 \$1,000.00) for the parking restriction signage.


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


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


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



-  Proposed No Parking Zone
-  No Parking Zone NOT Recommended in this Report

November 30, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2015-67**

TO: Committee of the Whole

SUBJECT: Traffic Bylaw – 2011- 24 – Housekeeping Amendments
File No.: T.08 T.30 Traffic Bylaw

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2015-67 dated November 30, 2015, regarding “Traffic Bylaw – 2011-24 – Housekeeping Amendments” be received and the following recommendations be adopted:

1. THAT Schedule VIII (Signalized Intersections) of Traffic Bylaw 2011-24, as amended, be further amended by adding the following:
 9. Gorham Street at Carlson Drive / Doak Lane;
2. AND THAT Section 1 (Definitions) of Traffic Bylaw 2011-24, as amended, be further amended by adding the following:
 - 1.32.1 “multi-use path” (MUP) is part of a highway not being part of the roadway that has been improved by paving or other means and designed with sufficient width for both pedestrian and bicycle use;
3. AND THAT the necessary By-law be prepared and submitted to Council for its approval.

COMMENTS

The housekeeping amendments address two issues in the Traffic Bylaw.

The addition to Schedule VIII (Traffic Signals) is to account for the newly constructed traffic signals on Gorham Street at Carlson Drive / Doak Lane.

The addition of the new definition for multi-use path (MUP) is necessary since the only definition for pedestrian facilities in the boulevard is a sidewalk, and bicycle use is prohibited on sidewalks. Multi-use paths are designed for both pedestrian and bicycle use and can be located within a road allowance. Therefore, a new definition is proposed to provide clarity and to distinguish the MUP from a typical sidewalk.

PUBLIC CONSULTATION

No public consultation was undertaken in the preparation of this report since these are housekeeping matters.

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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P. Noehammer, P.Eng., Commissioner
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Community Services - Economic Development Report 2015-36

TO: Committee of the Whole
DATE: November 17, 2015
SUBJECT: Downtown Patios – Pilot Project
ORIGIN: Community Services – Economic Development

RECOMMENDATIONS

THAT Community Services - Economic Development Report 2015-36 dated November 17, 2015 regarding the Downtown Patios Pilot Project be received and the following recommendations be adopted:

- 1. THAT staff be directed to prepare the necessary changes to by-laws to enact a permanent downtown patio program;**
- 2. AND THAT the program be consistent with established requirements for design, closing hours, accessibility, noise, and costs;**
- 3. AND THAT staff consider up to two additional applicants (maximum four) requiring on-street parking in 2016 subject to established criteria and in consultation with the BIA;**
- 4. AND THAT the Lower Main Street Business Improvement Association be notified of this decision.**

COMMENTS

Executive Summary

The purpose of this report is to inform Council of the results of the pilot project to permit up to two restaurants to open patios that encroach onto municipally-owned property in downtown Newmarket. Council approved this pilot project for the summer of 2015 at its meeting on May 11, 2015. This report contains information on the participating restaurants, public feedback results, and recommendations on next steps.

Initial findings suggest that the downtown patios have been successful. Surveys of patio patrons are nearly universally positive, indicating that more visitors are attracted to Main Street, that patios enhance the downtown, and that patio patrons also strongly tend to connect with other downtown businesses during their visit.

Background

Some Main Street business owners historically placed informal seating arrangements adjacent to their storefronts in order to provide fair-weather seating for customers. These are located on private frontages

and/or the public right-of-way, Permits have also been issued to allow businesses to expand their operations into the public right-of-way during special events. The growth of new restaurants and increased visitor activity in the Main Street area over the past few years led to Town staff being approached by restaurant owners to consider allowing seasonal patios in time for the 2015 season. In May, 2015, Council subsequently endorsed a pilot project to permit two outdoor restaurant patios encroaching onto the municipally-owned right-of-way.

Staff established an application process for the two pilot patios, which included a number of elements:

1. Valid liquor license (if premises are to be licensed)
2. Site plan with required design elements
3. Application fee
4. Liability insurance
5. Dates and times of operation
6. Accessibility design standards
7. Heritage design
8. Application evaluation criteria

Following feedback and minor design changes, staff approved two patio applications from Made in Mexico and Hungry Brew Hops restaurants. These were installed in late June and commenced operations by July 1st. The patios operated throughout the summer, and were removed by the end of October.

Benefits

A number of benefits have been identified through the pilot project:

1. **Extended hours of operation:** The two participating restaurants were required to open seven days each week, which led to increased activity in the downtown outside of traditional peak hours, including Mondays when they were previously closed.
2. **Improved visual attractiveness:** Staff received anecdotal feedback from residents and visitors that the design of the patios has enhanced the appearance of the downtown, indicating the success of the established design standards.
3. **Increased visitor activity:** While absolute numbers of visitors to the downtown are not available, a survey of patio visitors indicates a significant proportion of visitors came to downtown Newmarket due to the patios, and patio businesses witnessed increased visitor numbers.
4. **Attraction of new customers for other businesses:** The same survey indicates a large proportion (over 70%) of visitors also patronized other businesses downtown, creating additional customers for Main Street businesses.
5. **Increased sales:** Participating business owners attributed increased sales to the patios, both on days they were not previously open, as well as throughout the week. In effect, Monday sales were surprisingly strong and did not cannibalize rest of week sales.

Public engagement

A survey was provided to both participating restaurants for completion by customers on the patios, which generated 859 responses. While the surveys only capture customers who choose to visit the patios, they do provide valuable data on the patio patrons and their impact on the downtown. A summary of survey

results are presented below, while more complete numbers and a full list of comments are available in Attachment A.

- 98% of patio patrons believe the patios are an improvement to downtown
- 3 in 4 patio patrons came downtown because of the patios
- 7 in 10 patio patrons also visit other downtown businesses during their visit
- 4 in 10 patio patrons are visitors to Newmarket

Staff met with the two participating business owners, who noted that they had benefited from an increase in sales as a result of the patios. Additional revenues were generated not only on the additional days that they were open each week, but also throughout the week, indicating increased numbers of customers overall and not simply a shifting of customer demand between days. In particular, the business owners were surprised to find high sales volumes on days that were traditionally slower such as Mondays and Tuesdays, suggesting an increase in visitor traffic in the downtown on days when many businesses have traditionally been closed.

Staff also received two phone calls early in the process from residents regarding the patios. One was a concern regarding the position of a patio adjacent to a bus stop, which was resolved with York Region Transit, and the second was a resident who disagreed with the pilot project in principle. The Town's Customer Service Centre reported no complaints throughout the pilot period.

Parking

The use of four parking spaces for these two patios created additional seating for 56 patrons. Counts of parking and patio occupancy indicate that patios bring up to six times as many people per hour as the average on-street parking space downtown. This estimate is based on four key data sources:

- The observed on-street parking demand demonstrated in the 2010 downtown parking study by the BA Group, adjusted to increased current demand;
- The average duration of stay of a parked car downtown, measured at 90 minutes by the BA Group study;
- The average number of passengers in a vehicle trip, measured at 1.6 by Natural Resources Canada;
- The observed occupancy rate of the patios and average duration of stay of a patron, as indicated by the restaurateurs.

These four data sources allow us to measure how many people a parking space serves per hour, then compare this to the number of people that a patio serves per hour. It is then possible to estimate the impact of this change, assuming that more people in the downtown means a more successful downtown. Under this model, the average parking space serves 0.5 people per hour. The average patio space this summer served 3.0 people per hour.

It is important to consider parking not based solely on whether there is enough of it at the few times when everyone wants to come downtown, but rather what use of the space will bring more people downtown throughout the day. With the exception of the lunch hour period, the peak patio parking demand periods are later in the evening and therefore complement traditional peak parking demand—i.e., after store hours—

creating a longer period of sustained visitor traffic downtown, which was especially noticeable during evening hours.

Next steps

Staff have documented feedback from internal departments, agencies, partner businesses, and members of the public to ensure continuous improvement should Council authorize the continuation of the patio program. These include changes to timing, earlier review of designs with partner agencies, minor changes to design standards, and improved coordination between internal departments. Design standards that would allow additional restaurants without available on-street parking to establish smaller patios are also being considered. An appropriate fee structure is also being investigated to ensure businesses pay for the privilege to participate and benefit from on-street patios.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Strategic Vision and Council Strategic Priorities

Outdoor patios in the downtown area support Council's vision of "Well Planned and Connected" through revitalization of the downtown area and "Living Well" through arts, culture, entertainment and heritage preservation. They also align with Council's 2014-2018 "Economic Development/Jobs" Strategic Theme by supporting innovative projects and partnerships with various sectors.

Official Plan

The Official Plan supports the principles behind permitting and encouraging outdoor restaurant patio space. For instance, section 12.2.3 of the Official Plan underlines the need for pedestrian amenities as a way to ensure comfort outdoors, stating: "Designing for pedestrian amenities should be informed by the following: [...] Comfortable outdoor gathering places, particularly in work and entertainment centres, can be created by designing for human scale and providing shelter and shade." Similarly, 12.2.4 relates to the importance of usable common areas, saying: "Common areas such as plazas, parks, recreation areas and other outdoor spaces, create 'breathing room' – areas for rest and relaxation in our urban environment." Outdoor seating, both public (in the form of benches along sidewalks) and private (in the form of restaurant and café patios) are an important part of this outdoor comfort.

Community Improvement Plan

The 2001 Newmarket Historic District Downtown Community Improvement Plan includes a vision for Main Street as a welcoming, bustling beehive of activity. For instance, section 6.3 of the Plan includes a vision for "A welcoming, historic, beautiful downtown [that is] pedestrian friendly (possibly by narrowing the street)". The potential exists to enhance the role of the street as a pedestrian-friendly environment throughout summer months, as the plan calls for "A downtown full of outdoor places to celebrate community spirit, [including] cafés, outdoor seating, courtyards, [and] public open spaces."

CONSULTATION

This project has been presented to Engineering Services, Bylaw Services, Public Works Services, Planning Services, Building Services, and the Main Street District Business Improvement Association.

HUMAN RESOURCE CONSIDERATIONS

None.

BUDGET IMPACT

Operating and Capital Budgets (Current and Future)

Each business owner was required to pay a one-time fee for a Building Compliant letter (\$104.34), and a liquor license administration fee (\$160.00), plus an outdoor serving area permit fee (\$328.00), which is required annually. Staff are also investigating approaches to monetize the Town right-of-way within our rates and fees policy through a lease agreement, which will be comparable to rates charged in other communities yet support our downtown revitalization objectives.

