

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Mr. Neno Kovacevic from IBI Group to address the Committee with a PowerPoint presentation regarding the proposed Davis Drive Streetscape improvements. (Related to Item 29) p. 1

Deputations

2. (Rescheduled to Council meeting of March 24, 2014) p. 23

Mr. Ken Sisler to address the Committee regarding the Proclamation of International Day for the Elimination of Racial Discrimination. (Proclamation adopted at Council Meeting of March 3, 2014)

3. Ms. Kim McKinnon, on behalf of the Concerned Citizens for Accessibility and Mobility and the Community Legal Clinic of York Region to address the Committee regarding Mobility Plus Appeal Panel. (Related to Item 6) p. 25

4. (Rescheduled to Committee of the Whole meeting of April 7, 2014) p. 26

Mr. John Dowson to address the Committee with a PowerPoint presentation regarding the Very Useful Theatre Company.

Consent Items

5. Accessibility Advisory Committee Minutes of February 20, 2014. p. 54

The Accessibility Advisory Committee recommends:

THAT the Accessibility Advisory Committee Minutes of February 20, 2014 be received.

6. Item 1 of the Accessibility Advisory Committee Minutes of February 20, 2014 regarding Mobility Plus Appeal Panel. (Region of York report attached for information) p. 58

The Accessibility Advisory Committee recommends to Council:

1) THAT based on the information presented by the Concerned Citizens for Accessibility and Mobility Group at the February 20, 2014 Accessibility Advisory Committee meeting, that the Accessibility Advisory Committee expresses its concerns regarding York Region's proposal to outsource the Mobility Plus Eligibility Appeal Panel;

2) AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that it maintain the current structure of the Mobility Plus Eligibility Appeal Panel until a more comprehensive review is conducted;

3) AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that a member of the Newmarket Accessibility Advisory Committee be invited to participate in this review;

4) AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that all York Region Accessibility Advisory Committees be consulted on any future changes to the structure of Mobility Plus.

7. Correspondence dated February 12, 2014 from Ms. Karen Beaulieu, Fundraising Co-ordinator, Canadian Cancer Society - Holland River Community Office requesting that April, 2014 be proclaimed 'Daffodil Month' in the Town of Newmarket. p. 64

Recommendations:

THAT the correspondence from Ms. Karen Beaulieu, Canadian Cancer Society regarding the proclamation of April, 2014 as 'Daffodil Month' be received and the following recommendations be adopted:

a) THAT the Town of Newmarket proclaim April, 2014 as 'Daffodil Month';

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

8. Correspondence received February 24, 2014 from Ms. Kathy Crowhurst, Lupus Foundation of Ontario requesting that May 10, 2014 be proclaimed 'World Lupus Day' and the month of October, 2014 be proclaimed 'Lupus Awareness Month' in the Town of Newmarket. p. 66

Recommendations:

a) THAT the correspondence from Ms. Kathy Crowhurst, Lupus Foundation of Ontario be received and the following recommendations be adopted:

b) THAT the Town of Newmarket proclaim May 10, 2014 as 'World Lupus Day' and October, 2014 as 'Lupus Awareness Month';

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

9. Correspondence received February 24, 2014 from Mr. S.C. Campbell, President, Probus Centre-Canada Inc. requesting that March, 2014 be proclaimed "Probus Month" in the Town of Newmarket. p. 69

Recommendations:

THAT the correspondence received February 24, 2014 from Mr. S.C. Campbell, President, Probus Centre-Canada be received and the following recommendations be adopted:

a) THAT the Town of Newmarket proclaim March, 2014 as 'Probus Month' in the Town of Newmarket;

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

10. Correspondence dated February 2014 from Ms. Ashley Martin, Program Manager, Girls Inc. requesting proclamation of April 28 to May 2, 2014 as 'Girls Rights Week' in the Town of Newmarket. p. 70

Recommendations:

THAT the correspondence dated February 2014 from Ms. Ashley Martin, Program Manager, Girls Inc. be received and the following recommendations be adopted:

THAT the Town of Newmarket proclaim April 28 to May 2, 2014 as 'Girls Rights Week';

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

11. Newmarket Public Library Board Minutes of January 15, 2014. p. 71

The Newmarket Public Library Board recommends:

THAT the Newmarket Public Library Board Minutes of January 15, 2014 be received.

12. Environmental Advisory Committee Minutes of January 8, 2014. p. 74

The Environmental Advisory Committee recommends:

THAT the Environmental Advisory Committee Minutes of January 8, 2014 be received.

13. Inclusivity Advisory Committee Minutes of January 22, 2014. p. 78

The Inclusivity Advisory Committee recommends:

THAT the Inclusivity Advisory Committee Minutes of January 22, 2014 be received.

14. Item 1 of the Inclusivity Advisory Committee Minutes of January 22, 2014. p. 81

The Inclusivity Advisory Committee recommends to Council:

THAT due to the consistent struggles of the Inclusivity Advisory Committee in attaining quorum requirements that the Inclusivity Advisory Committee cease holding regular meetings for the remainder of the term and should a meeting be required that it be at the call of the Chair.

15. Site Plan Review Committee Minutes of February 10, 2014. p. 82

Recommendation:

THAT the Site Plan Review Committee Minutes of February 10, 2014 be received.

16. Item 1 of the Site Plan Review Committee Minutes of February 10, 2014 being an Application for Telecommunications Tower - 17665 Leslie Street - Ward 3. p. 85

The Site Plan Review Committee recommends:

1. THAT the Application for a Telecommunications Tower to permit a 30 metre monopole tower to be erected on the subject lands be deferred to a future Site Plan Review Committee meeting in order that the applicant explore relocating the proposed tower towards the rear of the property or to the industrial area and the applicant shall provide Site Plan Review Committee with the details of the circulation range and how many people were notified;

2. AND THAT Duane Lovelace, Associate, Municipal Consultation Site Acquisition of Altus Group, 33 Yonge Street, Suite 500, Toronto, ON M5E 1G4 be notified of this decision;

3. AND THAT York Region Condominium Plan #781 of 17665 Leslie Street, Newmarket, ON L3Y 3E3 be notified of this decision.

17. Site Plan Review Committee Minutes of March 3, 2014. p. 86

The Site Plan Review Committee recommends:

THAT the Site Plan Review Committee Minutes of March 3, 2014 be received.

18. Item 1 of Site Plan Review Committee Minutes of March 3, 2014. p. 89

The Site Plan Review Committee recommends:

1) THAT the Application for Site Plan Approval to permit an 8 storey Administrative Centre Annex Building with a gross floor area of 37,628.6 square metres together with 2 levels of underground parking and a pedestrian bridge of 137.76 square metres connecting the proposed annex building to main administrative building at 17250 Yonge Street on the subject lands be referred to a Public Information Centre (PIC) subject to the following:

THAT staff provide a memorandum to Site Plan Review Committee advising of the notification process for the Public Information Centre (PIC);

THAT following the Public Information Centre the application be brought back to Site Plan Review Committee for further consideration;

2) AND THAT Michael Del Buono, Project Manager, Capital Delivery, Property Services Branch, The Regional Municipality of York, 17250 Yonge Street, Newmarket, ON L3Y 6Z1 be notified of this decision;

3) AND THAT Lauren Capilongo of Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham, ON L3R 6B3 be notified of this decision.

19. Development and Infrastructure Services - Planning and Building Services - Planning Report 2014-11 dated March 17, 2014 regarding Official Plan Amendment # 10 - the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan. p. 90

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

THAT Development and Infrastructure Services - Planning and Building Services - Planning Report 2014-11 dated March 17, 2014 regarding Official Plan Amendment # 10 - the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan be received and the following recommendations be adopted:

1) THAT Development and Infrastructure Services - Planning and Building Services Report 2014-09 dated February 24, 2014 be received;

2) AND THAT the following recommended changes as reflected in the Revised Draft Secondary Plan dated March 17, 2014 and as specifically addressed in this staff report be included for further public consultation and consideration:

- a) the Transitional Policies adjacent to residential neighbourhoods as recommended in this report
- b) the height, density and bonusing policies as recommended in this report
- c) the Interim Development and Angular Plan policies as recommended in this report

3) AND THAT Committee of the Whole provide staff with any direction it considers appropriate regarding the Revised Draft Secondary Plan and Associated Amendments to the Official Plan;

4) AND THAT staff be directed to provide public notice for the review and comment on the Revised Draft of the Town of Newmarket Official Plan Amendment # 10 - the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments - and that Amendment # 10 be referred to a public meeting;

5) AND THAT following the public meeting, any additional comments from the public, and those received through agency and departmental circulation be addressed by staff in a comprehensive report to the Committee of the Whole for consideration in May, 2014.

20. Deferred from the Committee of the Whole meeting held on February 24, 2014. p. 120

Corporate Services Commission - Procurement Services Development and Infrastructure Services Commission - Facility Services Joint Report 2014-05 dated February 3, 2014 regarding Ice Resurfacing Machines.

The Chief Administrative Officer, the Commissioner of Development and Infrastructure Services, the Commissioner of Corporate Services, the Director of Public Works Services and the Manager of Procurement Services recommend:

THAT Corporate Services Commission - Procurement Services and Development and Infrastructure Services Commission - Facility Services Joint Report 2014-05 dated February 3, 2014 regarding Single Source contract for Ice Resurfacers be received and the following recommendation be adopted:

a) THAT Council approve a five (5) year Single Source contract for the supply and delivery of Ice Resurfacers, as follows:

Estimated Delivery	Unit Cost	Quantity	Description	Extended Cost
2014	\$ 86,495.00	1	Zamboni 525	\$ 86,495.00
2015	\$ 88,000.00	1	Zamboni 525	\$ 88,000.00
2016	\$ 89,500.00	1	Zamboni 525	\$ 89,500.00
2017	\$ 90,750.00	3	Zamboni 525	\$ 272,250.00
2018	\$ 92,500.00	1	Zamboni 525	\$ 92,500.00
SUB TOTAL SINGLE SOURCE CONTRACT				\$ 628,745.00

21. Corporate Services Report - Financial Services 2014-03 dated March 3, 2014 p. 123 regarding Investment Activities and Returns - Annual Report for 2013.

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

THAT Corporate Services Report - Financial Services 2014-03 dated March 3, 2014 regarding Investment Activities and Returns - Annual Report for 2013 be received for information purposes.

22. Corporate Services Report - Financial Services 2014-10 dated March 6, 2014 p. 129 regarding the Projected 2013 Operating Results.

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

THAT Corporate Services Report - Financial Services 2014-10 dated March 6, 2014 regarding the Projected 2013 Operating Results be received and the following recommendation be adopted:

THAT the reserve and reserve fund transfers, totaling \$900,000 listed below, be approved.

23. Corporate Services Report - Financial Services 2014-11 dated March 4, 2014 p. 134 regarding Tax Write-Offs.

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

THAT Corporate Services Report - Financial Services 2014-11 dated March 4, 2014 regarding Tax Write-Offs pursuant to the Municipal Act, 2001 be received and the following recommendation be adopted:

THAT the tax adjustments outlined in Appendix 1 for application for the cancellation or refund of taxes pursuant to Sections 357 and 358 of the Municipal Act, 2001 be approved.

24. Corporate Services Report - Finance 2014-12 dated March 3, 2014 regarding Statement of Remuneration and Expenses - 2013 Payments to Elected and Appointed Officials. p. 138

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

THAT Corporate Services Report - Finance 2014-12 and the attached Statement of Remuneration and Expenses - 2013 Payments to Elected and Appointed Officials dated March 3, 2014 be received.

25. Development and Infrastructure Services Report - Planning and Building Services 2014-12 dated February 26, 2014 regarding Municipal Energy Plan Budget. p. 144

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

THAT Development and Infrastructure Services Report - Planning and Building Services 2014-12 dated February 26, 2014 regarding the Municipal Energy Plan Budget be received and the following recommendation be adopted:

a) THAT Finance transfer \$100,000 from the 2013 Community Improvement Plan for Urban Centres and Brownfield Developments Budget to a new budget for the Municipal Energy Plan.

26. Development and Infrastructure Services Report - Planning and Building Services 2014-13 dated March 6, 2014 regarding Application for Draft Plan of Condominium - 804 Shadrach Drive. p. 147

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

THAT Development and Infrastructure Services Report - Planning and Building Services 2014-13 dated March 6, 2014 regarding Application for Draft Plan of Condominium be received and the following recommendations be adopted:

a) THAT approval be given to Draft Plan of Condominium 19CDMN-2013003 subject to the Schedule of Conditions attached and forming part of Development and Infrastructure Services Report - Planning and Building Services 2014-13;

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

27. Development and Infrastructure Services Report - Joint Engineering Services/Public Works Services 2014-17 dated March 17, 2014 regarding Davis Drive Field Verification Program. p. 153

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

THAT Development and Infrastructure Services Commission - Joint Engineering Services and Public Works Services Report 2014-17 dated March 17, 2014 regarding Davis Drive Field Verification Program be received and the following recommendations be adopted:

1) THAT Council approve Davis Drive Field Verification Program;

2) AND THAT Council approve the additional budget request of \$650,000 and that a new line be added to the 2014 Capital Budget for this item;

3) AND THAT the additional budget be funded from the Asset Replacement Fund.

28. Development and Infrastructure Services Report - Engineering Services 2014-20 dated February 26, 2014 regarding Main Street - On Street Accessible Parking Spaces. p. 156

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

THAT Development and Infrastructure Services Report - ES 2014-20 dated February 26, 2014 regarding Main Street - On Street Accessible Parking Spaces be received and the following recommendations be adopted:

1) THAT accessible parking spaces on Main Street be approved at the following on-street locations:

- a) 127 Main Street
- b) 99 Main Street
- c) 71 Main Street
- d) 35 Main Street
- e) 48 Main Street
- f) 22 Main Street

2) AND THAT the property owners fronting onto Main Street from Millard Avenue to Davis Drive be notified;

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

29. Development and Infrastructure Services Report - Engineering Services 2014-22 dated February 28, 2014 regarding Viva Yonge Street Design. p. 162

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

THAT Development and Infrastructure Services Report - Engineering Services 2014-22 dated February 28, 2014 regarding the provision for future pedestrian lighting on the Yonge Street VIVA Corridor from approximately Savage Road North to Davis Drive be received and the following recommendations be adopted:

1) THAT the Town of Newmarket request VIVA to include estimates for the design and construction of a conduit for future pedestrian lighting within the Yonge Street corridor in the pricing for the project as an optional item;

2) AND THAT subject to receiving acceptable prices, staff be authorized to approve the inclusion of these works in the contract;

3) AND THAT VIVA be notified of this action.

30. Corporate Services Report - Legislative Services 2014-06 dated March 6, 2014 p. 165 regarding Advance Voting Opportunities and Language and Communication for the 2014 Municipal Election.

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

THAT THAT Corporate Services Report – Legislative Services 2014-06 dated March 6, 2014 regarding “Advance Voting Opportunities and Language and Communication for the 2014 Municipal Election” be received and the following recommendations be adopted:

a) THAT a by-law be enacted to permit the following dates, times and locations for Advance Voting in the Town of Newmarket for the 2014 municipal election;

b) AND THAT a by-law be enacted to provide for reduced voting hours with respect to a voting place that is only for the use of residents of the institution or retirement home;

c) AND THAT a by-law be enacted to include other languages in addition to English and French in order to relay election related information to the general public.

31. Street Naming Committee Minutes of November 15, 2013. p. 169

The Street Naming Committee recommends:

THAT the Street Naming Committee Minutes of November 15, 2013 be received.

32. The following item moved to Action Items - see Item 37. p. 172

Development and Infrastructure Services Report - Planning and Building Services 2014-14 dated March 6, 2014 regarding renaming of Slingerland Circle.

33. Note: Recommendations included in attached report were amended, as per the attached extract at the February 24, 2014 Committee of the Whole meeting. (Corporate Services (Legal Services) Information Report 2014-04/Solicitor Client Privilege provided under separate cover for information) p. 187

Development and Infrastructure Services Report - Planning and Building Services 2014-07 dated February 13, 2014 regarding Cash-in-Lieu of Parking.

