

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

Deputations

1. Ms. Sabrina Rezaei, Sabrina's Pizzeria Bar & Grill, to address Committee of the Whole regarding Magna Centre leases and proposed fitness centre. (Related to Items 2 and 3) p. 1

Consent Items (Items # 2 to 23)

2. Community Services - Recreation and Culture Report 2015-37 dated November 21, 2015 regarding Magna Centre Leases and Potential Fitness Centre. (Referred from December 14, 2015 Council Meeting) p. 2

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.

3. Joint Commissioner/Legal Services and Procurement Services Report 2016-02 dated January 6, 2016 regarding Response to Deputation - Sabrina's Pizzeria Bar and Grill. p. 7

The Commissioner of Corporate Services, the Manager of Procurement Services and the Acting Director of Legal Services recommend:

a) THAT Joint Commissioner/Legal Services and Procurement Services Report 2016-02 dated January 6, 2016 regarding staff response to Council deputation by Sabrina's Pizzeria Bar and Grill regarding RFP 2014-04, Leased Space Opportunities Food and Beverage be received.

4. Joint Report Community Services - Economic Development, Development and Infrastructure Services - Planning, Corporate Services - Finance 2016-01 dated December 17, 2015 regarding Targeted Marketing Program to Advance Re-development of Davis Drive Properties. p. 10

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

a) THAT Community Services - Economic Development, Development and Infrastructure Services - Planning and Corporate Services - Finance Joint Report 2016-01 dated December 17, 2015 regarding the Targeted Marketing Program to Advance Re-development of Davis Drive Properties be received and the following recommendations be adopted:

i) THAT an exploratory engagement process and utilization of existing incentives and associated budgets be initiated immediately with a 'to be identified' list of developers/landowners related to specific properties along Davis Drive;

ii) AND THAT while this exploratory engagement process is ongoing, staff engage outside consulting expertise to address development approval processes, associated timelines/communication practices and incentive funding mechanisms/approaches and report back within 120 days;

iii) AND THAT NEDAC be consulted throughout this process;

iv) AND THAT the development of Davis Drive be the subject of a future Economic Development Congress within 2016 where a cross section of stakeholders can come together to share ideas specific to advancing the implementation of the Secondary Plan and in keeping with the NEDAC Economic Development strategy re-fresh currently in development;

v) AND THAT the staffing related to fulfilling economic development initiatives continue at their current levels as indicated in the report with longer term staffing to be monitored and reviewed against specific needs related to the realization of Council's Strategic Priorities, implementation associated with the re-development of Davis Drive and to support NEDAC's economic development re-fresh; with a detailed staffing report to come to Committee of the Whole no later than Q3, 2016.

5. Community Services Report - Recreation and Culture 2016-02 dated December 22, 2015 regarding Hollingsworth Arena Replacement Follow-Up. p. 21

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

a) THAT Community Services Report - Recreation and Culture 2016-02 dated December 22, 2015 regarding Hollingsworth Arena Replacement Follow-Up be received and the following recommendations be adopted:

i) THAT staff continue arena negotiations with Pickering College with the goal of being in a position to recommend a capital and operating financial framework at the February 1, 2016 Committee of the Whole;

ii) AND THAT in the event Pickering College negotiations do not result in a recommended financial framework, that staff considers other arena location options to be included as part of discussions at a February Council Workshop regarding Recreation Playbook Implementation: Facility Needs/Location Planning;

iii) AND THAT in support of operational efficiencies and further to Recommendation # 2 staff concurrently consider a potential outdoor artificial ice surface be incorporated as part of indoor arena replacement scenarios.

6. Community Services - Recreation and Culture Report 2016-03 dated January 11, 2016 regarding Artificial Turf Field Agreement Follow-Up. p. 27

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

a) THAT Community Services - Recreation and Culture Report 2016-03 dated January 11, 2016 regarding an agreement with the York Region District School Board (YRDSB) for an Artificial Turf Field be received and the following recommendation be adopted:

i) THAT Council delegate authority to staff to enter into an agreement with the YRDSB for the construction and operation of an artificial turf sports field located at Dr. John M. Denison High School as outlined in this report.

7. Development and Infrastructure Services Report - Engineering Services 2016-02 dated January 4, 2016 regarding Water Street Crossing - Update. p. 32

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

a) THAT Development and Infrastructure Services Report – ES 2016-02 dated January 4, 2016 entitled “Water Street Crossing - Update” be received and the following recommendations be adopted:

i) THAT Option 2 be endorsed as the preferred option to address pedestrian safety;

ii) AND THAT a Public Information Centre meeting be held in Q1 2016 with the results and final design including costs to be forwarded in an Information Report;

iii) AND THAT a copy of this report and Council extract be forwarded to representatives of Metrolinx and York Region.

8. Development and Infrastructure Services Report - Engineering Services 2016-03 dated January 4, 2016 regarding Grant Blight Crescent - West-end Parking Review. p. 37

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-03 dated January 4, 2016 regarding Grant Blight Crescent - West-end 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 deleting the following:

Grant Blight Crescent, on the west and north side between Bristol Road to the lot line between # 129 and # 133 Monday to Friday between the hours of 8 00 a.m. and 4:00 p.m.; and Grant Blight Crescent, on the east and south side between Bristol Road to the lot line between # 128 and # 132 Monday to Friday between the hours of 8:00 a.m. and 4:00 p.m.; and Grant Blight Crescent, on the east and north side between Stiver Drive to the lot line between # 129 and # 133 Monday to Saturday between the hours of 8:00 a.m. to 4:00 p.m.; and Grant Blight Crescent on the west and south side between Stiver Drive to the lot line between # 128 and # 132 Monday to Saturday between the hours of 8:00 a.m. to 4:00 p.m.;

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

Grant Blight Crescent on both sides between Bristol Road to Stiver Drive Monday to Friday between the hours of 8:00a .m. to 4:00 p.m.;

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

9. Development and Infrastructure Services Report - Engineering Services 2016-04 dated January 4, 2016 regarding the Final Acceptance and Assumption of the Stormwater Management Pond - Garden Homes Residential Subdivision. p. 41

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

a) THAT Development and Infrastructure Services Report - Engineering Services 2016-04 dated January 4, 2016 regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Garden Homes Residential Subdivision be received and the following recommendations be adopted:

i) THAT the Stormwater Management Pond for Garden Homes Residential Subdivision be finally accepted and assumed by the Town;

ii) AND THAT Mr. Ignazio Giardina of Garden Homes Inc. and Mr. Angelo Maurizio, P. Eng., of Schaeffer & Associates Ltd. be notified of these recommendations.

10. Corporate Services Report - Financial Services 2016-03 dated January 6, 2016 regarding Corporate Financial Policies. p. 44

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

a) THAT Corporate Services Report - Financial Services 2016-03 dated January 6, 2016 regarding the Corporate Financial Policies be received and the following recommendations be adopted:

i) THAT the following corporate financial policies including the policies' appendices be approved by Council:

Revised Investment Policy, Revised Mileage Policy;

ii) AND THAT a by-law regarding Banking Related Authorities be forwarded to Council for adoption.

11. Corporate Services Report - Financial Services 2016-02 dated January 7, 2016 regarding the 2016 Interim Tax Billing and By-law. p. 72

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

a) THAT Corporate Services Report - Financial Services 2016-02 dated January 7, 2016 regarding the 2016 Interim Tax Billing be received and the following recommendation be adopted:

i) THAT Council enact a by-law (attached hereto as Appendix 'A') for the levy and collection of the 2016 Interim Tax Levy.

12. Excerpt from Minutes - Item 3 of Central York Fire Services - Joint Council Committee Draft Minutes of December 15, 2015. (Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase attached for information purposes only) p. 77

The Operational Leadership Team recommends:

THAT the following JCC recommendations be adopted:

a) THAT Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase be received and the following recommendations be adopted:

i) THAT the Joint Council Committee (JCC) approve additional funds from reserve to purchase a replacement Aerial/Quint device due to a shortfall in the budget;

ii) AND THAT JCC authorize the Director of Finance and the Manager of Procurement to fund from reserve the replacement apparatus by \$366,000.00 CDN (excluding applicable taxes)

13. Newmarket Public Library Board Minutes of October 21 and November 18, 2015. p. 81

The Newmarket Public Library Board recommends:

a) THAT the Newmarket Public Library Board Minutes of October 21 and November 18, 2015 be received.

14. Newmarket Economic Development Advisory Committee Minutes of October 29, 2015 and November 19, 2015. p. 89

The Newmarket Economic Development Advisory Committee recommends:

a) THAT the Newmarket Economic Development Advisory Committee Minutes of October 29, 2015 and November 19, 2015 be received.

15. Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015 and November 17, 2015. p. 93

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

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015 and November 17, 2015 be received.

16. Newmarket Environmental Advisory Committee Minutes of November 25, 2015. p. 103

The Newmarket Environmental Advisory Committee recommends:

a) THAT the Newmarket Environmental Advisory Committee Minutes of November 25, 2015 be received.

17. Heritage Newmarket Advisory Committee Minutes of November 3, 2015 and December 1, 2015. p. 107

The Heritage Newmarket Advisory Committee recommends:

a) THAT the Heritage Newmarket Advisory Committee Minutes of November 3, 2015 and December 1, 2015 be received.

18. Site Plan Review Committee Minutes of December 14, 2015. p. 119

The Site Plan Review Committee recommends:

a) THAT the Site Plan Review Committee Minutes of December 14, 2015 be received.

19. Item 1 of the Site Plan Review Committee Minutes of December 14, 2015 regarding an Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management. p. 122

The Site Plan Review Committee recommends:

a) That the Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments be addressed to the satisfaction of Town Staff; and

ii) AND THAT the application be referred to a Public Information Centre.

iii) AND THAT Mr. Mike Walters, Chief Administrative Officer of Lake Simcoe Region Conservation Authority 120 Bayview Parkway, Box 282, Newmarket, ON L3Y 3W3 be notified of this decision;

b) AND THAT Ms. Andrea Keeping, Project Manager, Water Resources of Candevcon Limited 1600 Champlain Avenue, Suite 402, Whitby, ON L1N 9B2 be notified of this decision.

20. Item 2 of the Site Plan Review Committee Minutes of December 14, 2015 p. 124 regarding an Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot.

The Site Plan Review Committee recommends:

a) THAT the Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot be approved in principle and referred to staff for processing, subject to the following:

i) THAT the preliminary review comments be addressed to the satisfaction of Town Staff; and

ii) AND THAT the requirement for a Public Information Centre be waived.

iii) AND THAT Mr. Vikas More, Project Manager, Capital Delivery of The Regional Municipality of York 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this decision;

iv) AND THAT Mr. Chris Kubbinga, Principal of Thomas Brown Architects Inc., 197 Spadina Avenue, Suite 200, Toronto, ON M5T 2C8 be notified of this decision.

21. Correspondence/Report from Amberley Gavel regarding the Closed Meeting Investigation. p. 126

Recommendation:

a) THAT the correspondence/report from Amberley Gavel regarding the Closed Meeting Investigation be received.

22. Correspondence dated November 27, 2015 from Samita Sarwan, National Eating Disorder Information Centre requesting that February 1 to 7, 2016 be proclaimed as 'Eating Disorder Awareness Week'. p. 132

Recommendations:

a) THAT the correspondence dated November 27, 2015 from Samita Sarwan be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim February 1 to 7, 2016 as 'Eating Disorder Awareness Week';

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

23. List of Outstanding Matters. p. 133

Recommendation:

THAT the list of Outstanding Matters be received.

Action Items

Reports by Regional Representatives

Notices of Motion

Motions

New Business

Closed Session (if required)

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

24. Joint Community Services Report - Recreation and Culture and Corporate Services - Legal Services (Closed Session) 2016-04 dated January 11, 2016 regarding the Magna Centre restaurant and advice that is subject to solicitor/client privilege as per Section 239 (2) (f) of the Municipal Act, 2001.

Public Hearing Matters

None.

Addendum (Additions and Corrections)

Adjournment

Deputation and Further Notice Request Form

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

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

Subject: MAGNA CENTER

Date of Meeting: JAN 11 Agenda Item No.:

☒ I wish to address Council / Committee

☐ I request future notification of meetings.

Name: SABRINA REZAIY

Organization / Group/ Business represented:

SABRINA'S PIZZERIA BAR & GRILL

Address: 800 MULOCK DR Postal Code: L3Y 9C1

Email:

Home Phone: Business Phone:

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

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



COMMUNITY SERVICES – RECREATION & CULTURE
TOWN OF NEWMARKET
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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

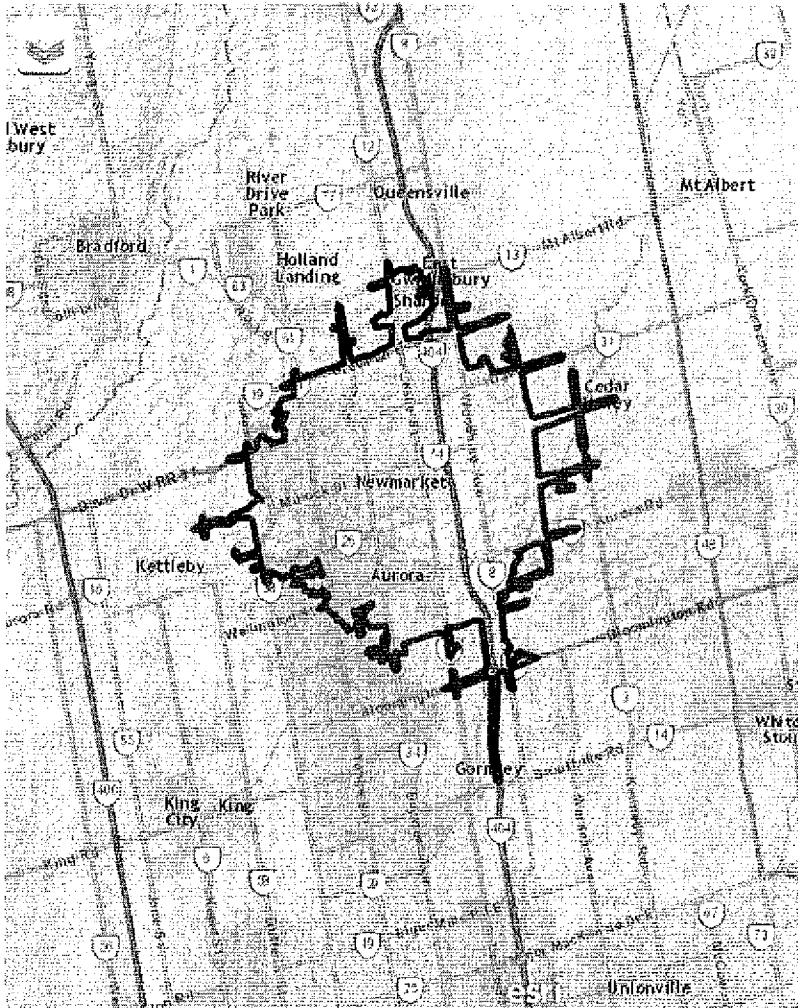
Facility Amenities

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.

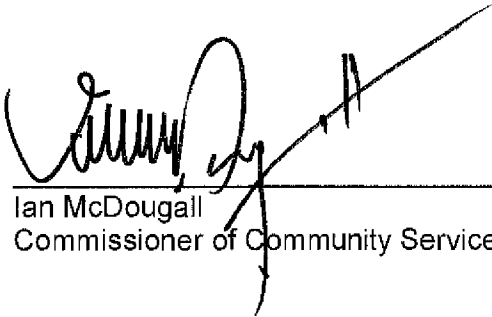
Capital costs related to the renovations funded through development charges and future revenues will be included in the information for the December 14th budget meeting. Capital work would occur in 2016, commencing in May with the expiration of the current lease. Official opening of the fitness centre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



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January 6, 2016

**JOINT COMMISSIONER/LEGAL SERVICES & PROCUREMENT
SERVICES REPORT – 2016-02**

TO: Mayor Van Bynen and Members of Council

SUBJECT: Response to Deputation from Sabrina's Pizzeria Bar and Grill
RFP 2014-04, Leased Space Opportunities Food and Beverage

ORIGIN: Manager, Procurement Services

RECOMMENDATION:

THAT Joint Commissioner/Legal Services and Procurement Services Report – 2016-02 dated January 6, 2016 regarding staff response to Council deputation by Sabrina's Pizzeria Bar and Grill regarding RFP 2014-04, Leased Space Opportunities Food and Beverage be received.

COMMENTS

At the Council meeting of December 14, 2015 a deputation was made on behalf of Sabrina's Pizzeria Bar and Grill with respect to their restaurant lease agreement at the Magna Centre. This report will provide some background and outline the provisions of the 2014 RFP for leased space at both the Magna Centre and Ray Twinney Complex and the subsequent agreement made between the Town and the Vendor.

RFP 2014-04, Leased Space Opportunities Food and Beverage and Other Various Business Opportunities Available at the Magna Centre and Ray Twinney Recreation Complex was released in February 2014 with a closing date of March 4, 2014. This RFP invited proposals for A) the Magna Centre Food and Beverage Space (a coffee kiosk), B) the Magna Centre General Leased Space (a restaurant type facility) and C) the Ray Twinney Complex – General Leased Space (a concession stand and storage area).

Contained within the RFP was wording with respect to the Contract Term:

"The start date of the Contract is negotiable, but should not be any later than September, 2014. Any agreement resulting from this Request for Proposal shall be in effect for a period up to five (5) years with the option period of up to five years. Proponents are to submit their preferred contract term in their proposal submission which, if the Proponent is short-listed, may be subject to negotiation with the Owner. Furthermore, the Owner shall not be obligated in any manner to any Proponent whatsoever until a written agreement has been duly executed relating to an approved proposal."

In addition, the RFP contained our standard Negotiation clause which states:

“On completion of the evaluation process prior to execution of the Proponent’s Contract, negotiations may be undertaken with the highest evaluated Proponent to refine the details of the Contract for all or portions of the proposed services in the RFP. Negotiations may take the form of adding deleting or modifying requirements.”

During the evaluation of this proposal, the Evaluation team was concerned with the Vendor’s past performance review record and did not want to commit to an initial long term lease with this Vendor based on their past performance. The RFP document permits Town staff to consider past performance records in consideration of award of the contract. The Evaluation team believed it was in the Town’s best interest, based on their past performance to offer the Proponent a two (2) year initial agreement with three (3) – one (1) year options. This term was agreed to by the Proponent in an email prior to the execution of the lease agreement and by the Vendor by virtue of signing the lease agreement based on this term.

The agreement dated June 1, 2014 and signed by the Town and Sabrina’s Pizzeria Bar and Grill contained a further Term clause as follows:

“Tenant shall have and hold the Premises for and during a period of time which shall be, unless sooner terminated pursuant to the other provisions of the Original Lease or the Landlord’s RFP, the period of time which shall commence on June 1, 2014 and shall expire on May 31, 2016 (the “Term”). The Term may be extended for three one-year extensions upon agreement of both parties.”

In summary, the Town had the authority to amend the duration of the RFP as set out above which was agreed to by the Proponent in the agreement. A cover letter with a copy of the executed contract bid sent to the Proponent in 2014 further identified the fact that the term of contract was for two years with an option of three one year options at the discretion of the Town.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report links to Newmarket’s key strategic directions in being Well Equipped and Managed by implementing policies and processes that reflect sound and accountable governance.

CONSULTATION

Consultation has taken place with Legal, Recreation & Culture and Procurement Services departments.

HUMAN RESOURCE CONSIDERATIONS

None.

BUDGET IMPACT

Operating Budget (Current and Future)

None.

Capital Budget


None

CONTACT


For more information on this report, contact Gord Sears, Manager of Procurement Services at 905-955-5300, ext. 2351.



Anita Moore
Commissioner, Corporate Services



Paul Voorn
Acting Director, Legal Services



Gord Sears, CPPO, CPPB
Manager, Procurement Services



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December 17, 2015

JOINT REPORT # 2016 - 01

**COMMUNITY SERVICES REPORT – ECONOMIC DEVELOPMENT
 DEVELOPMENT AND INFRASTRUCTURE SERVICES – PLANNING
 CORPORATE SERVICES - FINANCE**

TO: Mayor Van Bynen
 Members of Council

SUBJECT: Targeted Marketing Program to Advance Re-development of Davis Drive Properties

ORIGIN: Community Services – Economic Development
 Development and Infrastructure Services – Planning
 Corporate Services - Finance

RECOMMENDATIONS

THAT Community Services – Economic Development, Development and Infrastructure Services – Planning, and Corporate Services - Finance Joint Report # 2016 – 01 dated December 17, 2015 regarding the Targeted Marketing Program to Advance Re-development of Davis Drive Properties be received and the following recommendation(s) be adopted:

- 1. THAT an exploratory engagement process and utilization of existing incentives and associated budgets be initiated immediately with a 'to be identified' list of developers/land owners related to specific properties along Davis Drive;**
- 2. AND THAT while this exploratory engagement process is ongoing, staff engage outside consulting expertise to address development approval processes, associated timelines/communication practices, and incentive funding mechanisms/approaches and report back within 120 days;**
- 3. AND THAT NEDAC be consulted throughout this process;**
- 4. AND THAT the development of Davis Drive be the subject of a future Economic Development Congress within 2016 where a cross section of stakeholders can come together to share ideas specific to advancing the implementation of the Secondary Plan and in keeping with the NEDAC Economic Development strategy re-refresh currently in development;**
- 5. AND THAT the staffing related to fulfilling economic development initiatives continue at their current levels as indicated in the report with longer term staffing to be monitored and reviewed against specific needs related to the realization of Council's Strategic Priorities, implementation associated with the re-development of Davis Drive and to support NEDAC's economic development re-refresh; with a detailed staffing report to come to Committee of the Whole no later than Q3, 2016.**

COMMENTS

The purpose of this report is to advance the following outstanding items:

1. *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 (note: to be addressed through Recommendations 1 – 4);*
2. *AND THAT the report includes how this can be accomplished without impacting the current and proposed economic development plans and initiatives (note: to be addressed through Recommendations 1 – 4);*
3. *AND THAT staff provide a report within 120 days on the use of funds budgeted for the business Development Officer (note: to be addressed through Recommendation 5);*
4. *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 (note: to be addressed through Recommendation 5).*

Background

With the VivaNext rapid transit corridor now open it is timely to consider ways the Town can further encourage the ongoing transformation of this vital economic corridor. Extensive redevelopment is anticipated with the Town's Urban Centres Secondary Plan (the Secondary Plan) identifying a community of 33,000 residents and 32,000 jobs within a longer term planning horizon. The overall goal is to transform Davis Drive and eventually Yonge Street into key economic corridors through mixed use commercial and higher density residential development.