CONTACT

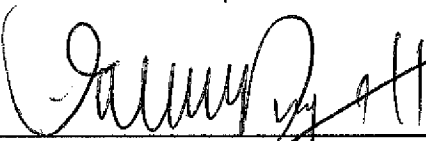
For more information on this report, contact Chris Kallio, Economic Development Officer, ckallio@newmarket.ca, ext. 2442.



Ted Horton
Planner



Chris Kallio
Economic Development Officer



Ian McDougall
Commissioner, Community Services

Attachment A: Survey Results and Comments

Evaluation			
	Residents	Non-residents	Overall
I visit downtown often	71%	26%	53.43%
I came downtown because of the patios	79%	66%	74.16%
I think the patios are an improvement for downtown	98%	98%	98.60%
I am visiting other downtown businesses during my visit	74%	61%	69.27%
I support having outdoor patios in downtown Newmarket	99%	99%	99.42%
I am a Newmarket resident	60%	40%	
Total number of survey responses			859

Public Comments from Surveys

- Great idea
- MORE PATIOS = YAY
- Have a good day!!
- Great patio!!
- Love the patio & boardwalk!
- YES!
- GREAT PATIO!
- Do we win anything for filling this out?
- This is wonderful - love it!
- Patio is a good idea!
- The patios are great!
- Long overdue.
- Everything looks great!
- Amazing
- We left Bradford Ribfest for the HBH patio!
- We love HBH!
- Also visiting Fourth Dimension.
- I love outdoor patios!
- The patio should be open until 2 AM.
- From Aurora
- I would return. Makes the dining experience better. Allows diners to enjoy the ambience of the street.
- Thanks so much
- Great idea for select businesses.
- Lovely establishment!
- From Aurora
- Please make these permanent!
- Why didn't you do this sooner?? Summer patios are awesome.

-
- A whole new way to enjoy downtown.
 - More patios
 - Wonderful lunch at Brew Hops. Love your downtown. Always enjoy coming here when visiting family.
 - Born here 1943 - came back to check out old haunts!
 - Great idea!
 - From Aurora
 - Love it!
 - Outdoor patios are great and attract people to downtown. Suggest making Main Street one lane, one way, for entire summer!!!
 - From Aurora
 - This is exactly what Main Street needs!!
 - They look great & there is plenty of parking in the lots below.
 - Please more patios!
 - Similar to Port Credit
 - Needs smoking option area
 - We also need more outdoor rinks in winter!!!
 - Greatly enhances the experience.
 - And I come down because of the market.
 - The patios are awesome! Great addition to Main Street.
 - It was awesome! Super super fun.
 - Visiting from BC en route to Cookstown. Railings, planters, and detour sidewalks all done very nicely!
 - Patio needs to be level, as it is on a hill - raised stage/patio?
 - Love the patio, definitely vote for keeping it!
 - Never been down in this part of town before.
 - Great idea. I'm from Aurora, and we come to Newmarket because Aurora has nothing like this.
 - Patios are an awesome addition!
 - Patios rule!!
 - Patios are great to get people walking, meeting people, people watching, & for visiting downtown
 - From Toronto
 - From Burlington
 - I think the barrier between the patio and the road that is created helps benefit the patio a lot. Very nicely done!!
 - We think the patios are a great idea!
 - From Markham
 - The patio is a great addition!
 - Outdoor patios are awesome.
 - Patios rule. Always have these patios.
 - I am visiting downtown Newmarket because of the patios a lot.

- I love the patios and the flowers, that's why we are here!
- Love the patios!!!
- More patios and stop the red tape.
- It is a great way to attract people.
- Love the patio here!
- Patios and Farmer's Market!
- From Sutton West.
- Not too many!
- Love the patios.
- It feels like a "go to" destination now.
- Go patios go!
- Should stay open later to attract night life.
- Do not get rid of the patios or I am leaving this town!! This is the last straw!
- Patios are awesome.
- Best thing to happen to Main Street in some time. Keep this going.
- Hell yes
- Love it! Could be improved by more flora and fauna. People watching!!
- Keep the patios open! Love this weather.
- Close the street down, one block.
- How about closing Main from Water to Botsford for the summer months!
- A big improvement over 5 years ago.
- Please keep the patios!! They look great & add value to our downtown!
- Great idea!!
- I would come more often for this.
- The plastic chairs are uncomfortable & sweaty in the summer heat.
- Lovely!
- Very quaint!!!
- First time here but I support Newmarket patios.
- Definitely!

The meeting of Site Plan Review Committee was held on Monday, October 26, 2015 at 2:00 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members

Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Broome-Plumley
Councillor Hempen
Councillor Kerwin
Councillor Twinney

Members

Absent: Councillor Bisanz
Councillor Sponga
Councillor Vegh

Staff: Peter Noehammer, Commissioner, Development & Infrastructure Services
Linda Traviss, Senior Planner – Development

Accessibility

Advisory

Committee: No members were present

The meeting was called to order at 2:02 p.m. No conflicts of interest were declared.

Councillor Kerwin in the Chair.

**1. APPLICATION FOR SITE PLAN APPROVAL
17844 LESLIE STREET – WARD 3
(SOUTH WEST CORNER OF LESLIE STREET AND JANETTE STREET)
OUR FILE NO.: D14-NP1410
2398804 ONTARIO INC.**

Application for Site Plan Approval to permit a new motor vehicle service station along with a 154m² convenience store with a take-out food establishment and four island gas pumps covered by a canopy.

Nicole Sampogna, Associate Planner of Evans Planning Inc. was present to address the Committee.

Harold Schmidt of 1056 Janette Street, NEWMARKET, ON L3Y 3C5 shared concerns regarding the hedge on the west side of the property, parking on Janette Street and pruning of the Siberian Elms.

Ruth Routledge of 1032 Elgin Street, NEWMARKET, ON L3Y 3C1 advised that her concerns had already been expressed.

The Site Plan Review Committee recommends:

- 1. Application for Site Plan Approval to permit a new motor vehicle service station along with a 154m² convenience store with a take-out food establishment and four island gas pumps covered by a canopy be approved in principle and referred to staff for processing, subject to the following:**
 - a. THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff; and**
 - b. THAT the applicant be directed to work with staff and the neighbouring residents to address comments raised at the meeting by Committee members and residents regarding the right turn only on to Janette Street, lighting and the ability to turn lights off when the business is closed, the hedge row and trees being planted to ensure that there is a good buffering on the west side of property and the pruning of the Siberian Elms.**
- 2. AND THAT Nicole Sampogna, Associate Planner of Evans Planning Inc., 8481 Keele Street, Unit 12, VAUGHAN, ON L4K 1Z7, be notified of this decision.**

**2. APPLICATION FOR AMENDMENT TO SITE PLAN APPROVAL
16635 YONGE STREET – WARD 6
(NORTH EAST CORNER OF YONGE STREET AND SAVAGE ROAD)
OUR FILE NO.: D11-NP1516
SKAMARI INVESTMENTS INC.**

Application for Amendment to Site Plan Approval to permit a new freestanding drug store building having a gross floor area of 1,615.60m².

Mauro Cristini, Project Planner of Metrus Properties was present to address the Committee.

The Site Plan Review Committee recommends:

1. **Application for Amendment to Site Plan Approval to permit a new freestanding drug store building having a gross floor area of 1,615.60m² be approved in principle and referred to staff for processing, subject to the following:**
 - a. **THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff; and**
 - b. **THAT the applicant be directed to work with staff to address concerns regarding pedestrian visibility at the Savage Road entrance.**
2. **AND THAT Mauro Cristini, Project Planner of Metrus Properties, 30 Floral Parkway, CONCORD, ON L4K 4R1, be notified of this decision.**

NEW BUSINESS

Regional Councillor John Taylor raised some concerns regarding the SPRC agenda package that is delivered to the Committee members.

The Site Plan Review Committee recommends:

1. **THAT staff report back to SPRC outlining enhancements to the agenda materials with a view to providing members with a more user friendly agenda package.**

The meeting adjourned at approximately 2:40 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on November 16, 2015.

Dated

Director, Planning & Building Services

**1. APPLICATION FOR SITE PLAN APPROVAL
17844 LESLIE STREET – WARD 3
(SOUTH WEST CORNER OF LESLIE STREET AND JANETTE STREET)
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 - b. THAT the applicant be directed to work with staff and the neighbouring residents to address comments raised at the meeting by Committee members and residents regarding the right turn only on to Janette Street, lighting and the ability to turn lights off when the business is closed, the hedge row and trees being planted to ensure that there is a good buffering on the west side of property and the pruning of the Siberian Elms.**
- 2. AND THAT Nicole Sampogna, Associate Planner of Evans Planning Inc., 8481 Keele Street, Unit 12, VAUGHAN, ON L4K 1Z7, be notified of this decision.**

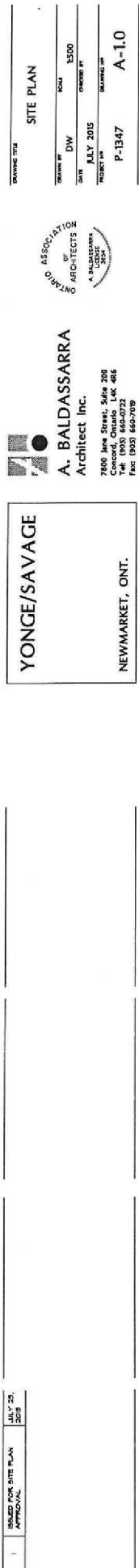
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The Site Plan Review Committee recommends:

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 - a. THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town staff; and**
 - b. THAT the applicant be directed to work with staff to address concerns regarding pedestrian visibility at the Savage Road entrance.**
- 2. AND THAT Mauro Cristini, Project Planner of Metrus Properties, 30 Floral Parkway, CONCORD, ON L4K 4R1, be notified of this decision.**



NEW BUSINESS

Regional Councillor John Taylor raised some concerns regarding the SPRC agenda package that is delivered to the Committee members.

The Site Plan Review Committee recommends:

- 1. THAT staff report back to SPRC outlining enhancements to the agenda materials with a view to providing members with a more user friendly agenda package.**

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, July 7, 2015 in Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Councillor Hempen
Athol Hart
Billie Locke
Joan Seddon
Rohit Singh
Malcolm Watts

Absent: Soni Felix Raj

Staff Present: L. Moor, Council/Committee Coordinator

The meeting was called to order at 7:03 p.m.

A. Hart in the Chair.

Additions & Corrections to Agenda

None.

Declarations of Pecuniary Interest

None.