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

THAT Development and Infrastructure Services/Planning and Building Services Report 2014-07 dated February 13, 2014 regarding cash in lieu of parking be received and the following recommendations be adopted:

1) THAT cash in lieu of parking be set in accordance with Appendix A forming part of this report;

2) AND THAT the Cash in Lieu of Parking policy identified as Appendix A be implemented June 30, 2014;

3) AND THAT current Planning Act applications that may benefit from cash in lieu of parking, be grandfathered at the current cash in lieu of parking rate.

34. Development and Infrastructure Services Report - Public Works Services 2014-15 dated February 28, 2014 regarding the 2013 Newmarket Water Distribution System Annual Water Quality Summary Report. p. 194

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

THAT Development and Infrastructure Services Report - Public Works Services 2014-15 dated February 28, 2014 regarding the 2013 Newmarket Water Distribution System Annual Water Quality Summary Report be received and the following recommendations be adopted:

a) THAT the 2013 Newmarket Water Distribution System Annual Water Quality Summary Report for the period January 1, 2013 to December 31, 2013 be received for information;

b) AND THAT the information in the attached report be available for public viewing on the Town's website, at the Customer Service counter at 395 Mulock Drive and the Operations Centre at 1275 Maple Hill Court.

35. List of Outstanding Matters. p. 239

Recommendation:

THAT the list of Outstanding Matters be received.

Action Items

36. Development and Infrastructure Services Report - Engineering Services 2014-16 p. 243
dated March 17, 2014 regarding VIVA Streetscape Improvements.

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

THAT Development and Infrastructure Services Commission - Engineering Services Report 2014-16 dated March 17, 2014 be received and the following recommendations be adopted:

1) THAT Council approve the conceptual design of the Yonge Street/Davis Drive, Main Street/Davis Drive and Eagle Street/Davis Drive intersection and that IBI be retained to complete the detailed design;

2) AND THAT Council provide direction on the wording for the Main Street/Davis Drive intersection arch on Main Street from the following options:

Front of the Sign:

- a) Historic Downtown
- b) Historic Downtown Newmarket
- c) Historic Downtown District
- d) Historic Main Street

3) AND THAT staff be authorized to negotiate with Viva and to tender works as necessary and award the contract for the works, provided the prices are within budget.

37. Development and Infrastructure Services Report - Planning and Building p. 172
Services 2014-14 dated March 6, 2014 regarding renaming of Slingerland Circle.

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

THAT Development and Infrastructure Services/Planning and Building Services Report 2014-14 dated March 6, 2014 regarding renaming Slingerland Circle be received and the following recommendations be adopted:

- 1) THAT staff proceed with the procedure outlined in Development and Infrastructure Services/Planning and Building Services Report 2014-14 to rename Slingerland Circle to Jack Giles Circle;
- 2) AND THAT Council advise staff if it desires a PIC to be held prior to the name change coming into effect;
- 3) AND THAT compensation be approved for the 50 affected owners to a maximum of \$50 per dwelling as per the process outlined in this report;
- 4) AND THAT all 50 residents be notified in writing of the name change and when the street name change will take effect;
- 5) AND THAT Council adopt the new procedure for renaming an existing street name outlined in this report;
- 6) AND THAT the new procedure for renaming an existing street name be added to the Street Naming Policy and Procedures;
- 7) AND THAT York Region Condominium 825, c/o Cheval Developments & Property Management Group, 372 Hollandview Trail, Suite 103, Aurora, ON L4G 0A5 be notified of this decision;
- 8) AND THAT Council request the Board of Directors of York Region Condominium 825 to allow Public Works Services staff to enter on the property to change the two street signs.

Correspondence & Petitions

38. Association of Municipalities of Ontario Recent Developments in Joint and p. 249
Several Liability.

The Operational Leadership Team recommends:

1) THAT Council support the actions of the Association of Municipalities of Ontario, Mr. Randy Pettapiece, MPP, Perth-Wellington and other Ontario municipalities proposing to limit Joint and Several liability for municipalities currently under consideration by the Government of Ontario;

2) AND THAT the Mayor write a letter to the Premier, the Attorney General and the Minister of Municipal Affairs and Housing supporting the "combined model" reform of Joint and Several liability affecting Ontario municipalities;

3) AND THAT the correspondence received from the Association of Municipalities of Ontario (March 4, 2014 and February 7, 2014), the municipalities of Georgina, Markham and York Region be received.

(Attachments: Town of Georgina correspondence dated February 12, 2014; City of Markham correspondence dated February 12, 2014; Regional Municipality of York correspondence dated February 13, 2014)

Reports by Regional Representatives

Notices of Motion

Motions

39. Deferred from February 24, 2014 Committee of the Whole meeting: p. 263

Councillor Di Muccio:

A motion concerning the outstanding monies owed by the Newmarket Soccer Club to the Corporation of the Town of Newmarket.

The Council of the Town of Newmarket provides the following directions to staff:

1) Due to not having been provided full rights as a member of the Newmarket Soccer Club Board of Directors nor permission to share the minutes of the Newmarket Soccer Club Inc. board meetings with members of Newmarket Council, no member of the Town of Newmarket staff shall represent the Town at meetings of the Newmarket Soccer Club Board of Directors henceforth; and that

2) All staff reports that have been provided to Council with respect to the Town of Newmarket lending public funds to the Newmarket Soccer Club shall be made available to any member of the public who requests a copy; and that

- 3) The total amount of money, which includes any development charges, user fees, and outstanding loans and mortgages, owed to the Corporation of the Town of Newmarket by the Newmarket Soccer Club is to be published on the Town page in the Newmarket Era during the week ending March 29, 2014; and that
- 4) Staff has provided assurances to Council that monies owing for 2013 user fees as well as anticipation of the sale of the property known as "The Woodbine Lands" that substantial sums of monies are expected to be received by the end of May, 2014. Therefore, the Town of Newmarket will keep the public informed by publishing the total amount of money owing by the Newmarket Soccer Club to the Town of Newmarket on the Town page in the Newmarket Era during the week ending June 14, 2014; and that
- 5) A copy of the mortgage loan agreement between the Town of Newmarket and the Newmarket Soccer Club Inc shall be made available to any member of the public who requests a copy; and that
- 6) The Newmarket Soccer Club be provided written notice as soon as practicable that the Corporation of the Town of Newmarket is formally declining the option to extend the agreement after the three year term of the agreement is completed; and that
- 7) Upon the completion of the sale of the property known as "The Woodbine Lands", that the Town of Newmarket publish a notice in the Town page of the Newmarket Era making public the exact sum representing the Town's proceeds of said sale; and that
- 8) Staff formally express the concerns of the Corporation of the Town of Newmarket that 25% of the positions on the Newmarket Soccer Club Board of Directors appear to be vacant; and that
- 9) Staff is to provide Council with bi-monthly updates at the Committee of the Whole meetings on matters concerning the financial well being of the Newmarket Soccer Club, including but not limited to, actual numbers of youth registered with the Club, current number of vacancies on the Newmarket Soccer Club Board, and any instances of late payments from the club for user fees, loan payments or other money owed; and that

10) Staff is to provide Council with a formal explanation at the next Committee of the Whole meeting of the circumstances that resulted in the Newmarket Soccer Club circumventing established user fee payment policies in 2013 along with an explanation of how outstanding money is to be collected from the Club and describe to Council how established user fee payment policies will be enforced in 2014; and that

11) Staff request that the Board of the Newmarket Soccer Club present to Newmarket Council details of its approved business plans governing the club for the next 36 months.

40. Councillor Di Muccio:

p. 265

THAT Site Plan Review Committee, Council workshops and other public meetings scheduled in the Council Chamber where there is a quorum of Council required be web streamed at the earliest opportunity.

New Business

Closed Session (if required)

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

41. a) Presentation by Mr. Ross Dunsmore, Solicitor, regarding Central York Fire Services - employee negotiations.

b) CYFS - Joint Council Committee (Closed Session) Minutes of March 4, 2014. (Labour Relations)

b) Item 2 of CYFS - Joint Council Committee (Closed Session) Minutes of March 4, 2014 regarding Labour Relations.

c) CAO/Fire Services/Human Resources (Closed Session) Report 2014-07 regarding Labour Relations.
42. Office of the CAO and Corporate Services (Legal) Joint (Closed Session) Report 2014-05 dated March 13, 2014 regarding a proposed disposition of land by the municipality.
43. Development and Infrastructure Services (Public Works) and Corporate Services (Legal Services) Joint (Closed Session) Report 2014-07 dated March 13, 2014 regarding a proposed acquisition of land by the municipality.

44. CAO/Community Services - Economic Development Joint (Closed Session) Report 2014-11 dated March 12, 2014 regarding the security of property.
45. Joint Legal Services - CAO (Closed Session) Report regarding a proposed acquisition of land by the municipality.
46. Corporate Services (Legal Services) Confidential Information Report 2014-04. (advice that is subject to solicitor/client privilege) (if required)
47. Chief Administrative Officer Report 2014-05 dated March 13, 2014 regarding employee negotiations.

Public Hearing Matters

48. None

Addendum

49. Correspondence Items related to Item 19 being Development and Infrastructure Services - Planning and Building Services - Planning Report 2014-11 dated March 17, 2014 regarding Official Plan Amendment # 10 - Town of Newmarket Urban Centres Secondary Plan and Associated Amendment to Official Plan. p. 266
 - a) Letter dated February 24, 2014 from Mr. Michael Melling, Davies Howe Partners LLP.
 - b) Letter dated February 24, 2014 from Mr. Robert Horst, General Manager, Upper Canada Mall.
 - c) Letter from Mr. Daniel Berholz, Green & Rose Developments Inc.
 - d) Letter dated February 24, 2014 from Mr. Richard Zelinka, Principal Planner, Zelinka Priamo Ltd.
 - e) Letter dated March 10, 2014 from Mr. Chad B. John-Baptise, Senior Project Manager, MMM Group.

Adjournment



The Town of Newmarket Placemaking Concepts



Yonge St. and Davis Dr.
Yonge St. and Eagle St.
Davis Dr. and Main St.

VISION

To build beyond VivaNext Streetscape
Design using placemaking principles to
create a better place for the community of
Newmarket.

PLACEMAKING

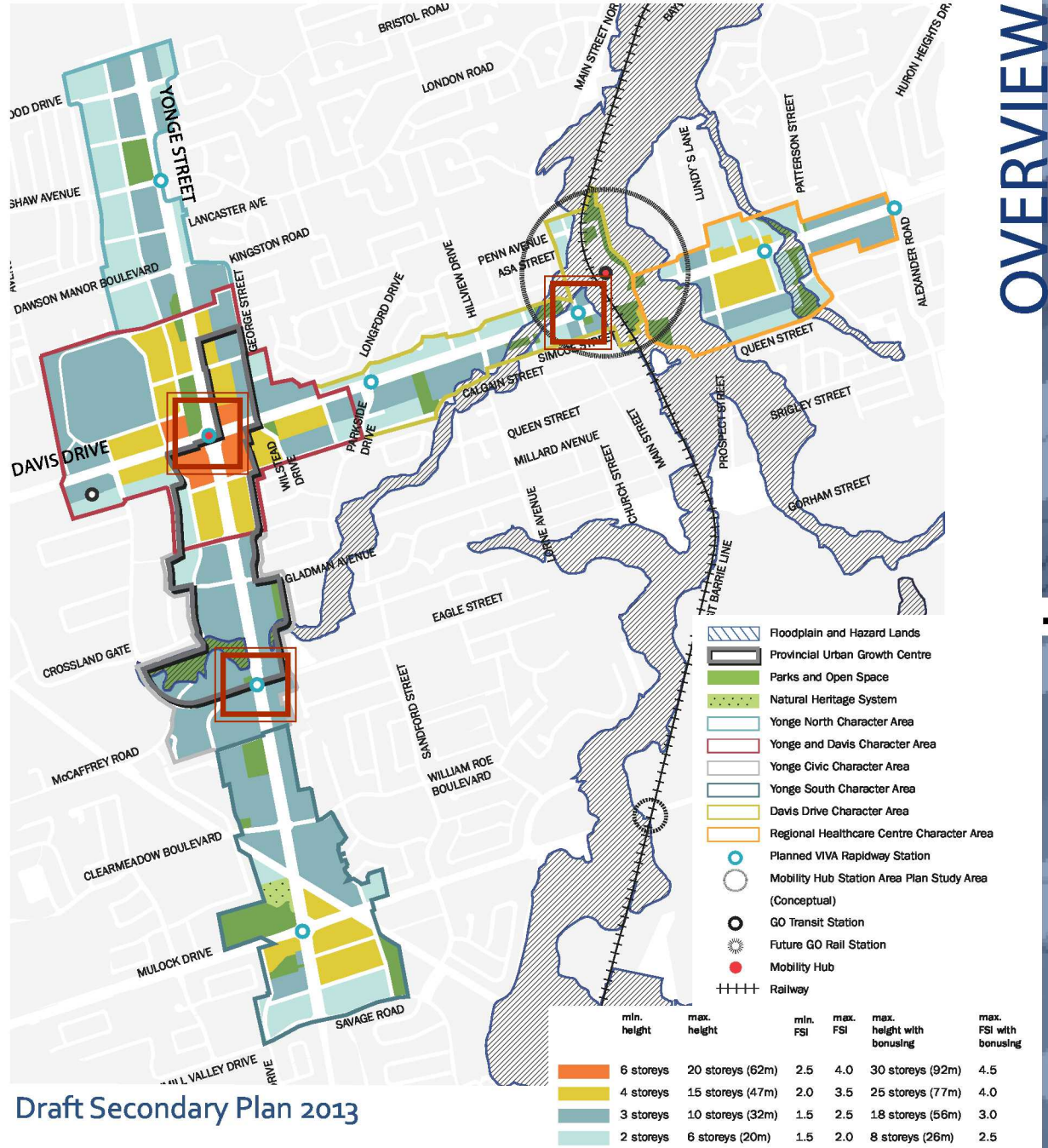
The process of placemaking will collectively shape and revitalize public spaces in the urban environment supporting cultural, economic, social and ecological design. These often neglected corners of busy intersections can be a place to gather, explore public art, promote Newmarket’s identity, escape and connect to adjacent infrastructure . Each intersection was evaluated by IBI Group determine the needs of the current and future uses.

CONSULTATION

The placemaking concepts were developed in consultation with the Town of Newmarket’s Steering Committee, Heritage Newmarket Advisory Committee, Main Street District BIA and VivaNext Task Force.