Action taken leading up to the development and circulation of Community Services – Economic Development Information Report # 2015 - 29 included:

- A brainstorming session conducted with representatives from all departments. In attendance at this meeting were key staff from the following commissions/departments:
 - CAO's office - Corp. Communications, Human Resources
 - Community Services - Economic Development, IT Innovation
 - Corporate Services - Legislative Services
 - Development & Infrastructure Services - Building, Engineering, Planning, Public Works
- Following that session, a smaller working group was established to further assess/develop the ideas and suggestions identified. The working group completed a preliminary analysis of the existing processes, potential challenges and the goals for growth and have identified a series of recommendations intended to facilitate the development of this corridor.

- As a starting point, the following project goals were identified:
 1. Build excitement and support for the intensification of Davis Drive by increasing awareness of development opportunities. Determine how to further leverage and augment current communication tools and tactics related to the corridor development as well as identify new approaches;
 2. Increase/alternative public engagement in the planning processes for new developments;
 3. Demonstrate to developers that we are development ready;
 4. Ensure organizational readiness is aligned with growth opportunities;
 5. Work with Council to incorporate these changes into their strategic priorities.
- The working group further recognized the presence of several different stakeholder groups in the community, each requiring slightly different marketing plans/approaches.

In the time since the distribution of Community Services – Economic Development Information Report #2015 – 29, a brief recap of action taken leading up to this COW report includes:

➤ **Council Workshop**

In order to develop a more fulsome plan to address these requirements with defined tasks, outcomes and measures, a Council Workshop was held on October 26th that consisted of a presentation and discussion with N. Barry Lyon Consultants. N. Barry Lyon Consultants is a multi-disciplinary real estate consulting firm which specializes in tracking emerging economic, demographic and market trends, changes in government policy, the pulse of the land development industry, land use planning and development trends. The firm has provided market analysis and project feasibility services on behalf of the development industry within numerous GTA communities, including those in York Region.

Following the presentation, Council and staff discussed next steps with respect to project timing/potential phases and explored what has currently been identified as the potential scope of work and how best to achieve the outcomes. It was helpful to learn from N. Barry Lyon Consultants the importance of considering key variables such as proximity to transit, access to trails/parks, proximity to vibrant downtown, proximity to health care, proximity to shopping, etc., when targeting high-priority areas along the corridors.

➤ **Internal Staff Planning Meeting to recap Council Workshop and identify next steps**

A staff team met following the workshop. Specifically discussed was how to advance what was summarized as: Developer Specific Initiatives (both targeted and broader development community/investor/land owner messaging), Community engagement, and Aligning People and Processes to support development (organizational readiness).

➤ **Internal staff discussion on intensification, incentive programs (current), etc**

A staff team met to review report draft recommendations as well as to explore the current situation regarding incentives, Community Improvement Plan (CIP) program specifics/enhancements, etc.

➤ **Ongoing meetings with landowners and developers as they arise**

Specific developers/landowners along Davis Drive are showing increasing development interest and conversations with staff have occurred. These discussions inevitably include clarification on municipal support to enhance economic viability and reduce risk, and include items ranging from administrative processes through to potential incentives.

➤ **COW report (today)**

This report recommends specific action steps intended to advance the re-development of Davis Drive properties.

Analysis

A marketing plan for the development industry needs to focus on market opportunities in an effort to “accelerate development” along the Davis Drive corridor.

Specifically, the plan should include opportunities to increase:

- Awareness of Newmarket as a desirable business location;
- Retention of existing businesses;
- Interest in Davis Drive as a business opportunity;
- Market confidence;
- Belief that Newmarket will offer a ROI;
- Developer familiarity with Newmarket with an expectation of predictable approval processes.

Throughout this process it will remain important to engage the community and leverage local expertise. The Chamber of Commerce, NEDAC and the Community Collaborative Ecosystem (CCE or Innovation Team), York Region, Southlake Regional Health Centre, etc., will all provide valuable insight and partnerships for advancing a plan to encourage redevelopment along the Davis Drive corridor.

York Region Corridor Marketing Study

It should be noted that York Region is also undertaking an Office Attraction Marketing and Communications Plan for the four main Regional Centres: Vaughan, Markham, Richmond Hill and Newmarket, in addition to the Regional corridors connecting these centres. This strategy is expected to be completed by Q1 2016, and will include a twelve month detailed plan of execution to increase awareness of office market potential. It will be necessary to dovetail Regional marketing efforts with the Town's to maximize impact and ensure consistency of messaging.

Town of Newmarket Existing Community Improvement Plan (CIP) Designated Area

The Town of Newmarket's only CIP is the "Newmarket Historic Downtown Community Improvement Plan". This CIP's primary focus, and majority of funding activity, is centred on the revitalization of existing buildings within the historic Lower Main Street area, however a portion of the Plan's designated area encompasses parts of Davis Drive (Attachment B). A suite of nine financial incentive programs are available to eligible property owners and tenants, however five "big-ticket" programs more applicable to large-scale redevelopment projects have never been utilized. These include:

- Redevelopment and Rehabilitation Tax Incentive Program
- Development Charges Rebate/Credit Program
- Planning and Building Fees Rebate/Credit Program (some minor exceptions)
- Parking Requirement Program
- Parkland Dedication Exemption Program

These tools are presently available for Council's consideration in supporting Davis Drive development projects where they exist along the portions of Davis Drive that lie within the CIP area. Council can also look at either the potential expansion of the CIP area versus the establishment of another CIP area(s) to support strategic investments on the Davis Drive and/or Yonge Street corridors. Staff is currently researching these two options.

Ultra – High Speed Broadband Initiative

An important piece of community infrastructure to entice and support commercial and residential growth along the Davis Drive corridor is the ability to provide affordable, ultra-high speed symmetrical broadband connectivity. This project is directly supported by the Secondary Plan policies which require developments to be designed to provide for the implementation of leading edge communication technologies, including but not limited to broadband fibre optics. This project is advancing to the point where a detailed report/update to Council expected in Q1 2016.

Newmarket Economic Development Advisory Committee (NEDAC) Economic Development Strategy Re-Fresh

NEDAC is in the process of reviewing its role in positively influencing the economic growth and development of the community. Specific attention is being paid to aligning initiatives with Town priorities and documents as NEDAC goes through this strategic process. Specifically, the Secondary Plan and Council's Strategic Priorities will strongly influence the proposed direction for NEDAC. A joint NEDAC / Council session is scheduled in January, 2016 to advance this re-fresh process. Once a unified position is reached, it will be taken to the community for input through a NEDAC Community Congress.

Newmarket Economic Development Advisory Committee (NEDAC) Community Congress

Near the end of the last term of Council, NEDAC and Council reviewed the role and structure of NEDAC. Outcomes included a shift in composition size, meeting frequency changes, and the introduction of NEDAC Community Congresses to spark a larger community conversation on specific economic development items. Relevant groups and individuals will be invited that can represent the broader community perspective and/or provide specific input based on associated service offerings each group provides (e.g. Chamber of Commerce, ventureLab, York Region, etc). The inaugural Congress is intended to focus on the planning work currently ongoing between NEDAC and Council.

Advance Re-development of Davis Drive Properties Linkage with Economic Development Staffing

Staffing within Economic Development consists of one full-time Economic Development Officer (EDO) and one half time equivalent time of an Administrative Assistant. In addition, the Commissioner of Community Services also invests a minimum of 25% of his time working on economic development initiatives. Over the past year or so, to support the numerous projects that so closely align with the strategic and operational directions of the Town, in addition to the 1.5 FTE indicated above, the following additional supports have been in place:

- ❖ Secondment (1 FTE): Director of IT Innovations has been supporting the Community Collaborative Ecosystem (CCE) or also known as the Innovation Team; and serving as a lead in the advancement of the ultra-high speed broadband initiative. In addition, efforts are ongoing to further build an organizational culture rooted in creativity and innovation by all Town employees.
- ❖ Project Support (Approximately +/- .25 FTE): The Corporate Project Consultant served as the project coordinator on the development of the first ever dedicated economic development website for the Town. In addition, it is anticipated that this individual will transition (on an interim basis) to take on the coordination of the downtown grants program and liaison with the Newmarket Downtown Development Committee (NDDC) to be administered through a service level agreement. In addition, the Marketing and Sponsorship unit within Community Services has been engaged to a larger extent than in the past to support specific opportunities (e.g. economic development video for website; EDCO award video; promotional materials; initial discussion regarding the creation of a Secondary Plan webpage directed towards the development industry; etc).

The intention of the current approach to staffing is to augment resources for project-specific projects while enabling the EDO to have additional time to focus on strategic and emerging economic development initiatives. While this provides short-term relief to economic development resourcing issues, the go forward intent is to monitor and then customize a more stable staffing complement to match with specific needs that will evolve out of the development of the corridors exercise and supporting the economic development re-refresh results. This report recommends that go forward staffing of economic development will be the subject of a report no later than Q3 2016.

Planning Initiatives

The following Planning initiatives are being undertaken in order to create a policy/zoning framework that encourages the redevelopment of the corridor:

- ❖ **Mobility Hub Study:** A Mobility Hub Study will be undertaken which will more closely analyze and determine land uses / densities within the area of the Newmarket GO Train Station along Davis Drive. An element of this Study will also provide recommendations on how to better integrate the GO Train Station with the Rapidway, GO bus service and terminal, YRT bus service, active transportation on surrounding trails and pedestrian connectivity in order to create a transit hub on the site.
- ❖ **Zoning By-law Update:** Once the Secondary Plan is approved, the Town will have three years in which to update the corresponding zoning (i.e. all lands within the Secondary Plan area). Staff are exploring the possibility of non-conventional zoning (i.e. Development Permit System, or Form-Based Zoning) as an alternative to conventional zoning as a means to encourage redevelopment along the corridor.
- ❖ **Parkland Dedication By-law:** Barry Lyon Consultants was retained to undertake a peer review of the Town's draft proposed Parkland Dedication By-law. Staff are preparing a Parkland Dedication By-law outlining the land dedication and payment in lieu requirements, in accordance with the recommendations of the peer review and the requirements of the recently approved Bill 73. This By-law will acknowledge the economic landscape of Newmarket and will potentially include incentive-based parkland dedication requirements as a means to spur higher levels of investment.
- ❖ **Municipal Energy Plan:** A Municipal Energy Plan is currently being undertaken by the staff and the Town's consultants. This Plan will include recommendations regarding programs to increase energy efficiency in both residential and industrial sectors. This Plan will research the feasibility of a District Energy system for key areas of the Town, including the Davis Drive corridor. A District Energy system along Davis Drive would have significant economic development benefits including increased energy reliance and stable energy costs.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report links with several of Newmarket's Council strategic priorities including:

Economic Development – creating a strategy for vibrant and livable corridors along Davis Drive and Yonge Street

Community Engagement – aligning ourselves with communications best practices.

The recommendations in this report also support the links to the Town's Strategic Plan:

Well-Equipped and Managed by implementation processes that reflect innovative and accountable governance in achieving service excellence.

Well-Planned and Connected goal of ensuring the revitalization of neighbourhoods and improved interaction with the community.

CONSULTATION

Consultation to date has occurred internally and through the Council Workshop that was open to the public and was well attended by NEDAC members. Following circulation of this report to Members of Council, it will be circulated for information to NEDAC members. A key component of the recommendations is to conduct extensive consultation with the various stakeholder groups within the community.

HUMAN RESOURCE CONSIDERATIONS

Staffing levels are not impacted as a result of the recommendations in this report, although immediate work plans may be adjusted to accommodate this program.

BUDGET IMPACT

The March extract included, "*AND THAT the report includes how this can be accomplished without impacting the current and proposed economic development plans and initiatives*". Achieving this work plan will be funded through development charges less the Town portion (10%) which would be funded through Economic Development.

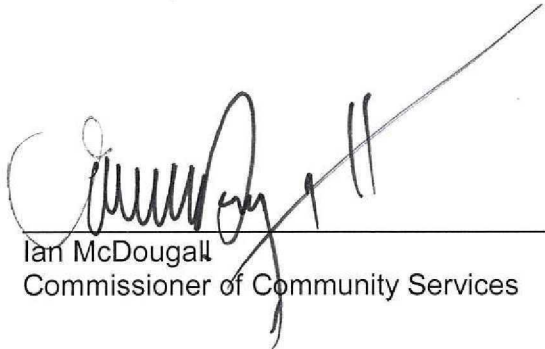
Any go forward budget implications that exceed delegated authority linked with the implementation of the second recommendation contained in this report would be subject to a future report and approval by Council.

CONTACT

For more information on this report, contact:

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Chris Kallio
Economic Development Officer



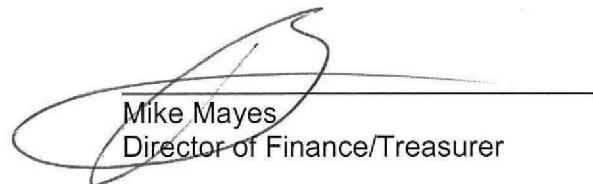
Peter Noehammer
Commissioner of Development & Infrastructure Services



Rick Nethery
Director of Planning



Anita Moore
Commissioner of Corporate Services

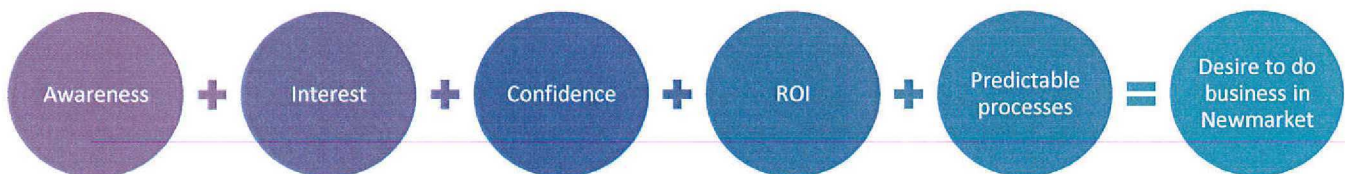
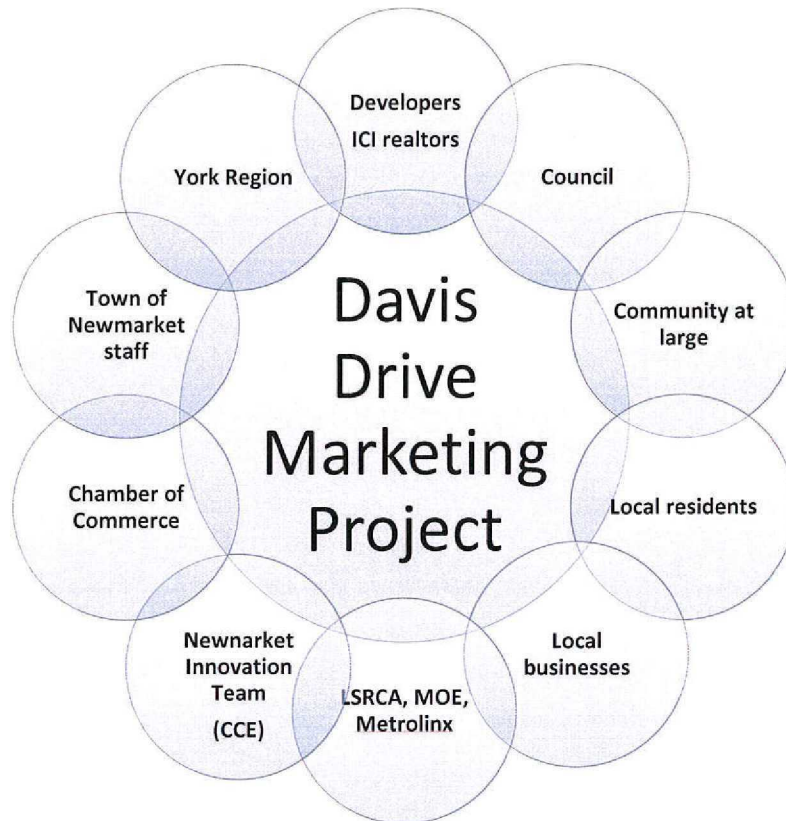


Mike Mayes
Director of Finance/Treasurer

Attachments: A & B

Attachment A

Preliminary List of Stakeholders



Attachment B





COMMUNITY SERVICES – RECREATION & CULTURE
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December 22, 2015

COMMUNITY SERVICES – Recreation & Culture # 2016-02

TO: Committee of the Whole
SUBJECT: Hollingsworth Arena Replacement Follow Up
ORIGIN: Community Services – Recreation & Culture

RECOMMENDATIONS

THAT the Community Services – Recreation & Culture, Report # 2016 - 02 dated December 22, 2015 regarding Hollingsworth Arena Replacement Follow up be received and the following recommendations be adopted:

- 1. THAT staff continue arena negotiations with Pickering College with the goal of being in a position to recommend a capital and operating financial framework at the February 1st Committee of the Whole;**
- 2. AND THAT in the event Pickering College negotiations do not result in a recommended financial framework, that staff considers other arena location options to be included as part of discussions at a February Council Workshop regarding Recreation Playbook Implementation: Facility Needs/Location Planning;**
- 3. AND THAT in support of operational efficiencies and further to recommendation #2 staff concurrently consider a potential outdoor artificial ice surface be incorporated as part of indoor arena replacement scenarios.**

COMMENTS

The purpose of this report is to provide recommended next steps with respect to the replacement of Hollingsworth Arena.



BACKGROUND

Hollingsworth Arena is a forty-three year old single pad arena. A proposed development opportunity related to its current location that aligns with Council's strategic priorities, the Secondary Plan and emerging strategic frameworks (e.g. NEDAC's preliminary discussions regarding an economic development strategy re-fresh). The proposed development also financially enables the development of enhanced community park amenities in the corridor for current neighborhoods and future residents along with the replacement of an aging facility.

Review of Hollingsworth Arena Pre and Post Magna Centre Opening

Community Services – Recreation and Culture Report # 2006 02: *THAT a decision whether to sell Hollingsworth Civic Arena and property be subject to staff conducting a utilization and future options analysis to commence January 5, 2009 with public consultation and a report coming back to Council within 90 days from the start date;*

Community Services – Recreation and Culture Report # 2008 – 07: *THAT the future use of Hollingsworth Arena be considered prior to the scheduling of contracts in that facility for the 2009/10 season and following the scheduling of the new Magna Centre for two full seasons, with staff recommendations to Council including, among other things, a list of potential service level modifications;*

Community Services – Recreation and Culture and Public Works Services Joint Report # 2008 – 17: *THAT subject to further direction with respect to the service priorities of the municipality, Hollingsworth Arena remain in operation as an ice facility; AND THAT staff continue to monitor ice supply/demand and facility capital requirements against service philosophies of the Town and report back to Council in future as necessary;*

Arena Needs Assessment Study (dmA Planning and Management Services) – in 2013 looked at utilization of Town's current supply/demand and service level. Specific review of Hollingsworth Arena utilization as well in a study addendum;

Community Services – Economic Development and Recreation and Culture Joint Report #2013 – 32: Davis Drive /Patterson Street Property Matter be received;

Arena Needs Assessment Study done in 2013 was peer reviewed by Monteith Brown Planning Consultants in 2014/15 as part of the Recreation Playbook process;

May 25, 2015 Committee of the Whole meeting staff received direction to bring forward in open session the recommendations adopted by Council in June 2014 in closed session (Report # 2014 – 41);

CAO/Commissioner of Development and Infrastructure Services/ Commissioner of Community Services/Commissioner of Corporate Services Joint Report # 2015- 38: *THAT.... the sale of the Hollingsworth Arena site be subject to satisfactory arrangements being made to maintain 7 (seven) municipally permitted ice surfaces for the continuity of service for Town residents. From the above referenced # 2014 – 41 report the recommendation associated with Hollingsworth Arena specifically was, THAT staff be authorized to enter into discussions with Pickering College on the exclusive basis for the development of a joint venture for the development of a single pad arena on that site to replace Hollingsworth Arena with staff to report back to Council with options for an agreement in Q1 2015;*

Community Services – Recreation and Culture Report # 2015 – 28: *THAT staff work with Pickering College to finalize an agreement subject to Council approval with respect to capital and operating costs regarding a replacement arena at Pickering College and bring back a professionally prepared project estimate and recommended capital and operating agreement to Council for review within the next 45 days and THAT staff initiate a public process addressing a replacement arena and proposed disposition of land at Hollingsworth Arena.*

Pickering College Partnership Negotiations

As summarized above, Council adopted that, *“...staff be authorized to enter into discussions with Pickering College on an exclusive basis for the development of a joint venture for the development of a single pad arena on that site to replace the Hollingsworth Arena with staff to report back to Council with options for an agreement in Q1, 2015”.*

In June, 2015 related to the go forward continuity of service level for municipal ice pads Council adopted that, *“...the sale of the Hollingsworth Arena site be subject to satisfactory arrangements being made to maintain 7 (seven) municipally permitted ice surfaces for the continuity of service for Town residents”.*

In June, 2015 in the same report Council also adopted that, *“...the sale of the Hollingsworth Arena site be subject to Council's declaration of the property as surplus to municipal needs and staff being directed to following the Town's land disposition process”.* To support the initiation of the land disposition process staff has provided replacement plans and associated recommendations within this report outlining a course of action and reporting back process to ensure Council is able to provide financial and strategic directions with respect to the replacement of Hollingsworth Arena.

Staff has prepared and received positive feedback from Pickering College on a draft MOU that relates to capital and operating of a facility to be constructed at Pickering College. A facility floorplan and site plan has been discussed and has been costed by an architect.

At the October 26, 2015 Council Meeting it was adopted that , *“staff work with Pickering College to finalize an agreement subject to Council approval with respect to capital and operating costs regarding a replacement arena at Pickering College and bring back a professionally prepared project estimate and recommended capital and operating agreement to Council for review within the next 45 days and that staff initiate a public process addressing the replacement arena and proposed disposition of land at Hollingsworth Arena.”*

Since this most recent direction from Council, a professionally prepared project estimate has been established. In addition, staff from the Town and Pickering College has continued to have discussions and share operating financials. Considerable work on reviewing capital and operating costs has also been done internally at both Pickering College and the Town. While the identified 45 day window would result in a mid-December report, this is the first available Committee of the Whole meeting since the expiration of the identified timeframe. While significant advancements have occurred in terms of the financial discussions, staff is not in a position to make definitive recommendations until Pickering College has had the opportunity to review the financials following the latest meeting on January 4, 2016. We anticipate within the next two weeks it will be known if we can arrive at a win-win capital and operating framework.

February Council Workshop regarding Recreation Playbook Implementation: Facility Needs/Location Planning

If a capital and operating financial framework related to a joint venture with Pickering College is recommended and adopted by Council, it would positively influence the content of the workshop as it would determine an important part of the go forward recreation infrastructure planning that will be discussed at the Council workshop. This direction will be established prior to the workshop.

In the event that there is not a capital and operating financial framework recommended and/or not adopted by Council this will also be known prior to the workshop.