Approval of Minutes

1. Heritage Newmarket Advisory Committee Minutes of June 6, 2015.

Moved by: Rohit Singh
Seconded by: Joan Seddon

THAT the Heritage Newmarket Advisory Committee Minutes of June 6, 2015 be approved.

Carried

Presentations/Deputations

None.

Correspondence

2. Correspondence from the Planning and Building Services Department dated June 24, 2015 regarding a Town-wide Zoning By-law Amendment - Recreational vehicles parking in residential zones.

Discussion ensued regarding recreational vehicle parking in residential zones and the Chair offered some input regarding parking of such vehicles within heritage designated areas.

Moved by: Joan Seddon

Seconded by: Billie Locke

THAT the correspondence from the Planning and Building Services Department dated June 24, 2015 regarding a Town-wide Zoning By-law Amendment - Recreational vehicles parking in residential zones be received;

AND THAT the Heritage Newmarket Advisory Committee recommends that parked recreational vehicle units not be occupied as accessory dwelling units;

AND THAT special consideration be given regarding parking of recreational vehicles within heritage designated areas due to the smaller size and shared driveway situations in those areas.

Carried

3. Correspondence from the Town of Newmarket Planning and Building Services Department dated June 30, 2015 regarding Notice of the Passing of a Zoning By-law by Town of Newmarket. (17844 Leslie Street).

The Chair advised that Heritage Newmarket has no objection regarding the Notice of Passing of a Zoning By-law for the property known as 17844 Leslie Street.

Moved by: Billie Locke
 Seconded by: Rohit Singh

THAT the correspondence from the Town of Newmarket Planning and Building Services Department dated June 30, 2015 regarding Notice of the Passing of a Zoning By-law by Town of Newmarket. (17844 Leslie Street) be received.

Carried

Items

4. Councillor Hempen distributed copies of a photograph showing construction work on the façade of the building known as 205 Main Street South. The Chair reported that he had seen the lower portion covered and had immediately called the Senior Planner – Community Planning to ensure proper procedure was being followed. It was discovered that a permit for the exterior was incorrectly given by the Building Department. Exterior work was halted while internal renovations continued. The Lower Main Street South Advisory Group (LMSSAG) was informed, discussed the proposal and provided comments to the Owner's architect. The steel siding on the front façade was removed entirely without permission of the LMSSAG. Discussion ensued regarding the issued building permit for internal renovations and subsequent work including reconfiguration of the front entrance. The Chair advised it appeared that the building owner did not follow the process associated with the LMSSAG in reviewing the proposed works before commencement. The Committee requested that the Chair communicate the removal of the steel siding to the Senior Planner – Community Planning.

5. a) Designated Property Maintenance and Concerns

The Chair provided Members with some background information related to various aspects of the Heritage Act, designated property maintenance, inventory lists and a six month window time frame of enforcement related to heritage guidelines building compliance.

The Chair suggested that the Heritage Newmarket Committee be expanded to assist in division of tasks related to conformity inspection of the more than 500 non-designated homes listed on the municipal registry.

b) Inventory

The Chair advised that the Heritage Advisory Committee Members have revamped the inventory list and Council has received said list of non-designated buildings. He further advised that there are approximately 550 homes that have plaques within Newmarket, however the plaque information has not been officially chronicled.

The Heritage Advisory Committee Members offered up their services to conduct a review of all the homes which possess a plaque and record the information.

The Chair invited all Members to the Heritage Office at the Elman W. Campbell Museum located at 134 Main Street South on Saturday, July 11, 2015 at 1:00 p.m. for a briefing.

6. Plaques

a) Site plaques

The Chair provided a descriptive account of the definition of site plaques and their intended purpose. He advised that site plaques are situated where buildings don't exist anymore however; the actual site possesses historical significance.

b) Residence plaques

The Chair provided a descriptive account of the residence plaques, being inscribed signs located on homes/buildings.

c) Heritage location plaque

The Chair provided a descriptive account of various heritage locations within Town that formerly had associated names to such locations (i.e. – Paddytown, Bogarttown, Armitage)

7. Heritage Newmarket Advisory Committee Workplan.

The Chair advised that in the absence of the Senior Planner – Community Planning the workplan would be deferred to a future meeting.

8. Heritage Newmarket Budget.

The Chair suggested that the budget discussion take place at a future meeting as current line items will require explanation and possible re-allocation and staff should be in attendance to clarify.

9. Reports of Committee Members.

a) Architecture, Recreation, Culture, Heritage (ARCH) Committee

The Chair provided a verbal update regarding an upcoming event scheduled for September, 2015 being the 400th year anniversary celebration of Etienne Brule's voyage from Orillia to Lake Ontario in 1615. He advised that he is working with other municipalities in coordinating an event along the Tom Taylor Trail at Riverwalk Commons with a native encampment reenactment and a cedar tea ceremony.

b) Elman W. Campbell Museum Board

Billie Locke advised that the Museum Board held a very successful garage sale at the end of May and raised approximately \$1400.00. She also advised that over 1,000 people attended the Museum during the Canada Day festivities. The Chair advised that over 2,000 attendees came to the outdoor fire truck display at the Museum.

c) Lower Main Street South Heritage Conservation District Advisory Group

Nothing to report.

d) Newmarket Historical Society Board of Directors

Nothing to report.

New Business

a) The Chair suggested that utilization of social media for promotional purposes be added to the Committee's workplan.

b) Councillor Hempen advised that the Main Street closure from Water Street to Queen Street for the Canada Day festivities aided in a larger attendance at the museum, as previous years the closure ended at Millard Avenue.

- c) Councillor Hempen requested that Committee members be sent a copy of the letter sent to residents whose homes have plaques in an effort to clarify the wording associated with requests for donations.
- d) Councillor Hempen requested that the Finance Department provide a copy of the Heritage Advisory Committee's operating results budget figures for the last five years as well as the balance of the Committee's funds to date.

Adjournment

Moved by: Councillor Hempen
 Seconded by: Joan Seddon

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 8:35 p.m.

Date

A. Hart, Chair

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, September 8, 2015 in Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Councillor Hempen
Athol Hart
Billie Locke (7:26 to 8:41 p.m.)
Joan Seddon
Rohit Singh
Malcolm Watts

Absent: Soni Felix Raj

Staff Present: D. Ruggle, Senior Planner, Community Planning
C. Finnerty, Council/Committee Coordinator

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

A. Hart in the Chair.

Additions & Corrections to Agenda

None.

Declarations of Pecuniary Interest

None.

Approval of Minutes

1. Heritage Newmarket Advisory Committee Minutes of July 7, 2015.

Moved by: Rohit Singh
Seconded by: Joan Seddon

THAT the Heritage Newmarket Advisory Committee Minutes of July 7, 2015 be approved.

Carried

Presentations/Deputations

None.

Correspondence

2. Correspondence from the Ontario Historical Society (OHS) dated July 15, 2015 regarding the OHS 2014-15 awards.
3. Correspondence from the Secretary-Treasurer, Committee of Adjustment, Town of Newmarket dated August 31, 2015 regarding an Application for Consent, 292 and 296 Hamilton Street.

The Senior Planner, Community Planning provided an overview of the application for consent submitted for the property municipally known as 292 and 296 Hamilton Street in order to make a lot line adjustment in order to recognize an existing condition where the lot line bisects an existing home. Both homes are being retained.

Moved by: Malcolm Watts
Seconded by: Joan Seddon

THAT the correspondence from the Ontario Historical Society (OHS) dated July 15, 2015 regarding the OHS 2014-15 awards and the correspondence from the Secretary-Treasurer, Committee of Adjustment, Town of Newmarket dated August 31, 2015 regarding an Application for Consent, 292 and 296 Hamilton Street be received for information.

Carried

Items

4. Heritage Newmarket Workplan

The Committee discussed its workplan for the current term of Council and determined its priority projects. Discussion ensued regarding the scope of the workplan and need for additional Committee members to be appointed per the recommendation by Heritage Newmarket at their meeting of November 4, 2014.

5. Designated Property Maintenance and Concerns.
 - a) Designation Requests

No update to provide.

b) Inventory

The Chair advised that the exterior of the Stickwood Walker Farmhouse is in horrible condition, that the tail requires maintenance and the clapboard exterior requires repainting. In addition, there is evidence of dry rot around the windows of the home.

The Chair advised that the brick along the stairway of the Post Office building is currently deteriorating.

The Senior Planner, Community Planning provided a verbal update regarding an application for Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision for the property around and inclusive to the Bogart House.

Moved by: Rohit Singh
Seconded by: Billie Locke

THAT a letter be drafted to the owners of the Post Office related to the deterioration of the Post Office building, including the crumbling of brick along the first stairway to the south of the building.

Carried

5. Plaques

The Chair thanked M. Watts for his work to record the statements on plaques over the summer months.

a) Site Plaques

The Chair advised that there is the potential to erect a site plaque at the west entrance of Fairy Lake trail.

b) Residence Plaques

The Chair advised that ten requests for plaques have been submitted over the summer months, all of which require research and plaque production.

c) Heritage location plaque

No update to provide.

6. Heritage Newmarket Budget

No update to provide.

7. Reports of Committee Members.

a) Architecture, Recreation, Culture, Heritage (ARCH) Committee

No update to provide.

b) Elman W. Campbell Museum Board

No update to provide.

c) Lower Main Street South Heritage Conservation District Advisory Group

The Chair advised that the Lower Main Street South Heritage Conservation District Advisory Group met to discuss an application submitted for 205 Main Street South. The property owner has agreed to restore the brick façade as much as financially feasible to replicate the look of the building in 1890.

d) Newmarket Historical Society Board of Directors

No update to provide.

Adjournment

Moved by: Billie Locke

Seconded by: Rohit Singh

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 8:41 p.m.

Date

Athol Hart, Chair

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, October 6, 2015 in Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Councillor Hempen
Soni Felix Raj
Athol Hart, Chair
Billie Locke
Joan Seddon

Absent: Rohit Singh
Malcolm Watts

Staff Present: C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:03 p.m.

A. Hart in the Chair.

Additions & Corrections to Agenda

None.

Declarations of Pecuniary Interest

None.

Approval of Minutes

1. Heritage Newmarket Advisory Committee Minutes of September 8, 2015.

Moved by: Joan Seddon
Seconded by: Billie Locke

THAT the Heritage Newmarket Advisory Committee Minutes of September 8, 2015 be approved.

Carried

Presentations/Deputations

None.

Correspondence

2. Correspondence from the Ontario Historical Society dated September 28, 2015 regarding the Honours and Awards Nominations, OHS Reach Project Update & More.