PROCESS



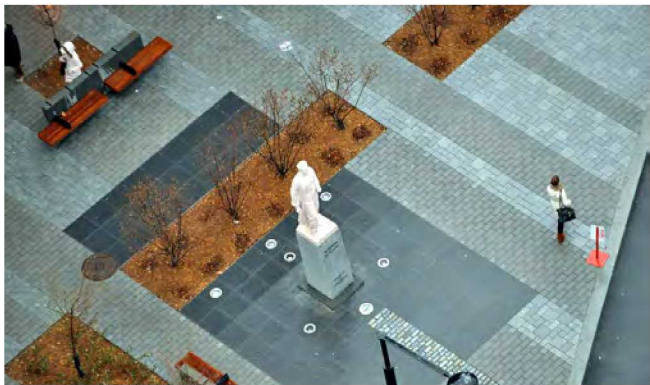


Draft Secondary Plan 2013

scope of work

PRECEDENTS

PLAZA DESIGN



decorative
paving
raised seating
trellis and
water features
berms /
earthworks

SITE FURNISHING



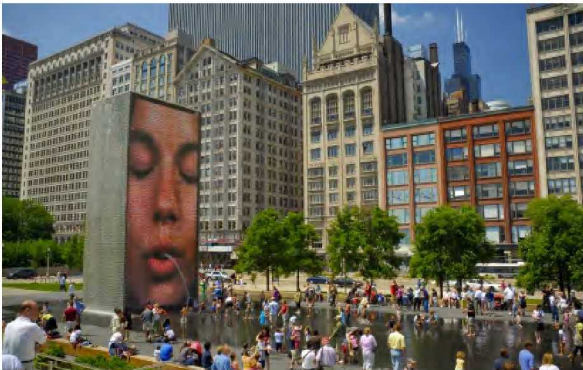
concrete or
wood site
furniture
'frame the
view'
corten
decorative
tree grate



ice lounge
Newmarket
illuminated
furniture



PUBLIC ART



multimedia
water
feature



decorative
lighting



steel art design



VEGETATION



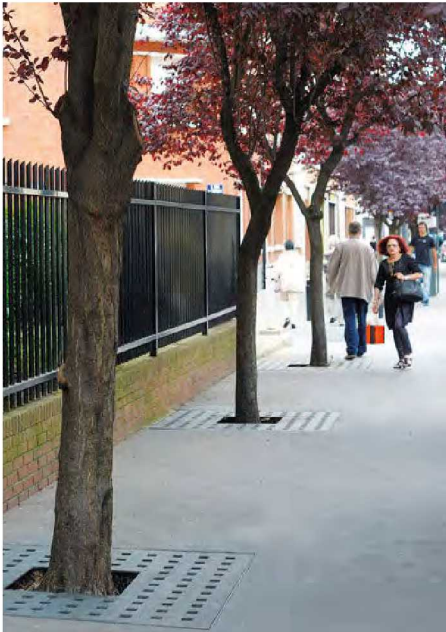
native
prairie
mix



ornamental
grasses



evergreen
shrubs



street
trees

HERITAGE

historic finishes

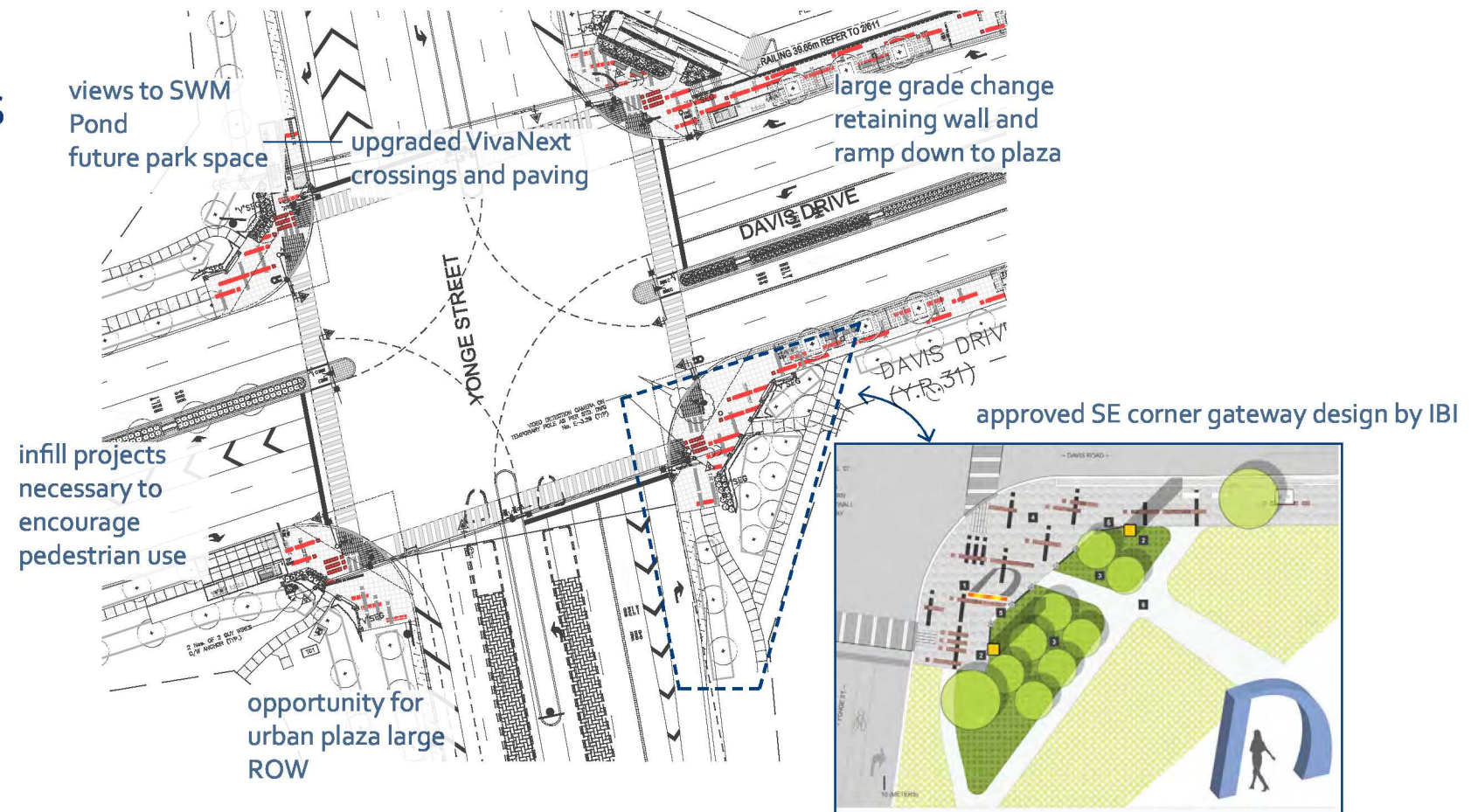


arch design



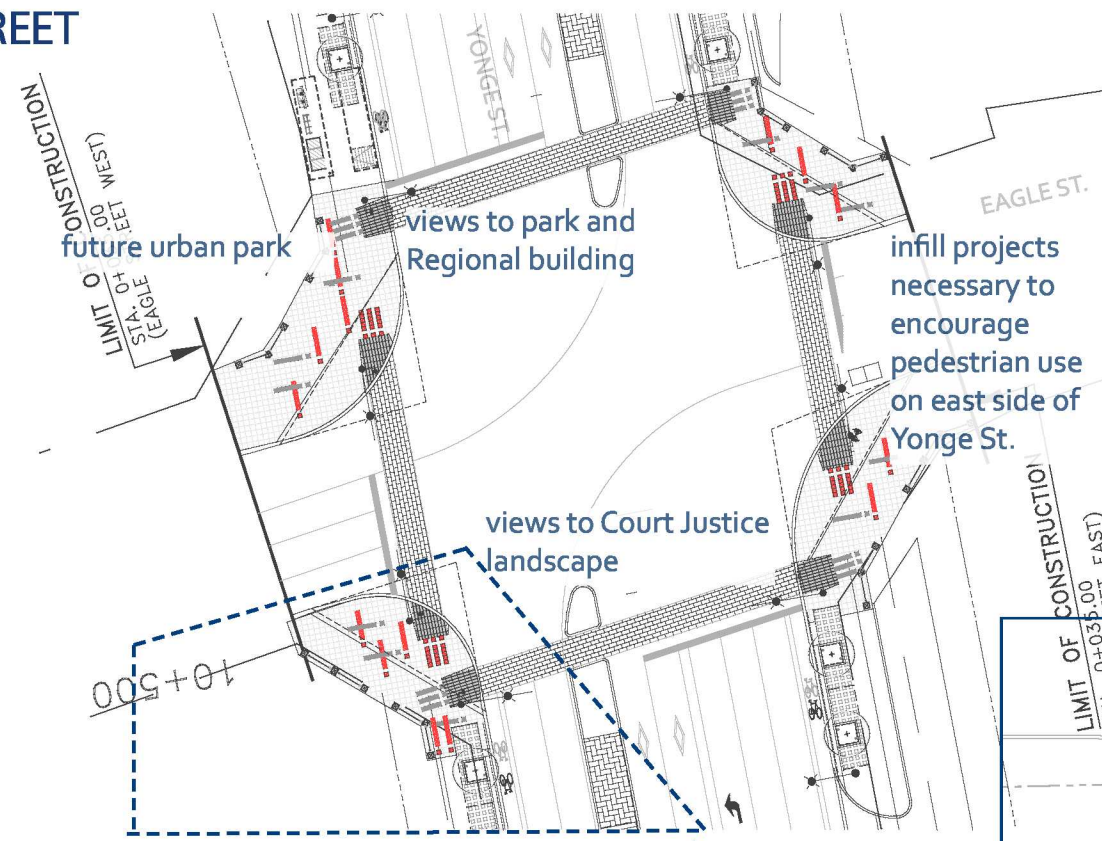
ANALYSIS

YONGE STREET & DAVIS DRIVE

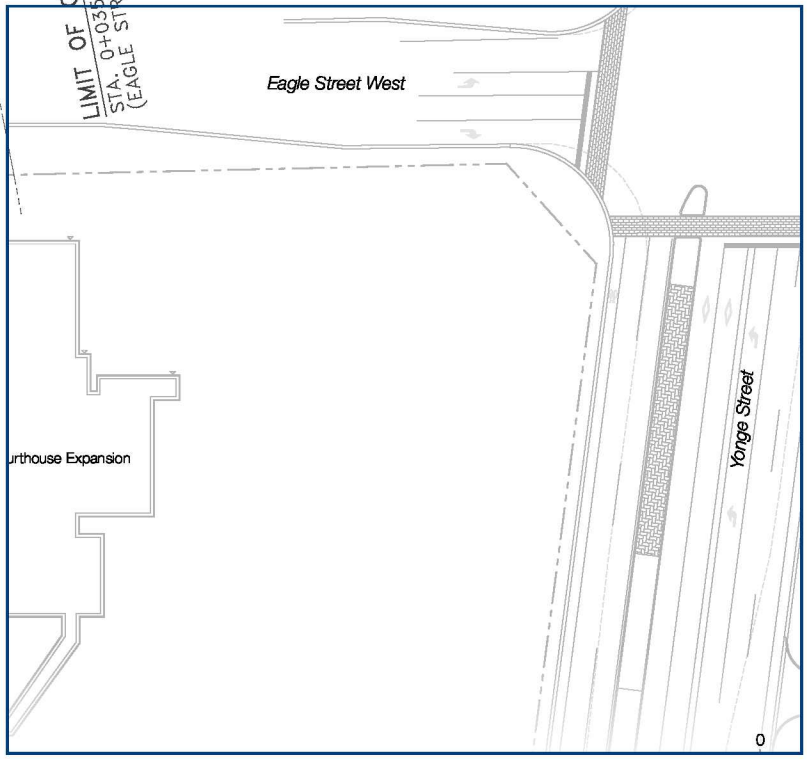


VivaNext Streetscape Concept

YONGE STREET & EAGLE STREET

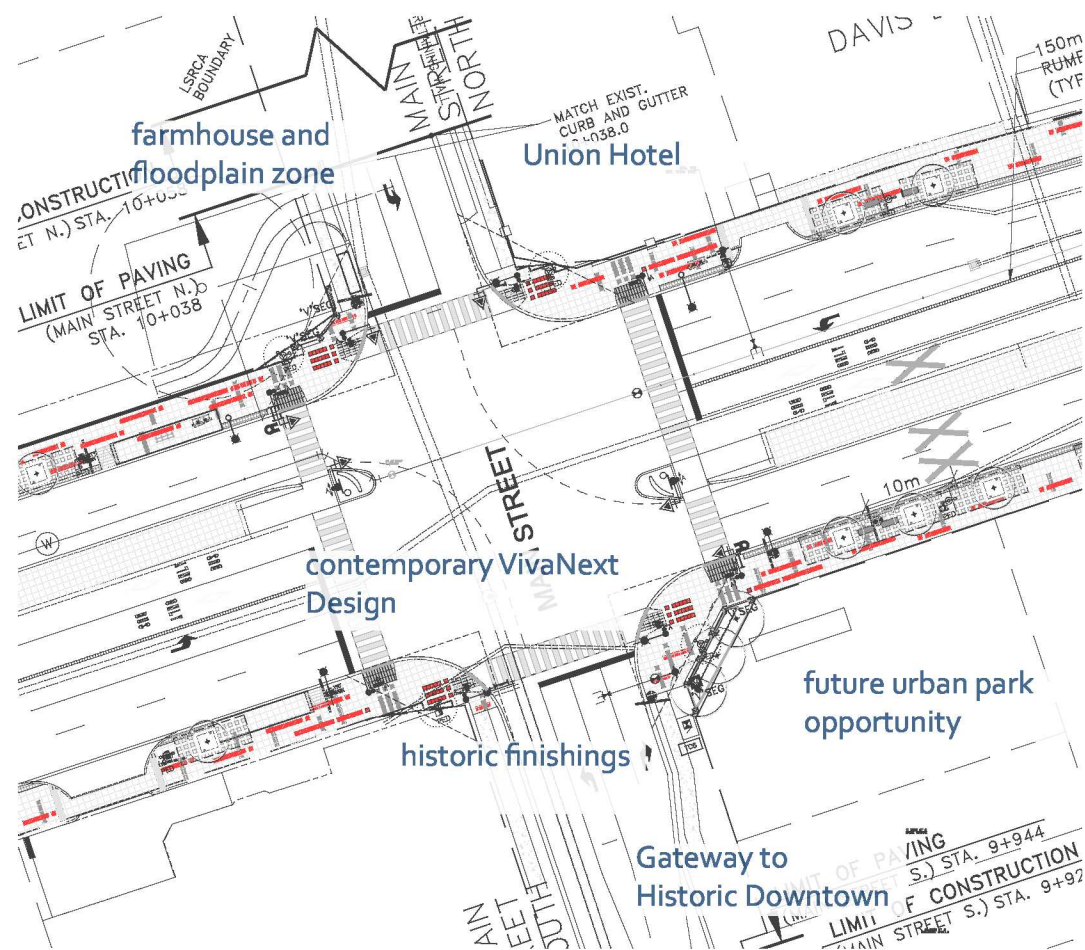


Views to the northwest of the York Administrative Centre by Douglas Cardinal Architects Inc.