The workshop will be intended to take the recommendations from the Recreation Playbook and form a planning framework that considers:

- ✓ What recreation and culture new infrastructure is anticipated within the next 10 year life of the Playbook;
- ✓ What order it is to be implemented (approximate);
- ✓ Where should new infrastructure be specifically located;
- ✓ Funding sources for each anticipated new infrastructure;
- ✓ Potential existing facility replacement/relocations related to continuing to meet needs, achieve Playbook recommendations and maximizing land effectiveness.

Staff will need to determine if this workshop is open or closed in the pre-planning stages in consultation with Legislative Services and Legal Services taking into account the extent anticipated content and discussions/planning would involve the acquisition/disposition of land.

In keeping with requirements for Council workshops, the purpose will be to have a discussion aimed at exploring the items listed above; however, no decision would be made. Any recommendations involving decisions would come back to a future Committee of the Whole and Council meeting.

Consider incorporating an outdoor artificial ice surface into new indoor rink construction scenarios

On October 26, 2015 staff were directed to, "*investigate the potential for an outdoor arena in the Town of Newmarket. The analysis should example options for the rink, including amenities, costs, location criteria and potential funding sources. The report is to brought back to Committee of the Whole within 120 days.*"

For operational efficiency and capital savings, in any scenario where an indoor arena is being considered on Town owned land, staff feel that as an indoor arena is being planned that it incorporate the ability to also accommodate an outdoor artificial ice surface (now or in the future) as well. This would also be explored more fully as part of the Council workshop. Any detailed analysis indicated above in the staff direction would be incorporated into review and reporting on a go forward basis.

CONSULTATION

There are ongoing discussions with Pickering College.

It is recommended in the report that public processes be initiated specific to decommissioning Hollingsworth Arena at its current location, as well as, a public process with area residents, sport user groups and the community as a whole regarding a replacement arena at Pickering College should a capital and operating financial framework be approved by both parties.

If negotiations with Pickering College do not lead to an agreement then following the Council workshop and subject to a subsequent report for Council consideration related to Playbook implementation, that potential locations for a new arena (along with other Recreation Playbook facility locations/re-locations) would be taken out to a public engagement process with area residents, sport user groups and the community as a whole.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Council 2014- 2018 Strategic Themes and Priorities Alignment:

- *Economic Development/Jobs*: Creating a strategy for vibrant and livable corridors along Davis and Yonge Street
- *Economic Development/Jobs*: Supporting innovative projects and partnerships with various sectors
- *Enhanced Recreational Opportunities*: Enhancing recreational and community facilities
- *Efficiency / Financial Management*: Ensuring effective and efficient services

Well-balanced

- Recreation facilities and services
- Meeting the needs of all life-cycle stages

Well-equipped & managed

- Fiscal responsibility
- Service excellence
- Efficient management of capital assets and municipal services to meet existing and future operational demands
- Clear vision of the future and aligned corporate/business plans

Well-respected

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

BUDGET IMPACT

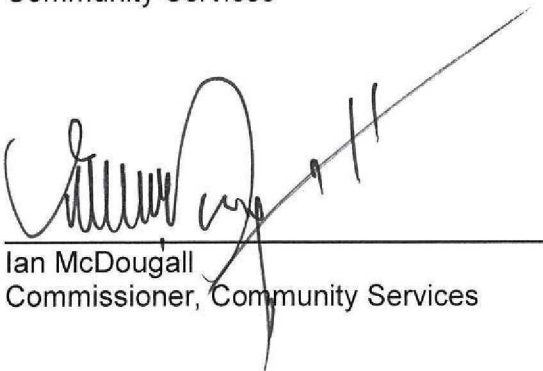
Replacement Arena at Pickering College: The draft design floor plan and site plan preliminary total project estimate \$11.5 million (including estimates for site servicing, parking, permits, etc but excluding any land value calculation if applicable).

CONTACT

For more information on this report contact: Colin Service (cservice@newmarket.ca or extension 2601) or Ian McDougall (imcdougall@newmarket.ca or extension 2441).



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Community Services



Ian McDougall
Commissioner, Community Services



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January 11, 2016

**COMMUNITY SERVICES REPORT – RECREATION & CULTURE
REPORT # 2016-03**

TO: Committee of the Whole

SUBJECT: Artificial Turf Field Agreement Follow Up

ORIGIN: Community Services – Recreation and Culture

RECOMMENDATIONS

THAT Community Services – Recreation & Culture Report # 2016-03 dated January 11, 2016 regarding an agreement with the York Region District School (YRDSB) for an Artificial Turf Field be received and the following recommendation(s) be adopted:

- 1. THAT Council delegate authority to staff to enter into an agreement with the YRDSB for the construction and operation of an artificial turf sports field located at Dr. Dennison High School as outlined in this report.**

COMMENTS***Background***

In April 2015, Staff was directed by Council to continue discussions with YRDSB to develop a framework for an agreement to partner in building an Artificial Turf Soccer Field to be located on School Board Property. Staff and representatives from YRDSB have met numerous times to develop a draft framework for the agreement.

Staff brought back a report in October, 2015 outlining a framework for an agreement with YRDSB. Council directed staff to go back to YRDSB and explore a cost sharing arrangement on annual maintenance and revenue splitting.

Staff met with officials from YRDSB in November. YRDSB was not agreeable to a cost sharing and revenue sharing on operations. Their position was that they were providing land for the project and contributing 50% of capital. Further, they have agreements with 6 other municipalities in York Region in which they pay none of the ongoing maintenance expenses.

As such, the Town can pursue one of the following three options:

1. Proceed with the agreement as originally presented to Council in October, 2015.
2. Redevelop an existing Town of Newmarket field into an artificial turf field.
3. Do not build an artificial turf field in the Town of Newmarket.

Each option along with pros and cons is identified in the chart below:

Option	Pros	Cons
1. Proceed with the agreement as originally presented to Council in October, 2015.	<ul style="list-style-type: none"> - allows the Town to share in the capital costs, having to pay only 50% of capital costs up to an agreed upon budget maximum and project scope - since this would represent an increase in the inventory of fields, 90% of the Town's portion of costs can be paid through Development Charges 	<ul style="list-style-type: none"> - represents an annual net impact to the operating budget of approximately \$40,000. Whether it be a natural or artificial turf field, an addition of any field would represent an increase of approximately \$40,000 annually. -artificial turf surface would need to be replaced after approximately 12 years +/- at a cost of approximately \$200,000 (50% would be funded through ARF – the remainder is anticipated to be funded by YRDSB in a continuation of the partnership).
2. Redevelop an existing Town of Newmarket field into an artificial turf field.	<ul style="list-style-type: none"> - maintaining of the field could be done with existing resources representing little increase costs to the annual operating budget - reduce field remediation budget impacts on maintaining current natural grass inventory as this would result in different programming approaches across entire inventory. 	<ul style="list-style-type: none"> - the Town would incur total cost of construction (approximately \$2 Million) - the Town could only fund about 30% through Development Charges as it would be a replacement of an existing asset (the only reason any funding can be utilized through development charges is because of the increase in length of season that represents a new asset). - no new increase in # of fields despite findings from the Playbook process, Places to Grow forecasts etc.
3. Do not build an artificial turf field in the Town of Newmarket.	<ul style="list-style-type: none"> - no capital expense - no increased operating expense 	<ul style="list-style-type: none"> - all user groups have been consulted and have expressed a need for an artificial turf field in order to grow their respective

		<p>sports and compete with neighbouring municipalities.</p> <p>- the Town of Newmarket is the only municipality in York Region that has no artificial turf field. User groups are losing participants to other municipalities who are able to provide additional services that cannot be provided in Newmarket (ie. Length of season)</p> <p>-lost partnership opportunity</p>
--	--	--

Staff are continuing to recommend option 1 – building an artificial turf field in partnership with YRDSB under the following terms:

Terms of the Agreement

The following represent the draft framework for an agreement:

- The Term of the Agreement will be up for renewal every 10 years
- The Town and YRDSB each will contribute 50% of total project costs to a maximum of \$1,000,000 per party. \$900,000 of Town funding will be allocated from Development Charges and the remaining \$100,000 will be funded from Operating Capital.
- This funding will include an artificial turf field lined for soccer and football, appropriate goal standards, lighting, a small washroom and storage building.
- Any capital repairs required during the life of the agreement will be split evenly between both parties.
- YRDSB will manage the construction project, with the Town having a staff representative on the project team. All decisions around budget and scope will be mutually agreed upon.
- The Town will have exclusive right to permit the field outside of traditional school hours (from 6 pm onward and all day during school breaks). The Town will collect all revenues associated with permitting the field
- The Town will be responsible for maintenance and hydro costs associated with lighting the field
- A Management Committee comprised of Town Staff and YRDSB Staff will meet quarterly to address issues including maintenance and scheduling

Maintenance of an Artificial Turf Sport Field

There is a perception that maintenance is less on an artificial turf field. However, annual costs for maintaining an artificial turf field and natural turf field are similar.

Based on past experience, in Newmarket it costs approximately \$50,000 per year to maintain a natural turf field. Using the assumption provided above that costs are comparable and that staff resources to maintain the current field inventory within existing service standards are at capacity, staff would include an additional

\$50,000 in expenses in order to fund maintenance of the filed within the 2017 Operating Budget. This will be offset by approximately \$10,000 in revenue that is expected to be realized through facility permits.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Living Well

- Emphasis on active lifestyles and recreational opportunities

Well Balanced

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

CONSULTATION

Community sport organizations are aware of a potential partnership with YRDSB including the specific location. They are very supportive of the potential project. Community consultation would occur through a joint effort between YRDSB and the Town.

HUMAN RESOURCE CONSIDERATIONS

Staffing levels will need to increase with additional contract seasonal staff to perform necessary maintenance.

BUDGET IMPACT

Operating Budget (Current and Future)\

As identified in the report, it is anticipated that additional costs of approximately \$50,000 will be incurred with approximately \$10,000 in new revenues.

Capital Budget

As identified, the Town's portion of this capital project is up to \$1 Million. This will be funded through Development Charges (\$900,000) and Operating Capital (\$100,000).

CONTACT

For more information on this report, contact: Colin Service, Director Recreation & Culture, at ext. 2601 or cservice@newmarket.ca.



Colin Service
Director, Recreation and Culture



Ian McDougall
Commissioner, Community Services

January 4, 2016

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2016-02**

TO: Committee of the Whole

SUBJECT: Water Street Crossing – Update #2
File No.: T.08 T.30 Water

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2016-02 dated January 4, 2016 entitled “Water Street Crossing - Update” be received and the following recommendations be adopted:

- 1. THAT Option 2 be endorsed as the preferred option to address pedestrian safety;**
- 2. AND THAT a Public Information Centre meeting be held in Q1 2016 with the results and final design including costs to be forwarded in an Information Report;**
- 3. AND THAT a copy of this report and Council extract be forwarded to representatives of Metrolinx and York Region.**

BACKGROUND

At its regular meeting of March 30, 2015, Town Council discussed Development and Infrastructure Report – Engineering Services 2015-20 and adopted the following recommendations, amended to include item “iv)” regarding the possibility of preserving left turn movements:

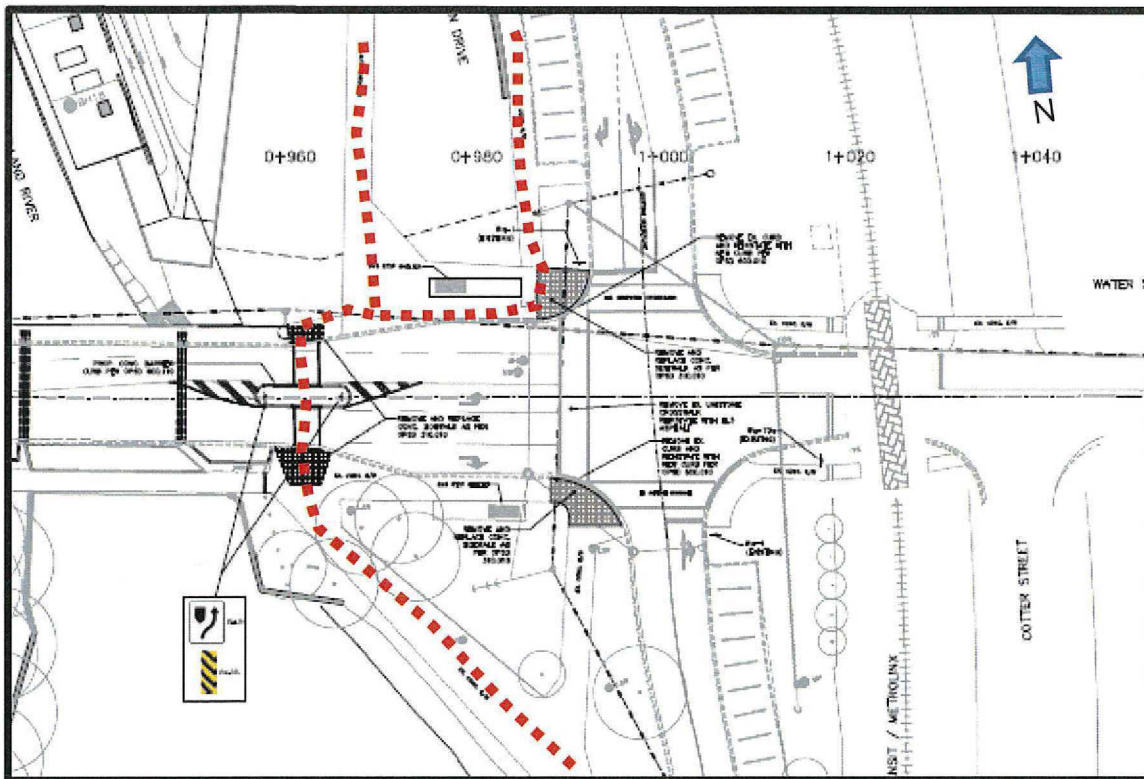
- i) THAT the implementation of a pedestrian traffic signal not be pursued at this time;
- ii) AND THAT a pedestrian refuge island be considered as the medium term solution to enhancing pedestrian safety;
- iii) AND THAT a consultant be retained to design a pedestrian refuge island, conduct a safety review and provide costing and that the report be brought back to Council for final approval;
- iv) AND THAT the design options explore preserving the left turn movements while addressing any safety issue;
- v) AND THAT a copy of his report and Council extract be forwarded to representatives of Metrolinx and York Region.

COMMENTS

To meet the additional requirement of preserving left turn movements at the Doug Duncan Drive/Water Street intersection, the size and location of the pedestrian refuge island was reviewed and modified..

Two options were considered for the pedestrian island, and these will be described and presented below. Option 1 responds to the direction of Town Council and provides a safe crossing location with preservation of the existing left-turn movement and bus bay; however the pedestrian island is smaller and must be located west of the intersection. Option 2 has a more direct crossing alignment for pedestrians, but will restrict or prohibit the left turn movement from eastbound Water Street onto Doug Duncan Drive.

OPTION 1



The symbol ■■■ represents the walking travel path of the crossing. All turning movements are allowed at the Doug Duncan Drive/Water Street intersection; however, a short left turn lane would result and there would have to be a shorter taper within the eastbound left turn lane, which could lead to minor traffic concerns for motorists turning left. To avoid “jaywalking” at the intersection, some guiding elements such as attractive walls could be designed to direct pedestrians to the island and installed to discourage them from crossing at the intersection. Some pedestrian crossing activity is likely despite the design features due to the walking desire lines across the intersection and the separation of the designated crossing about 25 metres to the west.

COMPARISON CHART

Both options show a close preliminary representation of where the pedestrian refuge island will be located and what its size would be. The final design, including signage, pavement marking and other safety features, will be subject to a safety audit as part of the design.

The following table compares the two options on several key points.

Measure	Option 1	Option 2
Left turn Impact	Minor impact - reduction in length of eastbound taper lane	Major impact - restricted or prohibited eastbound left turn lane
Transit	None	Removal of bus bay
Walking Alignment	Offset by 25 metres	Small offset
Construction Cost	\$120,000	\$150,000
Size	10m x 2.5m approx.	13m x 2.5 m approx.

Staff is recommending that Council consider the benefits of Option 2 since it more directly addresses the issue of pedestrian safety at the crossing. While the cost of constructing Option 2 is slightly higher and will have some impact on traffic and bus operations, the alignment offers a more natural location for pedestrians to cross. Staff is concerned that, if Option 1 is selected, some pedestrians will choose to ignore the designated crossing location and cross the street directly at the intersection rather than taking several additional steps to travel the additional 25 metres required to use the island.

Another attractive feature of Option 2 is that the flexibility in the length and width of the island could allow for some very interesting streetscape features to be incorporated. For instance, the island could be an ideal location for some public art or landscaping that would reflect the rich historical significance of this location while being very harmonious with surrounding features. This would not be possible with Option 1 due to the proximity to the bridge and the taper lane for the left turn movement.

Staff is recommending that Option 2 be considered as the preferred option, and that a public information centre and public consultation be undertaken. This PIC could be held at the Community Centre rather than at the Town Hall to engage more people who live, work and play in this vicinity. Once the public consultation is completed, comments made by the public will be taken into consideration when producing the final design including the safety audit.

PUBLIC CONSULTATION

No public consultation was undertaken in the preparation of this report. Once Council provides its direction on the Option it wishes to select, the process for a public consultation will begin.

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)

Operation and maintenance of the pedestrian refuge island will be part of the budget for road maintenance. Any additional maintenance of features (planting bed for example) will need to be determine based on final design.



Capital Budget

Construction costs are noted above. These costs do not include any additional streetscaping elements or alteration of the island to incorporate any public art. There is currently \$112,000 available in the budget that was originally earmarked for the installation of traffic signals that will be put forward to this project. The balance would come from unexpended reserves.

CONTACT

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

Prepared by:


M. Kryzanowski, M.C.I.P., R.P.P.
Senior Transportation Coordinator
R. Prudhomme, M.Sc., P. Eng.,
Director, Engineering Services
P. Noehammer, P.Eng., Commissioner
Development & Infrastructure Services

January 4, 2016

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2016-03**

TO: Committee of the Whole

SUBJECT: Grant Blight Crescent – West-end Parking Review
File No.: T08 T.30 Grant Blight Crescent

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES2016-03 dated January 4, 2016 regarding Grant Blight Crescent – West-end 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 deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Grant Blight Crescent	West and North	Bristol Road to the lot line between # 129 and # 133	Mon – Fri 8:00 a.m. to 4:00 p.m.
Grant Blight Crescent	East and South	Bristol Road to the lot line between # 128 and # 132	Mon – Fri 8:00 a.m. to 4:00 p.m.
Grant Blight Crescent	East and North	Stiver Drive to the lot line between # 129 and # 133	Mon – Sat. 8:00 a.m. to 4:00 p.m.
Grant Blight Crescent	West and South	Stiver Drive to the lot line between # 128 and # 132	Mon – Sat. 8:00 a.m. to 4:00 p.m.

2. AND 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
Grant Blight Crescent	Both	Bristol Road to Stiver Drive	Mon – Fri 8:00a.m. to 4:00 p.m.

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

COMMENTS

The current parking restrictions on the west side of Grant Blight Crescent are not the same as the restrictions on the east side. There is no Saturday parking restriction on the east side of the crescent, although there is a Saturday restriction on the west side. Through their Ward Councillor, the residents on the west side of Grant Blight Crescent requested the removal of the Saturday parking restriction on their side of the crescent to better align with the east side and to allow parking of vehicles on weekends.

The Ward Councillor indicated that he had consulted a majority of the residents in the area and had received a favourable response to the request. Engineering Services enacted the Town's procedure as per policy and followed-up with a survey requesting comments from the community. The positive response received by the Councillor was reflected in the survey response, showing that all respondents were unanimously in favour of the proposed change.

Therefore, it is recommended that the Monday to Saturday restriction on the west side of Grant Blight Crescent be amended to a Monday to Friday restriction for consistency with the east side of the crescent.

PUBLIC CONSULTATION

On October 27, 2015, Engineering Services contacted the community on the west side of Grant Blight Crescent. Twenty-six (26) households which directly front or flank the proposed area of study were targeted by the mail-out. The Town received eight (8) responses (31% return), all of which were in favour of the amendment.

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

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

HUMAN RESOURCE CONSIDERATIONS

No impact on current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

No impact to the Operating Budget.

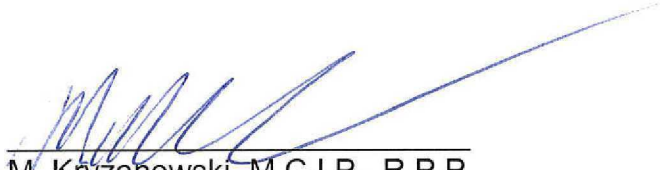


Capital Budget

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
R. Prudhomme, M.Sc., P. Eng.
Director, Engineering Services
P. Noehammer, P. Eng., Commissioner,
Development & Infrastructure Services



-  Existing Monday to Friday parking restrictions to Remain
-  Existing Monday to Saturday Restrictions proposed to be changed to Monday to Friday



January 4, 2016

**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES – ES 2016-04**

TO: Committee of the Whole

SUBJECT: Final Acceptance and Assumption of the Stormwater Management Pond for
Garden Homes Residential Subdivision
ES File No.: D.24.64

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

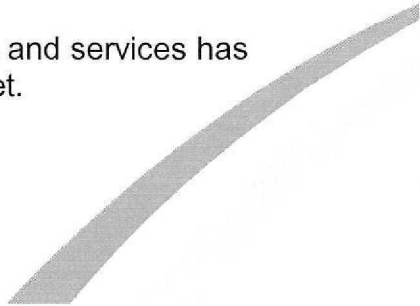
THAT Development and Infrastructure Services Report – ES 2016-04 dated January 4, 2016, regarding the Final Acceptance and Assumption of the Stormwater Management Pond for Garden Homes Residential Subdivision, be received and the following recommendation(s) be adopted:

- 1. THAT the Stormwater Management Pond for Garden Homes Residential Subdivision be finally accepted and assumed by the Town;**
- 2. AND THAT Mr. Ignazio Giardina of Garden Homes Inc. and Mr. Angelo A. Maurizio, P. Eng., of Schaeffer & Associates Ltd. be notified of these recommendations.**

COMMENTS

We are in receipt of an application from Schaeffers Consulting Ltd., on behalf of Garden Homes Inc., wherein a request for final acceptance and assumption of the Stormwater Management Pond for Garden Homes Residential Subdivision is made.

Engineering Services has confirmed that the maintenance period for works and services has been satisfied and all requirements for assumption have therefore been met.



All required documentation has been provided and reviewed by our checking consultant, R.J. Burnside & Associates Ltd., who have provided their recommendation for final acceptance and assumption.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

There is no public consultation required with this recommendation.

BUDGET IMPACT

Operating Budget (Current and Future)


With this recommendation, the above captioned Stormwater Management Pond for Garden Homes Residential Subdivision will now be under the Town's Operating Budget.