Moved by: Billie Locke

Seconded by: Joan Seddon

THAT the correspondence from the Ontario Historical Society dated September 28, 2015 regarding the Honours and Awards Nominations, OHS Reach Project Update & More be received for information;

The Heritage Newmarket Advisory Committee recommends to Council:

THAT Ross Caister be recommended for nomination for the Ontario Historical Society's Carnochan Award.

Carried

3. Correspondence from the Ministry of Citizenship, Immigration and International Trade dated October, 2015 regarding a call for nominations for the June Callwood Outstanding Achievement Award for Volunteerism in Ontario.

The Chair provided information on the award and its nomination process. Councillor Hempen recommended that the Committee members provide a list of potential nominees for consideration.

Moved by: Councillor Hempen

Seconded by: Billie Locke

THAT the correspondence from the Ministry of Citizenship, Immigration and International Trade dated October, 2015 regarding a call for nominations for the June Callwood Outstanding Achievement Award for Volunteerism in Ontario;

AND THAT each Heritage Newmarket Advisory Committee member prepare a short list of potential nominees for the June Callwood Award for consideration at the November 4, 2015 Heritage Newmarket Advisory Committee Meeting.

Carried

4. Correspondence from the Ministry of Tourism, Culture and Sport dated October 1, 2015 regarding 'Culture Talks'.

Moved by: Billie Locke
Seconded by: Joan Seddon

THAT the correspondence from the Ministry of Tourism, Culture and Sport dated October 1, 2015 regarding 'Culture Talks', be received for information

Carried

5. Correspondence from the Town of Newmarket Planning & Building Services Department dated October 1, 2015 regarding Notice of a Public Meeting Concerning a Proposed Zoning By-law Amendment.

The Chair provided information on the application, which has been initiated by the Town in order to correct a transcribing error in the Zoning By-law. He further advised that there are no heritage concerns related to the application.

Moved by: Soni Felix Raj
Seconded by: Joan Seddon

THAT the correspondence from the Town of Newmarket Planning & Building Services Department dated October 1, 2015 regarding Notice of a Public Meeting Concerning a Proposed Zoning By-law Amendment be received for information

Carried

6. Correspondence from the Town of Newmarket Planning and Building Services Department dated October 2, 2015 regarding an Application for Official Plan and Zoning By-law Amendment, 260 Eagle Street, Town of Newmarket, 7113671 Ontario Corp. (Oxford Homes), File No.: D09NP1515, D14NP1515.

The Chair provided information on the application and advised that there is a heritage designated home located at 310 Eagle Street, east of the subject lands. Discussion ensued regarding building elevations and the impact upon the streetscape based on the size and setbacks of the building, potential site

contamination and the need for additional information on the application. The Committee requested that further information on the application be provided by Planning staff by e-mail before October 30, 2015.

Moved by: Soni Felix Raj
Seconded by: Joan Seddon

THAT the correspondence from the Town of Newmarket Planning and Building Services Department dated October 2, 2015 regarding an Application for Official Plan and Zoning By-law Amendment, 260 Eagle Street, Town of Newmarket, 7113671 Ontario Corp. (Oxford Homes), File No.: D09NP1515, D14NP1515 be received for information;

AND THAT the Committee request further information on the application regarding Zoning By-law restrictions, building height, setbacks, and streetscape impacts as they relate to the established residential neighbourhood and heritage designated home to the east of the site.

Carried

Items

7. Heritage Newmarket Workplan

The Committee discussed its workplan and determined timelines for completion for the actions noted on the plan.

Moved by: Billie Locke
Seconded by: Soni Felix Raj

THAT the Heritage Newmarket Advisory Committee workplan be approved and forwarded to Council;

AND THAT Heritage Newmarket Advisory Committee membership be amended from seven (7) to twelve (12) Newmarket residents in order to carry out the Committee responsibilities as prescribed in the Ontario Heritage Act and the Committee's workplan and recommended by the Heritage Newmarket Advisory Committee at the November 4, 2014 meeting.

Carried

8. Designated Property Maintenance and Concerns

a) Designation Requests

No update to provide.

b) Inventory

No update to provide.

9. Plaques

The Chair advised that two additional plaque requests have been received.

10. Heritage Newmarket Advisory Committee Terms of Reference.

The Council/Committee Coordinator provided an overview of the amendments to the Heritage Newmarket Advisory Committee Terms of Reference and summarized the review process.

11. Discussion regarding delegation of authority of the granting of heritage permits for designated properties.

The discussion regarding delegation of authority was deferred to the November 4, 2015 Heritage Newmarket Advisory Committee meeting.

12. Heritage Newmarket Budget

The Committee reviewed the budget update, as presented. Discussion ensued regarding restructuring the line items. In addition, the Chair requested that information on the Heritage Reserve Fund be provided on the next agenda.

13. Reports of Committee Members

a) Architecture, Recreation, Culture, Heritage (ARCH) Committee

The Chair advised that ARCH recently held an event celebrating the 400th Anniversary of Etienne Brule's expedition through Newmarket and provided a summary of the preparations leading up to the event. ARCH's contribution included a re-enactment of a native campsite by the Holland River and a Cedar Tea Ceremony with the walkers. The lean to was built by Parks and was a spectacular effort on the part of the employees. ARCH is sending letters of thanks. He further advised that ARCH recently

participated in a flash mob at the Farmer's Market. The flash mob was held by the WW1 Commemoration Sub-Committee of the Newmarket Historical Society.

b) Elman W. Campbell Museum Board

B. Locke provided an update on the Museum Board and advised that Museum attendance has increased this past year, particularly on Canada Day. She further advised that new Board members have been appointed and that staff is still dealing with the residual effects from the flood that occurred earlier this year.

c) Lower Main Street South Heritage Conservation District Advisory Group

The Chair advised of two brick façade restoration works on Main Street that are currently underway. He also stated that the level of co-operation between the owners and the committee is high and the results will begin to show as work continues.

d) Newmarket Historical Society Board of Directors

The Chair reported that according to the Chair of the Newmarket Historical Society Chair, no letters of appointment from this committee to their board had been received.

New Business

- a) The Chair reminded members of their responsibility to provide notice of their attendance at any scheduled Heritage Newmarket Advisory Committee meeting to the Recording Secretary by noon on the meeting date. In addition, he inquired on the availability of dedicated Heritage Newmarket Advisory Committee staff resources and what the obligation of staff may be. Councillor Hempen advised that he would look into staff attendance and report back to the Committee.
- b) B. Locke advised that the Historic Downtown Newmarket directional sign at the corner of Bayview Avenue and Mulock Drive is in disrepair. Councillor Hempen advised that he would check out the sign after the meeting and report the issue.

Adjournment

Moved by: Billie Locke
Seconded by: Joan Seddon

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:39 p.m.

Date

Athol Hart, Chair

Item 2 of the Heritage Newmarket Advisory Committee Minutes of October 6, 2015 regarding award nomination.

2. Correspondence from the Ontario Historical Society dated September 28, 2015 regarding the Honours and Awards Nominations, OHS Reach Project Update & More.

Moved by: Billie Locke

Seconded by: Joan Seddon

THAT the correspondence from the Ontario Historical Society dated September 28, 2015 regarding the Honours and Awards Nominations, OHS Reach Project Update & More be received for information;

The Heritage Newmarket Advisory Committee recommends to Council:

THAT Ross Caister be recommended for nomination for the Ontario Historical Society's Carnochan Award.

Carried

Item 7 of the Heritage Newmarket Advisory Committee Minutes of October 6, 2015 regarding workplan and membership.

7. Heritage Newmarket Workplan

The Committee discussed its workplan and determined timelines for completion for the actions noted on the plan.

Moved by: Billie Locke
Seconded by: Soni Felix Raj

THAT the Heritage Newmarket Advisory Committee workplan be approved and forwarded to Council;

AND THAT Heritage Newmarket Advisory Committee membership be amended from seven (7) to twelve (12) Newmarket residents in order to carry out the Committee responsibilities as prescribed in the Ontario Heritage Act and the Committee's workplan and recommended by the Heritage Newmarket Advisory Committee at the November 4, 2014 meeting.

Carried

The meeting of the Accessibility Advisory Committee was held on Thursday, September 17, 2015 in Activity Room, Magna Centre, 395 Mulock Drive, Newmarket.

Members Present: Gloria Couves
Steve Foglia, Chair
Linda Jones
Jeremy Slessor
Richard Wilson

Absent: Councillor Bisanz
Michael Morrison

Guests: Alissa Price, ASL Interpreter

Staff Present: L. Lyons, Deputy Clerk
P. McIntosh, Recreation Programmer
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 10:06 a.m.

Steve Foglia in the Chair

Additions & Corrections to the Agenda

None.

Declarations of Pecuniary Interest

None.

Deputations/Presentations

None.

Approval of Minutes

1. Accessibility Advisory Committee Minutes of June 18, 2015.

Moved by: Jeremy Slessor

Seconded by: Gloria Couves

THAT the Accessibility Advisory Committee Minutes of June 18, 2015 be approved.

Carried

Items for Discussion

2. Correspondence from the Vaughan Citizen dated August 26, 2015 regarding Vaughan ramping up accessible transportation options.

The Deputy Clerk provided a verbal update regarding accessible taxicabs and advised that she has been contacted by staff from the City of Vaughan who indicated that they will be licencing six accessible taxicabs with the intent to contract service to other York Region municipalities. The Deputy Clerk further provided background information on the current status of accessible taxicabs in Newmarket and next steps associated with the potential contracting of accessible taxicab services. Discussion ensued regarding logistics of such servicing, links with MobilityPlus and the need for accessible services in Newmarket.

Moved by: Gloria Couves

Seconded by: Richard Wilson

THAT the correspondence from the Vaughan Citizen dated August 26, 2015 regarding Vaughan ramping up accessible transportation options be received;

AND THAT the Accessibility Advisory Committee support a partnership with the City of Vaughan for the provision of accessible taxi services in Newmarket.

Carried

3. 2016 Schedule of Meetings

Discussion ensued regarding meeting locations and times. It was determined that meetings would commence at 10:30 a.m., with a National Access Awareness Week Subcommittee meeting to occur before formal Committee meetings, where possible.

Moved by: Linda Jones
 Seconded by: Jeremy Slessor

THAT the 2016 Schedule of Meetings, as amended, be approved.

Carried

4. Annual Accessibility Plan Update.

The Deputy Clerk advised that the Annual Accessibility Plan Update will be deferred to the November meeting. Staff will distribute the final draft plan for the Committee's consideration by October 30, 2015.

5. Accessibility Advisory Committee Workplan

Discussion ensued regarding the Accessibility Advisory Committee Workplan and prioritization of short and long-term Committee goals.