Courthouse Expansion Concept by IBI Group

MAIN STREET & DAVIS DRIVE

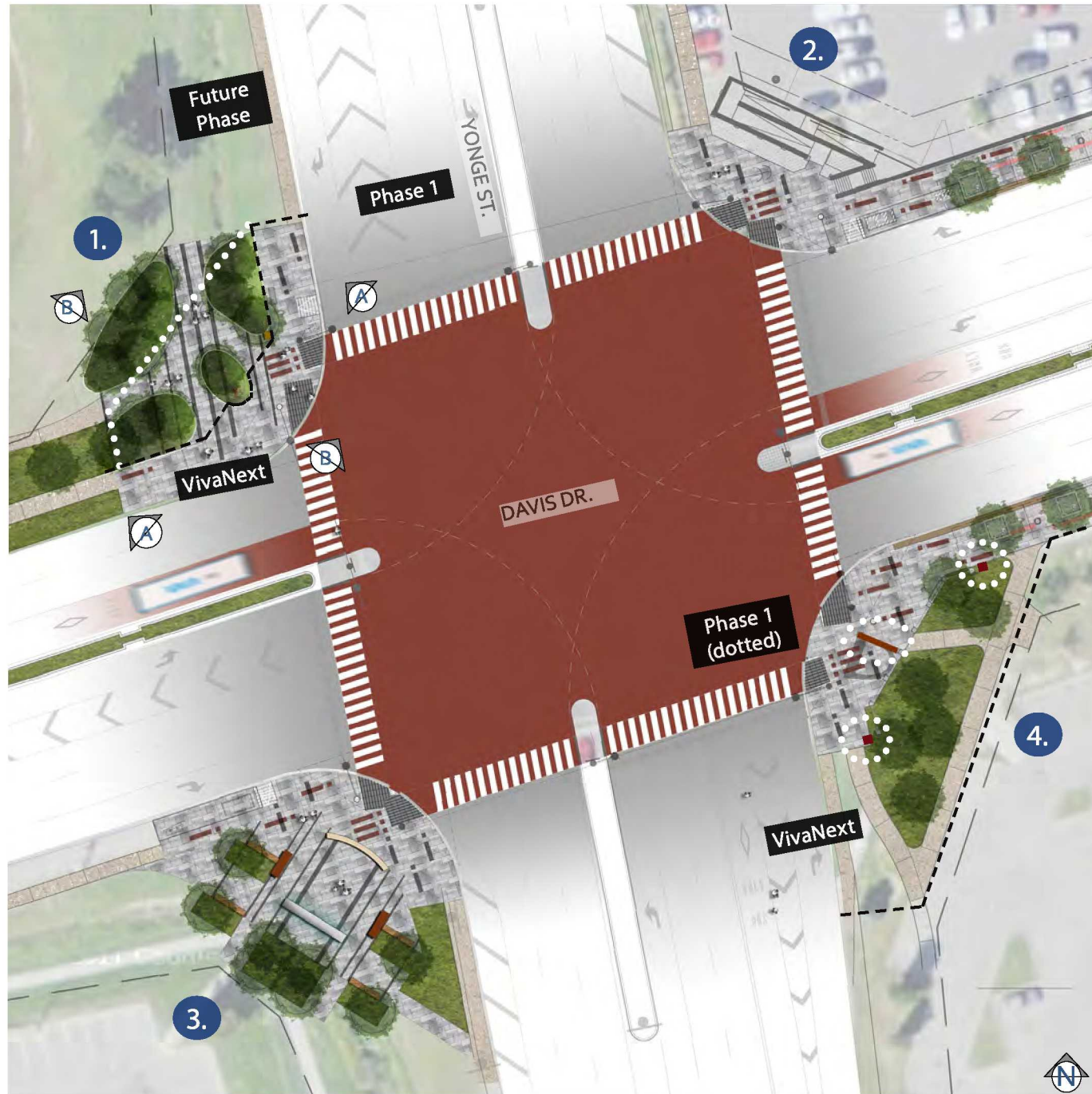


VivaNext Streetscape Rendering views east along davis, Union Hotel and Station

6



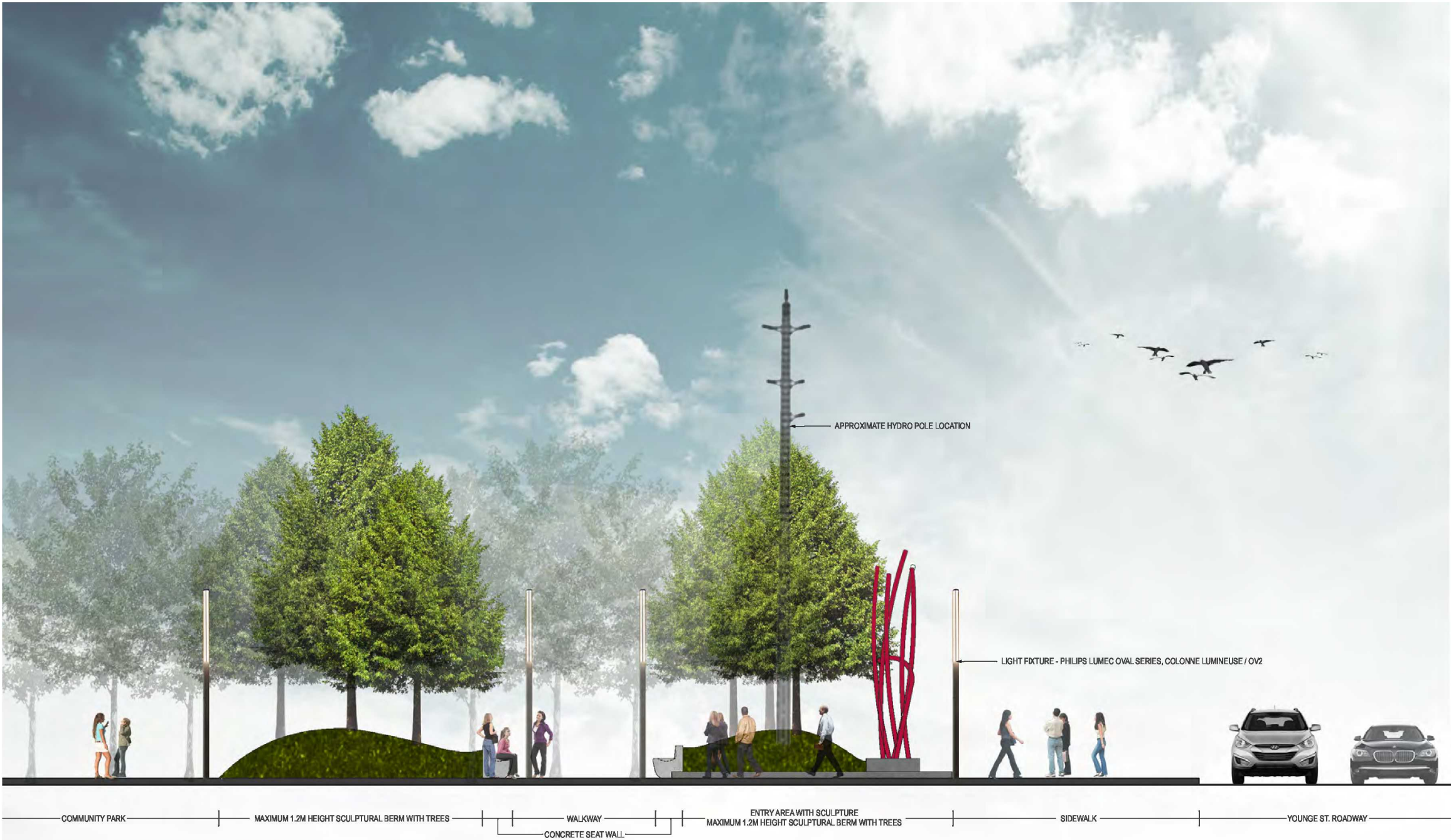
Historic View Downtown Newmarket along Main Street



Plan View of Yonge St. and Davis Dr.



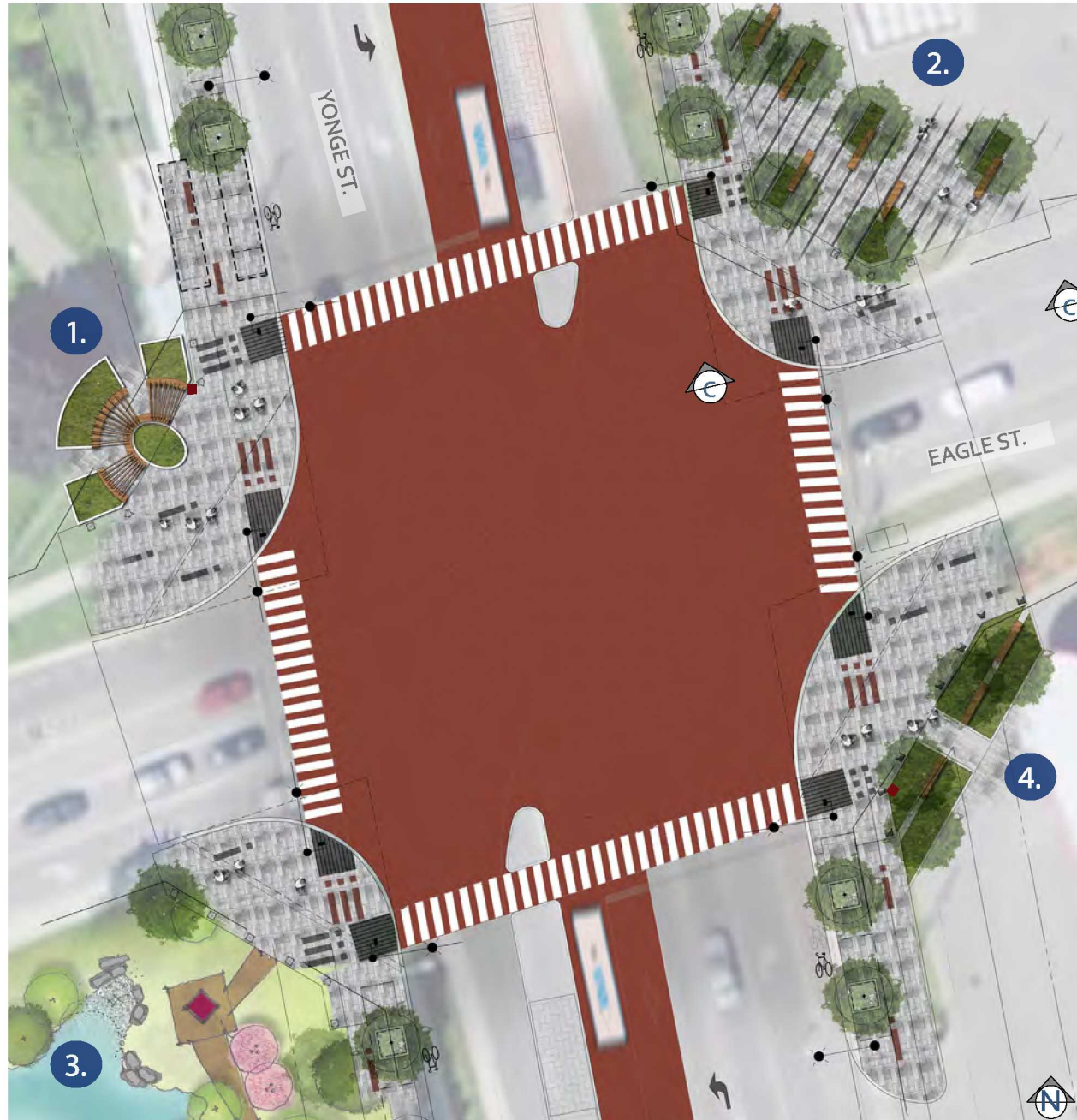
Elevation A - Northwest Corner 'Gateway to a Park'



Elevation B - Northwest Corner 'Gateway to a Park'



Perspective looking at northwest corner 'Gateway to a Park'



Plan view of Yonge St. and Eagle St.



Conceptual design of the Courthouse Expansion



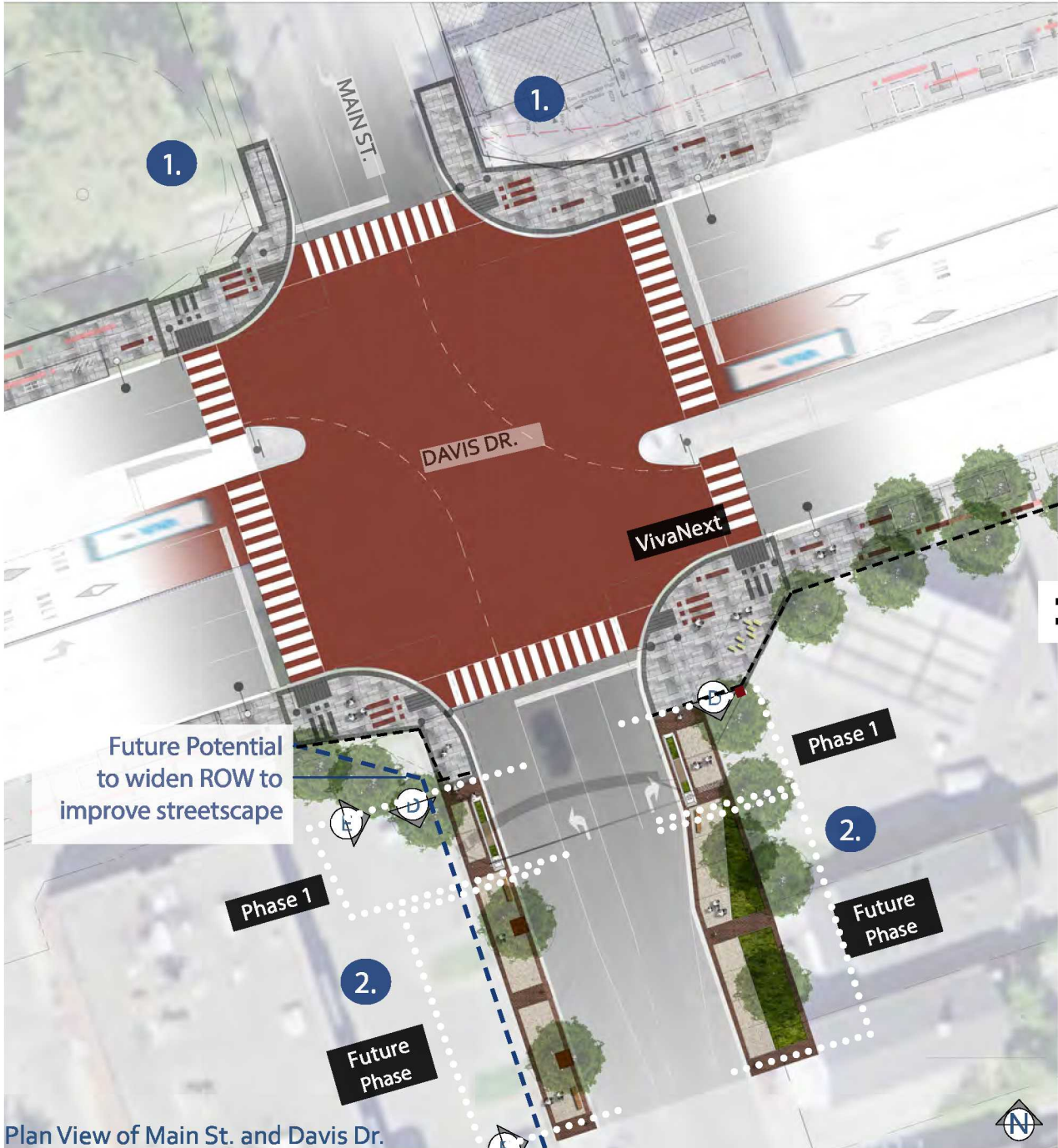
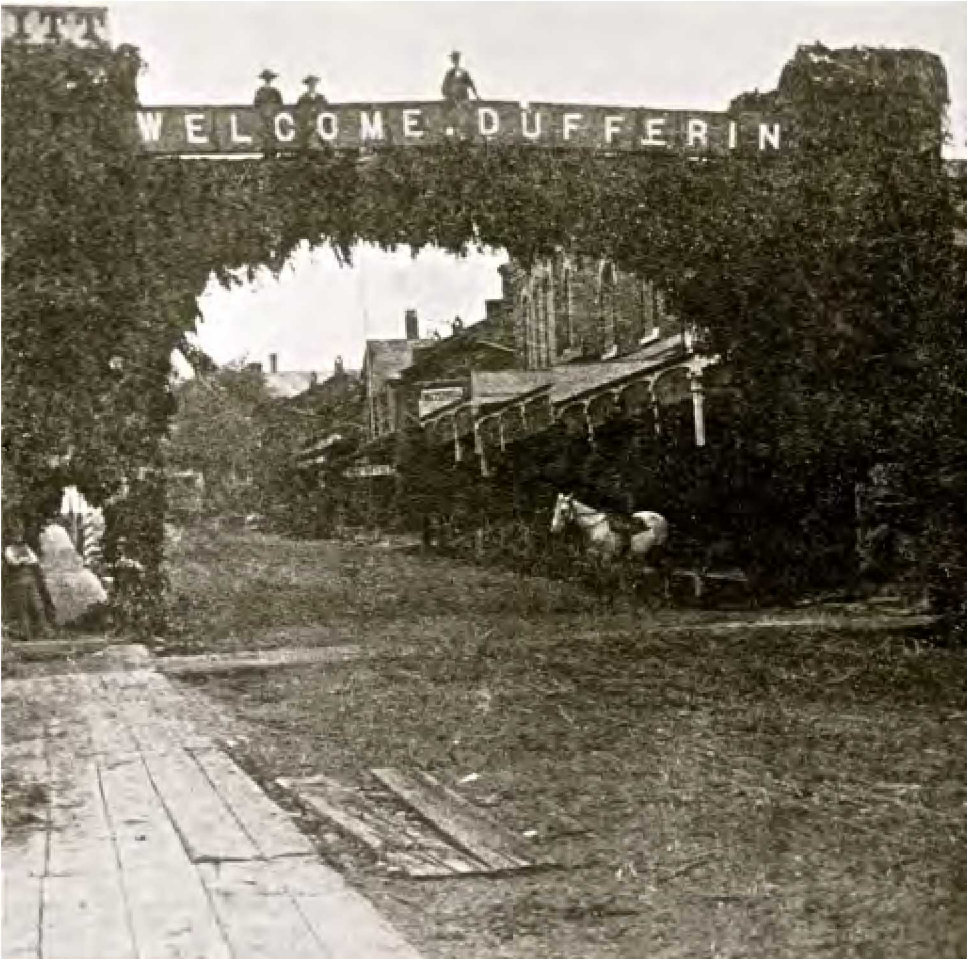
15



Wetland design Precedent (above)
Trellis with decorative planting (below)



Elevation C - Northeast Corner - Large Plaza with Seating





Elevation D - Southwest and Southeast Corner of Main St.