CONTACT

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


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Senior Engineering Development Coordinator,
Residential


R. Bingham, C.E.T.,
Manager, Development Engineering


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


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

[illegible]Final Acceptance and Assumption of Stormwater Management Pond
Garden Homes Residential Subdivision

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**Mike Mayes, Director
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January 6, 2016

CORPORATE SERVICES REPORT - FINANCIAL SERVICES-2016-03

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

SUBJECT: Corporate Financial Policies

ORIGIN: Manager, Finance and Accounting

RECOMMENDATION:

THAT Corporate Services Report - Financial Services – 2016-03 dated January 6, 2016 regarding the Corporate Financial Policies be received and the following recommendation be adopted:

1. **THAT the following corporate financial policies, including the policies' appendices, be approved by Council;**
 - **Revised Investment Policy**
 - **Revised Mileage Policy**
2. **AND THAT, Bylaw 2016-xx regarding Banking Related Authorities be forwarded to Council for adoption.**

COMMENTS

Purpose

The purpose of this report is to provide an overview of the corporate financial policies and recommend the approval of the same.

Budget Impact

There is no direct budget impact arising from this report.

Summary

Revisions to the investment policy will allow the Town increased flexibility in selecting investment products, particularly in the short-term. Revisions to the mileage policy address matters raised by staff and Employee Relations and the Internal Communication Committee (ERIC). Banking authorizations have been updated to reflect current processes and technologies.

Background

Based on Council priority 4.0 - Efficiency/Financial Management, Financial Services has developed its departmental priorities. One of the priorities was to develop a sustainable financial strategy. The outcomes of this strategy include updating or formalizing a series of financial policies: debt policy, reserves and reserve funds policy, asset replacement fund (ARF) policy, donations policy, and investment policy. These policies adhere to the statutory requirements and are in line with the Town's current practices. Some external consultation is being sought on the donations policy as well as the ARF policy. As they are closely linked to the Reserves and Reserve Funds Policy and the Debt Policy, they will all come forward at a later date.

At this time, updated versions of the mileage policy, investment policy and banking authorizations policy are coming forward.

Analysis and options

Key parts of each policy are highlighted below.

Revised Investment Policy

The existing Investment Policy, effective on April 16, 2012, has very stringent restrictions on the Town's investment products. As the interest rate has been and continues to be historically low, the Town's investment income is diminishing. To manage this situation, the Town needs to pursue more aggressive investment products that will have better returns on investment. The revised Investment Policy will allow the Town to have more choices to select investment products, particularly in the short-term, while adhering to statutory requirements.

Short-term investments made from the operating fund to take advantage of seasonal or cyclical variations in cash balances during the year, particularly due to the timing of tax collections and remittances, will help us achieve our budget target.

The investment strategy, which outlines the method of implementation of the investment policy, has been updated to include short-term and long-term investment parameters, as well as the addition of Schedule II banks, credit unions and trust companies.

Banking Related Authorities Update

Bylaw 1974-10 provided for the execution of cheques. Resolution R14-99 included the authorization to transfer funds between the reserve fund and general bank accounts. Since that time, more payment types have been added such as electronic direct transfers. Also, we authorize singular and recurring pre-authorized electronic payments from our account including utility payments and monthly payments to our corporate credit card supplier. The Town has started investing surplus cash which involves secured wire transfer payments for these transactions. The technology advancements have prompted us to update some of our processes and authorizations. The processing of payments has not changed for several years and has been subject to external audit each year. While there are no internal audit concerns, this bylaw formally establishes the signing authorities which have generally been supported by the default authorities of the Municipal Act.

Revised Mileage Allowance, License and Automobile Insurance Policy

The mileage policy has not been updated since 2007 and has been the subject of many questions over the years, including the most recent questions raised by ERIC. Finance became the policy owner (transferred from Human Resources) and researched what our municipal neighbours, as well as the Region, does. Suggested changes were approved by the Operational Leadership Team on December 9, 2015. The Out of Town rate has been eliminated; no other municipality differentiates between In Town and Out of Town mileage and the rationale for two rates is no longer clear. The car pool rate has been maintained to encourage and support "Smart Commuting". We are not aware of another municipality that has a car pool rate. Toll charges, as well as out of province travel, must be pre-approved in writing. A chart of distances to common facilities forms part of the policy and must be used. Mileage paid in the year will be used to calculate any applicable taxable benefit for that taxation year.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

The investment and the banking authorization policies have been reviewed by the Legal Department. The N6 municipalities and York Region were consulted on the mileage policy. As per standard practice, the changes to these policies have been reviewed by the Operational Leadership Team (OLT).

HUMAN RESOURCE CONSIDERATIONS


Not applicable to this report.

BUDGET IMPACT

There is no direct budget impact.

CONTACT

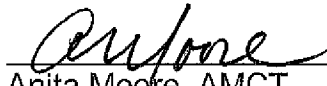
For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at mmayes@newmarket.ca



Dawn Schellenberg, CPA, CA
Manager, Finance & Accounting



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



Anita Moore, AMCT
Commissioner, Corporate Services

DS/ne

Attachments:

- a) Investment Policy (4 pgs.), including Appendix "A" - Investment Procedures (3 pgs.)
- b) Investment Strategy (2 pgs.)
- c) Bylaw 2016 –XX Banking Related Authorities (4 pgs.)
- d) Mileage Allowance, License and Auto Insurance Policy (4 pgs.), including Appendix "A" – Common Distances



CORPORATE POLICY

Sub Topic:	Investment Policy	Policy No.	FIN.3.01
Topic:	Financial Services Policy	Employees Covered:	All Employees
Section:	Financial Services	Council Adoption Date:	April 16, 2012
Effective Date:	XXX	Revision No: 1	Date: XXX

Policy Statement & Strategic Plan Linkages

The Corporation of the Town of Newmarket strives for the best utilization of its cash resources within statutory limitations and the basic need to protect and preserve capital, while maintaining solvency and liquidity to meet on-going financial requirements. This policy is in line with the Town's "Well Equipped & Managed" Strategic Plan objective.

Purpose

The purpose of the Investment Policy is to set out guiding principles for the management of the Corporation of the Town of Newmarket's surplus funds and investment portfolio. This investment policy applies to all investments made on behalf of the Town including, but not limited to, operating funds, reserves and reserve funds, trust funds and any new funds created by the Town unless otherwise specifically exempted. This Policy is not applicable to the Town's investment in business enterprise entities, such as Newmarket Hydro.

Definitions

Diversification: a process of investing assets among a range of security types by sector, maturity and quality rating.

Investment: the purchase of a financial product such as stocks, bonds, mutual funds, etc, or other item of value with an expectation of favorable future returns.

Investment Official: person who is authorized by the Council to be responsible for the Town's investment activities.

Investment Parameters: factors that define the investment decision making process and determine the investment performance.

Liquidity: a measure of an asset's convertibility to cash.

ONE Investment Program: a pooled investment program designed specifically for the municipal and broader Ontario public sector. The program is operated jointly by Local Authority Services and the CHUMS Financing Corporation, wholly owned subsidiaries of the Association of Municipalities of Ontario and the Municipal Finance Officers' Association of Ontario, respectively.

Prudent Person Standard: an investment standard outlining the fiduciary responsibilities relating to the investment practices of public fund investors.

Securities: a security is an exchangeable, negotiable instrument representing financial value. Securities are broadly categorized into debt securities (such as banknotes, bonds and debentures) and equity securities, e.g., common stocks; and derivative contracts, such as forwards, futures, options and swaps.

Yield: annual income earned from an investment, expressed usually as a percentage of the money invested.

Procedures

Standards of Care

a) Prudence

Investments shall be made with judgment and care. Under circumstances then prevailing, prudent persons will exercise their discretion and intelligence in the management of their own affairs, not for speculation, but for investment purposes, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by authorized employees dealing with investment activities shall be the prudent person standard and shall be applied in the context of managing an overall portfolio. Authorized employees acting in accordance with written procedures and the investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risks or market price changes.

b) Ethics and Conflict of Interest

Investment officials and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officials shall not undertake personal investment transactions with the same individual with whom business is conducted on behalf of the Town.

c) Delegation of Authority

The Treasurer shall establish written procedures and policies for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures and policies established by the Treasurer.

d) Competitive Selection of Investments

All security transactions will be completed through a competitive process and with financial institutions approved by the Treasurer. The Town will accept an offer to purchase which has the highest rate of return for the investment term required and optimizes the investment objectives of the portfolio.

Safekeeping and Custody

All investments shall be held for safekeeping by the financial institution or broker from whom the investment was purchased. All securities shall be held in the name of the Corporation of the Town of Newmarket.

The depository shall issue a safekeeping receipt to the Town listing the specific instrument details, rate, maturity and other pertinent information. On a monthly basis (or a quarterly basis depending on the broker), the depository will also provide statements to the Treasurer for reference and decision making purposes which list all securities held for the Town, the book value of holdings and the market value as of the month (period) end date.

Eligible Investments

The following are eligible investments:

- a) Bonds, debentures, or other forms of indebtedness of or guaranteed by the Government of Canada, the Province of Ontario, or another province of Canada.

- b) Bonds, debentures, term deposits, deposit receipts or notes, certificates of Instruments issued, accepted, guaranteed or endorsed by any bank in Schedule I or II to the Bank Act or by credit unions and trust companies as defined in the Credit Unions and Caisses Populaires Act; and
- c) Bonds, debentures, or promissory notes of a metropolitan, regional or district municipality.
- d) Municipal Investment Pools such as One Fund

All eligible investments are subject to the sector limitations under the reference Investment Parameters.

Investment Parameters

The Town shall diversify its investments to the best of its ability based on the type of funds invested and the cash flow needs of those funds. Diversification can be by type of investment, issuer, sector and length of maturity.

To the extent possible, the Town shall attempt to match its investments with anticipated cash flow requirements. Deviation from this course of action is subject to the discretion of the Treasurer.

Performance Standards

The investment portfolio shall be designed with the objective of obtaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs. Portfolio performance should be compared to benchmarks with similar maturity, liquidity and credit quality as the portfolio.

Reporting

The Treasurer shall submit a report to Council on investment activities and returns at least annually, including but not limited to the information listed in the Investment Policy Procedures.

Appendices (which may be amended from time to time)

Appendix 'A' - Investment Policy Procedures to Investment Policy FIN.03.01

Cross References

CAO. 3-1 Employee Code of Conduct

CORP. 1-03 Accountability and Transparency Policy

Delegation By-law 2007-114

FIN. 2-01 Operating and Capital Financial Policy

Municipal Act 2001 (Excerpt) – Investment

Ontario Regulation 438/97 of the Municipal Act

Appendix "A"
Investment Policy Procedures
to
Town of Newmarket
Investment Policy FIN.03.01

Purpose

The purpose of the Investment Policy Procedures is to guide Finance staff with investment operations. These procedures shall be reviewed and updated at least every five years.

Legal Authority to Invest

Council authorizes the Treasurer to invest the Town's surplus funds in compliance with the Town's Investment Policy. The Treasurer may delegate the authority to select investment instruments in which the Town's funds may be placed to the Deputy Treasurer. The Treasurer approves the investments and retains ultimate responsibility as the fiduciary of the assets of the Town of Newmarket. The Treasurer and his/her designee shall perform their investment duties in good faith and in compliance with the Investment Policy. By so doing, they have no personal liability for their actions.

Review

An overall Town cash flow model shall be prepared prior to making any investments. This model shall include: actual cash flow for the past quarter, short term (one year) forecast for operating purposes by month, and long term (5 years and beyond) cash flow forecast for reserves and reserve funds. Cash available for short-term and long-term investments will be determined from the model analysis. The model should be reviewed and revised periodically to incorporate the actual results and any new factors to be incurred.

The Treasurer or his/her designee shall review the cash balances daily and the investment portfolio monthly or as needed.

Investment Strategy and Performance Standards

The Town will implement a passive buy and hold strategy as opposed to an active strategy of buy and sell. The structure of the portfolio will always take into consideration the cash flow needs of the Town. Given the passive nature of the Town's investment strategy, the portfolio performance benchmarks will be as follows:

- Short-term investment (within one year): prime -1.75%;
- Mid - and long-term investment: Government of Canada Marketable Bond Average Yield (5-10 years).

Notwithstanding the buy and hold strategy, the Town is not prevented from engaging in such transactions with respect to its allowable securities, as buying, redeeming and renewing

Investment Selection

All investments must be in compliance with the investment parameters outlined by the Town's Investment Policy. Further restrictions on the allowable securities and their respective term and size are as follows:

- Government of Canada Securities – not exceeding ten years, no limit;
- Provinces of Canada Securities – not exceeding ten years, no limit;
- Municipalities in Ontario: not exceeding ten years, maximum 50% of portfolio;
- Financial Institutions: Schedule I Banks – not exceeding five years, no limit; Schedule II Banks, Credit Unions and Trust Companies – not exceeding six months; maximum 50% of portfolio
- Municipal Investment Pool such as One Fund – maximum 50%;

The Senior Financial Analyst shall research the investment products and provide recommendations to the Treasurer and his/her designee. The Treasurer will make the final decision on the purchase and sale of investment products.

Investment Transactions

Investment transactions are evidenced and substantiated by properly authorized supporting documentation. All the transactions shall be reviewed and approved by the Treasurer. All the documentation shall be kept in a separate filing system for at least seven years. Dual approvals are required for all purchases of investment products, including wire transfers, in two stages, as follows:

- firstly, by any one (1) of the following employees of the Town:
 - i. the Director, Financial Services; or
 - ii. the Manager of Finance & Accounting
- and secondly, by any one (1) of the following officers of the Town:
 - i. the Treasurer; or
 - ii. the Deputy Treasurer;

and the same person may not approve any subject transaction in both stages.

Accounting, Reporting & Auditing

The Senior Financial Analyst is responsible for the accounting of the investment transactions which includes but is not limited to: journal entries, account reconciliation, and any required analysis. The Senior Financial Analyst shall provide information and supporting documentation for all investment transactions as required by the auditors during the annual auditing process.

The Treasurer shall submit a report to Council on investment activities and returns annually, including but not limited to the following:

- Securities held at the end of the reporting period;
- Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities that are not intended to be held until maturity;
- Average weighted yield to maturity on investments as compared to applicable benchmarks;
- Percentage of total portfolio which each type of investment represents;
- A statement by the Treasurer as to whether or not, in his or her opinion, all investments made were in line with the investment policies and procedures adopted by the Town; and
- Such other information that the Council may require or that, in the opinion of the Treasurer, shall be included.

Roles and Responsibilities:

The key persons and main tasks involved in the Town's investment activities are as follows:

Senior Financial Analyst	<ul style="list-style-type: none"> • Prepare and update cash flow model; • Research investment products and make recommendations to the Treasurer or his/her designee; • Perform accounting duties related to investment transactions; • Provide information and supporting documentation related to investment transactions to auditors.
Manager of Finance & Accounting	<ul style="list-style-type: none"> • Review the Senior Financial Analyst's work as listed above.
Treasurer	<ul style="list-style-type: none"> • Execute investment transactions, including buying, selling, redeeming and renewing; • Keep all the records of the investment transactions; • Management responsibility for investment activities; • Establish appropriate systems of internal control, procedures, and reporting practices to support investment activities; • Report investment activities to Council.
Deputy Treasurer	<ul style="list-style-type: none"> • Back up the Treasurer for the activities listed above • Second approver for all electronic transfers, including wire transfers, for investment products
Council	<ul style="list-style-type: none"> • Approve Investment Policy and Procedures and subsequent amendments; • Approve delegations to the Treasurer in relation to the investment activities.

INVESTMENT STRATEGY

(updated January 2016)

Council first adopted an Investment Policy (FIN. 3.01) on April 16, 2012. The Policy sets out the parameters and restrictions but not the method of implementation.

The Strategy

1. Projection of future cash requirements

The Town should hold sufficient levels of cash/short term investments to meet its short term capital/operating requirements.

Operations should be self-funding – even at the lowest points of the year, the bank account should remain in a positive balance. Therefore, the majority of the investments will be made from the Reserve Fund bank account. A multi-year cash flow based on future capital requirements will be prepared to determine the amounts and timing of investments.

2. Ladder approach to investments

Ultimately the Town's investment portfolio should be well staggered, with terms of 1-10 years. This ladder approach is to have investments that mature at various times

Short-term investments are investments made from the operating fund to take advantage of seasonal or cyclical variations in cash balances during the year. The emphasis would be on the timing of tax collections and remittances. Short-term investments would be limited to 30, 60, 90 days and only up to 180 days.

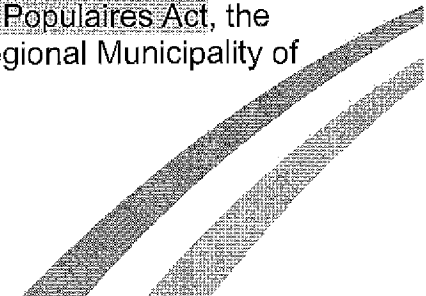
Long-term investments are investments made from reserve funds and would be based on long-term cash flow projections. A ten year capital program would be required to ensure adequate cash flows for future capital works and the term for investments would be limited by the availability of reliable long-term forecasts. Investment terms would be from 180 days to a maximum of 10 years.

3. Delegated authority to the Treasurer

The Treasurer is granted authority to invest the Town's surplus funds in compliance with the Town's Investment Policy.

4. Use of authorized dealers including the Region

Investments will only be undertaken with acceptable counterparties, limited to the investment dealer subsidiaries of the Schedule I and Schedule II banks to the Bank Act (Canada), Credit Unions and Trust Companies as defined in the Credit Unions and Caisses Populaires Act, the ONE Investment Program jointly operated by AMO and MFOA, and the Regional Municipality of York.



5. Investment guidelines

The investments will be limited to eligible securities as contained within regulation 438/97 as amended to the Municipal Act and those that meet or exceed our investment benchmark. Ultimately, the Town's investment portfolio should be staggered by term (laddered 1-10 years) and sector/issuer (e.g. Federal/Provincial, Municipal and bank).

Investments must adhere to the Investment Policy and Procedures which contain restrictions on the term and amount of investments by source (see Appendix "A").

6. Benchmarks for returns

The benchmark for returns, as set out in the Investment Policy, is the rate that we can get on our bank balances. This rate is currently prime less 1.75%, but is subject to change.

7. Consideration of non-traditional investments

Council may, on occasion, determine that there are opportunities to invest in projects that can earn a reasonable return. Typically, this would be a loan. It could either be to an outside party or internally to finance projects that have a monetary return (such as budgetary savings). As the use of funds for these applications would reduce the amount available for traditional investments, it would be appropriate to include them in the Investment Strategy umbrella. They would also be subject to the same reporting requirements.

The benchmark for returns on non-traditional investments is the prime rate, as this would be a reasonable target for a traditional investment allowed under the Investment Policy and Procedures.

8. Application of incremental income

Investment income from short-term investments made with funds from operations will be allocated to the operating fund.

Other funds invested will typically be from Reserve Funds. Standard practice would be to allocate any incremental income to these funds. However, in order to alleviate some of the pressure on property tax increases, it is recommended that the lesser of the annual amount determined during the budget process and the actual income earned be transferred to the Tax-Supported Operating Fund.

9. Reporting

In compliance with the Investment Policy, the Treasurer shall provide an investment report to Council annually.

Attachment:

Investment Policy (FIN.3.01) including Appendix "A"- Investment Policy Procedures (5 pgs.)



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-XX

A BY-LAW TO PROVIDE FOR PERSONS AUTHORIZED TO SIGN CHEQUES AND OTHER BANKING RELATED AUTHORITIES ON BEHALF OF THE TOWN.

WHEREAS paragraph 3 of subsection 11(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Act*") provides that a lower-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting the financial management of the municipality and its local boards;

AND WHEREAS subsection 23.1(1) of the *Act* provides that without limiting sections 9, 10 and 11, those sections authorize a municipality to delegate its power and duties under this or any other Act to a person or body subject to the restrictions set out in Part II of the *Act*;

AND WHEREAS sections 23.2 and 23.3 of the *Act* do not restrict or prohibit the Town from giving delegated authority with respect to persons authorized to sign cheques and other banking related authorities;

AND WHEREAS section 287 of the *Act* provides that a municipality may provide that the signatures on a cheque of the municipality be mechanically or electronically reproduced;

AND WHEREAS pursuant to paragraph 6 of subsection 270(1) of the *Act*, this By-law complies with the terms, conditions and provisions set out in The Corporation of the Town of Newmarket's Delegation Bylaw as adopted by Council in its Council meeting of October 22, 2007, as may be amended from time to time.

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

1. THAT all cheques issued by the Town upon the Town's general bank account or U.S. dollar bank account shall require two (2) signatures and shall be signed:
 - (a) firstly, by any one (1) of the following officers of the Town:
 - i. the Treasurer; or
 - ii. the Deputy Treasurer;
 - (b) and secondly, by any one (1) of the following officials of the Town:
 - i. the Mayor; or
 - ii. the Deputy Mayor.
2. THAT the signature of any of the persons authorized to sign cheques under paragraph 1 of this By-law:
 - (a) may be written or engraved, lithographed, printed, or otherwise

mechanically or electronically reproduced on cheques issued by the Town upon the Town's general bank account or U.S. dollar bank account, provided that the said cheques are in amounts less than One Hundred Thousand Dollars (\$100,000.00); and

- (b) must be written on cheques issued by the Town upon the Town's general bank account or U.S. dollar bank account, if the cheques are in amounts greater than or equal to One Hundred Thousand Dollars (\$100,000).
3. THAT requests for money orders or bank drafts shall follow the same authorization procedures as under paragraphs 1 and 2 of this By-law.
 4. THAT all electronic payments (EFT's) less than One Hundred Thousand Dollars (\$100,000.00) for the payment of vendors through the Accounts Payable system issued by the Town upon the Town's general bank account shall be authorized internally prior to transmission of the electronic file:

by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer.

THAT all electronic payments greater than or equal to One Hundred Thousand Dollars (\$100,000.00) for the payment of vendors through the Accounts Payable system issued by the Town upon the Town's general bank account shall be authorized internally prior to transmission of the electronic file in the following two (2) stages:

- (a) firstly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer;

- (b) and secondly, by any one (1) of the following officials of the Town:

- i. the Mayor; or
- ii. the Deputy Mayor.

5. THAT all pre-authorization documents for singular or recurring out-bound electronic payments by the Town upon the Town's general bank account shall be authorized in two (2) stages:

- (a) firstly, by any one (1) of the following officials of the Town:

- i. the Mayor; or
- ii. the Deputy Mayor;

- (b) and secondly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer

6. THAT all electronic payments for recurring payroll through the Town's payroll system issued by the Town upon the Town's general bank account shall be authorized internally prior to transmission of the electronic file in two (2) stages:

(a) firstly, by any one (1) of the following employees of the Town:

- i. Director, Financial Services; or
- ii. the Manager of Finance & Accounting;

(b) and secondly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer.

and the same person may not approve any subject transaction in both stages.