Moved by: Gloria Couves
 Seconded by: Linda Jones

THAT staff be directed to commence discussion with Upper Canada Mall to book National Access Awareness Week activities.

Carried

New Business

- a) The Chair advised that he attended the York Region Police Open House related to Mental Illness and provided a verbal update on the recommendations heard at the Open House, including methods to diffuse situations prior to escalation, awareness campaigns and systems, and training measures for police staff.
- b) L. Jones provided a verbal update on Text 911, a new service being provided through York Region Police and York Region.
- c) The Deputy Clerk provided an update on the new Town website and advised of measures being implemented to enhance accessibility, including documents formatted for use with a screen reader. She further advised that some pieces will be forthcoming as the website is an ongoing project.

Adjournment

Moved by: Richard Wilson
Seconded by: Jeremy Slessor

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 11:23 a.m.

Date

Steve Foglia, Chair

TOWN OF NEWMARKET

Outstanding Matters

	Item Subject	Recommendation	Date to come back to Committee	Comments
1.	Council-January 20, 2014 – Item 33	<p>D & I Services Report – ES 2013-49 Checking Consultant Professional Consulting Services Contract Extension</p> <hr/> <p>THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside Associates Ltd. for a period of up to two (2) years from the date of Council approval to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;</p> <p>AND THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services Contract.</p>	Q4, 2015	Engineering Services working with Procurement to research the history of the contract.

Strikethrough indicates that the item will be removed from the outstanding list prior to the next OLT meeting

Bold indicates that the item will be on the upcoming agenda

Last revisions made on November 17, 2015

(Updated and including the Committee of the Whole Minutes of November 9, 2015)

	Item Subject	Recommendation	Date to come back to Committee	Comments
2.	Council – March 30, 2015 – Item 33 Corporate Services Report – Financial Services 2015-20 regarding Decision Packages and Infrastructure Levy.	<p>THAT Council direct staff to bring back a report providing phasing options that allow for achieving Council enhancement priorities related to traffic mitigation, sidewalk plowing and CreateIT at Southlake while maintaining the Council motion to target a budgeted tax increase of 2% to 2.5%;</p> <p>a) AND THAT staff provide a report within 120 days on the use of the funds budgeted for the Business Development Officer;</p> <p>b) AND THAT staff advise of the recommended approach for realignment of the added resource and provide goals, timelines, implementation and projected outcomes for each of the next five years;</p> <p>c) AND THAT staff provide a report 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>Report subject to actions taken related to c) and d) as they may inform the approach taken in the report</p> <p>Information Report provided that addressed approach taken to date / potential next steps. Council Workshop held. Staff targeting submit a report to COW in Q4.</p> <p>Addressed in Information Report.</p>	<p>Information Report 2015-29 distributed</p>
3.	Committee of the Whole – April 13, 2015 – Item 28 Joint Development and Infrastructure Services Report – Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.	THAT staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.	November 30, 2015	

	Item Subject	Recommendation	Date to come back to Committee	Comments
4.	Council – April 20, 2015 – Item 7	THAT staff provide a report within six months related to internet voting.	Q2, 2016	Workshop held October 5, 2015
5.	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/Q1, 2016	Refer to Development & Infrastructure Services Information Report 2015-41 dated September 22, 2015
6.	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.		Information Report to be issued week of November 17, 2015 advising of status
7.	Council – June 22, 2015 – Item 31 D & I Services Report – ES 2015-34 – McCaffrey Road – Traffic Review	<p>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;</p> <p>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.</p>	Q1, 2016	

	Item Subject	Recommendation	Date to come back to Committee	Comments
8.	Committee of the Whole – August 31, 2015 Item 30 – Stormwater Management Rate	THAT staff be directed to inform and consult with the public regarding the potential of establishing a stormwater management rate; AND THAT staff report back on the feedback received in January, 2016.	January, 2016	PIC held October 27, 2015
9.	Committee of the Whole – September 28, 2015 – Item 15	THAT the deputation by Mr. Paul Jolie regarding Ontario Municipal Cycling Infrastructure be received and referred to staff for a report back to Council related to cycling infrastructure on Mulock Drive.	Q2, 2016	Information Report distributed
10.	Committee of the Whole – September 28, 2015 – Item 18	THAT the correspondence received June 25, 2015 from Mr. Athol Hart regarding Town Crier representation be received AND THAT staff work with the Ontario Guild of Town Criers to identify an appropriate process for Town Crier selection and report back within 30 days.	November 30, 2015	
11.	Committee of the Whole – September 28, 2015 – New Business	THAT staff be directed to report back within 60 days on options to reinstate on street parking on Woodspring Avenue that is complimentary to the existing bicycle lanes.	Q4, 2015	

	Item Subject	Recommendation	Date to come back to Committee	Comments
12.	Committee of the Whole – September 28, 2015 – Item 24 – Motion	THAT staff be directed to report back within 120 days on the potential of demolishing the Old Fire Hall at 140 Main Street South with the intent to repurpose it as a parking lot that would be in keeping with the downtown area and that the report include any other options for parking enhancements in the downtown core.	January, 2016	
13.	Committee of the Whole – October 20, 2015 - Community Services - Recreation and Culture Report 2015-28 dated September 16, 2015 regarding Hollingsworth Arena Replacement Follow-Up.	<p>1. THAT staff work with Pickering College to:</p> <p>i) Finalize an agreement subject to Council approval with respect to capital and operating costs regarding a replacement arena at Pickering College;</p> <p>ii) Bring back a professionally prepared project estimate and recommended capital and operating agreement to Council for review within the next 45 days;</p> <p>2. AND THAT staff initiate a public process addressing a replacement arena and proposed disposition of land at Hollingsworth Arena.</p>	Q1, 2016	
14.	Committee of the Whole – October 20, 2015 - Motion - Regional Councillor & Deputy Mayor Taylor	In keeping with recommendations in the Recreation Playbook, staff be directed to investigate the potential for an outdoor arena in the Town of Newmarket. The analysis should examine options for the rink, including amenities, costs, location criteria and potential funding sources. The report is to be brought back to Committee of the Whole within 120 days.	February 2016	
15.	Committee of the Whole – October 20, 2015 - New Business	THAT staff research and advise Council regarding potential municipal regulation of propane tank installation for home heating purpose.	Q1, 2016	

	Item Subject	Recommendation	Date to come back to Committee	Comments
16.	Committee of the Whole – November 9, 2015 – Item 3	<p>Motion: Councillor Twinney</p> <p>THAT staff bring back a report to Council on a third party insurance program for residents to insure their water and sewer pipes that run under private property and are not covered by the Town.</p>	Q1, 2016	
17.	<p>Committee of the Whole – November 9, 2015 – Item 12</p> <p>Development & Infrastructure Services Report PWS 2015-58 regarding N6 Waste Collection Contract 2017-2017 Request for Proposal Preparation Update.</p>	<p>THAT staff work with the N6 partners to develop service level criteria for customer service and response and opportunities to provide customer services outside the scope of the waste control contract and report back to Council;</p> <p>AND THAT staff explore the option of separate proposals for standard bag limits (2 bags and 3 bags) with the N6 partners and report back to Council.</p>	Q1, Q2, 2016	
18.	Committee of the Whole – November 9, 2015 – Item 16 Petition/Petitioning Newmarket Council to 'Save Hollingsworth Arena'.	a) THAT the petition/petitioning Newmarket Council to 'Save Hollingsworth Arena' be received and referred to staff for a report that clarifies the petition preamble as part of the public consultation process related to the disposition of the Hollingsworth Arena.		Information Report to be distributed during public consultation process
19.	<p>Committee of the Whole – November 9, 2015 – Item 20</p> <p>Community Services - Recreation and Culture Report 2015-31 dated October 19, 2015 regarding Recreation Playbook Recommendations Requiring Land.</p>	<p>i) THAT staff be directed to continue discussions related to the former York Catholic District School Board Lands on the north side of Woodspring Avenue, in the northwest quadrant, per Section 239 (2) of the Municipal Act;</p> <p>ii) AND THAT staff report back within 90 days with detailed capital costs and operating expenses of three options outlined in the report for consideration as part of the 2017 budget process.</p>	February, 2016	

	Item Subject	Recommendation	Date to come back to Committee	Comments
	Council – June 22, 2015 – Item 14	<p>THAT the deputation by Mr. Marc Mantha regarding a pilot project in Ward 2 for backyard egg laying hens be received;</p> <p>AND THAT Council reconsider regulation of egg laying hens in this term of Council to allow for a pilot project in Ward 2;</p> <p>AND THAT staff be directed to bring back a report on the implementation of a 12 month pilot project in Ward 2 for 5-20 homes for backyard egg laying hens.</p>	February, 2016	



November 30, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2015-66**

TO: Committee of the Whole
SUBJECT: Professional Engineering Consultant Checking and Inspection Services
ORIGIN: Director, Engineering Services

ACTION REQUESTED

THAT Development and Infrastructure Services Report – Engineering Services 2015-66 dated November 30, 2015 entitled “Professional Engineering Consultant Checking and Inspection Services” be received and that Council endorse Option 1 as outlined in this report and that staff be directed to:

- 1. Continue with the Town’s current best practice by extending the Professional Consulting Services Agreement with R. J. Burnside and Associates Limited (RJB) at a “preferred client discounted rate” (discounted rates that are annually adjusted as per industry standards) for a period of three years, plus two one-year renewal options.**

BACKGROUND

At its meeting of January 20, 2014, Council recommended:

- i) THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services

“Professional Engineering Consultant Checking and Inspection Services” are needed on an ongoing basis by the Town to perform various duties that are essential to the proper planning and development of new subdivisions and infill greenfield development in Newmarket. The Checking and Inspection Consultant plays a key role in the approval process for engineering design

requirements and final plan registration of subdivisions. The Town does not currently have internal staff to perform these very important duties and therefore, the work is contracted out.

One very important factor in this process is that the Town does NOT pay for the services rendered by the Checking and Inspection Consultant in its role in managing and reviewing subdivision submissions made by private developers. All of the costs associated with the Checking and Inspection Consultant's duties are transferred to the appropriate developers through invoices that reflect the time and material costs spent by the Checking and Inspection Consultant on their individual submissions and any work performed on their subdivisions as a result of verifying construction in the field or responding to complaints by residents and businesses. The total amount billed annually in fees and disbursements by the Checking and Inspection Consultant in the past 5 years varies, but it is in the area of \$575,000 per year, on average.

Hourly fees for Engineering Consultants are normally based on the Ontario Society of Professional Engineers' (OSPE) "Fee Guideline for Professional Engineering Services". However, because the Town of Newmarket has been a client of R.J. Burnside and Associates Limited (RJB) as Checking and Inspection Consultant for several years, developers are benefitting from a significant discount on those hourly rates.