Perspective looking south along Main Street towards the future Urban Park

GATEWAY NAMING

In consultation with the Steering Committee, Heritage Newmarket Advisory Committee and Main Street District BIA various options were selected. Please vote for the preferred, the maximum character allowment is 30 including spaces.

FRONT - NORTH FACE

- 1 HISTORIC DOWNTOWN
- 2 HISTORIC DOWNTOWN OF NEWMARKET
- 3 HISTORIC DOWNTOWN DISTRICT
- 4 HISTORIC MAIN STREET

BACK - SOUTH FACE

- 1 THANK YOU FOR VISITING



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tel 416 596 1930
fax 416 596 0644

From: Brouwer, Andrew
Sent: February-25-14 12:33 PM
To: KEN SISLER
Cc: Moor, Linda
Subject: RE: Deputation

Hi Ken,

Thanks for your information.

Andrew

From: KEN SISLER
Sent: Tuesday, February 25, 2014 12:32 PM
To: Brouwer, Andrew
Subject: Re: Deputation

Dear Director of Legislative Services/Town Clerk:

I'm a member of the Inclusivity Advisory Committee for The Town of Newmarket. I have been asked to give a deputation about the International Day for the Elimination of Racial Discrimination which takes place annually on March 21. I have been told I will give my deputation on Monday, March 17/2014 at the Committee of the Whole meeting which starts at 1:30 p.m..

Here is a copy of my deputation.

Yours truly,
Ken Sisler

Newmarket, Ontario

Good afternoon, everyone:

My name is Ken Sisler and I'm a member of the Inclusivity Advisory Committee for The Town of Newmarket. I have been asked to speak about the International Day for the Elimination of Racial Discrimination which takes place every year in many countries. This day remembers when 69 people were shot and killed by police in Sharpeville, South Africa for peacefully protesting South Africa's apartheid laws. The Town of Newmarket permanently recognizes this day.

There are many forms of discrimination and I wanted to focus my comments about discrimination against women. Did you know it was not until 1960 when every woman in Canada was allowed to vote? This was the year Aboriginal women were finally allowed to vote in Canada.

I'm 59 years old and I have seen many changes how women are viewed in society. Today, girls and women have more access to participating in sports. I think of women's hockey and women's soccer as good examples.

There is more excess for women's medical care for women's health issues.

Growing up, I remember some of the songs were sexist such as "Stand By Your Man" and "I Will Follow Him".

When I was a child, generally the only women who worked were women whose husbands had died or women who were divorced. This is no longer true.

When I was in grade one or two, the teacher asked us what do you want to be when you grow up? All of the girls said one of the following choices-a teacher, a nurse or a secretary. We talked about this episode in high school. Now, women can do anything they want as far as an occupation.

I believe it is just as important for a woman to receive a good education as it is for a man. However, there are still many places in the world where women are discouraged from getting a good education.

I also believe that being a stay-at-home mom is the most important job there is. A woman once told me she worked before she was married and stayed home from work for a few years after she had children. When the children were getting bigger, she decided to go back to work again. During this time she was a stay at home mom, several people made negative comments to her that she should be working outside the home. Stay at home moms should never be looked down upon in society.

I think it is more difficult for a woman to be a politician than a man. When a female politician runs into problems, sometimes sexist comments come out. This rarely happens when a male politician has problems.

One excellent example of a female politician was Shirley Chisolm. She was the first African-American woman to be elected to the United States House of Representatives in 1968. She was a Democrat from New York City. She was the first woman ever to run for the Democratic nomination for President of the United States in 1972. She was also the first African-American, man or woman, to seek the nomination for President of the United States in either the Republican or Democratic parties. She also had a speaking disability. She once said about her political career that she had more prejudice given to her because she was a woman than she ever did for being black.

One area that we can do better as a society is to elect more women to public office. There are simply not enough female politicians, though women make up 50% of the population. I don't know why this is-a woman could answer this question better than I could. It may be because the raising of children seems to fall upon the woman and I don't know why that is either.

I know many well educated women with successful careers who know politics well. Here in Ontario, we have municipal elections this year and we will probably have a provincial election this year and maybe a federal election next year. I would like to invite women who are present here today or are watching by video streaming to seriously consider running for public office. I know some of you have already made this decision to seek public office.

I would like to thank The Town of Newmarket for your ongoing support you have given us as our terms for the Inclusivity Advisory Committee will be expiring this year and a new Inclusivity Advisory Committee will be chosen in 2015.



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

www.newmarket.ca
clerks@newmarket.ca
905 895 5193

Request for Deputation

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

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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE: March 17, 2014

AGENDA ITEM NO. _____ SUBJECT: Mobility Plus Appeal Panel

NAME: Kim McKinnon

ADDRESS: 21 Dunlop St, Suite 200
Street Address

Richmond Hill
Town/City Postal Code

PHONE: HOME: _____ BUSINESS: _____

FAX NO.: _____ E-MAIL ADDRESS: _____

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

Concerned Citizens for Accessibility + Mobility and The Community Legal Clinic of York Region

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

TO ~~say~~ explain the motion
being brought forward by the AAC.

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, 51N Main, Newmarket, ON L3Y 4X7. Telephone 905 895-5193 Ext 2211 Fax 905-953-5100.



TOWN OF NEWMARKET

Clerks Department
clerks@newmarket.ca

Request for Deputation

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

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

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

PLEASE PRINT

Council / Committee date: MARCH 17-2014

Agenda Item # _____ Subject: NEWMARKET THEATRE -

Name: JOHN DOWSON

Address: _____

Street Address

NEWMARKET ON

Town/City

Postal Code

Phone: Home _____ Business: _____

Fax #: _____ E-mail Address: _____

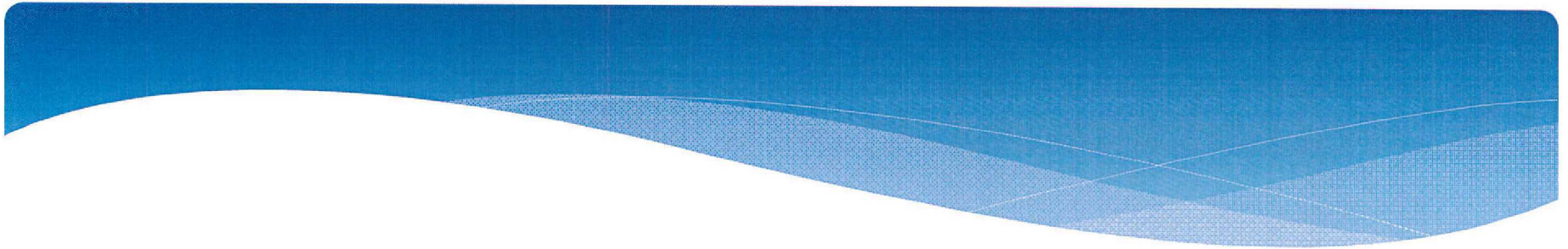
Name of Group or Person(s) being represented (if applicable)

VANITY VOGUE THEATRE CO.

Brief summary of the issue or purpose of your deputation:

COSTS & FUNDING OF THEATRE

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905-895-5193 Ext. 2202; Fax 905-953-5100.



Very Useful Theatre Company

October 23 2011

Very Useful Theatre Company (VUTC)

2010/2011 season

Operating deficit was	\$318,000
Deficit per day was	\$883.00
Salaries were	\$190,000

We predicted that “ *by 2015 the operating deficit would be \$400,000 and operating it as a theatre would not an option* ”

March 2014

Very Useful Theatre Company (VUTC)

2013/14 season

Operating deficit	\$794,203.36
150% increase in 3 years @	\$159,000 per year
Deficit per day	\$2,206.00
Salaries	\$314,000
65% increase in 3 years @	\$42,000 per year

Newmarket is not alone: 3 years ago

- Vaughan City Playhouse, 386 seat theatre
- Markham Theatre, 527 seat theatre
- Rising costs and low attendance

Users

- * Dance Companies,
- * Theatre schools from Aurora
- * One Community Theatre group

✓ Old town hall opens in 2015

City of Markham

527 seat Markham Theatre

- 12 member theatre advisory board
- Hired full time theatre manager and staff
- Sold theatre naming rights
- Seat naming sale
- Capital fundraising campaign
- Advertising firm
- Targeted foundations and sponsors for productions
- Membership program
- Season ticket holders campaign

Flato Markham Theatre

- Number of seats 527
- 90% booked with near full houses
- Successful subscribers for season tickets
- Sponsors for each production
- Booked into 2015
- Markham Little Theatre
- Profit centre

City of Vaughan

386 seat Vaughan City Playhouse

- Get out of the theatre production business
- A rental Facility only
- Hired a manager with theatre rental experience
- Daily rental rate \$1,800
- Schools pay daily rental fee
- Dance schools & recitals pay daily rental fee
- Corporations, trade shows, conferences
- Touring theatre productions, revenue sharing 60% - 40%
- Concessions remain with the theatre
- Attached High school, 10 free days a year

Vaughan City Playhouse

- * Number of seats 386
- * Rental capacity 2013 - 92%
- * Rental capacity 2014 - 92%
- * Rentals booked into 2015
- * Rental revenue @ 266 production days=\$478,000
- * 2013/14 revenue @ Newmarket theatre=\$261,807
- * 2013/14 deficit for Newmarket theatre = \$794,203

NOTE-Aurora theatre schools no longer perform at the Playhouse

Newmarket's 416 seat Theatre

Conclusion

1. Become a full time theatre with productions as a profit centre?
2. Become a rental facility as a profit centre?

Recommendations

- 1) Strike a task force to meet with members of Markham and Vaughan theatres and other community theatres to examine the programs for their theatres
- 2) Submit recommendations to town council
 - Do it before the Old Town Hall opens

STATUS QUO IS NOT AN OPTION



Very Useful Theatre Company

Presentation to town council

March 2014

Presented by

John Dowson

Newmarket Theatre Operation

Performance dates for the 2013-2014 season
October 1st to June 30th

Quote from the brochure

" Newmarket theatre continues its tradition of providing world class artists and high quality entertainment with the 2013-2014 season

Total number of performance days	266
<u>Organization</u>	<u>days</u>
Dance schools recitals - Newmarket	35
Marquee Productions (Aurora)	28
High school performances and events	19
Newmarket Stage Company	15
World class artists, high quality entertainment one night only (town shows)	10
Set up and rehearsal days	<u>40</u>
Wavestage (Aurora)	9
Public schools graduation – Newmarket	7
Arts Huron One act play festival (Huron Heights High school)	4
VPAN Afternoon only	4
Spotlight theatre (Newmarket)	1
Arts Bursary Gala	1
Town of Newmarket	<u>1</u>
Total days in use	<u>174</u>
Dark Days	<u>92</u>
Total days	266

<u>Organization</u>	<u>Number of days</u>	<u>Percent of use</u>
Schools	30	11.5%
Dance schools	<u>35</u>	<u>13.5%</u>
Total	65	24.4%

Newmarket theatre's world class artists and high quality entertainment for the 2013-2014 season.

- | | |
|--------------------------------------------------|--------------|
| 1. Robinsons Karate Black belt spectacular | one night |
| 2. Frank Mills in concert | one night |
| 3. John McDermott in concert | one night |
| 4. A Christmas Carol "Famous People theatre" | three nights |
| 5. Abba Mania- Bee Gees and guests | one night |
| 6. Boomer show | one night |
| 7. Gino Monopoli as Elvis | one night |
| 8. Judy and Davis school shows | two nights |
| 9. Multi Media Film Festival of York region Gala | two nights |
| 10. Enrichment band | one night |
| 11. Robinson Karate Black Belt Spectacular | one night |

Newmarket Theatre Operation

Performance dates for the 2013-2014 season

October 1st to June 30th

Quote from the brochure

” Newmarket theatre continues its tradition of providing world class artists and high quality entertainment with the 2013-2014 season

Total number of performance days 266

<u>Organization</u>	<u>Number of performance days</u>
Marquee Productions (Aurora)	10.5%
Dance schools recitals - Newmarket	13%
High school performances and events	7%
Newmarket Stage Company	5.6%
World class artists, high quality entertainment one night only (town shows)	3.76%
Wavestage (Aurora)	3.3%
Public schools graduation – Newmarket	2.6%
Arts Huron One act play festival (Huron Heights High school)	1.5%
VPAN Afternoon only	1.5%
Set up and rehearsal days	<u>15%</u>
Spotlight theatre (Newmarket)	1
Arts Bursary Gala	1
Town of Newmarket	1
Total days in use	65.5%
Dark Days	<u>34.5%</u>
Total days	266

<u>Organization</u>	<u>Number of days</u>	<u>Percent of use</u>
Schools	30	11.5%
Dance schools	<u>35</u>	<u>13.5%</u>
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Newmarket theatre’s world class artists and high quality entertainment for the 2013-2014 season.

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8. Judy and Davis school shows
9. Multi Media Film Festival of York region Gala
10. Enrichment band
11. Robinson Karate Black Belt Spectacular

FOR IMMEDIATE RELEASE - Markham, Ontario, December 10, 2013

The Flato Markham Theatre is launching its *Take Your Seat* campaign, which offers individuals, groups and businesses the opportunity to become a permanent part of the Flato Markham Theatre by naming a seat or box in its intimate, state-of-the-art, highly accessible performance hall. The Theatre plays a vital role in the community as a premier performing arts venue that attracts world-class live theatre, concerts, comedy shows and family entertainment from across the globe. It is also an important space for cultural events, educational opportunities and community groups.

Boasting excellent sightlines from all 527 seats, Flato Markham Theatre underwent renovations this summer to give this almost 30-year-old landmark a facelift, and more importantly, enhance accessibility for its patrons. The renovations include versatile new seating that better accommodates mobility devices such as wheelchairs, along with new lighting and extra handrails.

"I'm extremely proud of the local, national and world-class talent hosted at Flato Markham Theatre," said Markham Mayor Frank Scarpitti. "Our commitment is to entertain, educate and engage residents and visitors through live arts and culture in our state-of-the-art performance hall. This new program is a great way to celebrate resident and business contributions to our theatre."

Among the theatre's many supporters is Flato Developments, which provided an important theatre endowment last year.

"I invite individuals, groups and businesses to join me by taking a seat, or box, at the Flato Markham Theatre," said Flato Developments President Shakir Rehmatullah and Honorary Chair of the *Take Your Seat* Campaign. "Each donation will help to sustain the growth of performing arts in Markham. Your generosity and commitment to the arts will be recognized by theatre audiences for generations to come."

Over 125,000 guests attend more than 300 events each year at the Flato Markham Theatre. Through Markham Theatre Discovery, the Flato Markham Theatre offers comprehensive educational and community outreach initiatives, including student matinees, youth camps and artist residencies. Last year, those programs provided opportunities to 35,000 children, seniors, families, and others from all walks of life. The theatre also provides service to more than 100 community organizations, promoters and corporations producing over 250 events and performances each year.


The Flato Markham Theatre Take Your Seat campaign enables donors to give a tax deductible gift at one of three distinct levels and choose the location of their seat or box from those not yet reserved. Anyone interested in becoming a Take Your Seat campaign donor can do so by visiting the '[Take Your Seat Campaign](#)' page at www.markhamtheatre.ca, emailing asmitko@markham.ca, or calling 905-415-7537, extension 5700.

Culture is a vital part of a vibrant and liveable community. To learn more about the City of Markham's long-term strategic management and development of its civic cultural assets, including the Flato Markham Theatre, read the [City of Markham Culture Policy and Plan](#).

- 30 -

Markham Mayor Frank Scarpitti: fscarpitti@markham.ca or 905-475-4872

Markham Media inquiries / interview requests: Dennis Flaherty, 905-415-7520, media@markham.ca




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RECREATION & CULTURE

FLATO MARKHAM THEATRE ADVISORY BOARD



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2013 THEATRE ADVISORY BOARD MEMBERS

Regional Councillor Jim Jones
Councillor Alex Chiu
David T. Radfield
Christiane Bristow
Nail Fernandez, Sponsorship & Development Committee Chair
Suzette James
Jennifer Kuhl, Sponsorship & Development Committee Member
Stephen Matheson
Donald Matheson
Karen Tebo
Arjun Mathur
Stephen Timms
Ada Young, Trustee York Region District School Board Markham Area 12
Margaret Weaver, Principal Ursula High School
John Tidball, Chair of the Theatre Advisory Board
Alan Stevenson, Art Director of Culture, Culture Services
Eva Lawrence, Flato Markham Theatre General Manager
Scott Hill, Rental Business Manager
Bonnie Armstrong, Operations Manager, Flato Markham Theatre
Wendy Woodhouse, Marketing & Development Manager, Flato Markham Theatre

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About Flato Markham Theatre: Flato Markham Theatre is a jewel in the crown of the Markham community located only 30 minutes from the downtown core. The intimate, 527-seat, state-of-the-art performance facility provides patrons with unforgettable access to a host of internationally acclaimed artists and productions through its annual **Diamond Series Season presented by Weins Canada**. Illuminating the central theme that live arts in Markham matters, the season features the best of classical, jazz, world music, dance, comedy, pop artists, and family entertainment. Flexible ticket package options, student discounts (EYE GO to the Arts/UGO) and complimentary parking are available.