7. THAT the execution and signing of documents on behalf of the Corporation of the Town of Newmarket to establish business relationships, accounts, and enter into agreements with investment brokers or financial institutions for the purposes of purchasing, trading, and holding financial investments as deemed appropriate by the Treasurer or his designee and in accordance with the Town's investment policy shall be in two stages:

(a) firstly, by any one (1) of the following officials of the Town:

- i. the Mayor; or
- ii. the Deputy Mayor

(b) and secondly, by any one (1) of the following officers of the Town:

- i. the Clerk; or
- ii. the Deputy Clerk.

8. THAT the purchase of financial investments including all wire transfers of funds from the Town's general bank account shall be made only to the benefit of those investment brokers or financial institutions pre-approved in writing, as set out in (9) below.

9. THAT with respect to the actual purchase of financial investments, the transaction shall be approved in writing in two (2) stages, and using the secured wire payments facility of the Town's lead bank, as follows:

(a) firstly, by any one (1) of the following employees of the Town:

- i. the Director, Financial Services; or
- ii. the Manager of Finance & Accounting

(b) and secondly, by any one (1) of the following officers of the Town:

- i. the Treasurer; or
- ii. the Deputy Treasurer.

and the same person may not approve any subject transaction in both stages.

10. THAT other than those transactions specifically addressed in this By-law, the Treasurer or his/her designee be and is hereby authorized to sign any and all agreements, documents, or authorizations related to minor payments from the Town's general bank account, provided that any

payment from such transaction:

- (a) does not exceed Ten Thousand Dollars (\$10,000); and
- (b) is properly documented as to purpose; and
- (c) is not made to an employee of the Financial Services Department or to a related party to the Treasurer or his/her designee.

11. THAT the Treasurer or his/her designee be and is hereby authorized to sign any and all agreements, documents, or authorizations related to conducting or facilitating the Town's day to day transactions and activities for banking with the Town's approved bank, any investment agency, any credit card company or payments processing facility, software vendor, or any other payments facilitator which is a participant to the Canadian banking system. The changing of approved banks for the general banking services of the Town is not authorized herein.
12. THAT the provisions of this By-law shall come into full force and effect upon final passage hereof, at which time By-law Number 1974-10 and all previous By-laws, portions of By-laws, and/or resolutions that are inconsistent with the provisions of this By-law are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

ENACTED THIS XXX DAY OF XXX, 2016.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



Corporate Policy Manual

Sub Topic:	Mileage Allowance, Licence & Automobile Insurance	Policy No.	FIN. xxxx
Topic:	Financial Services Policy	Employees Covered:	All Employees
Section:	Financial Services	Council Adoption Date:	xxxxx
		Revision No:	001 May 24, 2005
			002 September 12, 2007
Effective Date:	xxxxxxx		003 xxxxxxxx

Policy Statement & Strategic Plan Linkages

The Town of Newmarket acknowledges that employees should be compensated for the expenses associated with the use of personal vehicles on Town business. Further, the Town recognizes that setting standards for drivers' licence, qualifications and automobile insurance are important to protect employees and to minimize risk and liability to the Town.

Purpose

The purpose of this policy is to provide a consistent and fair approach to reimbursing Town of Newmarket employees for mileage expenses, parking transit and highway toll charges incurred as part of their job.

Procedures

1. Employees who are required to use their personal vehicle for authorized Town business shall be reimbursed at the rates established by the Federal Department of Finance for tax exempt amounts. Consistent with the Town's desire to increase "Smart Commuting", the mileage reimbursement for an employee who is driving their car and is carpooling with other employees shall be 1.25 times the appropriate mileage rate.
2. The allowance amounts reflect the key cost components of owning and operating an automobile such as, but are not limited to, depreciation, financing, insurance, maintenance and fuel costs.
3. The claim must include the origin and destination, and the purpose of the trip. For purposes of calculating mileage, the claim for mileage is from the

normal work location to the visiting site location, not including any travel between home and the employee's normal work location.

4. Employees who are required to report to an alternate location, may claim mileage only if the distance to the alternate location is farther than the distance to their regular workplace from their place of residence. The mileage claimed for alternate locations, as indicated above, would be the shorter of the distance between the regular workplace and the alternate location or place of residence to the alternate location.
5. Claims that include expenses for carpooling must include names of employee(s) that carpoled with the employee claiming the expenses.
6. Driving beyond the borders of Ontario is to be pre-approved in writing by the employee's supervisor prior to travel.
7. Mileage reimbursement must be authorized by a Supervisor/Manager/Director/Commissioner and shall be claimed using the Town's Mileage Report Form.
8. Mileage claims are processed through Accounts Payable and shall be paid to the employee by direct deposit.
9. Contract employees are governed by the terms and conditions as set out in their offer of employment or contract agreement.
10. Pre-authorized toll charges (e.g. Highway 407) incurred while on authorized Town business will be reimbursed; transponder fees do not qualify for reimbursement. All such charges shall be supported with documentation appended to the Mileage Report Form.
11. Employees will be reimbursed for all reasonable parking expenses incurred in the performance of their duties. Expenses must be supported by paid receipts appended to the Mileage Report Form.
12. Employees will be reimbursed for all authorized transit fares as a result of travel for authorized Town business.
13. A chart of distances to common facilities is found in Appendix "A". These distances must be used by all staff that travels on Town business. Except where not practical, the distances in Appendix "A" represent the shortest distance. Claims for distances travelled to non-standard destinations must be supported by documentation (e.g. MapQuest, Google).
14. Mileage paid in any calendar year will be used to calculate any applicable taxable benefit for that taxation year.

Employee Automobile Insurance

All employees using a personal vehicle for Town business purposes are required to have \$1,000,000 liability coverage for bodily injury or death. The employer may require proof of automobile insurance coverage.

Drivers' Licence

An employee who is required to drive a Town vehicle must possess a valid drivers' licence in good standing, free of serious offences under the Highway Traffic Act, and additional qualifications such as a DZ licence, as applicable. Proof of the qualifications such as a Drivers Abstract should be presented at time of hire. Employees who are required to drive a Town vehicle or use a private vehicle for Town business are subject to an annual drivers' licence check applying Ministry of Transportation of Ontario information.

Vehicle Accident Report

Vehicle operators using a Town vehicle or private vehicle must complete a detailed report of a vehicle involved in any accident occurring while using the vehicle for Town business purposes within twenty-four (24) hours of the incident to be submitted to the Department Director for review who shall forward the report to the Corporate and Financial Services Commission and/or the Clerks Department.

In cases where there is personal injury or damage that exceeds the amount stipulated under the Highway Traffic Act as a reportable accident, the Police must be notified within twenty-four (24) hours.

Traffic Violations

The cost of fines resulting from traffic violations, parking offences, etc. will not be borne by the Town, whether operating a Town vehicle or the employee's private vehicle. They are the responsibility of the vehicle operator at the time of the offence.

Responsibilities

Employees are responsible to:

- Know and comply with this policy.
- Keep accurate records of mileage when using their vehicle on Town business. Complete the Town's *Mileage Report Form* for review and approval by the Manager/Director or designate.
- Submit requests for mileage reimbursement on a regular and timely basis.
- Maintain a valid driver's licence and automobile personal liability insurance when using their private vehicle for Town business purposes. Employees should inform their insurance carrier if they use their private vehicle for Town business purposes. The cost of additional coverage, if any, is the responsibility of the employee.

- Inform their Supervisor of any change in the status of their drivers' licence if required to drive a Town vehicle in the course of their duties.
- Complete detailed reports of any accident, as applicable.

Supervisor/Manager/Director/Commissioner is responsible to:

- Monitor submissions of mileage claims for accuracy and consistency.
- Consult with Financial Services if unable to resolve a concern regarding a mileage claim.
- Approve mileage claims and forward to Accounts Payable for processing.
- Consult with Human Resources to review options in all situations of loss/suspension of a drivers' licence when the employee is required to drive a Town vehicle.

Human Resources are responsible to:

- Support the implementation of the mileage policy.
- Support Managers/ Supervisors in the resolution of issues concerning the application of this policy.
- Ensure that drivers' abstracts are obtained and drivers' licences/qualifications are verified as part of the recruitment process, as appropriate.
- Conduct annual checks through the Ministry of Transportation for all employees required to drive a Town vehicle.
- Work with Managers/Directors/Commissioners to deal with situations where loss/suspension of a drivers' licence impacts on the employee's ability to carry out the duties of their position.

Appendices (which may be amended from time to time)

Appendix "A" Common Distances

Cross References

Health and Safety Policy and Procedures

Professional Development Expenses Policy CAO.1-02

APPENDIX "A" - Common Distances

Mileage Allowance, License and Auto Insurance Policy

DISTANCE FROM COMMUNITY CENTRE 200 Doug Duncan Drive		KM-one way
Fire Station 4-1, 984 Gorham Street		2.1
Fire Station 4-2, 125 McCaffrey Road		2.7
Fire Station 4-3, 220 Edward Street		8.8
Fire Station 4-4, 1344 Wellington Street East		8.0
Library, 438 Park Avenue		0.3
Magna Centre, 800 Mulock Drive		3.3
Museum, 134 Main Street South		0.3
Operations Centre, 1275 Maple Hill Court		3.7
Ray Twinney Complex, 100 Eagle Street West		2.8
Seniors Centre, 474 Davis Drive		1.0
Theatre , 505 Pickering Crescent		3.2
Town Office, 395 Mulock Drive		2.1
Youth Centre, 56 Charles Street		1.0

DISTANCE FROM FIRE STATION 4-1 984 Gorham Street		KM-one way
Community Centre, 200 Doug Duncan Drive		2.1
Fire Station 4-2, 125 McCaffrey Road		4.2
Fire Station 4-3, 220 Edward Street		10.8
Fire Station 4-4, 1344 Wellington Street East		6.0
Library, 438 Park Avenue		2.2
Magna Centre, 800 Mulock Drive		2.5
Museum, 134 Main Street South		2.2
Operations Centre, 1275 Maple Hill Court		2.4
Ray Twinney Complex, 100 Eagle Street West		4.3
Seniors Centre, 474 Davis Drive		3.7
Theatre , 505 Pickering Crescent		2.8
Town Office, 395 Mulock Drive		3.2
Youth Centre, 56 Charles Street		2.5

DISTANCE FROM FIRE STATION 4-2	
125 McCaffrey Road	KM-one way
Community Centre, 200 Doug Duncan Drive	2.7
Fire Station 4-1, 984 Gorham Street	4.2
Fire Station 4-3, 220 Edward Street	7.3
Fire Station 4-4, 1344 Wellington Street East	10.0
Library, 438 Park Avenue	2.6
Magna Centre, 800 Mulock Drive	5.0
Museum, 134 Main Street South	3.3
Operations Centre, 1275 Maple Hill Court	6.0
Ray Twinney Complex, 100 Eagle Street West	0.9
Seniors Centre, 474 Davis Drive	3.5
Theatre , 505 Pickering Crescent	5.2
Town Office, 395 Mulock Drive	2.8
Youth Centre, 56 Charles Street	3.6

DISTANCE FROM FIRE STATION 4-3	
220 Edward Street	KM-one way
Community Centre, 200 Doug Duncan Drive	8.8
Fire Station 4-1, 984 Gorham Street	10.8
Fire Station 4-2, 125 McCaffrey Road	7.3
Fire Station 4-4, 1344 Wellington Street East	5.2
Library, 438 Park Avenue	9.0
Magna Centre, 800 Mulock Drive	8.9
Museum, 134 Main Street South	9.0
Operations Centre, 1275 Maple Hill Court	10.2
Ray Twinney Complex, 100 Eagle Street West	7.5
Seniors Centre, 474 Davis Drive	9.7
Theatre , 505 Pickering Crescent	8.8
Town Office, 395 Mulock Drive	7.5
Youth Centre, 56 Charles Street	9.3

DISTANCE FROM FIRE STATION 4-4	
1344 Wellington Street East	KM-one way
Community Centre, 200 Doug Duncan Drive	7.7
Fire Station 4-1, 984 Gorham Street	5.7
Fire Station 4-2, 125 McCaffrey Road	9.8
Fire Station 4-3, 220 Edward Street	5.2
Library, 438 Park Avenue	8.3
Magna Centre, 800 Mulock Drive	5.6
Museum, 134 Main Street South	8.3
Operations Centre, 1275 Maple Hill Court	5.5
Ray Twinney Complex, 100 Eagle Street West	9.4
Seniors Centre, 474 Davis Drive	8.9
Theatre , 505 Pickering Crescent	5.9
Town Office, 395 Mulock Drive	7.1
Youth Centre, 56 Charles Street	8.5

DISTANCE FROM LIBRARY	
438 Park Avenue	KM-one way
Community Centre, 200 Doug Duncan Drive	0.3
Fire Station 4-1, 984 Gorham Street	2.2
Fire Station 4-2, 125 McCaffrey Road	2.6
Fire Station 4-3, 220 Edward Street	9.0
Fire Station 4-4, 1344 Wellington Street East	8.3
Magna Centre, 800 Mulock Drive	3.5
Museum, 134 Main Street South	0.3
Operations Centre, 1275 Maple Hill Court	3.9
Ray Twinney Complex, 100 Eagle Street West	2.6
Seniors Centre, 474 Davis Drive	1.0
Theatre , 505 Pickering Crescent	3.4
Town Office, 395 Mulock Drive	2.3
Youth Centre, 56 Charles Street	0.9

DISTANCE FROM MAGNA CENTRE	
800 Mulock Drive, Newmarket	KM-one way
Community Centre, 200 Doug Duncan Drive	3.3
Fire Station 4-1, 984 Gorham Street	2.5
Fire Station 4-2, 125 McCaffrey Road	5.0
Fire Station 4-3, 220 Edward Street	8.9
Fire Station 4-4, 1344 Wellington Street East	5.6
Library, 438 Park Avenue	3.5
Museum, 134 Main Street South	3.5
Operations Centre, 1275 Maple Hill Court	2.6
Ray Twinney Complex, 100 Eagle Street West	4.4
Seniors Centre, 474 Davis Drive	4.2
Theatre , 505 Pickering Crescent	0.6
Town Office, 395 Mulock Drive	2.2
Youth Centre, 56 Charles Street	3.8

DISTANCE FROM MUSEUM	
134 Main Street, Newmarket	KM-one way
Community Centre, 200 Doug Duncan Drive	0.3
Fire Station 4-1, 984 Gorham Street	2.2
Fire Station 4-2, 125 McCaffrey Road	3.3
Fire Station 4-3, 220 Edward Street	9.0
Fire Station 4-4, 1344 Wellington Street East	8.3
Library, 438 Park Avenue	0.3
Magna Centre, 800 Mulock Drive	3.5
Operations Centre, 1275 Maple Hill Court	4.0
Ray Twinney Complex, 100 Eagle Street West	2.9
Seniors Centre, 474 Davis Drive	0.7
Theatre , 505 Pickering Crescent	3.5
Town Office, 395 Mulock Drive	2.4
Youth Centre, 56 Charles Street	0.7

DISTANCE FROM OPERATIONS CENTRE	
1275 Maple Hill Court, Newmarket	KM-one way
Community Centre, 200 Doug Duncan Drive	3.7
Fire Station 4-1, 984 Gorham Street	1.7
Fire Station 4-2, 125 McCaffrey Road	6.0
Fire Station 4-3, 220 Edward Street	10.2
Fire Station 4-4, 1344 Wellington Street East	5.5
Library, 438 Park Avenue	3.9
Magna Centre, 800 Mulock Drive	2.6
Museum, 134 Main Street South	4.0
Ray Twinney Complex, 100 Eagle Street West	5.1
Seniors Centre, 474 Davis Drive	4.6
Theatre , 505 Pickering Crescent	2.2
Town Office, 395 Mulock Drive	3.5
Youth Centre, 56 Charles Street	4.5

DISTANCE FROM RAY TWINNEY COMPLEX	
100 Eagle Street West	KM-one way
Community Centre, 200 Doug Duncan Drive	2.8
Fire Station 4-1, 984 Gorham Street	4.3
Fire Station 4-2, 125 McCaffrey Road	0.9
Fire Station 4-3, 220 Edward Street	7.5
Fire Station 4-4, 1344 Wellington Street East	9.4
Library, 438 Park Avenue	2.6
Magna Centre, 800 Mulock Drive	4.4
Museum, 134 Main Street South	2.9
Operations Centre, 1275 Maple Hill Court	5.1
Seniors Centre, 474 Davis Drive	3.2
Theatre , 505 Pickering Crescent	5.2
Town Office, 395 Mulock Drive	2.2
Youth Centre, 56 Charles Street	3.6

DISTANCE FROM SENIORS CENTRE	
474 Davis Drive, Newmarket	KM-one way
Community Centre, 200 Doug Duncan Drive	1.0
Fire Station 4-1, 984 Gorham Street	3.7
Fire Station 4-2, 125 McCaffrey Road	3.5
Fire Station 4-3, 220 Edward Street	9.7
Fire Station 4-4, 1344 Wellington Street East	8.9
Library, 438 Park Avenue	1.0
Magna Centre, 800 Mulock Drive	3.7
Museum, 134 Main Street South	0.7
Operations Centre, 1275 Maple Hill Court	4.6
Ray Twinney Complex, 100 Eagle Street West	3.2
Theatre, 505 Pickering Crescent	4.2
Town Office, 395 Mulock Drive	3.1
Youth Centre, 56 Charles Street	0.4

DISTANCE FROM THE THEATRE	
505 Pickering Crescent, Newmarket	KM-one way
Community Centre, 200 Doug Duncan Drive	3.2
Fire Station 4-1, 984 Gorham Street	2.8
Fire Station 4-2, 125 McCaffrey Road	5.2
Fire Station 4-3, 220 Edward Street	8.8
Fire Station 4-4, 1344 Wellington Street East	5.9
Library, 438 Park Avenue	3.4
Magna Centre, 800 Mulock Drive	0.6
Museum, 134 Main Street South	3.5
Operations Centre, 1275 Maple Hill Court	2.2
Ray Twinney Complex, 100 Eagle Street West	5.2
Seniors Centre, 474 Davis Drive	4.2
Town Office, 395 Mulock Drive	2.2
Youth Centre, 56 Charles Street	7.9

DISTANCE FROM TOWN OFFICE	
395 Mulock Drive, Newmarket	KM-one way
Town of Aurora, 1 Municipal Drive, Aurora	5.6
Town of East Gwillimbury, 19000 Leslie Street, Sharon	9.0
Town of East Gwillimbury, 90 Bales Drive	8.2
Town of Georgina, 26557 Civic Centre Road, Keswick	34.0
Township of King, 2075 King Road, King City	17.0
Town of Markham, 101 North Town Centre Blvd., Unionville	32.0
Town of Whitchurch-Stouffville, 37 Sandiford Drive, Stouffville	26.0
Community Centre, 200 Doug Duncan Drive	2.1
Fire Station 4-1, 984 Gorham Street	3.2
Fire Station 4-2, 125 McCaffrey Road	2.8
Fire Station 4-3, 220 Edward Street	7.5
Fire Station 4-4, 1344 Wellington Street East	7.1
Library, 438 Park Avenue	2.3
Magna Centre, 800 Mulock Drive	2.2
Museum, 134 Main Street South	2.4
Operations Centre, 1275 Maple Hill Court	3.5
Ray Twinney Complex, 100 Eagle Street West	2.2
Seniors Centre, 474 Davis Drive	3.1
Theatre, 505 Pickering Crescent	2.2
Youth Centre, 56 Charles Street	2.7

DISTANCE FROM YOUTH CENTRE	
56 Charles Street, Newmarket	KM-one way
Community Centre, 200 Doug Duncan Drive	1.2
Fire Station 4-1, 984 Gorham Street	2.5
Fire Station 4-2, 125 McCaffrey Road	3.6
Fire Station 4-3, 220 Edward Street	9.3
Fire Station 4-4, 1344 Wellington Street East	8.5
Library, 438 Park Avenue	0.9
Magna Centre, 800 Mulock Drive	3.8
Museum, 134 Main Street South	0.7
Operations Centre, 1275 Maple Hill Court	4.5
Ray Twinney Complex, 100 Eagle Street West	3.6
Seniors Centre, 474 Davis Drive	0.4
Theatre, 505 Pickering Crescent	7.9
Town Office, 395 Mulock Drive	2.7



**Mike Mayes, Director
Financial Services/Treasurer**

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January 7, 2016

CORPORATE SERVICES REPORT - FINANCIAL SERVICES-2016-02

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

SUBJECT: 2016 Interim Tax Billing and Bylaw

ORIGIN: Supervisor, Property Tax & Assessment

RECOMMENDATION:

THAT Corporate Services Report - Financial Services – 2016-02 dated January 7, 2016 regarding the 2016 Interim Tax Billing be received and the following recommendation be adopted:

THAT Council enact a by-law (attached hereto as Appendix "A") for the levy and collection of the 2016 Interim Tax Levy.

COMMENTS

Purpose

The purpose of this report is to enable billing of the 2016 Interim Tax Levy.

Budget Impact

The Town's portion of the Interim billing will be approximately \$26,790,000.

Summary

With approval of the 2016 Interim Tax Billing by-law and the processing of the tax bills, the Town will have the funds required to meet municipal service obligations. The 2016 Interim due dates will be February 23rd, March 24th and April 25th for all property taxpayers including Residential, Multi-residential and Commercial/Industrial.

BACKGROUND

Interim Levy

The *Municipal Act, 2001* s.317 provides municipalities with the authority to levy interim taxes in an amount not to exceed 50% of the prior year's taxes, other than in cases where an assessment was on the roll for only part of the year. In these cases the prior year levy may annualized for the purpose of the current year's interim levy.

The interim levy will be payable in three relatively equal installments that will be due on February 23rd, March 24th and April 25th.

Once the Region of York finalizes their tax rates and the Province of Ontario sets the 2016 education tax rates, the final tax rates for the year will be set for each class of property, and final tax bills issued. The amount of this interim bill will be deducted from the total levied for the year.

The final tax bills are scheduled to be issued in June for the residential taxpayers, with three relatively equal installments due in July, August and September. Commercial and industrial property tax bills are scheduled for August with two installments due in September and October. Following the final tax bills, any supplementary and omitted assessments are billed as received.

Please note that all taxpayers have an option to sign up for a pre-authorized payment plan at any time, which will allow for smaller monthly payments from January to October of the tax year. Additional information is available on the Town's website.

Late Payment Charges (Penalty and Interest)

Under the provisions of The *Municipal Act, 2001*, s.345, a municipality may impose late payment charges for the non-payment of taxes or any installment by the due date. Penalty in an amount not to exceed 1.25% of the taxes due is charged for all installments not paid by the due date. Interest in the same amount is charged each future month in which default continues. These amounts are the maximum allowed under the Act. A previous by-law was passed authorizing these charges and it remains in effect from year to year until repealed.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

BUDGET IMPACT

Operating Budget (Current and Future)

This provides interim financing for the Town's 2016 operations.