Some of the functions that are performed by the Checking and Inspection Consultant are:

- Review drawings, designs and associated documents for developments to be implemented by Plan of Subdivision and occasionally by Site Plan Application;
- Field monitoring of the construction of engineering infrastructure that will be eventually assumed by the Town
- Assistance with the administration of the corresponding Subdivision Agreement
- Take direction from the Town to address complaints received from residents or businesses related to subdivision development or construction
- Ensure that the new water distribution system commissioning tests are completed by the developer's consulting engineer in accordance with the Town's and all regulatory agencies' requirements to ensure the safety of all of our residents
- Ensure that lot grading inspection and certifications are carried out in a timely fashion
- Minimize nuisance and ensure adequate levels of public comfort, health and safety
- Review of each building permit application for conformity with the engineering design drawings
- Review applications for performance security reduction, commencement of maintenance periods and final acceptances/assumptions

- Have a senior engineer available at all times to respond to the requests and requirements of the Town and ensure that there is no delay in performing duties

Although the Checking and Inspection Consultant's duties centre mostly on subdivision plans, there are occasions where the workload for Town staff's internal review of Site Plans may be excessive to the point where service levels and turn-around times are compromised. In those instances, the Checking and Inspection Consultant may be called upon to assist Town staff in reviewing Site Plans so that the process is kept moving at an acceptable pace. Since this type of work is expected to increase in the coming years with greater infill development applications, staff will review a specific resource assessment and could consider a Request for Proposal process to secure services for Site Plans.

This report is being submitted as per Council's recommendation to review potential options regarding this service. A brief description of three options that were considered, and the advantages and disadvantages of each of the three options, are presented below.

Option #1 - Continue with the Town's current best practice by extending the Professional Consulting Services Agreement with R. J. Burnside and Associates Limited at a "preferred client discounted rate" (discounted rates that are annually adjusted as per industry standards) for a period of three years, plus two one-year renewal options:

This option would extend RJB's current Agreement for Professional Consulting Services for three (3) years from January 20, 2016 (expiring January 2019) with an option for renewal for two additional years (to January 2021).

There are several reasons why this option is most advantageous for the Town:

- RJB provides significantly discounted "preferred client" fees and rates that result in savings transferred to the developers, thereby reducing costs. They have offered to continue this discount, should the contract be extended.
- RJB also provides checking and inspection consulting services to East Gwillimbury, Stouffville, King and Bradford in the form of a long-term contract with built-in renewal for anywhere from 3 to 5 years. Recently, Bradford has moved to having internal staff for development reviews, but they still rely on RJB for advice and support in their activities due to the expertise that RJB has in this area.
- Over the past 15 years, the Town has experienced a large amount of staff turnover, but RJB has had the same core team of engineers (at least four individuals) who have worked on the Town's checking and inspection services since 1999, which results in a great wealth

of corporate memory that staff does not have. This is very rare and highly unusual in the Consulting Engineering world, where staff turnover is usually quite high.

- The volume of work for subdivision development applications in Newmarket has matured, and the number of greenfields available for development of new subdivisions is decreasing, as most properties are now developed. As a result, it would be unadvisable to proceed to a RFP and risk having a new consultant who is not familiar with the Town's engineering standards, development practices, development coordination procedures, inspection requirements, etc. The learning curve required for a new consultant at this stage would end up costing the Town and developers significantly, as the transition from one consultant to another is being made. The Town has lived through one such transition in the checking and inspection consultant, and has learned from the experience that the process can be very lengthy, challenging and even damaging for the Town and the developers. As the Town positions itself to start building upwards (instead of outwards) in its mission to intensify, an RFP would better serve the development community if it was aimed at new services that would involve high-rise development and site-plan applications. This is something to consider for the very near future.
- RJB has always performed above expectations as the Town's Checking and Inspection Consultant for numerous years and have had exceptional consistency in their staff and service levels. Evaluations of RJB's performance received from the Town's Development Coordinator (HBR Planning Centre Inc.) and from staff have been very positive, based on the quality, efficiency and timeliness of the services provided by RJB.
- RJB is the only consultant of its caliber and size to have their office located in Newmarket and therefore, they can be at a meeting or on a development site within 30 minutes of being requested to attend for unforeseen situations.
- The fact that RJB is the only local consultant with the ability to act as a checking and inspection consultant keeps costs down for developers in terms of travel time for the consultant's staff and mileage expenses to travel to the development sites and to the Town offices for meetings or to conduct inspections. This also ensures timeliness in the checking and inspection consultant's response to urgent issues that require their presence on the site or at the Town offices.
- RJB has immediate access to specialists in many areas of specialized expertise that are often needed for subdivision review (e.g., environmental specialists, noise specialists, structural specialists, etc.).
- RJB has located their office in Newmarket specifically as a result of being the successful proponent for the Checking and Inspection Consultant Services contract, hence showing their commitment to providing excellent and timely service to the Town of Newmarket.

- RJB has knowledge of all current and past subdivision applications and development and is completely familiar and knowledgeable regarding the Town's Engineering Standards. This makes turn-around times very quick and efficient for developers and for the Town.
- RJB's extensive knowledge in all aspects of the development approvals process benefits developers by helping them to move forward efficiently and effectively with their subdivision applications and by allowing them to obtain a subdivision agreement in a timely fashion (ensuring that all Town standards and requirements are met with minimum engineering design submissions).
- RJB has been a key member of the Town's Development Coordination Committee that meets every two weeks and therefore, they know the functioning of the Town's process and have grown to excel in the process.
- RJB has in-house expertise in subdivision design, traffic management, storm water management, environmental sciences and many other fields that are required. This enables them to expedite the work and provide the detailed engineering review of all components of development applications in a proactive and timely manner.
- RJB has always managed to ensure the Town's best interests while respecting the challenges that face developers.
- RJB has demonstrated extremely good communication skills in terms of the flow and accuracy of information transferred between the developers, peer reviewers and the Town and in keeping the Town informed of all issues that may arise
- Renewing or extending RJB's Agreement with the Town without going to a competitive RFP process is completely supported by the Town's Procurement Bylaw. The renewal would only have to meet ONE of the conditions set out in the Single Source section of the Procurement Bylaw, but it actually meets four of the clauses in the "Single Source" section under the Town's By-Law. Section 13.6 of the Town's Procurement Bylaw, entitled "*Single Source*", states that "*Single Source purchasing may be conducted for the procurement for goods service(s) or construction of any contract value without the competitive Bid process, when any of the following circumstances apply:*"
 - i. *For reasons of standardization, warranty, function or service, such as: technical qualifications* (in this case, the technical qualifications that RJB possesses are required for this service and RJB is completely knowledgeable of the standards, specifications, history and background required for the work whereas a new consultant would not.);
 - iii. *Where compatibility with an existing product, equipment, facility or service is a paramount consideration* (in this case, compatibility with the service provided by the Development Coordination Committee is essential to ensuring that the service is provided seamlessly, efficiently and in a timely and continual basis without any

delays; RJB has proven its functionality and compatibility within that existing service therefore the service to Developers and to the Town can continue without interruption only if RJB is to continue the work);

- v. *Where the contractor possesses the unique and singularly available capability to meet the requirements, such as, skills related to and/or existing knowledge of the nature of the service* (in this case, RJB possesses the unique capability to meet the requirements such as existing knowledge of the nature of the service; a new contractor would require an extended period of time to reach the level of knowledge, the nature of the services and the background required to perform the work; therefore, there would be a significant lapse in time during which the work would not be done efficiently and in a timely manner as the new consultant would be learning the ropes. There would be unacceptable delays as Developers would have to wait for their applications and plans to be reviewed notwithstanding the additional financial burden on the Developers of paying for two checking and inspection consultants through the transition period.);
- vi. *Ability to deliver at a particular time* (in this case, RJB is the only contractor who can deliver continuously and seamlessly as required by the development application process due to the reasons outlined above).

Option #2 – Proceed to a Request for Proposals (RFP) for Professional Engineering Consultant Checking and Inspection Services:

In this option, Requests for Proposals (RFP's), could be sent out, by invitation, to a number of pre-qualified engineering consulting firms who are experienced in municipal engineering checking and inspection services. Staff would review the RFP's received and provide a report to Council with a recommendation to execute an agreement with the consultant who has provided the best (not necessarily the lowest-cost) proposal.

Going to a RFP process at this stage could cause great difficulties to the Town and to developers, without necessarily producing any advantages or cost savings over the current process. Here is a summary of thoughts to consider if going to a RFP process for a checking and inspection consultant:

- Changing the Professional Engineering Consultant Checking and Inspection Services at this time would have a significant financial burden because for a significant period of time, the Town would have to keep BOTH the existing and new consultants on board during the several months required for the transition. This would be needed so that the existing

consultant could wrap up the numerous projects that they are currently working on, as well as discussing files with the new consultant and “training” them to learn the process and the standards.

- The transition would cause difficult delays for developers. The new consultant would need several months to learn the processes and be up to speed on development files and standards involved. They would also need to become familiar with the Town's Official Plan, Secondary Plan, as well as our Engineering Standards and Specifications for subdivisions and developments. To avoid any delays to Developers, the two consultants (RJB and the new firm) would have to work in tandem until the new consultant could take over all functions of the “Checking and Inspection Consultant” for the Town.
- The exact costs and length of delays cannot be quantified at this time, as they would depend on the number and complexity of reviews that need to be handled and how fast the new consultant would be able to become familiar with all of the information required to continue the work. Based on the Town's past experience with changing its checking and inspection consultant, it is expected that these costs and delays would be significant.

Option #3 – Provide new in-house resources to manage subdivision development application reviews:

This option would require time for Engineering Services to hire additional staff to carry out the review of development applications and field monitoring. Additional staff required to manage development applications would consist of a ‘Development Engineer’ (to oversee the development review process), a ‘Storm Water Management Engineer’ (to review all storm water management studies/reports), 2 to 3 ‘Technical Coordinators’ (to review the engineering design for roads/grading, individual lot grading, servicing, etc.) and 1 to 2 ‘Site Inspectors’ (to carry out field monitoring on the progress and adherence to Town Standards). Hiring of staff to manage subdivision development applications in-house would have a significant impact on the Town's budget for wages. However, the additional costs would be offset by engineering fees collected from the developers as part of their development applications. There is also an issue of space requirements that is difficult to meet

Even if the Town had internal staff to review subdivision development applications, the assistance and support of an external consultant would still be required for specialized designs and for environmental, noise, soils and other types of reviews.