Division: Markham Theatre

Department: Culture Services

Commission: Community & Fire Services

Description: Markham Theatre for Performing Arts is one of Canada's premier theatre houses serving the GTA and Markham residents. With over 300 live performances each year, the Theatre presents a performance calendar that showcases the cultural diversity of the community.

Live theatre, concerts, comedy shows and family entertainment provide an ever-changing array of performing arts. Markham Theatre continues to honour respected international artists and Canadian talent in performances offered throughout the annual professional entertainment season held September through May.

Live Arts Matters.

Email: 305_show@markham.ca

Address: 171 Town Centre Blvd.
Markham, Ontario
Canada
L3R 8G5

Phone: 905-415-7537
905-305-SHOW (Box Office)

Fax: 905-415-7538

Web Page: Markham Theatre

Staff: Visit Staff Directory

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Markham
Theatre

You can Create-Your-Own Flex Pak by mixing and matching the shows you want to see!

Choose any 3 OR MORE shows & SAVE up to 15% • Choose any 5 OR MORE shows & SAVE up to 25%

CHOOSE YOUR PERFORMANCES	CHOOSE YOUR DATES & TIMES	OPTION 1 - SAVE up to 15%		OPTION 2 - SAVE up to 25%		STUDENT TICKETS (where applicable)	DIAMOND 4-PAK (minimum 1 child 17 & under)	# TICKETS	TOTAL COST
		PRIME	REGULAR	PRIME	REGULAR				
ENCORE!									
<input type="checkbox"/> Colin Wilkinson "Broadway, Christmas & Beyond"	Thurs. Dec. 12, 8 pm	\$54	\$50	\$57	\$53				\$
<input type="checkbox"/> A Leahy Family Christmas	Sat. Dec. 21, <input type="checkbox"/> 2 pm <input type="checkbox"/> 8 pm	\$55	\$51	\$49	\$46	EyeGo/UGo			\$
<input type="checkbox"/> Just For Laughs Road Show	Fri. Apr. 4, 8 pm	\$51	\$47	\$46	\$42				\$
WORLD STAGE									
<input type="checkbox"/> The Blind Boys of Alabama	Thurs. Nov. 21, 8 pm	\$77	\$72	\$88	\$64	Limited			\$
<input type="checkbox"/> The Celtic Tenors "Three Tenors, One Voice"	Thurs. Nov. 28, 8 pm	\$51	\$47	\$46	\$42	EyeGo/UGo			\$
<input type="checkbox"/> Tower of Power	<input type="checkbox"/> Fri. Jan. 24, 8 pm <input type="checkbox"/> Sat. Jan. 25, 8 pm	\$68	\$64	\$61	\$57				\$
<input type="checkbox"/> Rosanne Cash	Sat. Feb. 1, 8 pm	\$68	\$64	\$61	\$57	Limited			\$
<input type="checkbox"/> Tiempo Libre	Fri. Feb. 28, 8 pm	\$51	\$47	\$46	\$42	EyeGo/UGo			\$
<input type="checkbox"/> Roby Lakatos	Sun. May. 4, 8 pm	\$54	\$50	\$57	\$53	Limited			\$
FOUNDED CLASSICAL									
<input type="checkbox"/> Chamber Orchestra Kremlin	Fri. Oct. 4, 8 pm	\$51	\$47	\$46	\$42	EyeGo/UGo			\$
<input type="checkbox"/> Vienna Boys Choir	Wed. Nov. 27, 8 pm	\$55	\$51	\$49	\$46	EyeGo/UGo			\$
<input type="checkbox"/> Sarah Chang	Tues. Feb. 25, 8 pm	\$68	\$64	\$61	\$57	EyeGo/UGo			\$
<input type="checkbox"/> Measha Brueggergosman	Sat. Mar. 8, 8 pm	\$51	\$47	\$46	\$42	EyeGo/UGo			\$
<input type="checkbox"/> Kerry Stratton & the Toronto Concert Orchestra "Vienna Here & Now"	Wed. Apr. 2, 8 pm	\$51	\$47	\$46	\$42	EyeGo/UGo			\$
NEW MUSIC									
<input type="checkbox"/> Billy Cobham's "Spectrum 40"	Wed. Oct. 9, 8 pm	\$47	\$43	\$42	\$38	Limited			\$
<input type="checkbox"/> Featuring Gary Husband, Don Brown & Ric Fierabracci	Thurs. Dec. 5, 8 pm	\$72	\$68	\$84	\$61				\$
<input type="checkbox"/> The Manhattan Transfer Christmas Show	Fri. Jan. 17, 8 pm	\$55	\$51	\$49	\$46	EyeGo/UGo			\$
<input type="checkbox"/> Peter Appleby's "Sophisticated Ladies"	Fri. Feb. 14, 8 pm	\$60	\$55	\$53	\$49	EyeGo/UGo			\$
<input type="checkbox"/> Jane Monheit "A Sweetheart of a Valentine's Concert"	Thurs. Apr. 3, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
<input type="checkbox"/> Jon Batiste and The Slay Human Band	Wed. Apr. 23, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
<input type="checkbox"/> Jill Barber									\$
FABULOUS FOOTWORK									
<input type="checkbox"/> Ballet Jazz de Montreal	Fri. Nov. 22, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
<input type="checkbox"/> "Zero in On", "Night Box", "Harry"	Thurs. Feb. 27, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
<input type="checkbox"/> Coleman, Lemieux & Co. "ALLONEVORD"	Wed. Mar. 26, 8 pm	\$51	\$47	\$46	\$42	EyeGo/UGo			\$
<input type="checkbox"/> Nai-Ni Chen Dance Company and the Alin Trio									\$
NOSTALGIA									
<input type="checkbox"/> Sandy Hackel's Rot Pack Show	Wed. Nov. 20, <input type="checkbox"/> 2 pm <input type="checkbox"/> 8 pm	\$47	\$43	\$42	\$38	Limited			\$
<input type="checkbox"/> Darlene Love "It's Christmas of Course"	Fri. Dec. 13, 8 pm	\$58	\$51	\$53	\$57	Limited			\$
<input type="checkbox"/> The Karpenters "Top of the World" Valentine's Concert	Thurs. Feb. 13, 8 pm	\$47	\$43	\$42	\$38	Limited			\$
<input type="checkbox"/> Brass Transit - Chicago Tribute	Fri. Mar. 14, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
<input type="checkbox"/> Classic Albums Live - "Elton John's Greatest Hits"	Thurs. Apr. 17, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
GRAND CANADIAN ENTERTAINERS									
<input type="checkbox"/> Buffy Sainte-Marie	Wed. Oct. 2, 8 pm	\$51	\$47	\$46	\$42	EyeGo/UGo			\$
<input type="checkbox"/> Roch Voisine	Thurs. Oct. 24, 8 pm	\$66	\$64	\$61	\$57	Limited			\$
<input type="checkbox"/> Jesse Cook "The Blue Guitar Sessions"	Thurs. Nov. 7, 8 pm	\$68	\$64	\$61	\$57	Limited			\$
<input type="checkbox"/> Amanda Martin	Sat. Jan. 18, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
<input type="checkbox"/> David Myles Royal Wood	Wed. Feb. 12, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
<input type="checkbox"/> Jilly Black	Sat. Mar. 1, 8 pm	\$47	\$43	\$42	\$38	EyeGo/UGo			\$
FAMILY FUN									
<input type="checkbox"/> Jason Bishop "The Paranormal Tour"	Sat. Oct. 19, 2 pm	\$30	\$26	\$27	\$23	EyeGo/UGo	FAMILY FUN 4-PAK \$100		\$
<input type="checkbox"/> Ballet Jorgen Canada "The Nutcracker"	Mon. Dec. 30, <input type="checkbox"/> 2 pm <input type="checkbox"/> 7 pm	\$30	\$26	\$27	\$23	EyeGo/UGo	\$100		\$
<input type="checkbox"/> DINO-Light by Lightwire Theatre	Sat. Feb. 1, 2 pm	\$30	\$26	\$27	\$23	EyeGo/UGo	\$100		\$
<input type="checkbox"/> The Peking Acrobats®	Sat. Apr. 5, <input type="checkbox"/> 2 pm <input type="checkbox"/> 7 pm	\$47	\$43	\$42	\$38	EyeGo/UGo	\$150		\$
<input type="checkbox"/> "TRACES" by The 7 Fingers	Sun. Apr. 13, 7 pm	\$30	\$26	\$27	\$23	EyeGo/UGo	\$100		\$
"SPECIAL ATTRACTIONS", "WINTERLUDE MATINEES", "GIFTED" AND "CANADIAN THEATRE FEST" COUNT AS ONE PURCHASE TOWARDS BUILDING YOUR SEASON TICKET ORDER.									
Only Circle of Stars Members receive a 5% to 20% discount on all Special Attractions Shows... Join Today! See page 39 for details.									
		PRIME	REGULAR	STUDENT TICKETS (where applicable)	DIAMOND 4-PAK (minimum 1 child 17 & under)	# TICKETS	TOTAL COST		
SPECIAL ATTRACTIONS									
Support Flato Markham Theatre "Discovery" 2013 Annual Gala featuring JOSE FELICIANO Fri. Sept. 27									
<input type="checkbox"/> Exclusive Pre-Show Dinner & Show Package	Reception: 5 pm, Dinner: 6 pm, Show: 8 pm	\$200	N/A				\$		
<input type="checkbox"/> Show Only	8 pm		\$99				\$		
<input type="checkbox"/> Dino Vannelli	Wed. Oct. 23, 8 pm	\$84	\$79				\$		
<input type="checkbox"/> Sampradaya Dance Creations - "TAJ" starring Kabir Bedi & Lisa Ray	Fri. Nov. 1, 8 pm	\$64	\$59				\$		
<input type="checkbox"/> Al Jarreau	Wed. Nov. 6, 8 pm	\$109	\$99				\$		
<input type="checkbox"/> Jim Brickman "The Love Tour" with Luke McMaster	Tues. Jan. 28, 8 pm	\$59	\$54				\$		
<input type="checkbox"/> Jim Belushi & Chicago Board of Comedy	Wed. Jan. 29, 8 pm	\$84	\$79				\$		
<input type="checkbox"/> Menopause The Musical® - Come Join Our Sisterhood	<input type="checkbox"/> Wed. Mar. 5, 8 pm <input type="checkbox"/> Thurs. Mar. 6, 8 pm	\$84	\$79	\$39	\$199 (includes 20% off 4-PAK)		\$		
<input type="checkbox"/> The Royal Moscow Ballet presents "Sleeping Beauty"	<input type="checkbox"/> Fri. Mar. 7, 8 pm <input type="checkbox"/> Sat. Mar. 8, 2 pm	\$69	\$64		\$150		\$		
<input type="checkbox"/> Sing-A-Long-A "Grease" Interactive Movie	Sun. Feb. 9, 2 pm	\$25	\$25		\$80		\$		
WINTERLUDE MATINEES									
<input type="checkbox"/> JukeBox Hits Live with Freddy Vette & the Flames	Tues. Jan. 21, 2 pm	\$24	\$19			2 tickets for \$35	\$		
<input type="checkbox"/> Swing Shift Big Band "Tribute to Count Basie"	Tues. Mar. 25, 2 pm	\$24	\$19			2 tickets for \$35	\$		
<input type="checkbox"/> "TOES for dance" presents "knees and toes/MTS and TOS"	Thurs. Oct. 10, 7 pm	\$20	\$20	\$5			\$		
<input type="checkbox"/> Sheng Cai, Piano & The Jazz FM91 Youth Big Band	Sun. Jan. 19, 2 pm	\$20	\$20	\$5			\$		
<input type="checkbox"/> Trudeau Stories	Tues. Apr. 15, 8 pm	\$49	\$44	\$5		2 tickets for \$75	\$		
<input type="checkbox"/> MT Space "The Last 15 Seconds"	Wed. Apr. 16, 8 pm	\$49	\$44	\$5		2 tickets for \$75	\$		

COMPLETE YOUR ORDER ON THE REVERSE SIDE

STEP 2

CHOOSE-YOUR-OWN TOTAL: \$

Very Useful Theatre Company

Presentation to council

October 25 2011

Presented by

John Dowson

Newmarket Theatre meeting October 25 2011

JOHN DOWSON

The bottom line,

Theatre opened 14 years ago without a Mandate.

Over 14 years operating at a deficit each year.

- 2008 deficit \$146,429.00 CIF (\$89,426)
- 2009 deficit \$152,587.00 CIF (\$65,953)
- 2010 deficit \$92,340.00 CIF (\$71,190)
- 2011 deficit \$318,000.00 CIF (\$71,190)
- the salaries alone are \$190,000
- Four year average loss \$177,339.00 a year /\$700.00 a day
- By the year 2015 the operating deficit will be \$400,000 or more
- Operating the theatre as it is not an option
- The taxpayers of Newmarket can't keep subsidizing : with no end in sight
- Naming rights is band aid, short term, not a long term solution
- At a crossroads faced with two choices!!
- Develop a long term viable solution, profit or at least break even or
- Toronto voted to get out of the live theatre business.

MUST DEVELOP A THEATRE WEB SITE TO ADVERTISE THE THEATRE

What's on? Search for a local group find out what they are performing, and where!

What's the Mandate

- Theatre is a product, with 400 seats a day to sell. 255 performance days
- Last year 125 days X 200 = 25,000 seat sales @ \$10 = \$250,000 loss \$98 per day
- There are over 200,000 people living in the trading area.
- Increase ticket sales and be part of the action.
- Bring professional live theatre events to Newmarket.
- For every dollar spent; theatre patrons spend \$3 in town.
- Newmarket is the centre of the Region
- Ontario Arts council 2011 reports people are opting to attend local performing arts productions in place of big productions in the major centres.

Newmarket Theatre 2010 operational costs *

2010-11 operational costs were budgeted at	\$531,276
Actual annual operational costs, 2010-11	\$612,104 over <u>(\$80,828)</u>
Annual inter departmental charges (IDC)	<u>\$429,102</u>
Total annual operating cost, 2010-11	\$1,041,206
Annual operational costs excluding (IDC)	\$612,104
Total revenues for 2010/11 includes item 8292 C.I.F. \$71,190**	<u>\$365,231</u>
Total annual operational costs 2010/11	(\$246,873) –debit
The actual operational costs, including the C.I.F. \$71.190	(\$318,063) - debit

Operational costs calculated on 355 performance days per year.

Daily operational costs.

Daily operational costs including IDC (355 days)	\$2,934
Daily operational costs excluding IDC (355 days)	\$1,724
Daily 2010 revenue per day (355 days) less C.I.F (\$71,190)	<u>\$ 828</u>
Daily net operational loss per day (355 days)	(\$896) debit

Notes:

*Source 2011 operating budget “ Newmarket theatre-General” Line 71351

** 8292 Capital Investment fund is a \$2.00 surcharge on every ticket = \$71,190.

***Current value of the CIF for the fiscal year of 2010-2011 = \$450,000

Notes on the operation of the Newmarket Theatre

The operating budget for the 2010/11 season was \$531,276. The actual operating costs were \$612,104. The 2010/11 operating costs were \$80,828 or 15.2% over the budget.