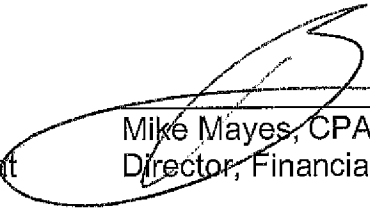
Capital Budget

No impact.

CONTACT

For more information on this report, contact: Grace Marsh at 905-953-5300, ext. 2143 or via e-mail at: gmarsh@newmarket.ca



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

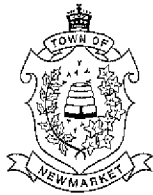
Mike Mayes, CPA, CGA
Director, Financial Services/Treasurer

Anita Moore, AMCT
Commissioner, Corporate Services

GM/ne

Attachment:

Interim Tax Levy By-law Number 2016-XX (2 pgs.)



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2016-xx

WHEREAS the Council of the Corporation of the Town of Newmarket wishes to impose an Interim levy as authorized by the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended:

AND WHEREAS section 317 of the *Municipal Act, 2001*, authorizes a council to pass by-laws for the payment of taxes by instalments and the date or dates in the year for which the taxes are imposed on which the taxes or instalments are due;

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

1. THAT the Council of the Corporation of the Town of Newmarket is hereby authorized to levy in 2016 an amount equal to fifty percent (50%) of the prior year annualized taxes on property that is rateable for local municipality purposes;
2. AND THAT taxes may be levied under this by-law on a property that is rateable for local municipality purposes for the current tax year, but which was not rateable for local municipality purposes for the prior tax year, including assessment of property that is added to the assessment roll after the by-law is passed;
3. AND THAT the Treasurer of the Corporation of the Town of Newmarket shall send to each person so taxed a printed bill specifying the amounts and due dates of taxes payable by the taxpayer;
4. AND THAT the Treasurer of the Corporation of the Town of Newmarket shall send the tax bill to the taxpayer's residence or place of business unless the taxpayer directs the Treasurer, in writing, to send the bill to another address, in which case it shall be sent to that address. This direction will continue until revoked by the taxpayer in writing;
5. AND THAT the realty taxes levied by this by-law shall be due and payable in instalments on February 23, 2016, March 24, 2016 and April 25, 2016 and be paid to the Treasurer, Town of Newmarket at the Municipal Offices, 395 Mulock Drive, Newmarket or to a financial institution to the credit of the Treasurer, Town of Newmarket;
6. AND THAT Council directs that all payments, including partial payments, shall be applied to accounts on a consistent basis;
7. AND THAT this by-law shall come into effect January 1, 2016.

ENACTED THIS DAY OF

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

Excerpt from Minutes – Item 3 of Central York Fire Services – Joint Council Committee
Draft Minutes of December 15, 2015.

The Operational Leadership Team recommends:

THAT the following recommendations be approved:

3. Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase.

Moved by Councillor Sponga
Seconded by Councillor Mrakas

- a) THAT Central York Fire Services Report 2015-10 dated December 15, 2015 regarding 55' Aerial/Quint Cost Increase be received and the following recommendations be adopted:
 - i) THAT the Joint Council Committee (JCC) approve additional funds from reserve to purchase a replacement Aerial/Quint device due to a shortfall in the budget;
 - ii) AND THAT JCC authorize the Director of Finance and the Manager of Procurement to fund from reserve the replacement apparatus by \$366,000.00 CDN (excluding an applicable taxes)

Carried



CENTRAL YORK FIRE SERVICES

2015-12-15

Fire Services Report 2015-10

To: Joint Council Committee
Origin: Central York Fire Services – Deputy Chief
Subject: **55' Aerial / Quint Cost Increase**

RECOMMENDATIONS

THAT the Joint Council Committee (JCC) approve additional funds from reserve to purchase a replacement Aerial / Quint device due to a shortfall in the budget;

AND THAT JCC authorize the Director of Finance and the Manager of Procurement to fund from reserve the replacement apparatus by \$366,000.00 CDN (excluding any applicable taxes);

COMMENTS

To obtain Joint Council Committee (JCC) approval for a 2015 Capital Budget amendment due to the further devaluation of the Canadian dollar as compared to the American dollar.

BACKGROUND

As part of the 2015 budget process, a replacement fire apparatus was approved in the amount of \$900,000.00 CDN (at the time the Canadian dollar was \$91.79). Newmarket Procurement initiated a Request for Proposal (RFP) process. The bid closed on October 15, 2015 and two (2) proposals were received by Corporate Services – Procurement Services Department. Due to the strengthening American dollar in comparison to the Canadian dollar there is a serious impact on the cost of emergency apparatus as the majority of fire apparatus are built in the United States.

When the 2015 budget was developed the exchange rate at the time was \$1.0847 CDN and upon the closing of the proposal, the exchange rate had changed to \$1.2904 CDN according to the Bank of Canada Daily Noon Exchange Rate. This exchange rate variance has caused a significant shortfall resulting in the Canadian dollar being at the lowest exchange rate in eleven years.

During the period from June 2014 (when vendor provided a cost estimate) to October 15th 2015 the cost of the fire apparatus has increased by approximately 20%.

The preferred vendor as evaluated by Central York Fire Services (CYFS) and the Procurement Manager is Safetek Emergency Vehicles. They are the supplier of our current two aerial devices and as such having the new apparatus from Safetek will ensure compatibility/consistency within the fleet, assist with fleet maintenance, training and Health and Safety of Firefighters.

The replacement of this 1996 Freightliner Telesquirt (Fleet # 96-05) has been approved by JCC and is in compliance with the Fleet Replacement Schedule.

BUDGET IMPACT

The 2015 Capital Budget provides funding for the purchase of a fire apparatus, however, because fire vehicles are typically constructed in the United States and the actual market value could not be known until the tendering process was undertaken. The current budget allotment is insufficient to cover the proposed bid price.

Collectively, based on the quoted prices, there is a budget variance of \$366,000.00 CDN on the Canadian prices quoted. The bid submission include a clause allowing for the proponent to apply a currency fluctuation calculation to adjust the price if the value of the Canadian dollar changes significantly compared to the U.S. dollar. The bid submission also include an option to pay in U.S. funds and both have provided payment incentives over the approximate one year build-out period.

The prices quoted in this report represent the unadjusted bid price in Canadian dollars. Upon final award, depending on the exchange rate of the day and the incentives that can be applied, it may be advantageous for the Town to purchase U.S. Funds and pay for future apparatus in U.S. dollars.

The 2015 Capital Budget allotment for the 55' Aerial / Quint apparatus is \$900,000.00 and the recommended proponents bid is **\$1,236,000.00 (excluding any applicable taxes)**.

CONSULTATION

Director of Finance and the Manager of Procurement, Town of Newmarket

IMPACT ON THE MASTER FIRE PLAN

The replacement of this apparatus is consistent with the Fire Department Master Plan Update (FDMPU 2014).

CONTACT

Deputy Chief Rocco Volpe

A handwritten signature in black ink, appearing to read 'R. Volpe', is written over a horizontal line.

Rocco Volpe, Deputy Chief
Central York Fire Service

Newmarket Public Library Board
Regular Board Meeting
Wednesday, October 21, 2015
Newmarket Public Library Board Room

Present: Joan Stonehocker – Chair
Tom Vegh – Vice Chair
Tara Brown
Kelly Broome-Plumley
Joe Sponga (arrived at 5:35pm)

Regrets: Darcy McNeill
Venkatesh Rajaraman

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

The Library Board Chair called the meeting to order at 5:30 pm

Adoption of Agenda Items

1. Adoption of Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of Consent Agenda items

The Chair asked if there were any additions to the agenda. 1 item was added to the Closed Session agenda.

Motion 15.10.50

Moved by Kelly Broome-Plumley
Seconded by Tara Brown

That Agendas 1) to 3) be adopted as amended.

Carried

Declarations
None were declared.

Consent Agenda Items:

4. Adoption of the Special Board Meeting Minutes for Saturday, September 12, 2015
5. Adoption of the Regular Board Meeting Minutes for Wednesday, September 16, 2015
6. Strategic Operations Report for September

7. Library Statistical Data for September, 2015
8. Monthly Bank Transfer

Motion 15.10.51

Moved by Tom Vegh
Seconded by Tara Brown

That Consent Agenda Items 4) to 8) be received as presented.

Carried

Motion to Convene into a Closed Session

Motion 15.10.52

Moved by Tom Vegh
Seconded by Tara Brown

That the Library Board moved into Closed Session at 5:32 pm regarding a labour relations matter.

Carried

Motion 15.10.53

Moved by Tom Vegh
Seconded by Tara Brown

That the Library Board move out of Closed Session at 5:35 pm.

Carried

Motions arising from the Closed Session:

Motion 15.10.54

Moved by Tom Vegh
Seconded by Tara Brown

That the Library Board receive the verbal report regarding a labour relations matter.

Carried

Correspondence

83

9. Southern Ontario Library Service (SOLS)

Correspondence was received from SOLS asking the Library Board to appoint a represented to participate in the SOLS Trustee Council. Library Board member Tara Brown agreed to represent the Newmarket Public Library Board at the SOLS Trustee Council Meeting on November 14, 2015.

Policies

10. Health and Safety Policy

No Changes were recommended to the Health and Safety Policy.

Motion 15.10.55

Moved by Joe Sponga

Seconded by Kelly Broome-Plumley

That the Library Board approve the Health and Safety Policy as presented.

Carried

11. Room Rental Rates

The Library Board reviewed the new room rate schedule proposal and discussed ways to further promote this service.

Motion 15.10.56

Moved by Joe Sponga

Seconded by Tara Brown

That the Library Board approve the proposed new Room Rental Rate schedule, effective January 1, 2016.

Carried

Reports

12. Third Quarter Financial Statements

The Library continues to be on target for the third quarter of 2015 in both expenditures and revenue.

Motion 15.10.57

Moved by Tom Vegh

Seconded by Tara Brown

That the Library Board receive the Third Quarter Financial Statements as presented.

Carried

Business Arising

13. 2016 Capital and Operating Budget Requests
There was no report.

14. Library Board Action List
The Library Board reviewed the Action List.

Motion 15.10.58

Moved by Joe Sponga
Seconded by Kelly Broome Plumley

That the Library Board receive the Action List.

Carried

New Business

15. Health and Safety for Board members eLearning
Deferred to next regularly scheduled Library Board meeting.

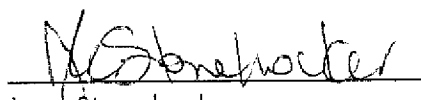
Date(s) of Future Meetings


16. The next regular Library Board meeting will be Wednesday, November 18, 2015 at 5:30 pm in the Library Board room.

Adjournment**Motion 15.10.59**

Moved by Joe Sponga
Seconded by Tara Brown

That there being no further business meeting adjourned at 6:10 pm.


Joan Stonehocker
Chair


Todd Kyle, CEO
Secretary/Treasurer



**Newmarket Public Library Board
Regular Board Meeting
Wednesday, November 18, 2015
Newmarket Public Library Board Room**

Present: Joan Stonehocker – Chair
Tom Vegh – Vice Chair
Tara Brown
Kelly Broome-Plumley
Joe Sponga (left at 6:30 pm)
Darcy McNeill
Venkatesh Rajaraman (arrived at 5:40 pm)

Guest: Mike Mayes, Director of Financial Services/Treasurer,
Town of Newmarket

Staff Present: Todd Kyle, CEO
Linda Peppiatt, Deputy CEO
Toni Facciolo, Accounts Payable Clerk

The Library Board Chair called the meeting to order at 5:30 pm

Adoption of Agenda Items

1. Adoption of Regular Agenda
2. Adoption of the Closed Session Agenda
3. Adoption of Consent Agenda items

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

Motion 15.11.60

Moved by Kelly Broome-Plumley

Seconded by Darcy McNeill

That Agendas 1) to 3) be adopted as presented.

Carried

Declarations

None were declared.

Consent Agenda Items:

4. Adoption of the Regular Board Meeting Minutes for Wednesday, October 21, 2015
5. Strategic Operations Report for October

6. Library Statistical Data for October, 2015
7. Monthly Bank Transfer

Motion 15.11.61

Moved by Tom Vegh
Seconded by Joe Sponga

That Consent Agenda Items 4) to 7) be received and approved as presented.

Carried

Motion to Convene into a Closed Session

Motion 15.11.62

Moved by Kelly Broome-Plumley
Seconded by Darcy McNeill

8. That the Library Board move into Closed Session at 6:15 pm regarding a labour relations matter.

Carried

Motion 15.11.63

Moved by Joe Sponga
Seconded by Kelly Broome-Plumley

That the Library Board move out of Closed Session at 6:20 pm.

Carried

Motions arising from the Closed Session:

Motion 15.11.64

Moved by Tom Vegh
Seconded by Venkatesh Rajaraman

That the Library Board receive the report regarding a labour relations matter.

Carried

Policies

9. Criminal Records Checks for Volunteers

The Library Board was advised of a procedural change, consistent with the Library's Volunteer Policy, regarding criminal records checks for volunteers under the age of sixteen.

Motion 15.11.65**Moved by Tom Vegh****Seconded by Venkatesh Rajaraman**

That the Library Board receive the report on criminal records checks for volunteers.

Carried**Business Arising****10. Library Board Action List**

The Library Board reviewed and updated the Action List.

Motion 15.11.68**Moved by Venkatesh Rajaraman****Seconded by Joe Sponga**

That the Library Board receive the Action List as amended.

Carried**New Business****11. Joint Library and Corporate Services Report – Financial Services 2015-51 regarding the Library General Reserves**

The Director of Finances/Treasurer of the Town of Newmarket reviewed the Joint Library and Corporate Services Report regarding establishing a target level for the Library General Reserves.

Motion 15.11.69**Moved by Joe Sponga****Seconded by Venkatesh Rajaraman**

1. **That** the Town of Newmarket Public Library Board set a target level for the Library General Reserve as proposed in this report;
2. **And That** once the Library General Reserve target is achieved, any surplus is to be returned to the Town at the year-end;
3. **And That** the Town of Newmarket do an analysis on the Asset Replacement Fund and report back to the Newmarket Public Library Board in 120 days with recommendations.

Carried

12. 2016 Ontario Library Association (OLA) Super Conference

The Library Board will advise the Administrative Coordinator by December 8th whether they will be attending the 2016 OLA Super Conference.

13. Health and Safety for Board members eLearning

Deferred to next regularly scheduled Library Board meeting.

Date(s) of Future Meetings

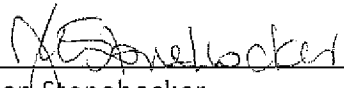
14. The next regular Library Board meeting will be Wednesday, December 16, 2015 at 5:30 pm in the Library Board room.

Adjournment**Motion 15.11.70**

Moved by Darcy McNeill

Seconded by Tom Vegh

That there being no further business meeting adjourned at 6:37 pm.



Joan Stonehocker
Chair



Todd Kyle, CEO
Secretary/Treasurer

Thursday, October 29, 2015 at 5:00 PM
Mulock Room

The meeting of the Newmarket Economic Development Advisory Committee was held on Thursday, October 29, 2015 in the Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Donna Fevreau
Jim Gragtmans
Beric Farmer (5:06 to 7:01 p.m.)
Rick Henry
Peter Mertens
Paul Montador
Gary Ryan

Staff Present: R.N. Shelton, Chief Administrative Officer
I. McDougall, Commissioner of Community Services
C. Kallio, Economic Development Officer
S. Chase, Director of IT Innovations
L. Moor, Council/Committee Coordinator

The meeting convened at 5:00 p.m.

Welcome and Introductions

The Chief Administrative Officer welcomed those present and requested Members provide introductions. He advised that the Terms of Reference and Confidentiality Agreement documents have been distributed electronically and he requested that the agreements be signed and given to staff. The Chief Administrative Officer recommended election and appointment of Chair and Vice-Chair and called for nominations.

Election of Chair

Paul Montador nominated Jim Gragtmans. Jim Gragtmans advised that he would accept the role of Chair.

Moved by: Paul Montador
 Seconded by: Rick Henry

THAT Jim Gragtmans be appointed Chair of the Newmarket Economic Development Advisory Committee.

Carried

Election of Vice-Chair

Mayor Van Bynen nominated Paul Montador. Paul Montador advised that he would accept the role of Vice-Chair.

Moved by Mayor Van Bynen
 Seconded by Donna Fevreau

THAT Paul Montador be appointed Vice-Chair of the Newmarket Economic Advisory Committee.

Carried

Jim Gragtmans in the Chair.

Orientation and 2015 Organizational/Strategy Review

The Economic Development Officer provided a PowerPoint presentation with details of NEDAC orientation, future focus, drivers for change and meeting frequency.

The Director of IT Innovations addressed those in attendance with presentation slides related to broadband initiatives and advantages.

The Commissioner of Community Services addressed those in attendance with presentation slides detailing Results Based Accountability.

The Chair welcomed all those in attendance and thanked the returning and new Members to the Committee. He provided a brief review of the work the Committee had accomplished in the last two terms and advised that upcoming tasks include making connections to the community as a whole, the business community and the innovation team with efforts in attracting people and jobs to Town.

Next Steps for NEDAC: Where To From Here?

The Chair requested input with respect to the slide entitled 'A Strategy Driven by Knowledge and Convergence'. He queried those present regarding the terminology associated with the 2010 Economic Development Action Plan and sought feedback.

The Chief Administrative Officer suggested a visionary exercise could be conducted to seek out what competitive gains, specific goals and definition of activities could be accomplished. He advised that the previous exercise predated the adoption of the Town's secondary plan.

Discussion ensued regarding the key focus areas within the scope of economic development being advanced manufacturing, arts and culture, health sector, and regional centre, all founded on knowledge-based industries. Further discussion ensued regarding economic attraction and retention of businesses, cultural differences, multi-culturalism and building collaborative environments.

Discussion ensued regarding objectives and a target of the Town of Newmarket being in the top standings of the best place to live and work. Further discussion ensued regarding 'brand building' and encouragement of quality of life incorporating all aspects of the existing vision of being 'Well Beyond the Ordinary'.

The Chair proposed a strategy session 'refresh'. The Economic Development Officer advised that Council's 2014-2018 Economic Strategic Priorities should always be at the forefront of any NEDAC deliberations.

Regional Councillor Taylor advocated for a 'refresh' strategy session preferably in the not too distant future together with Council Members in conjunction with a renewed concept model.

New Business

The Chair suggested that he and the Vice-Chair convene with the Chief Administrative Officer, the Economic Development Officer and the Commissioner of Community Services to validate details of a renewed vision process and report back.

Adjournment

Moved by: Donna Fevreau

Seconded by: Rick Henry

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 7:01 p.m.

November 19, 2015

Date



Jim Gragtmans, Chair

The meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday, October 20, 2015 in the Community Centre and Lions Hall - 200 Doug Duncan Drive - Hall #2.

Members Present: Glenn Wilson, Chair
Elizabeth Buslovich
Anne Martin
Carmina Pereira
Olga Paiva
Jackie Playter

Absent: Rory Rodrigo
Siegfried Wall
Councillor Sponga

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

The meeting was called to order at 7:35 p.m.

G. Wilson in the Chair.

Additions and Corrections to the Agenda

None.

Declarations of Pecuniary Interest

None.

Approval of Minutes

1. Main Street District Business Improvement Area Board of Management Meeting Minutes of September 15, 2015.

Moved by: Anne Martin
 Seconded by: Olga Paiva

THAT the Main Street District Business Improvement Area Board of Management Minutes of September 15, 2015 be approved.

Carried

2. Marketing Sub-Committee Report.

The Chair advised that two meetings of the Marketing Sub-Committee have taken place, however minutes of those meetings are not available at this time.

Financial Report Update

3. Financial Update – Economic Development Officer

The Economic Development Officer distributed copies of a budget update and advised of the account balance to date.

Moved by: Carmina Pereira
 Seconded by: Elizabeth Buslovich

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

Carried

Discussion ensued regarding resources available to reserve the musical band and purchase candy canes for the Candle Light Parade festivities.

Moved by: Olga Paiva
 Seconded by: Anne Martin

THAT the Main Street District Business Improvement Area Board of Management approves \$300.00 for anticipated expenses associated with the Candle Light Parade festivities.

Carried

Items

4. 2016 BIA Budget Proposals

Discussion ensued regarding quotations received for website production. The Chair advised he would discuss the website issue further at the Marketing Subcommittee meeting and would report back at the November, 2015 BIA meeting.

Discussion ensued regarding the feasibility of a wayfinding directory at the corner of Davis Drive/Main Street, the corner of Water Street/Main Street and at the Farmer's Market. A suggestion was made to investigate what methods other Business Improvement Area's utilize in terms of wayfinding directories.

Further discussion ensued regarding various events specific to the upcoming holiday shopping season and the feasibility of horse drawn wagon rides and trinket giveaways.

Moved by: Olga Paiva

Seconded by: Carmina Pereira

THAT the Main Street District Business Improvement Area Board of Management approves \$1500.00 to purchase holiday season advertising on the Jewel 88.5 radio station.

Carried

Moved by: Olga Paiva

Seconded by: Anne Martin

THAT the Main Street District Business Improvement Area Board of Management approves \$300.00 for the purchase of hot chocolate beverages to be served during the Candle Light Parade festivities.

Carried

Moved by: Anne Martin

Seconded by: Elizabeth Buslovich

THAT the Main Street District Business Improvement Area Board of Management approves \$1500.00 for the purchase of print media advertising.

Carried

Moved by: Carmina Pereira
 Seconded by: Elizabeth Buslovich

THAT the Main Street District Business Improvement Area Board of Management approves \$150.00 for the purchase of trinket giveaways (glow sticks) for the Candle Light Parade festivities.

Carried

5. Community Centre Lands Development Committee Report

The Chair advised there was no update at this time.

A suggestion was made to have those present provide their opinions related to previous and future marketing efforts.

Anne Martin suggested that at least two Members attend the annual BIA convention each year to gain insight into what other BIA memberships are achieving.

Elizabeth Buslovich suggested that wayfinding directories should be non-specific as businesses change too often to keep an updated list. She suggested that a user friendly website is paramount to keeping people informed of activities and events, however social media maintenance is a time consuming task.

Jackie Playter suggested the events should be marketed in a more vigorous manner and the feasibility of hiring a part-time individual for marketing/graphics/website content should be investigated.

New Business

- a) Anne Martin advised that the Business Improvement Area's Holiday Gathering is scheduled for the first weekend in December and noted that there may be some related expenses associated with the get-together.
- b) Carmina Pereira requested information related to parking space ownership as confirmed at the September 14, 2015 Council meeting.