Another disadvantage of this option at this particular juncture is that staff could be hired for this process, but as mentioned above the Town is currently in the phasing-out stage for subdivisions in

our greenfields and is moving towards intensification, requiring other specializations. So, even if staff is hired at this time, it may be necessary to re-train or replace them gradually when new skills are required to review intensification applications.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well Equipped and Managed

Provide thorough and timely consideration of applications for development and redevelopment in accordance with statutory requirements through the management of the application process that includes co-ordination with and across all impacted Town departments.

CONSULTATION

There has been no internal or external consultation as part of this report, except for the canvassing of other local municipalities within Ontario to discuss their processes with them.

HUMAN RESOURCE CONSIDERATIONS

Staffing levels are not impacted as a result of the recommendations in this report.

BUDGET IMPACT

Operating Budget (Current and Future)

Based on the recommendation provided in this report, there would be no impact to the Operating Budget.

Capital Budget

Based on the recommendation provided in this report, there would be no impact to the Capital Budget

CONTACT

For more information on this report, contact: Rick Bingham, Manager, Development Engineering, at extension 2505 or email rbingham@newmarket.ca.



Rick Bingham, C.E.T.

Manager, Development Engineering



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



Peter Noehammer, P.Eng.

Commissioner, Development and Infrastructure Services



Newmarket

JUNE 2016

November 26, 2015

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
			1	2	3 FCM Conference	4 FCM Conference
5 FCM Conference	6	7 2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC)	8	9	10	11
12	13	14	15	16	17	18
19	20 1:30 p.m. – CoW (CC) +/- 3 p.m. – CoW (Closed, if req'd)	21	22	23	24	25
26	27 2 p.m. – Site Plan Review (CC) 7 p.m. – CL (CC)	28	29	30		

TOWN OF NEWMARKET

Outstanding Matters

	Item Subject	Recommendation	Date to come back to Committee	Comments
1.	Council-January 20, 2014 – Item 33	<p>D & I Services Report – ES 2013-49 Checking Consultant Professional Consulting Services Contract Extension</p> <hr/> <p>THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside Associates Ltd. for a period of up to two (2) years from the date of Council approval to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;</p> <p>AND THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services Contract.</p>	Q4, 2015	Engineering Services working with Procurement to research the history of the contract.
2.	Council – June 23, 2014 – Item 3	<p>Mr. Scott Cholewa regarding a petition for a splash pad in the Copper Hills subdivision (Ward 1)</p> <hr/> <p>THAT the deputation of Mr. Scott Cholewa regarding a petition for a splash pad in the Frank Stronach Park be received;</p> <p>AND THAT the request for a splash pad in Frank Stronach Park be referred to the 2015 budget process and added to the Recreation Master Plan.</p>	Q1, 2016	<p>Item referred to as part of the Recreation Playbook process.</p> <p>Council report to come forward in Q1, 2016 outlining a strategy for selecting sites and building 3-4 additional spray pads in Newmarket over the next 10 years.</p>

Strikethrough indicates that the item will be removed from the outstanding list prior to the next OLT meeting

Bold indicates that the item will be on the upcoming agenda

Last revisions made on November 25, 2015

(Updated and including the Committee of the Whole Minutes of November 9, 2015)

	Item Subject	Recommendation	Date to come back to Committee	Comments
3.	Council – March 30, 2015 – Item 33 Corporate Services Report – Financial Services 2015-20 regarding Decision Packages and Infrastructure Levy.	<p>THAT Council direct staff to bring back a report providing phasing options that allow for achieving Council enhancement priorities related to traffic mitigation, sidewalk plowing and CreateIT at Southlake while maintaining the Council motion to target a budgeted tax increase of 2% to 2.5%;</p> <p>a) AND THAT staff provide a report within 120 days on the use of the funds budgeted for the Business Development Officer;</p> <p>b) AND THAT staff advise of the recommended approach for realignment of the added resource and provide goals, timelines, implementation and projected outcomes for each of the next five years;</p> <p>c) AND THAT staff provide a report 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>Report subject to actions taken related to c) and d) as they may inform the approach taken in the report</p> <p>Information Report provided that addressed approach taken to date / potential next steps. Council Workshop held. Staff targeting submit a report to COW in Q4.</p> <p>Addressed in Information Report.</p>	<p>Information Report 2015-29 distributed</p>
4.	Committee of the Whole – April 13, 2015 – Item 28 Joint Development and Infrastructure Services Report – Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.	THAT staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.	November 30, 2015	

	Item Subject	Recommendation	Date to come back to Committee	Comments
5.	Council – April 20, 2015 – Item 7	THAT staff provide a report within six months related to internet voting.	Q2, 2016	Workshop held October 5, 2015
6.	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/Q1, 2016	Refer to Development & Infrastructure Services Information Report 2015-41 dated September 22, 2015
7.	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.		Information Report to be issued week of November 17, 2015 advising of status
8.	Council – June 22, 2015 – Item 31 D & I Services Report – ES 2015-34 – McCaffrey Road – Traffic Review	<p>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;</p> <p>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.</p>	Q1, 2016	

	Item Subject	Recommendation	Date to come back to Committee	Comments
9.	Committee of the Whole – August 31, 2015 Item 30 – Stormwater Management Rate	THAT staff be directed to inform and consult with the public regarding the potential of establishing a stormwater management rate; AND THAT staff report back on the feedback received in January, 2016.	January, 2016	PIC held October 27, 2015
10.	Committee of the Whole – September 28, 2015 – Item 15	THAT the deputation by Mr. Paul Jolie regarding Ontario Municipal Cycling Infrastructure be received and referred to staff for a report back to Council related to cycling infrastructure on Mulock Drive.	Q2, 2016	Information Report distributed
11.	Committee of the Whole – September 28, 2015 – Item 18	THAT the correspondence received June 25, 2015 from Mr. Athol Hart regarding Town Crier representation be received AND THAT staff work with the Ontario Guild of Town Criers to identify an appropriate process for Town Crier selection and report back within 30 days.	November 30, 2015	
12.	Committee of the Whole – September 28, 2015 – New Business	THAT staff be directed to report back within 60 days on options to reinstate on street parking on Woodspring Avenue that is complimentary to the existing bicycle lanes.	Q4, 2015	

	Item Subject	Recommendation	Date to come back to Committee	Comments
13.	Committee of the Whole – September 28, 2015 – Item 24 – Motion	THAT staff be directed to report back within 120 days on the potential of demolishing the Old Fire Hall at 140 Main Street South with the intent to repurpose it as a parking lot that would be in keeping with the downtown area and that the report include any other options for parking enhancements in the downtown core.	January, 2016	
14.	Committee of the Whole – October 20, 2015 - Community Services - Recreation and Culture Report 2015-28 dated September 16, 2015 regarding Hollingsworth Arena Replacement Follow-Up.	<p>1. THAT staff work with Pickering College to:</p> <p>i) Finalize an agreement subject to Council approval with respect to capital and operating costs regarding a replacement arena at Pickering College;</p> <p>ii) Bring back a professionally prepared project estimate and recommended capital and operating agreement to Council for review within the next 45 days;</p> <p>2. AND THAT staff initiate a public process addressing a replacement arena and proposed disposition of land at Hollingsworth Arena.</p>	Q1, 2016	
15.	Committee of the Whole – October 20, 2015 - Motion - Regional Councillor & Deputy Mayor Taylor	In keeping with recommendations in the Recreation Playbook, staff be directed to investigate the potential for an outdoor arena in the Town of Newmarket. The analysis should examine options for the rink, including amenities, costs, location criteria and potential funding sources. The report is to be brought back to Committee of the Whole within 120 days.	February 2016	
16.	Committee of the Whole – October 20, 2015 - New Business	THAT staff research and advise Council regarding potential municipal regulation of propane tank installation for home heating purpose.	Q1, 2016	

	Item Subject	Recommendation	Date to come back to Committee	Comments
17.	Committee of the Whole – November 9, 2015 – Item 3	<p>Motion: Councillor Twinney</p> <p>THAT staff bring back a report to Council on a third party insurance program for residents to insure their water and sewer pipes that run under private property and are not covered by the Town.</p>	Q1, 2016	
18.	<p>Committee of the Whole – November 9, 2015 – Item 12</p> <p>Development & Infrastructure Services Report PWS 2015-58 regarding N6 Waste Collection Contract 2017-2017 Request for Proposal Preparation Update.</p>	<p>THAT staff work with the N6 partners to develop service level criteria for customer service and response and opportunities to provide customer services outside the scope of the waste control contract and report back to Council;</p> <p>AND THAT staff explore the option of separate proposals for standard bag limits (2 bags and 3 bags) with the N6 partners and report back to Council.</p>	Q1, Q2, 2016	
19.	Committee of the Whole – November 9, 2015 – Item 16 Petition/Petitioning Newmarket Council to 'Save Hollingsworth Arena'.	a) THAT the petition/petitioning Newmarket Council to 'Save Hollingsworth Arena' be received and referred to staff for a report that clarifies the petition preamble as part of the public consultation process related to the disposition of the Hollingsworth Arena.		Information Report to be distributed during public consultation process
20.	<p>Committee of the Whole – November 9, 2015 – Item 20</p> <p>Community Services - Recreation and Culture Report 2015-31 dated October 19, 2015 regarding Recreation Playbook Recommendations Requiring Land.</p>	<p>i) THAT staff be directed to continue discussions related to the former York Catholic District School Board Lands on the north side of Woodspring Avenue, in the northwest quadrant, per Section 239 (2) of the Municipal Act;</p> <p>ii) AND THAT staff report back within 90 days with detailed capital costs and operating expenses of three options outlined in the report for consideration as part of the 2017 budget process.</p>	February, 2016	

	Item Subject	Recommendation	Date to come back to Committee	Comments
21.	Council – June 22, 2015 – Item 14	<p>THAT the deputation by Mr. Marc Mantha regarding a pilot project in Ward 2 for backyard egg laying hens be received;</p> <p>AND THAT Council reconsider regulation of egg laying hens in this term of Council to allow for a pilot project in Ward 2;</p> <p>AND THAT staff be directed to bring back a report on the implementation of a 12 month pilot project in Ward 2 for 5-20 homes for backyard egg laying hens.</p>	February, 2016	



COMMUNITY SERVICES – RECREATION & CULTURE
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October 19, 2015

**COMMUNITY SERVICES REPORT – RECREATION & CULTURE
 COMMITTEE OF THE WHOLE REPORT # 2015-37**

TO: Committee of the Whole

SUBJECT: Magna Centre Lease Spaces and Potential Fitness Centre

ORIGIN: Community Services – Recreation & Culture

RECOMMENDATIONS

THAT Community Services Report – Recreation & Culture Report #2015-37, dated November 21, 2015 regarding Magna Centre Leases & Potential Fitness Centre be received and the following recommendations be adopted:

- 1. THAT the Town of Newmarket convert the existing restaurant space into an equipment based, membership oriented fitness facility within the capital costs identified.**

COMMENTS

An extensive public consultation process occurred in the development of the Recreation Playbook. Through this process there was interest in the community to see the development of an equipment based fitness facility operated at the Magna Centre. Specifically, the recommendation contained within the Recreation Playbook is as follows:

“Explore development of an equipment-based and membership-oriented fitness facility to be run by the municipality or in partnership at Magna Centre.”