The operating costs for the 2010/11 season were \$612,104 the revenues were \$294,041. The operating loss was \$318,063. 52% , that's \$.52 on every dollar spent operating the building

The total number of days and evenings available for productions 365 less 10 holidays =355

The 2010/11 operating budget was \$612,104 divided by 355 days =	\$1,725 a day
The 2010/11 revenue was \$294,041 divided by 355 days =	\$ 829 a day
The 2010/11 theater season cost the taxpayers of Newmarket	\$ 896 a day

The total number of days and evenings that the theatre could be booked = 355

The total number of actual days the theatre was booked for the 2010/11 =125

The total number of days and evenings that the theatre did not book = 230

(from the 2010/11 theatre brochure)

The \$318,063 theatre operating loss is included in the Parks Recreation and culture's overall budget. The implications of this loss are that it is passed on to the children in minor hockey, baseball, soccer and tennis through increased rental and participating fees and by increasing the taxes for the homeowners. Someone must bear the costs and the costs must be met.

In addition the theatre deducts \$2.00 and a \$1 from every ticket sold. This is an undeclared hidden tax this means Newmarket taxpayers are being taxed twice. This amount should be disclosed on every ticket so that the purchasing public is aware that the full ticket price does not go towards the production costs or the operation of the theatre.

Based on the 2010/11 operating budget one could assume that the operating loss has been increasing every year since the theatre opened in 1997 and will continue to go up.

Renting the stage and not sharing the revenue from the ticket sales will only ensure that the operating loss will continue to increase every year until it becomes impossible to continue operating in this manner.

Using the 2010/11 operating costs the theatre stage must be rented 355 days a year at a rental rate of \$1.725 a day just to break even; that's an impossibility under the current operating philosophy.

The Newmarket theatre is not an ice pad, a ball diamond or a soccer field. To increase revenue from the ice pad, ball diamond or soccer field there is only one option, increase the rent and increase the user fees.

The Newmarket Theatre has 400 seats, to increase the revenue of the theatre there is only one option, share and retain the revenue from ticket sales for each performance.

On a shared operating costs, booking top productions with ticket prices ranging between \$50 and \$65 and entering into a partnership with local talent to sell tickets, the theatre would not only cover its costs it can turn a profit, which will greatly affect the budget line of PRC,

NEWMARKET THEATRE AS A PRODUCT

The objective should be to sell the theatre and not sell the productions. This will help the audience identify with the theatre and not the productions. For example “let’s see what’s on at the theatre”, instead of looking for a production and trying to find out where it is playing. By selling the theatre can build a reputation of excellence for the productions it brings in.

Book well known top acts that will sell out at \$50 a ticket. John McDermit, Tommy Hunter, Don Herron etc. and bring in established theatre productions from Toronto etc.

- The theatre should book the seasons productions one year in advance
- The theatre creates a glossy brochure with all the season’s productions
- Create a subscription series featuring three productions such as musical series, a drama etc.
- Posters in the Mall and poster boards throughout the town
- Create a web site for the theatre, featuring the productions
- Build an email list, every person that purchases a ticket through, phone, internet or box office, should be asked three questions, their postal code and their email address and their phone Number
- These should be placed in a data bank and tracked every time they purchase a ticket this identifies the productions they like, and their postal code denotes profiles
- Email broadcast to the e-list by sending posters on each production
- Tele market via a phone bank and volunteers.

Can the theatre be profitable or break even?

Every theatre production is required to pay a flat fee plus a percentage of the ticket sales. Suggested out of town productions daily rental \$700.00, plus 40% percent of ticket price

Out of town productions

Theatre rental per day	\$700	
Ticket price \$25 x 400	\$10,000	
 Theatre rental	\$700	
Percentage of the gate @ 40%	<u>\$4,000</u>	
Total revenue per day	\$4,700	
Objective - 130 production days @ \$4,700	=	\$611,000

Newmarket based groups

Theatre rental	\$300	
Ticket price \$20 x 200	\$4,000	
 Theatre rental per day	\$300	
Percentage of the gate @ 40%	<u>\$1,600</u>	
Total revenue per day	\$1,900	
Objective - 50 production days @ \$1,900	=	\$95,000

180 production days total revenue = \$706,000

This leaves 175 dark days in the Newmarket theatre available for use for top acts @ \$50 per ticket produced by Newmarket Theatre

Newmarket Theatre 2010 actual operational costs from the 2011 budget

2010	Operational costs	\$612,104
2010	Inter departmental charges	<u>\$429,102</u>
2010	Total costs	\$1,041,206

2010	Total operations costs [less interdepartmental charges]	\$612,104
2010	Total revenues	<u>\$365,231*</u>
2010	Total net operating loss	(\$246,873)

Note: Total revenue includes \$71,190 allocated to the Capital Investment Fund C.I.F. The C.I.F. is a \$2.00 per ticket surcharge which is taken away from the price of each ticket. Since the C.I.F. is not available to reduce the operational costs the actual net operating is **\$318,063*

Number of rental days available for the years 2010 = 355

Gross operational costs per day (less IDC)	\$1,724.24
Actual gross revenue per day	<u>\$1,028.82</u>
Net operational loss per day (shortfall)	\$695.42

Objective

To cover the total annual costs of \$700,000 per year or \$2,000.00 per day over a period 355 days available

Comment

The Newmarket theatre will never achieve their annual operating costs through rental fees alone. The daily rental fees would have to be raised so high that it would be impossible for any group to mount a production. To cover a rental fee of \$2,000 per day a performing arts group would require an audience of 400 patrons per day over 5 performances per week. This can be accomplished but only after developing an audience. An expensive daily rental fee will discourage any group from attempting to build an audience.

The solution

Develop a cost sharing partnership between the local performing arts groups that financially benefit the theatre and the group. This will not only ensure the theatre's operating costs are met but it will allow the theatre to become a profitable entity.

The Proposal

A daily rental agreement founded on a partnership between the performing arts groups and the town. The rental fee will be based a daily flat fee plus a percentage of the ticket sales. The net ticket price will not include the C.I.F. and asset replacement fund fees.

Performing arts Groups and entertainers based in Newmarket

Flat fee	\$300.00
Plus 40% of ticket sales	
Ticket price	\$20.00
Less CIF	2.00
Asset replacement	<u>1.00</u>
Net ticket price	\$17.00

Example

75 patrons per performance at \$17	Per ticket	\$1,275.00
40% of ticket sales		\$510.00
Daily fee		<u>\$300.00</u>
Daily theatre revenue		\$810.00

Example

100 patrons per performance at \$17	Per ticket	\$1,700.00
40% of ticket sales		\$680.00
Daily fee		<u>\$300.00</u>
Daily theatre revenue		\$980.00

Example

200 patrons per performance at \$17	Per ticket	\$3,400.00
40% of ticket sales		\$1,360.00
Daily fee		<u>\$ 300.00</u>
Daily theatre revenue		\$1,660.00

Breakeven point

250 patrons @ \$17.00 per ticket	\$4,250.00
40% of ticket sales	\$1,700.00
Daily fee	<u>\$ 300.00</u>
Daily theatre revenue	\$2,000.00

Performing arts Groups and entertainers not based in Newmarket

Flat fee \$700.00
Plus 40% of ticket sales

Ticket price \$20.00
Less CIF 2.00
Asset replacement 1.00
Net ticket price \$17.00

Example

75 patrons per performance at \$17	Per ticket	\$1,275.00
40% of ticket sales		\$510.00
Daily fee		<u>\$700.00</u>
Daily theatre revenue		\$1,210.00

Example

100 patrons per performance at \$17	Per ticket	\$1,700.00
40% of ticket sales		\$680.00
Daily fee		<u>\$700.00</u>
Daily theatre revenue		\$1,380.00

Breakeven point

200 patrons per performance at \$17	Per ticket	\$3,400.00
40% of ticket sales		\$1,360.00
Daily fee		<u>\$ 700.00</u>
Daily theatre revenue		\$2,060.00

Example

250 patrons @ \$17.00 per ticket	\$4,250.00
40% of ticket sales	\$1,700.00
Daily fee	<u>\$ 700.00</u>
Daily theatre revenue	\$2,400.00

Ticket price \$25.00 less \$3 surcharge = \$22

400 patrons @ \$22.00 per ticket	\$8,800.00
40% of ticket sales	\$3,520.00
Daily fee	<u>\$ 700.00</u>
Daily theatre revenue	\$4,220.00

4 nights @ \$4,220.00 total revenue \$16,880.00

Newmarket Theatre 2010/11 season

Number of days the theatre was booked

September	3
October	8
November	9
December	14
January	13
February	12
March	10
April	14
May	16
June	<u>23</u>
Total	122

Number of days used by the following groups

<u>Local schools</u>	<u>Local Dance etc.</u>	<u>Aurora Performing arts</u>	<u>Marquee Pro.</u>	<u>NSC</u>	<u>VPAN</u>	<u>Other</u>
30 - 25%	30 - 25%	17 - 14%	22 - 18%	15 - 12%	5 - 3%	4 - %

Performing arts groups from Aurora used 39 days or 32% of the days booked

The meeting of the Accessibility Advisory Committee was held on Thursday, February 20, 2014 in the Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Diane Bladec-Willett
Laura Charpentier
Steve Foglia (Chair)
Councillor Twinney

Members Absent: Ursula Rehdner
Naeem Bacchus
Wendi Williams-Gordon

Staff Present: Lisa Lyons, Deputy Clerk
Sarah Niezen, Records and Projects Coordinator
Chrisanne Finnerty, Council/Committee Coordinator

Additions

None.

Presentations & Deputations

1. Presentation by Kim McKinnon, Tyler Barker and John Abel on behalf of Concerned Citizens for Accessibility and Mobility and the Community Legal Clinic of York Region regarding Mobility Plus Appeal Panel Recommendations.

Moved by Councillor Twinney
Seconded by Laura Charpentier

The Accessibility Advisory Committee recommends to Council:

THAT based on the information presented by the Concerned Citizens for Accessibility and Mobility Group at the February 20, 2014 Accessibility Advisory Committee meeting, that the Accessibility Advisory Committee expresses its concerns regarding York Region's proposal to outsource the Mobility Plus Eligibility Appeal Panel;

AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that it maintain the current structure of the Mobility Plus Eligibility Appeal Panel until a more comprehensive review is conducted;

AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that a member of the Newmarket Accessibility Advisory Committee be invited to participate in this review;

AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that all York Region Accessibility Advisory Committees be consulted on any future changes to the structure of Mobility Plus.

Carried

2. Presentation by Laura Charpentier and Steve Foglia regarding assistance for the deaf and hard of hearing at Southlake Hospital.

S. Foglia advised that Southlake Hospital has prepared a toolkit for the deaf and hard of hearing. The kit contains items including but not limited to communication tips, printed signs, a notebook and storage container for hearing device. Other hospitals are now reviewing the possibility of implementing the same toolkit.

Approval of Minutes

3. Approval of the Accessibility Advisory Committee Minutes of December 5, 2013.

Moved by Diane Bladec-Willett
Seconded by Councillor Twinney

THAT the Accessibility Advisory Committee Minutes of December 5, 2013 be approved.

Carried

Items for Discussion

4. National Access Awareness Week Sub-Committee

Discussion ensued regarding the National Access Awareness Week event tentatively scheduled for June 3, 2014, and the sub-committee that usually organizes the event. Concerns were expressed regarding the workload for

Committee members. It was determined that Recreation staff will do most of the organization for the event, with the Committee advising.

5. Town Facility Accessibility Inspections

Discussion ensued regarding completing accessibility inspections of Town owned facilities in 2014. It was determined that one facility could be inspected each month. A list of Town facilities would be compiled and prioritized for inspection. Current priorities are the Ray Twinney Complex, Magna Centre Recreation Complex and Newmarket Theatre. Staff will prepare a checklist for the inspections. The first inspection will be scheduled for a Thursday morning in April.

6. 2014 Municipal Elections Update

The Deputy Clerk provided an update on the voting method for the 2014 Municipal Election. The election will be run using paper ballots. Accessibility voting equipment will be available with a demonstration of the equipment to be provided to the Committee. Staff will solicit advice from the Committee on accessibility matters related to the election including facility access, sharing information and encouraging voter involvement.

7. York Region Area Accessibility Advisory Meeting

Pat McIntosh, Recreation Programmer, Leisure & Inclusion Services provided an update on the York Region Area Accessibility Advisory event that took place in East Gwillimbury on October 26, 2013. A presentation was given at the meeting on universal design. The Newmarket Accessibility Advisory Committee will offer to host the next meeting in the fall.

Action Item List

8. The Action Item List was reviewed.

- The Deputy Clerk will provide an update at the next meeting regarding the website re-design.
- Legislative Services staff to find a past PowerPoint presentation outlining the Accessibility Advisory Committee's accomplishments over the term of Council.
- Committee members to forward feedback on the Committee's current Terms of Reference to the Deputy Clerk.
- Staff to forward property owner information for the Chair to draft a letter regarding the Tannery washrooms.

- The Deputy Clerk will arrange facility audit dates in order of priority. Legislative Services Staff to prepare an accessibility audit checklist.

Quorum was lost at 12:30 p.m.

Dated

Steve Foglia, Chair

1. Presentation by Kim McKinnon, Tyler Barker and John Abel on behalf of Concerned Citizens for Accessibility and Mobility and the Community Legal Clinic of York Region regarding Mobility Plus Appeal Panel Recommendations.

The Accessibility Advisory Committee recommends to Council:

THAT based on the information presented by the Concerned Citizens for Accessibility and Mobility Group at the February 20, 2014 Accessibility Advisory Committee meeting, that the Accessibility Advisory Committee expresses its concerns regarding York Region's proposal to outsource the Mobility Plus Eligibility Appeal Panel;

AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that it maintain the current structure of the Mobility Plus Eligibility Appeal Panel until a more comprehensive review is conducted;

AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that a member of the Newmarket Accessibility Advisory Committee be invited to participate in this review;

AND THAT the Accessibility Advisory Committee request that Newmarket Council recommend to York Region that all York Region Accessibility Advisory Committees be consulted on any future changes to the structure of Mobility Plus.

Carried



Clause No. 9 in Report No. 5 of Committee of the Whole was adopted by the Council of The Regional Municipality of York at its meeting held on November 21, 2013 with the following amendments:

1. The matter of retaining Medisys Health Group to conduct Mobility Plus eligibility appeals on behalf of the Region, on a one year pilot basis, be referred to staff to consult with the York Region Accessibility Advisory Committee at its February 19, 2014 meeting and bring a report forward to the Committee of the Whole.
2. In the interim, the Mobility Plus Eligibility Appeal Panel continue in its existing form.
3. Staff advertise to recruit for additional panel members.

9

MOBILITY PLUS ELIGIBILITY APPEAL PANEL

Committee of the Whole recommends adoption of the following recommendations, as amended, in the report dated October 23, 2013 from the Acting Commissioner of Transportation and Community Planning:

1. RECOMMENDATIONS

It is recommended that:

1. Council dissolve The Regional Municipality of York Mobility Plus Eligibility Appeal Panel and rescind the Mobility Plus Eligibility Appeal Panel Terms of Reference.
2. Council authorize retention of the company, Medisys Health Group, to conduct Mobility Plus eligibility appeals on behalf of the Region, on a one-year pilot basis, and to execute an agreement with Medisys Health Group for this purpose.
3. *If possible, all panel members be residents of York Region and the panel include a person with a disability.*

2. PURPOSE

This report recommends approval of the one-year pilot project for the company Medisys Health Group to conduct Mobility Plus Eligibility Appeal Panel hearings on behalf of the Region. This report also recommends that Council dissolve the Mobility Plus Eligibility Appeal Panel and its Terms of Reference.

3. BACKGROUND

The Mobility Plus Eligibility Appeal Panel Terms of Reference were approved by Council in 2007

In May 2007, Council appointed the first Mobility Plus Eligibility Appeal Panel ("Panel") and adopted Terms of Reference. The Terms of Reference guide the appeals process and establish eligibility criteria for the Mobility Plus service. The Panel hears appeals from Mobility Plus applicants who have been deemed ineligible for the Mobility Plus service or eligible with restrictions. An individual is eligible for Mobility Plus if he/she is unable to use conventional transit due to a physical or functional limitation.

The existing three-member Panel was appointed in May 2013 by the Regional Chair, on the recommendation of Regional staff. In accordance with the Terms of Reference, the Panel members serve a term of one year and may be renewed annually for a period of four years. The Panel members serve without remuneration.