Adjournment

Moved by: Anne Martin
Seconded by: Elizabeth Buslovich

THAT the meeting adjourn.

Carried

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

November 17, 2015
Date


Glenn Wilson, Chair

Tuesday, November 17, 2015 at 7:30 PM
Community Centre - 200 Doug Duncan Drive
- Hall #2

The meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday, November 17, 2015 in the Community Centre - 200 Doug Duncan Drive - Hall #2, Newmarket.

Members Present: Glenn Wilson, Chair
Elizabeth Buslovich
Anne Martin
Carmina Pereira
Olga Paiva
Jackie Playter
Rory Rodrigo
Councillor Sponga

Absent: Siegfried Wall

Staff Present: C. Kallio, Economic Development Officer (8:15 to 9:26 p.m.)
L. Moor, Council/Committee Coordinator

The meeting was called to order at 7:34 p.m.

G. Wilson in the Chair.

Additions and Corrections to the Agenda

R. Rodrigo advised of an addition to the agenda being determination of the funding assistance request by the Newmarket Stage Company.

Declarations of Pecuniary Interest

None.

Approval of Minutes

1. Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015.

Moved by: Jackie Playter
 Seconded by: Anne Martin

THAT the Main Street District Business Improvement Area Board of Management Minutes of October 20, 2015 be approved.

Carried

2. Marketing Sub-Committee Report.

The Chair advised there have been no recent Marketing Sub-Committee meetings; hence there is nothing to report at this time.

Items

3. Community Centre Lands Development Committee Report.

Councillor Sponga advised that a meeting of the Community Centre Lands Development Committee has been tentatively scheduled for late November or early December. Discussion ensued regarding a recent social media posting with respect to the property known as the Clock Tower.

Moved by: Olga Paiva
 Seconded by: Anne Martin

THAT the verbal status update provided by Councillor Sponga regarding the Community Centre Lands Development Committee be received.

Carried

4. Website Update.

The Chair advised that he has researched a company named 'The Site Dudes' who provide customized website production. He further advised he will contact the website developer located on Main Street to obtain more information with respect to website production in an effort to patronize locally. The Chair stated that he would report back his findings at the next scheduled meeting.

Moved by: Carmina Pereira
 Seconded by: Councillor Sponga

THAT the verbal status update provided by the Chair regarding the website be received.

Carried

5. Proposed Budget Review.

The Chair suggested that the Marketing Sub-Committee meet in the very near future to prepare a budget document that could be presented at the Main Street District Business Improvement Area Board of Management Annual General Meeting scheduled for Monday, November 23, 2015.

New Business

6. a) Newmarket Stage Company Funding Assistance.

Rory Rodrigo advised that the Newmarket Stage Company has a play ready for presentation with a confirmed location of the Royal Canadian Legion Hall on Srigley Street with estimated production costs of \$5,600 and an established recital date of February, 2016.

Discussion ensued regarding the Stage Company's inaugural play and the funding assistance being conducive to the performance being at the refurbished Old Town Hall with its' close proximity to Main Street, however as the Old Town Hall re-construction is not yet complete, it leaves the Stage Company players in a quandary.

Moved by: Jackie Playter
 Seconded by: Elizabeth Buslovich

THAT the Main Street District Business Improvement Area Board of Management sponsor the Newmarket Stage Company for \$2500 for a play performance at the Royal Canadian Legion Hall on Srigley Street in February, 2016.

Carried

b) Candle Light Parade.

Jackie Playter advised that she has engaged the Citizen's Band, confirmed usage of the sound system and the outdoor electricity outlet for tree lighting and purchased candy canes for the Candle Light Parade scheduled for Friday, November 20, 2015. Elizabeth Buslovich advised that a 'Snow Queen' character has been retained for \$250 for a two hour period, 200 glow sticks have been purchased and non-perishable food items will be collected during the parade. The Chair advised he has printed vouchers for hot chocolate redemption at participating restaurants.

c) Anne Martin advised that the Main Street Merchants Christmas gathering will be held at the Maid's Cottage, ticket prices \$35.00 each with a cash bar. Discussion ensued regarding offering complimentary invitations to Members of Council.

Councillor Sponga left the meeting at 8:29 p.m.

Moved by: Olga Paiva

Seconded by: Anne Martin

THAT the Main Street Merchants Christmas gathering offer complimentary tickets to Members of Council.

Motion Lost

d) The Economic Development Officer advised that he would be submitting a report to Council for consideration of expansion of the outdoor patio pilot project.

Councillor Sponga returned to the meeting at 8:36 p.m.

Moved by: Jackie Playter

Seconded by: Rory Rodrigo

THAT the Main Street District Business Improvement Area Board of Management support the expansion of the outdoor patio project on Main Street conditional on any issues associated with parking, hours of operation and fees being vetted through the Main Street District Business Improvement Area Board of Management and the general membership at a future meeting.

Carried

Financial Report Update

7. Verbal Update/Account Balance.

The Economic Development Officer advised that the bank balance as at October 31, 2015 is \$19,295.00.

Adjournment

Moved by: Jackie Playter

Seconded by: Olga Paiva

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:26 p.m.

Dec. 15, 2015
Date


G. Wilson, Chair

The meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, November 25, 2015 in Cane A & B, 395 Mulock Drive, Newmarket.

Members Present: Councillor Sponga
John Birchall
Michelle Bourdeau
Cathie Ethier
Nicole Hamley
David Kempton
Jill King (6:38 to 8:58 p.m.)
Petra Vollmerhausen

Staff Present: C. Schritt, Traffic Technician
J. Slykhuis, Senior Environmental Coordinator
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 6:34 p.m.

J. Birchall in the Chair.

The Chair requested that those in attendance introduce themselves and provide a brief summary of their interest and experience related to environmental issues.

Declarations of Pecuniary Interest

None.

Additions & Corrections to the Agenda

None.

Correspondence

Moved by: Cathie Ethier
Seconded by: Nicole Hamley

THAT the correspondence items, previously distributed by e-mail, be received.

Carried

Items

1. Selection of Chair and Vice-Chair

The Acting Chair opened the floor for discussion related to the appointment of Chair.

Moved by: Councillor Sponga

Seconded by: Petra Vollmerhausen

THAT selection of Chair be deferred to the December 9, 2015 Newmarket Environmental Advisory Committee meeting.

Carried

2. Verbal Update regarding Town environmental initiatives

The Traffic Technician introduced the Senior Environmental Coordinator, who provided a verbal update on her position and projects to date. Councillor Sponga provided a verbal update on the budget process and associated environmental initiatives, including the Active Transportation Network, trail connectivity considerations as they relate to street construction, flooding issues and low impact development considerations for the VivaNext and Regional Annex projects. Discussion ensued regarding drinking water, water system flushing and stormwater management.

3. Verbal update regarding the Urban Hens Pilot Project

The Council/Committee Coordinator provided a verbal update regarding the proposed urban hens pilot project and advised that a report will be forthcoming in the new year. She further advised of NEAC's options with respect to providing comments on the pilot project.

4. Verbal Update regarding upcoming events

The Acting Chair provided a verbal update regarding the Regional Environmental Advisory Committee meeting, scheduled for November 26, 2015. He suggested that Newmarket host a Regional Environmental Advisory Committee meeting in 2016. He further provided information regarding NEAC events, including Earth Hour, the Community Garage Sale and the e-Waste event. D. Kempton advised of an upcoming march at Queens Park on November 29, 2015.

5. Committee and Working Group Updates

a) Municipal Energy Plan Stakeholder Advisory Group

J. Birchall provided a verbal update regarding the Municipal Energy Plan Stakeholder Advisory Group and its work to date and advised that the fifth meeting of the group will take place on December 8, 2015. Discussion ensued regarding proposed energy incentive programs associated with the plan and how NEAC will provide further input once the plan is finalized.

6. 2016 Schedule of Meetings

The Council/Committee Coordinator provided an overview of the 2016 Schedule of Meetings, as distributed.

Moved by: Councillor Sponga

Seconded by: Cathie Ethier

THAT the 2016 Schedule of Meetings be approved.

Carried

7. NEAC Workplan

The Committee discussed its workplan for the current term of Council and each member provided input on their individual environmental priorities.

Approval of Minutes

8. Newmarket Environmental Advisory Committee Minutes of November 12, 2014

9. Newmarket Environmental Advisory Committee Minutes of October 21, 2015

Moved by: David Kempton

Seconded by: Cathie Ethier

THAT the Newmarket Environmental Advisory Committee Minutes of November 12, 2014 and October 21, 2015 be approved.

Carried

New Business

None.

Adjournment

Moved by: Petra Vollmerhausen

Seconded by: Jill King

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 8:58 p.m.

Date

John Birchall, Acting Chair

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, November 3, 2015 in Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Soni Felix Raj (7:10 to 9:25 p.m.)
 Athol Hart, Chair
 Billie Locke
 Joan Seddon
 Rohit Singh
 Malcolm Watts

Absent: Councillor Hempen

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 Interest

None.

Approval of Minutes

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

Moved by: Joan Seddon

Seconded by: Billie Locke

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

Carried

Presentations/Deputations

None.

Correspondence

2. Correspondence from the Planning and Building Services Department dated October 13, 2015 regarding Notice of Complete Application, Proposed Official Plan Amendment and Zoning By-law Amendment - 260 Eagle Street.

The Senior Planner, Community Planning, advised of the particulars of the application and addressed questions from the Committee related to the application. In addition, he distributed copies of the shadow study that was completed as part of the application package.

3. Correspondence from the Planning and Building Services Department dated October 15, 2015 regarding Notice of Approval to Amend the Town of Newmarket Zoning By-law.

The Senior Planner, Community Planning, provided the background on the Recreational Vehicles By-law that was recently passed by Council.

4. Correspondence from the Ontario Historical Society dated October 27, 2015 regarding the development of a Cultural Strategy for Ontario.

The Chair provided information on the Province's plans for development of a Cultural Strategy for Ontario and discussion ensued regarding the commenting deadline.

Moved by: Joan Seddon
Seconded by: Malcolm Watts

THAT the Correspondence from the Ontario Historical Society dated October 27, 2015 regarding the development of a Cultural Strategy for Ontario be received;

AND THAT a discussion with respect to recommendations for the Cultural Strategy for Ontario be referred to the December 1, 2015 meeting.

Carried

Items

5. Designated Property Maintenance and Concerns

a) Designation Requests

The Senior Planner, Community Planning, provided a verbal update on the designation requests that have been received to date and advised of options in order to move the designation process forward. Discussion ensued regarding heritage consultant services.

Moved by: Billie Locke

Seconded by: Joan Seddon

THAT the Senior Planner, Community Planning be directed to procure consulting services for preparation of heritage designation reports.

Carried

b) Inventory

No updates were provided.

6. Plaques

The Chair addressed the Committee regarding the Plaque Program and summarized concerns related to accountability in responding to plaque requests. Discussion ensued regarding the current plaque supplier and plaque production and proactively determining homes that would be eligible for plaques. The Senior Planner, Community Planning to work with Malcolm Watts to review options for plaques to extend their longevity and determine associated cost implications.

Moved by: Soni Felix Raj

Seconded by: Joan Seddon

THAT Malcolm Watts be appointed to the Plaque Subcommittee

Carried

a) Site plaques

No updates were provided.

b) Residence plaques

No updates were provided.

c) Heritage location plaques

The Chair provided updates on the proposed Heritage location plaques for the newly constructed western leg of the Tom Taylor Trail, World War Two Camp and the Rogers plaque. Discussions with Town staff are underway with respect to funding for the plaques and potential locations where each can be placed.

7. Heritage Newmarket Budget

The Council/Committee Coordinator provided a verbal update on the balance of the Heritage Newmarket account and the Heritage Fund. The Chair provided a verbal update with respect to façade improvements on Main Street, including brick restoration on the upper storey of the building at 205 Main Street.

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

The Senior Planner, Community Planning, provided an overview of the heritage permit approval process and advised that the authority to approve applications can not be designated to a municipal heritage committee per legislation but can however be delegated to staff and recommended that option. Discussion ensued regarding the ability for Heritage Newmarket to comment on any heritage permits and the ability to provide feedback into the process for drafting a delegation by-law for heritage permits.

9. Discussion 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.

Moved by: Billie Locke
Seconded by: Joan Seddon

The Newmarket Heritage Advisory Committee recommends:

a) THAT the application for Official Plan and Zoning By-law Amendment, 260 Eagle Street be further reviewed to address the following concerns, as expressed by the Heritage Newmarket Advisory Committee:

- a) The application contravenes the Town's Official Plan and Zoning By-law documents with respect to building height allowances;
- b) The proposed structure appears to be invasive in nature to the surrounding residential community including the heritage home located at 310 Eagle Street, the Pioneer cemetery and the surrounding small post-war homes abutting the subject property;
- c) The proposed development may interfere with surrounding property owners enjoyment, as evidenced by the shadow study conducted as part of the application process.

Carried

10. Reports of Committee Members

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

The Chair advised that ARCH has completed its projects for 2015 with plans for 2016 dependent on budget discussions.

b) Elman W. Campbell Museum Board

Billie Locke provided a verbal update on plans to replace existing storage in the Elman W. Campbell Museum with rail carriages.

c) Lower Main Street South Heritage Conservation District Advisory Group

The Chair provided a verbal update and advised that projects in the District are moving ahead. The Advisory Group is working with a business owner on façade improvement suggestions.

d) Newmarket Historical Society Board of Directors

Rohit Singh provided a verbal update and advised that he has not received any correspondence to date from the Newmarket Historical Society. The Council/Committee Coordinator to follow up with the Newmarket Historical Society.

11. 2016 Schedule of Meetings.

The meeting schedule was approved, as presented.

New Business

- a) The Chair provided a verbal update on the lack of stewardship of the Bogart House, with the exception of perimeter fencing to restrict access to the home. In addition, he suggested that the Committee defer a presentation by the developer pending receipt of further information related to the costs associated with moving and/or restoration of the home. In addition, the Chair advised that it is alleged that an infant grave was located on the property, however, has been relocated to the Newmarket Cemetery.
- b) The Chair advised that the Committee's membership to Community Heritage Ontario is due to expire.

Moved by: Malcolm Watts
 Seconded by: Joan Seddon

THAT the Heritage Newmarket Advisory Committee renew its membership with Community Heritage Ontario for 2016.

Carried

Adjournment

Moved by: Joan Seddon
 Seconded by: Malcolm Watts

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:25 p.m.

Date

Athol Hart, Chair

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, December 1, 2015 in Mulock Room, 395 Mulock Drive, Newmarket.

- Members Present:** Councillor Hempen
Soni Felix Raj (7:09 to 9:22 p.m.)
Athol Hart, Chair
Billie Locke
Joan Seddon
Malcolm Watts
- Absent:** Rohit Singh
- Guests:** Sherita Clark, Quaker Meeting House
Richard Kamus, Quaker Meeting House
- Staff Present:** C. Finnerty, Council/Committee Coordinator

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

A. Hart in the Chair.

Presentations/Deputations

1. Ms. Sherita Clark and Mr. Richard Kamus addressed the Committee regarding the Quaker Meeting House Accessibility Project and summarized their proposal for an addition to the existing west entrance to house a vestibule and accessible elevator alongside the existing staircase. In addition, there are plans to renovate the basement to accommodate an accessible washroom. The designated part of the building will be left untouched, with the exception of any improvements that may be required by the Ontario Building Code. Discussion ensued regarding funding for the project and requirements under the Accessibility for Ontarians with Disabilities Act.

Moved by: Councillor Hempen
 Seconded by: Joan Seddon

THAT the presentation by Ms. Sherita Clark and Mr. Richard Kamus regarding Quaker Meeting House be received

Carried

Declarations of Interest

None.

Approval of Minutes

2. Heritage Newmarket Advisory Committee Minutes of November 3, 2015.

Moved by: Billie Locke
 Seconded by: Joan Seddon

THAT the Heritage Newmarket Advisory Committee Minutes of November 3, 2015 be approved.

Carried

Correspondence

None.

Items

3. Designated Property Maintenance and Concerns

The Chair advised that the Senior Planner – Community Planning attended the Clock Tower site and the three buildings to the south of the property with the Supervisor of By-law Enforcement to ensure that each property is in compliance with the Property Standards By-law. Each property appeared to be in compliance, with no evidence of interior water damage, though deterioration around the base of the Clock Tower appeared to be significant. The Senior Planner – Community Planning prepared a letter for the owner requesting that the deterioration be attended to.

Moved by: Malcolm Watts
 Seconded by: Billie Locke

THAT the letter to Mr. Chris Bobyk, The Forrest Group regarding degradation of 180 Main Street be endorsed by the Heritage Newmarket Advisory Committee.

Carried

The Chair provided a verbal update on the Fernbank House and advised that the Recreation and Culture and Public Works Departments will be having a condition assessment completed to determine what works can be completed on the home. The Chair recommended that Fernbank House be listed on each agenda.

Moved by: Councillor Hempen
 Seconded by: Soni Felix Raj

THAT the verbal update from the Chair regarding the Fernbank House be received.

Carried

4. Plaques

J. Seddon advised that the Plaque Subcommittee is working to prepare a checklist for each plaque project. Discussion ensued regarding checklists for each heritage file, preparation of a workplan for the subcommittee and associated resource needs.

5. Heritage Newmarket Budget

The Council/Committee Coordinator provided a verbal update with respect to the Heritage Newmarket Budget.

6. Update from the Senior Planner regarding Heritage Consultant Services.

The Chair provided a verbal update with respect to consultant services for property research and report preparation for heritage designation. The Request for Proposal has closed and several submissions have been received. Each proposal will be reviewed by the Review Panel, being the Senior Planner – Community Planning, Chair and Vice-Chair of the Heritage Newmarket Advisory Committee.

7. Discussion regarding recommendations for a Cultural Strategy for Ontario.

Discussion ensued regarding the timeframes associated with the Cultural Strategy for Ontario. The Chair advised that the Ontario Historical Society, Architectural Conservancy of Ontario and Community Heritage Ontario have provided recommendations on the matter to the province.

Moved by: Joan Seddon

Seconded by: Billie Locke

THAT the Heritage Newmarket Advisory Committee support the efforts of the Ontario Historical Society, Architectural Conservancy of Ontario and Community Heritage Ontario with respect to the Cultural Strategy for Ontario.

Carried

8. Reports of Committee Members

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

No update to provide.

b) Elman W. Campbell Museum Board

B. Locke advised that the proposed storage system installation has been delayed. She further advised that the gift shop sale, held in conjunction with the Santa Claus Parade, was a success.

c) Lower Main Street South Heritage Conservation District Advisory Group

The Chair provided a verbal update advising that the Heritage Newmarket Advisory Committee is being requested to review regulations for outdoor patios. Councillor Hempen provided a verbal update regarding the Outdoor Patio Pilot Project report that was before Committee of the Whole on November 30, 2015. The Chair further advised that the Committee has been requested to prepare draft signage guidelines for the Heritage Conservation District. The guidelines are expected to identify signage that would be typical in the district, including barber pole signs and awnings.

Moved by: Councillor Hempen
 Seconded by: Billie Locke

THAT the matter related to drafting signage regulations in the Heritage Conservation District be deferred to the January meeting;

AND THAT further information related to signage in the Heritage Conservation District be provided to the Heritage Newmarket Advisory Committee.

Carried

- d) Newmarket Historical Society Board of Directors

No update to provide.

New Business

- a) The Chair provided an update on the Town's Heritage fund and suggested that the Committee begin to review means of obtaining revenue in order to provide financial assistance to property owners for heritage upgrades.
- b) The Chair requested that staff provide a status update regarding Heritage Newmarket Advisory Committee's recommendations related to a Heritage by-law.
- c) M. Watts recommended an arrangement with the Newmarket Historical Society in order to enable access to the archives.
- d) Councillor Hempen advised that he received an e-mail from a resident expressing concern over photographs being taken of his house and requested information on any protocols associated with taking photos of homes and consultation with residents. Discussion ensued regarding the Committee's position on photographing heritage homes.

Adjournment

Moved by: Malcolm Watts

Seconded by: Soni Felix Raj

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:22 p.m.

Date

Athol Hart, Chair

The meeting of Site Plan Review Committee was held on Monday, December 14, 2015 at 2:30 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members

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

Members

Absent: Councillor Hempen
Councillor Sponga
Councillor Vegh

Staff:

Bob Shelton, CAO
Peter Noehammer, Commissioner, Development & Infrastructure Services
Rick Nethery, Director of Planning & Building Services
Dave Potter, Chief Building Official
Linda Traviss, Senior Planner – Development
Ted Horton, Planner

Accessibility

Advisory

Committee: Richard Wilson

The meeting was called to order at 2:33 p.m. No conflicts of interest were declared.

Councillor Kerwin in the Chair.

1. **APPLICATION FOR AMENDMENT TO SITE PLAN APPROVAL
120 BAYVIEW PARKWAY – WARD 3
(NORTH OF DAVIS DRIVE, WEST SIDE OF BAYVIEW PARKWAY)
OUR FILE NO.: D14-NP1521
LAKE SIMCOE REGION CONSERVATION AUTHORITY**
-

Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management.

Mike Walters, Chief Administrative Officer of Lake Simcoe Region Conservation Authority and Andrea Keeping, Project Manager, Water Resources of Candevcon Limited were present to address the Committee.

The Site Plan Review Committee recommends:

1. **That the Application for Amendment to Site Plan Approval to permit the reconstruction of the existing parking lot to expand the capacity from 63 to 83 spaces, improve emergency access and introduce Low Impact Development (LID) measures for stormwater management be approved in principle and referred to staff for processing, subject to the following:**
 - a. **THAT the preliminary review comments be addressed to the satisfaction of Town Staff; and**
 - b. **AND THAT the application be referred to a Public Information Centre.**
 2. **AND THAT Mike Walters, Chief Administrative Officer of Lake Simcoe Region Conservation Authority, 120 Bayview Parkway, Box 282, NEWMARKET, ON L3Y 3W3 , be notified of this decision;**
 3. **AND THAT Andrea Keeping, Project Manager, Water Resources of Candevcon Limited, 1600 Champlain Avenue, Suite 402, WHITBY, ON L1N 9B2, be notified of this decision.**
-
2. **APPLICATION FOR SITE PLAN APPROVAL
445 HARRY WALKER PARKWAY SOUTH – WARD 2
(NORTH OF MULOCK DRIVE, EAST SIDE OF HARRY WALKER PKWY. S.)
OUR FILE NO.: D14-NP1522
THE REGIONAL MUNICIPALITY OF YORK**
-

Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot.

Vikas More, Project Manager, Capital Delivery of The Regional Municipality of York and Chris Kubbinga, Principal of Thomas Brown Architects Inc. were present to address the Committee.