Currently the Town of Newmarket leases out space at Magna Centre for commercial tenants. Most of these spaces have leases that are set to expire on May 31, 2016. These tenants include UTC (a Crossfit Studio), Strategex (a Sports Medicine Clinic), Real Edge (a Pro Shop), and Sabrinas (a restaurant and concession provider). All of these leases are currently operating on extensions of an original RFP. These extensions have been coordinated so that expiry happens simultaneously to allow a reconsideration of spaces and needs at the Magna Centre. Note that Timothy's is on a separate lease schedule, due to expire in 2018.

Given that all of these leases are set to expire in 2016, this represents an opportune time to consider development of a Fitness Centre within Magna Centre.

Specifically, staff will be issuing a Request for Proposal for the leased spaces within Magna Centre with the exception of the existing restaurant, and concession space being subject to Council direction. This restaurant and concession space has consistently struggled with the current lease holders regularly requesting a reduction in the rent of \$35,000 annually. Staff are seeking an opportunity to repurpose the space to better meet the needs of patrons, diversify revenues and improve linkages with Southlake Hospital.

Key Operating Principles of a Fitness Centre

The following represent overall principles of how the Town of Newmarket would operate a fitness facility:

- This fitness centre would provide a holistic approach to health and wellbeing, welcoming all members of the community regardless of age, ability, or financial circumstance.
- Membership based facility that would also sell day passes
- Memberships will be sold to individuals aged 16 and up
- A special Cardiac Rehab Membership will be created in partnership with Southlake Hospital
- Youth ages 13 to 15 would be able to participate upon completion of a training course
- Membership fees would be affordable while still competing in the market place
- A financial assistance model would be developed to ensure those who cannot afford a membership are still able to participate
- Benefits of membership would include access to group fitness classes, aquafitness, lane swimming, and walking track at no additional charge
- Family memberships will be offered that extend access to public swimming and skating for children
- Equipment and programming will focus on drawing a variety of participants
- Staff do not anticipate that this would preclude the Town from exploring a partnership with the YMCA in future should there be desire from both organizations to pursue such a partnership

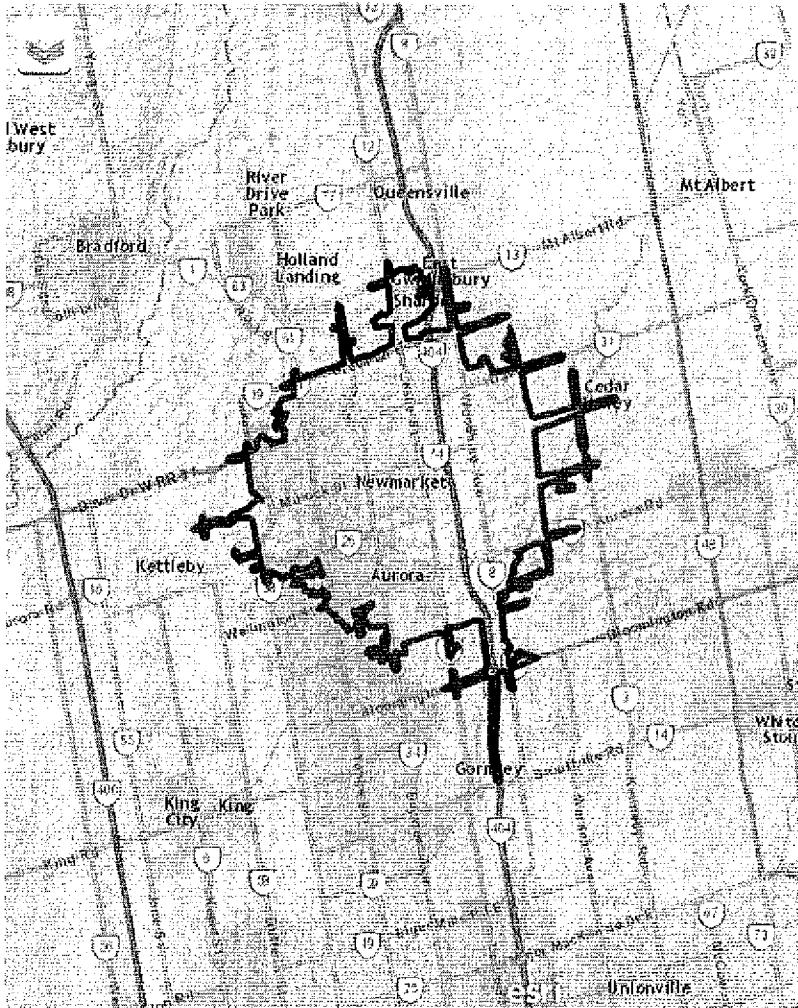
Facility Amenities

It is envisioned that a fitness centre would incorporate the following key features:

- Approximately 2,500 to 3,000 sq ft of a mixture of cardio & strength equipment, free weights and stretching space
- The existing kitchen would be converted into a teaching kitchen where nutrition and healthy cooking programs will be offered
- Changerooms for the pool and gymnasium would be utilized for the fitness centre
- Access to the fitness centre would be controlled through a membership scanning process; however, the space would be staffed during all hours of operation.

Potential Market

It is typical within the fitness industry that 20% to 25% of the population will join a fitness club. Also, as much as 80% of members of a fitness centre will live within a 5 km or 10 minute radius of the fitness centre. This positions Magna Centre well with a large pool of potential members. As is demonstrated in the following map, provided through Environic Analytics, virtually all of Newmarket falls within a 10 minute drive of Magna Centre.



Given the number of individuals who also attend Magna Centre with children for various activities, the reach of potential members exceeds what can be typically expected.

In addition to a general public individual and family memberships, there have been preliminary discussions with Southlake Hospital Staff around the concept of developing a centre for patients of their Cardiac Rehab program. There are currently over 5,000 individuals who are part of that particular program. In other communities, hospitals have very successfully partnered with municipalities or not-for-profit fitness providers to provide fitness facilities as an integral portion of long term recovery for individuals who have experienced cardiac issue. A fitness facility, including a full service educational kitchen provides an excellent opportunity to create a financially sustainable facility that also provides a socially responsible approach to community health and wellness.

Creating a fitness space improves the relevance of the facility for parents, grandparents and siblings by enabling them to participate and get active while respective children are participating in a program in other parts of the facility.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well-equipped & managed

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

Well-respected

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

CONSULTATION

An extensive public consultation process was conducted as part of the Recreation Playbook process.

HUMAN RESOURCE CONSIDERATIONS

The operating model outlined in the budget impact contains provision for additional staff.

BUDGET IMPACT

Operating Budget (Current and Future)

The Recreation & Culture Department generates in excess of \$5 Million annually in revenues. The capacity for the department to increase the revenues earned is limited at this point in time in terms of pricing options. Many services cannot withstand significant fee increases, nor is there considerable room for volume increases. As such, the department must explore opportunities to generate new revenues to ensure that tax impacts can be minimized. A detailed operating plan has been developed as outlined in the summary chart below:

Fitness Operating Model - First Three Years Operating Summary

Revenue	Year One	Year Two	Year Three
Memberships	\$200,582.00	\$362,682.00	\$420,351.00
Joining Fees	\$18,000.00	\$21,000.00	\$25,000.00
Personal Training & Programming	\$31,000.00	\$33,080.00	\$35,000.00
TOTAL Revenue	\$249,582.00	\$416,762.00	\$480,351.00

Expenses	Year One	Year Two	Year Three
Personnel	\$227,000.00	\$235,000.00	\$242,000.00
Non Personnel	\$131,800.00	\$136,250.00	\$132,550.00
TOTAL Expenses	\$358,800.00	\$371,250.00	\$374,550.00

NET	-\$109,218.00	\$45,512.00	\$105,801.00
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Notes on the operating model:

This fitness operating model assumes very modest membership numbers maxing out at just under 1,500 members at the peak time period. A fitness centre the size of the one currently proposed would have capacity to accommodate as many as 3,000 members. Additionally, expenses include lost revenue from the current rental space and a lease for all equipment within the facility. By leasing the equipment for three years through the operating budget, it creates a sustainable fitness centre where the equipment can be replaced every three years, which is typically the life of a piece of equipment in an industrial setting. This also does not include any provision for naming rights which would certainly be pursued.

Capital Budget

There was \$250,000 identified within the Development Charges Study for the development of a fitness centre at the Magna Centre. It is estimated that the space could be converted for approximately \$300,000 recognizing that all equipment would be covered in the operating budget. The additional \$50,000 capital needed (in addition to the \$250,000 in development charges) could be financed through future revenues, recognizing that by year three the Fitness Centre would be operating at a significant surplus.

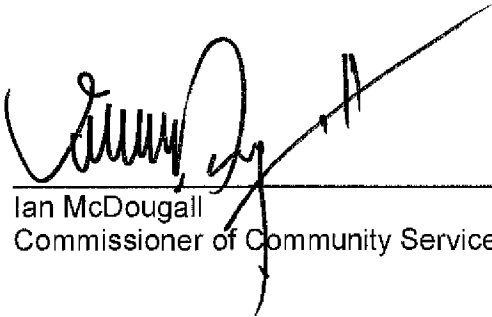
Capital costs related to the renovations funded through development charges and future revenues will be included in the information for the December 14th budget meeting. Capital work would occur in 2016, commencing in May with the expiration of the current lease. Official opening of the fitness centre would be targeted for January 1, 2017.

CONTACT

For more information on this report contact Colin Service, cservice@newmarket.ca or extension 2601



Colin Service
Director of Recreation and Culture



Ian McDougall
Commissioner of Community Services

Deputation and Furtl 192 Notice Request Form

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Subject: Shoppers Drug Mart for 16635 Yonge St

Date of Meeting: Nov 30, 2015 Agenda Item No.: 15

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Name: John Blommestein

Organization / Group/ Business represented:

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Home Phone: Business Phone:

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