The Site Plan Review Committee recommends:

1. That the Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot be approved in principle and referred to staff for processing, subject to the following:
 - a. THAT the preliminary review comments be addressed to the satisfaction of Town Staff; and
 - b. AND THAT the requirement for a Public Information Centre be waived.
2. AND THAT Vikas More, Project Manager, Capital Delivery of The Regional Municipality of York, 17250 Yonge Street, NEWMARKET, ON L3Y 6Z1, be notified of this decision;
3. AND THAT Chris Kubbinga, Principal of Thomas Brown Architects Inc., 197 Spadina Avenue, Suite 200, TORONTO, ON M5T 2C8, be notified of this decision.

The meeting adjourned at approximately 3:10. The next regular meeting of the Site Plan Review Committee is expected to be held on January 18, 2016.

Dec 17/15
Dated



Director, Planning & Building Services

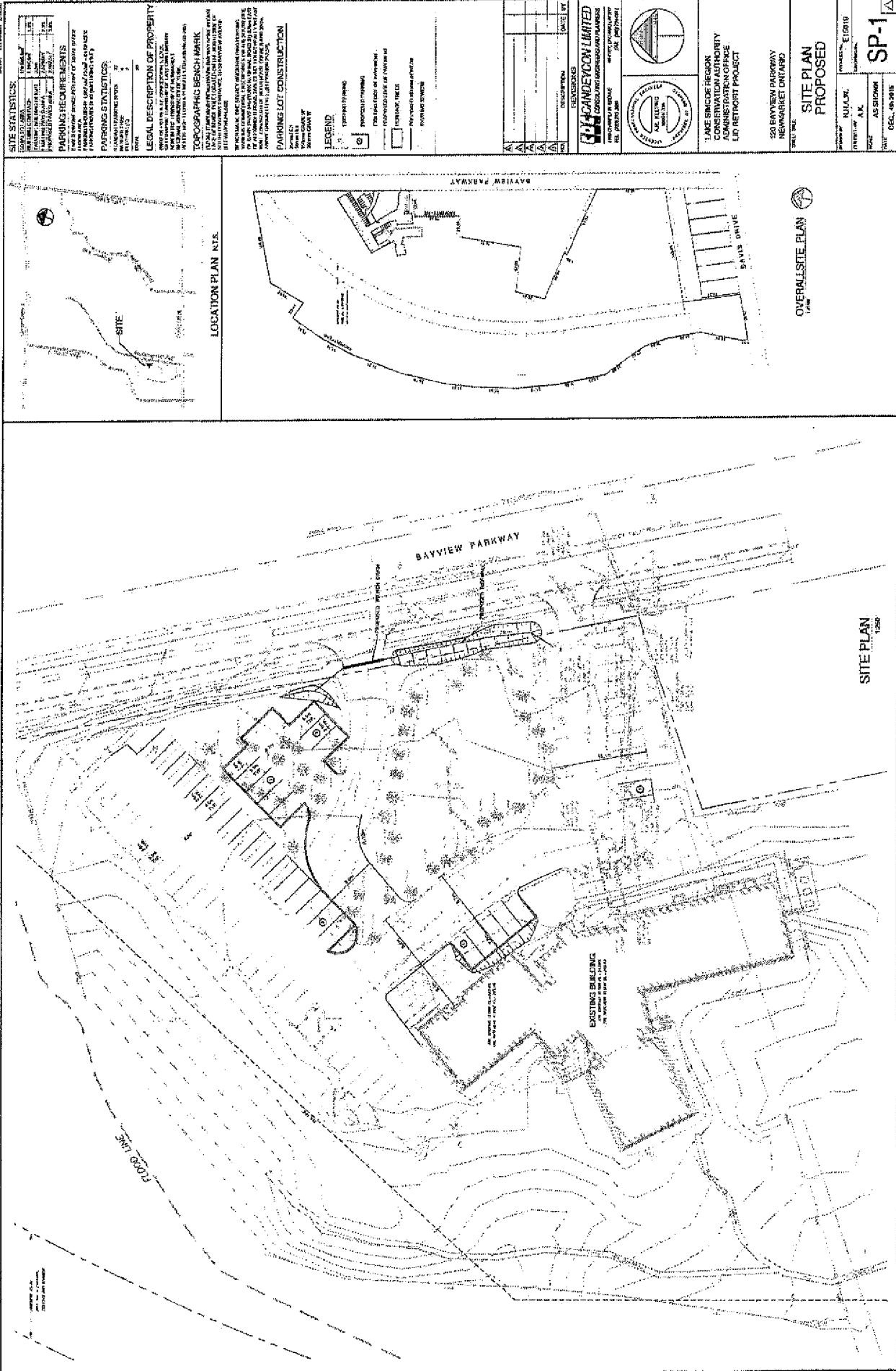
1. **APPLICATION FOR AMENDMENT TO SITE PLAN APPROVAL
120 BAYVIEW PARKWAY – WARD 3
(NORTH OF DAVIS DRIVE, WEST SIDE OF BAYVIEW PARKWAY)
OUR FILE NO.: D14-NP1521
LAKE SIMCOE REGION CONSERVATION AUTHORITY**
-

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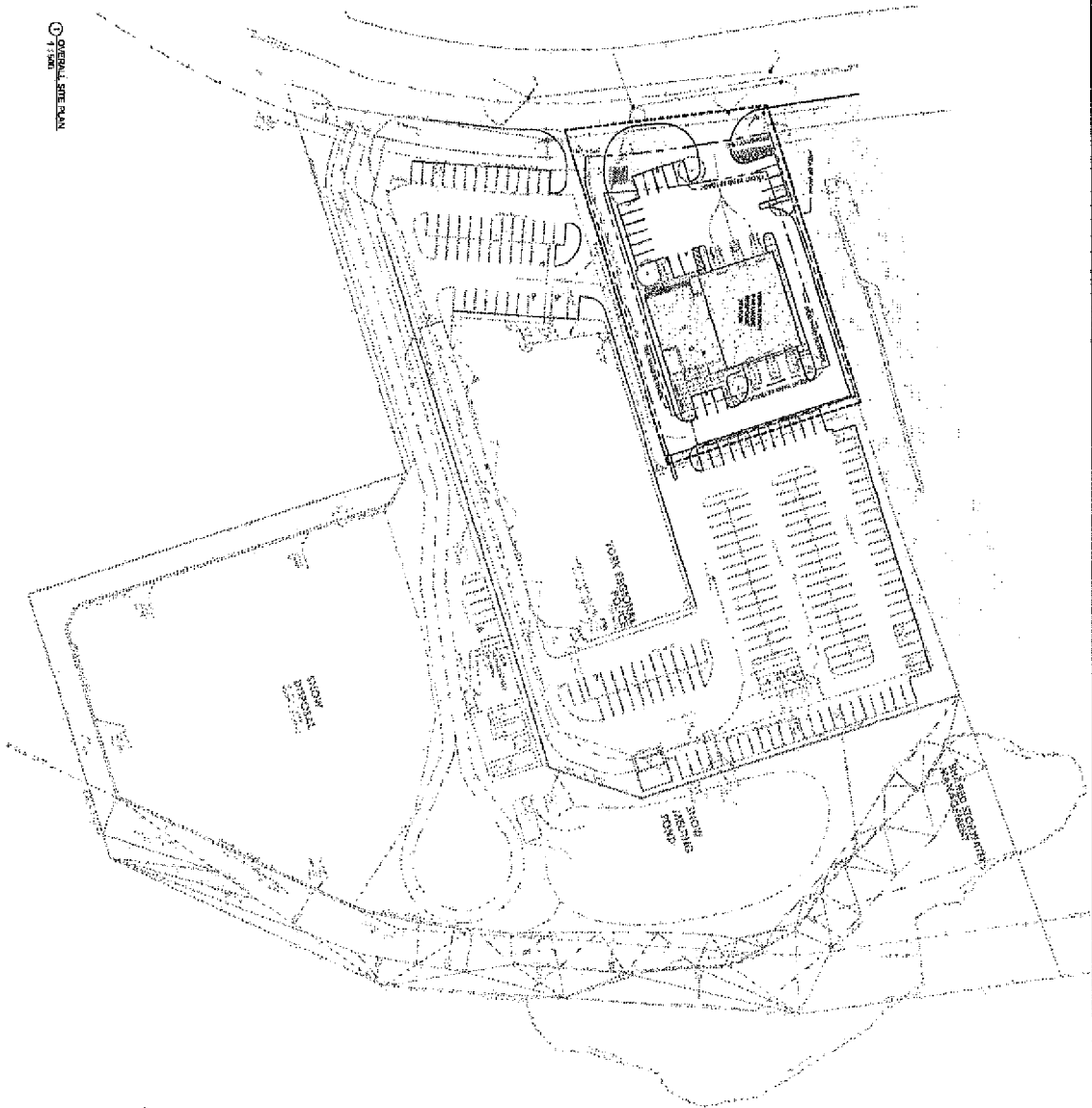
- 2. APPLICATION FOR SITE PLAN APPROVAL
445 HARRY WALKER PARKWAY SOUTH – WARD 2
(NORTH OF MULOCK DRIVE, EAST SIDE OF HARRY WALKER PKWY. S.)
OUR FILE NO.: D14-NP1522
THE REGIONAL MUNICIPALITY OF YORK**
-

Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot.

The Site Plan Review Committee recommends:

- 1. That the Application for Site Plan Approval to permit the construction of a new EMS facility having a gross floor area of 672 m² and an associated 20 space parking lot be approved in principle and referred to staff for processing, subject to the following:**
 - a. THAT the preliminary review comments be addressed to the satisfaction of Town Staff; and**
 - b. AND THAT the requirement for a Public Information Centre be waived.**
- 2. AND THAT Vikas More, Project Manager, Capital Delivery of The Regional Municipality of York, 17250 Yonge Street, NEWMARKET, ON L3Y 6Z1 be notified of this decision;**
- 3. AND THAT Chris Kubbinga, Principal of Thomas Brown Architects Inc., 197 Spadina Avenue, Suite 200, TORONTO, ON M5T 2C8 be notified of this decision.**

Project Name: THOMASBROWN YORK REGION EMS #19 Project Address: 445 HARRY WALKER PARKWAY SOUTH, NEWMARKET Project Owner: THOMASBROWN Project Manager: THOMASBROWN Project Engineer: THOMASBROWN Project Date: 11/20/2015		The information on this plan was prepared by the engineer on the basis of the information provided by the owner. The engineer assumes no responsibility for the accuracy or completeness of the information provided by the owner.	
1. General Notes: a. All work shall be in accordance with the latest edition of the Ontario Building Code and the latest edition of the Ontario Fire Code. b. All work shall be in accordance with the latest edition of the Ontario Electrical Code and the latest edition of the Ontario Fire Code. c. All work shall be in accordance with the latest edition of the Ontario Fire Code and the latest edition of the Ontario Fire Code.		2. Schedule of Work: a. <input type="checkbox"/> New Construction b. <input type="checkbox"/> Renovation c. <input type="checkbox"/> Addition d. <input type="checkbox"/> Alteration e. <input type="checkbox"/> Demolition f. <input type="checkbox"/> Other	
3. Site Statistics Data: a. <input type="checkbox"/> New Construction b. <input type="checkbox"/> Renovation c. <input type="checkbox"/> Addition d. <input type="checkbox"/> Alteration e. <input type="checkbox"/> Demolition f. <input type="checkbox"/> Other		4. Other Notes: a. <input type="checkbox"/> New Construction b. <input type="checkbox"/> Renovation c. <input type="checkbox"/> Addition d. <input type="checkbox"/> Alteration e. <input type="checkbox"/> Demolition f. <input type="checkbox"/> Other	



① OVERALL SITE PLAN
11/20/2015

Project Name: THOMASBROWN YORK REGION EMS #19 Project Address: 445 HARRY WALKER PARKWAY SOUTH, NEWMARKET Project Owner: THOMASBROWN Project Manager: THOMASBROWN Project Engineer: THOMASBROWN Project Date: 11/20/2015		The information on this plan was prepared by the engineer on the basis of the information provided by the owner. The engineer assumes no responsibility for the accuracy or completeness of the information provided by the owner.	
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**REPORT TO
THE CORPORATION OF THE TOWN OF NEWMARKET REGARDING THE
INVESTIGATION OF THE MEETING OF SPECIAL COMMITTEE OF THE
WHOLE COUNCIL FOR THE TOWN OF NEWMARKET IN CLOSED SESSION
ON APRIL 22, 2015**

I. COMPLAINT

The Corporation of the Town of Newmarket ("Town") received a complaint about a Special Meeting of the Committee of the Whole for Town Council ("Committee of the Whole") in Closed Session held on April 22, 2015. The essence of the complaint is that the Town of Newmarket Procedure By-law was not followed in that the summary of the discussion from the Closed Session, which was provided at the Council Meeting on May 11, 2015, did not include information about any vote(s) taken by Committee of the Whole while in Closed Session.

This request was sent to the offices of Amberley Gavel Ltd. ("Amberley Gavel") for investigation.

II. JURISDICTION

The Town appointed Local Authority Services (LAS) as its closed meeting investigator pursuant to section 239.2 of the *Municipal Act*¹, as amended by Bill 130² ("*Municipal Act*" or "*Act*").

LAS has delegated its powers and duties to Amberley Gavel to undertake the investigation and report to Town Council.

III. BACKGROUND

Section 239 of the *Municipal Act* provides that all meetings of a municipal council, local board or a committee of either of them shall be open to the public. This requirement is one of the elements of transparent local government.

¹ S.O. 2001, c. 25.

² *Bill 130: An Act to amend various Acts in relation to municipalities*, S.O. 2006, c. 32 ("Bill 130").

The section sets forth exceptions to this open meetings rule. It lists the reasons for which a meeting, or a portion of a meeting, may be closed to the public. The section confers discretion on a council or local board to decide whether or not a closed meeting is required for a particular matter. That is, it is not required to move into closed session if it does not feel the matter warrants a closed session discussion.

Section 239 reads in part as follows:

Meetings open to public

239. (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

Exceptions

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001, c. 25, s. 239 (2).

The *Act*, under subsections 239(5) and 239(6), does not permit a council, committee, or local board to vote while in closed session unless the *Act* requires or permits the meeting to be closed by virtue of one of its exceptions and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

The *Act* is silent about what must be reported out from a closed session to an open session of the council, board, committee, or other body. All that the *Act* requires is that a record, without note or comment, be kept of all resolutions, decisions, and other proceedings, whether closed to the public or not (section 239(7)).

IV. INVESTIGATION

Documents provided by the Town and reviewed during the course of the investigation included the Agenda and Minutes of the Open and Closed Sessions of Special Committee of the Whole on April 22, 2015 and the Minutes of the Council Meeting on May 11, 2015, confidential documents regarding the matter under discussion, and other relevant documentation.

The Town Clerk ("Clerk") and the Director of Legal Services/ Municipal Solicitor ("Director of Legal Services") were consulted during the course of the investigation.

BACKGROUND

(a) The Town's Procedure By-Law

The Town has a Procedure By-law which governs its meetings.³ The By-law provides for special meetings of Committee of the Whole or Council, called by either the Mayor or by a majority of Members of Council, including notices for such meetings.⁴ It further provides for closed sessions of Committees or Council, with the provisions mirroring those contained in the *Municipal Act*.⁵

Although the *Municipal Act* is silent about reporting out from a closed session of a council or committee, the Town's Procedure By-law provides that:

- i) A summary of any discussion held in closed session and any required vote will occur following the closed session discussion of Council or a Committee meeting. In the case of Committee of the Whole Meetings, communication of closed session discussions will occur at Council Meetings.
- ii) The summary of closed session discussion and vote will provide sufficient detail without detrimentally affecting the confidentiality of the matter(s) discussed in closed session and the position of the Municipality.⁶

³ *A By-law to Govern the Proceedings of Council and Committee Meetings*, Corporation of the Town of Newmarket, enacted September 30th, 2013 ("Procedure By-law" or "By-law").

⁴ *ibid.* at section 8.(d) and 8.(e).

⁵ *ibid.* at section 9.

⁶ *ibid.* at section 9.f).

The Clerk advised that the summary of the discussion held in closed session by Committee of the Whole would normally occur at the next regularly scheduled meeting of Council.

(b) **Notice and Agenda for the Special Meeting of Committee of the Whole on April 22, 2015**

In accordance with the Procedure By-law, the Mayor called a Special Meeting of Committee of the Whole for April 22, 2015. The notice of the meeting was duly published in accordance with the provisions of the By-law.

The Agenda for the April 22, 2015 indicates that Committee of the Whole would be considering:

Section 239 (2) (e) and 239 (2) (f) of the Municipal Act, 2001.

Litigation including matters before administrative tribunals affecting the municipality;

Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(c) **Minutes for the Meeting of Special Committee of the Whole on April 22, 2015 in Open Session**

The Minutes for the Open Session of Special Committee of the Whole show that Committee of the Whole properly went into Closed Session at 1:34 p.m., reconvened in Open Session at 3:06 p.m., and adjourned at 3:07 p.m.

(d) **Minutes of the Meeting of Special Committee of the Whole on April 22, 2015 in Closed Session**

The Minutes for the Meeting of Special Committee of the Whole in Closed Session on April 22, 2015 confirm that a matter was discussed which involved litigation before an administrative tribunal and advice that was subject to solicitor-client privilege. There were no votes taken while in Closed Session and no direction was provided to staff, other officials, or agents. No other business was discussed.

(e) **Minutes of the Meeting of Council on May 11, 2015**

The next regularly scheduled meeting of Council was on May 11, 2015. The Minutes indicate that:

Mayor Van Bynen advised that Special Committee of the Whole met on April 22, 2015 to receive legal advice in reference to a matter before an administrative tribunal.

V. ANALYSIS AND FINDINGS

(a) The Closed Session of Special Committee of the Whole on April 22, 2015

Having reviewed the relevant material and having discussed the matter with the Clerk and Director of Legal Services, we have concluded that Committee of the Whole complied with the provisions of the *Municipal Act* and the Town's Procedure By-law in all respects in its Special Closed Session on April 22, 2015.

(b) The Council Meeting on May 11, 2015

Council reported out from its Closed Session of Special Committee of the Whole in accordance with its Procedure By-law at its next regularly scheduled meeting of May 11, 2015.

No votes were taken in Closed Session of the Special Committee of the Whole on April 22, 2015. The summary of the discussion at Council on May 11, 2015 could not include information about a vote that did not occur.

The *Municipal Act* does not require any specific form or content for reporting out from closed sessions of a council, committee, or local board. Hence, the body can choose which level of specificity it will use when reporting out discussions of closed session matters. While it may choose to include more information for some matters that goes beyond the "general nature of the matter" discussed, it does not have to, especially if to do so would be to disclose what is otherwise confidential information or legal advice, or would compromise the position of the municipality on the matter. We are satisfied that Council disclosed what was appropriate and sufficient, as required by its Procedure By-law, given the nature of the matter discussed.

VI. CONCLUSION

Amberley Gavel has concluded that Committee of the Whole and Council did not breach the requirements of the *Municipal Act* or the Town's Procedure By-law in conducting and reporting out from the Closed Session of Special Committee of the Whole held on April 22, 2015.

VII. PUBLIC REPORT

We received full and prompt co-operation from all parties that we contacted and we thank them.

This report is forwarded to the Council of the Town of Newmarket. The *Municipal Act* provides that this report be made public. It is suggested that the report be included on the agenda of the next regular meeting of Council or at a special meeting called for the purpose of receiving this report prior to the next regular meeting.

Nigel Bellchamber

for

AMBERLEY GAVEL LTD.

November 2015

Subject: FW: Proclamation Request

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
DEC 04 2015		

From:

Sent: December 3, 2015 3:06 PM

To: Mayor Van Bynen

Subject: Proclamation Request

Dear Mayor Tony Van Bynen,

I am writing to request your support in proclaiming February 1st to February 7th 2016 as **Eating Disorder Awareness Week (EDAW) in Newmarket**. Since 1988, EDAW has been commemorated across Canada by established organizations, education and public health institutions, and concerned members of the public. **EDAW seeks to raise awareness of eating disorders, shed light on dangerous and pervasive myths, and promote prevention. It is also a time of year for Canadians to learn about available resources and appropriate services for themselves and/or loved ones.**

Founded in 1985, the National Eating Disorder Information Centre (NEDIC) is Canada's oldest national organization dedicated to helping those with eating disorders, food and weight preoccupation, and related issues. NEDIC was a founding member of the international drive to institute EDAW. We provide information, education, resources and referrals to individuals who are personally struggling, as well as to the family members, friends and professionals who support them. Our toll-free national helpline, the only one of its kind in Canada, operates Monday to Friday 9am to 9pm EST, allowing individuals from coast to coast to call after their regular school or business day. Through our programming and services, NEDIC is committed to prevention, building awareness and ensuring that people no longer suffer in silence.

Feel free to contact NEDIC if you have any questions or to notify us of the next steps!

Take care,

Samita Sarwan

Placement Student

Our helpline hours are extended!

As of April 7th 2015, our hours are:

Monday - Thursday 9.00 am - 9.00 pm, Friday 9.00am - 5.00pm EST

416-340-4156 (in the GTA) Toll Free 1-866-633-4220

Many individuals may be reluctant to contact NEDIC while at school or work. Now, thanks to a generous grant from the Bell Let's Talk Community Fund, we are increasing our hours to better serve you, coast to coast to coast.

National Eating Disorder Information Centre

www.nedic.ca

200 Elizabeth Street 7ES-420 Toronto, ON M5G 2C4

E: nedic1@uhn.ca | T: 416-340-4156 | F: 416-340-4736

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Last revisions made on January 5, 2016
(Updated and including the Committee of the Whole Minutes of November 30, 2015)

Item	Subject	Recommendation	Date to come back to Committee	Comments
		<p>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.</p>	November 30, 2015	
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>	<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>	Item referred to as part of the Recreation Playbook process.

	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>January 11, 2016</p>	<p>Information Report 2015-29 distributed</p>
4.	<p>Committee of the Whole – April 13, 2015 – Item 28 Joint Development and Infrastructure Services Report – Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.</p> <p>Council – December 14, 2015 – Item 25</p>	<p>THAT staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.</p> <p>THAT staff provide alternate trail options for this area at a lower cost.</p>	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>	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, 2011 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 Committee of the Whole – November 30, 2015 – Item 21	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. THAT Development and Infrastructure Services Report – Engineering Services 2015-63 regarding Woodspring Avenue – Bonshaw Avenue to Town Limit – Bicycle Lanes and On-Street Parking be referred to staff for additional information, including costs.	Q4, 2015 Q2, 2016	

	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.	Information Report Q1, 2016	Referred to Community Centre Lands Task Force Parking Strategy
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 Q1, 2016	
20.	Committee of the Whole – November 9, 2015 – Item 20 Community Services - Recreation and Culture Report 2015-31 dated October 19, 2015 regarding Recreation Playbook Recommendations Requiring Land.	<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	Will form part of a proposed Workshop to be scheduled

	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	