Due to the significant increase in appeals in 2013, time requirements for the Panel to render a decision are not being met

There has been a significant increase in appeals. Appeals have increased from two in 2012 to 28, to date, in 2013, with 15 appeals yet to be heard by the Panel.

In 2012, Mobility Plus received and processed 2,283 applications for Mobility Plus service, performed 138 assessments, and denied 186 applications. In 2013, to date, Mobility Plus has received 1,649 applications, performed 95 assessments (in person) and denied 453 applications.

The 20 per cent increase in the denial rate is attributed to applicant responses primarily in two areas on the application form:

- Applicants who responded "yes" to the question of whether or not they could board and travel on a conventional low-floor bus, have increased. Previously, York Region Transit (YRT) conventional buses had stairs. Currently, all YRT conventional buses are accessible.

- More applicants who are ambulatory and do not use mobility devices are being denied. These applicants are considered by a public health nurse who conducts an assessment of the applicant in person on behalf of York Region Mobility Plus.

In addition, in 2013 Mobility Plus began providing a brochure to applicants on how to appeal their decision so applicants would be better informed about their rights with respect to appealing decisions.

It is a challenge to meet the demand for hearings. The Region's Terms of Reference require that a decision be rendered within 40 days of receiving the notice of appeal. The Panel is unable to meet this requirement due to the number of appeals.

Staff had advised the Panel members during their selection interviews that the Region was in the process of reviewing the existing Panel model.

4. ANALYSIS AND OPTIONS

Effective January 1, 2014, the eligibility appeals process will be governed by provincial legislation

Effective January 1, 2014, under Regulation 191/11 of the *Accessibility for Ontarians with Disabilities Act*, specialized transportation service providers must provide an eligibility appeal process. This legislative requirement will have considerable impact on the Region's Mobility Plus Eligibility Appeal Panel. The Regulation requires that the appeal decision be rendered within 30 days after receiving the appeal application. The deadline to render a decision will, therefore, be further reduced than the requirement of 40 days that exists in the Region's Terms of Reference. There will be difficulty in meeting the requirements of the AODA, given the current backlog in appeals.

Change in the appeal process is required to ensure that applicants' rights are upheld and the Region complies with the AODA

In August 2012, the Region's Audit Services completed an audit of the Region's Mobility Plus to ensure that the transportation service was AODA compliant. Audit Services recommended that the appeal panel process be outsourced to a third party due to the volume of appeals.

Staff has inquired into the possibility of having Medisys Health Group conduct appeals on behalf of the Region so that applicants can receive a hearing and decision within the time period required by law, and for the Region to be in compliance with the AODA. Medisys Health Group was founded in 1987 and is a private national provider of preventative healthcare services. It currently conducts eligibility appeal hearings for another specialized service provider. Medisys recently provided a proposal to York Region Transit for conducting the hearings on a pilot basis for YRT/Viva's Mobility Plus. Medisys will provide a panel of three members that is made up of an occupational therapist/physiotherapist, administrator/transcriber and a member who is familiar or part of the disabled community.

The Panel will attend on-site at York Region Transit to complete an appeal hearing, which would include the following:

- Basic functional testing
- Full interview
- Review documentations

Staff is recommending that the Region contract with Medisys Health Group on a pilot basis to conduct Mobility Plus Eligibility Appeal hearings

The recommendation of a one year pilot will allow staff to prepare, release, and award a request for proposal for the Mobility Plus Eligibility Appeal Panel service. Medisys can provide up to three full hearings days each month, if required, to ensure that the Mobility Plus service is AODA compliant with respect to the eligibility appeal process. The panel will follow the current AODA requirements and Mobility Plus eligibility criteria to guide the process.

Link to key Council-approved plans

A goal of Vision 2026 is the need to have an effective, efficient and environmentally sensitive transportation system to improve transportation opportunities for residents within the Region. Action areas include the development of an integrated transportation network and making transit accessible. The Region establishing a pilot program for the hearing of Mobility Plus appeals through Medisys Health Group would help ensure that York Region residents' rights to access specialized transportation systems are being met.

5. FINANCIAL IMPLICATIONS

Medisys has provided a cost estimate for the pilot project

The cost to outsource this service is estimated at \$2,100 per day, plus mileage expenses. Staff estimates that one to two days per month would be needed initially to deal with the backlog of appeals, costing up to \$4,200 per month, plus mileage expenses.

6. LOCAL MUNICIPAL IMPACT

There are no direct local municipal implications associated with this report at this time.

7. CONCLUSION

The appeal process is an important initiative that ensures an open and fair eligibility process for residents of York Region with disabilities. The recommendation of having

Medysis conduct appeal hearings on a pilot basis will provide appropriate customer service for residents of the Region and will ensure legislative compliance.

For more information on this report, please contact Sharon Doyle, Manager, Mobility Plus at Ext. 5634.

The Senior Management Group has reviewed this report.



Canadian Cancer Society
Société canadienne du cancer



With you in the
fight for life
Avec vous dans le
combat pour la vie

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
FEB 18 2014		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		

February 12, 2014

His Worship Mayor Tony Van Bynen
Mayor
Town of Newmarket
395 Mulock Drive
Newmarket, ON L3Y 4X7

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
FEB 18 2014		

RE: Daffodil Month

Dear Mayor Van Bynen:

The Canadian Cancer Society is encouraging everyone to fight back in April by wearing the daffodil pin, a symbol of hope and support for those living with cancer.

You can make an enormous impact by declaring April as Daffodil Month in Newmarket. The month will be celebrated throughout the country and it's an opportunity for everyone to demonstrate that we're all united in the fight against cancer.

We hope you will join the fight by officially declaring April as Daffodil Month!

The Canadian Cancer Society relies on supporters like you, Mayor Van Bynen, to fight all 200-plus types of cancer by working to eradicate cancer and to improve the quality of life for all those affected by the disease.

This year, more than 72,300 people living in Ontario will be diagnosed with cancer. They need our support and they need to know that everything possible is being done to improve prevention, treatment, and diagnostic techniques.

Thank you for your attention to this request, and I look forward to hearing from you soon.

Yours truly,

Karen Beaulieu
Fundraising Coordinator
Canadian Cancer Society – Holland River Community Office
kbeaulieu@ontario.cancer.ca
905-830-0447 ext. 3833



Canadian Cancer Society
Société canadienne du cancer



With you in the
fight for life
Avec vous dans le
combat pour la vie

Mayoral Proclamation

CONCERNING THE PROCLAMATION OF DAFFODIL MONTH

WHEREAS, another Canadian is diagnosed with cancer every three minutes; and

WHEREAS, the Canadian Cancer Society is working to eradicate all cancers and improve the quality of life for people living with cancer; and

WHEREAS, Daffodil Month is an opportunity for residents of Newmarket to show their support in the fight against cancer; now, therefore, be it

RESOLVED, that I, Mayor Tony Van Bynen ask that all residents of Newmarket join me and the Canadian Cancer Society in the fight against cancer; and be it further

RESOLVED, that the month of April, is officially recognized as Daffodil Month.

I, Tony Van Bynen, Mayor of Newmarket, do hereby proclaim the month of April, to be "Daffodil Month" and strongly encourage all residents of Newmarket to continue to recognize and support the Canadian Cancer Society and the fight against cancer.



m03 1-002

Honorary Patron:

The Hon. David C. Onley
Lieutenant Governor of Ontario

Lupus Foundation of Ontario

294 Ridge Road N Box 687
Ridgeway ON L0S 1N0
800-368-8377 ON Only

905-894-4611
905-894-4616
lupusont@vaxxine.com

February 14, 2014

MAYOR'S OFFICE			CORPORATE SERVICES		
INCOMING MAIL	REFERRED TO	COPIED TO	INCOMING MAIL	REFD TO	COPY TO
COUNCIL					
CAO					
FEB 20 2014			FEB 24 2014		
COMMISSIONER					
DEPARTMENT					
CLERKS	✓				
CONCERNS					

Town of Newmarket
395 Mulock Drive
Newmarket ON L3Y 4X7

To Whom It May Concern:

The international lupus patient community is requesting your assistance in promoting public awareness and advocacy for "the least known major disease – lupus". We have two very important events planned for 2014 which are: **World Lupus Day, May 10th** and the entire month of October which is known, world-wide, as **"October is Lupus Awareness Month"**.

Lupus affects more than just the person diagnosed with the disease – it also impacts their family, friends and colleagues. It is widely under-recognized as a global health problem by the public, health professionals and governments which drives the need for greater awareness. Early recognition and a definitive diagnosis help to slow the debilitating effects of this disease. Proper treatment, a healthy diet and lifestyle are essential. Lupus is difficult to diagnose as the symptoms frequently mimic common illnesses. With your help, public awareness and education will save lives.

We are enclosing two Proclamations, for May and October that we ask to be added to your municipal websites for all citizens to access. We know that many are unaware of the signs and symptoms of lupus and it is our hope to make every person aware that their vague health concerns could be lupus.

Our office has been located in Ridgeway for the past forty years. Receiving no funding from any level of government, we depend upon personal and corporate donations to provide our programmes, attend provincial Health Fairs, contribute financially to much-valued research, and distribute literature throughout Ontario to all those who request information.

In the past, we have received amazing support from many communities in Ontario who do read our Proclamations during televised meetings for their viewers, and add the Proclamation to their websites in the designated months. Many have passed resolutions to ask their local MPs and MPPs to assist with lupus funding for research.

We would be honoured to have your support for both of these events. Thank you.

Very truly yours,

Kathy Crowhurst

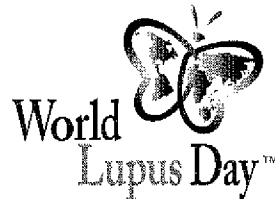


Honorary Patron:

The Hon. David C. Onley
Lieutenant Governor of Ontario

Lupus Foundation of Ontario

294 Ridge Road N Box 687
Ridgeway ON L0S 1N0
800-368-8377 ON Only
☎ 905-894-4611
☎ 905-894-4616
✉ lupusont@vaxxine.com
Website: www.lupusfoundationofontario.com
Serving Ontario since 1977 (Inc.)



Whereas, lupus is an autoimmune disease that can cause severe damage to the tissue and organs in the body and, in some cases, death; and

Whereas, more than five million people worldwide suffer the devastating effects of this disease and each year over a hundred thousand young women, men and children are newly diagnosed with lupus, the great majority of whom are women of childbearing age; and

Whereas, medical research efforts into lupus and the discovery of safer, more effective treatments for lupus patients are under-funded in comparison with diseases of comparable magnitude and severity; and

Whereas, many physicians worldwide are unaware of symptoms and health effects of lupus, causing people with lupus to suffer for many years before they obtain a correct diagnosis and medical treatment; and

Whereas, there is a deep, unmet need worldwide to educate and support individuals and families affected by lupus; and

Whereas, there is an urgent need to increase awareness in communities worldwide of the debilitating impact of lupus;

Now, Therefore, Be It Resolved that **10 May 2014** is hereby designated as **World Lupus Day** on which lupus organizations around the globe call for increases in public and private sector funding for medical research on lupus, targeted education programs for health professionals, patients and the public and worldwide recognition of lupus as a significant public health issue.

Proclaimed This Day, 10 May 2014



Honorary Patron:

The Hon. David C. Onley
Lieutenant Governor of Ontario

Lupus Foundation of Ontario

294 Ridge Road N Box 687
Ridgeway ON L0S 1N0
(800) 368-8377 ON Only
☎ (905) 894-4611
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✉ lupusont@vaxxine.com
Website: www.vaxxine.com/lupus
Serving Ontario since 1977 (Inc.)

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Whereas, more than five million people worldwide suffer the devastating effects of this disease and each year over a hundred thousand young women, men and children are newly diagnosed with lupus, the great majority of whom are women of childbearing age; and

Whereas, medical research efforts into lupus and the discovery of safer, more effective treatments for lupus patients are under-funded in comparison with diseases of comparable magnitude and severity; and

Whereas, many physicians worldwide are unaware of symptoms and health effects of lupus, causing people with lupus to suffer for many years before they obtain a correct diagnosis and medical treatment; and

Whereas, there is a deep, unmet need worldwide to educate and support individuals and families affected by lupus; and

Whereas, there is an urgent need to increase awareness in communities worldwide of the debilitating impact of lupus;

Now, Therefore, Be It Resolved that **October 2014** is hereby designated as “**October is Lupus Awareness Month**” during which lupus organizations around the globe call for increases in public and private sector funding for medical research on lupus, targeted education programs for health professionals, patients and the public and worldwide recognition of lupus as a significant public health issue.

Proclaimed this day during October 2014



PROBUS CENTRE-CANADA, INC.

(OFFICE OF THE PRESIDENT)

2 de la Plage, Grand Barachois, New Brunswick E4P 7E3

Tel: (506) 532-5541 Email: skcampbl@sympatico.ca

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
FEB 24 2014		

January, 2014 To: All PROBUS Clubs in Canada

From: Steven Campbell, President, PROBUS CENTRE-CANADA, INC.

MARCH IS NATIONAL PROBUS MONTH

PROBUS is a local, national, and international association of retired people who come together in non-political, non-sectarian, non-profit, non fund raising autonomous clubs which provide regular opportunities for members to meet others in similar circumstances and similar levels of interest, make new friends, and maintain and expand their interests.

Members join together in clubs, the basic purpose of which is to provide regular opportunities to keep their minds active, expand their interests and enjoy the fellowship of new friends. The basic purpose of a PROBUS club is to provide regular gatherings of persons, who, in their retirement appreciate and value opportunities to meet others in similar circumstances and similar levels of interest; i.e., to provide options for members to maintain a path of fellowship and learning.

Presently, there are over 4,000 clubs the world over comprising more than 400,000 members. In Canada, we have 226 active clubs accounting for over 31,000 members.

Recently, PROBUS Canada approved the idea of a National PROBUS Month, a specific month to be declared nationally to celebrate PROBUS, enrich its meaning among members, and enhance its visibility throughout each community; that PROBUS recognition and visibility will be enhanced municipally, provincially, and nationally.

The idea is for each club to dedicate its regular meeting of the designated month, or part thereof, to celebrating PROBUS. Special events within a club (luncheon, special speaker, awards, development of a new club, reading of Constitution and Bylaws, a discussion of the PROBUS Website, etc.), municipal declaration of PROBUS Month, news release, etc., are just a few of the possibilities.

In the discussion of an appropriate month, it was noted that the first club in Canada, Cambridge, Ont., was certified on March 17, 1987. Appropriately, *March has been designated the first National PROBUS Month.*

Fully realizing National PROBUS Month is a very recent idea and the month of March is rapidly approaching, it is hoped that each club will find some way to note the event with some activity possible in the short time available. Some of the ideas suggested above might be possible on short notice to formally recognize the event, even if it is the appointment of a committee to begin preparing for next year's National PROBUS Month. PROBUS Canada looks forward to this event growing into a major one in future years.

Yours in PROBUS,

STEVE

S. C. Campbell, President

Girls Incorporated®
of York Region

80 George Street, Unit 2
Newmarket, ON L3Y 4V3
Ph: 905-830-0776
Fax: 905-830-4480
Email: info@girlsincnyork.org
www.girlsincnyork.org

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
MAR 04 2014		

February 2014

Town Of Newmarket
395 Mulock Drive
Box 328, Station Main
Newmarket, Ontario L7B 1A1

**girls
inc.®**
Inspiring all girls to
be strong, smart
and boldSM

**RE: PROCLAMATION OF GIRLS RIGHTS WEEK,
APRIL 28 – MAY 2, 2014**

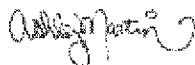
York Region is one of the fastest growing and most diverse regions in Canada and provides some of the most wonderful opportunities for community leaders to celebrate the protection of equality within their constituencies.

Girls Incorporated® of York Region (GIYR) is a non-profit youth organization that is dedicated to empowering girls and young women to seek the highest quality of life possible. The programs that we offer are designed to help girls develop to the fullest of their capacities in all areas of life. We actively strive to enhance confidence and self-esteem in girls and young women, while giving them the skills and tools they need in order to be empowered, productive and contributing members of society.

We are writing to request participation and leadership from the Town Of Newmarket through the proclamation of *Girl's Rights Week* in Newmarket, April 28th through May 2nd, 2014. Your proclamation would be a valued acknowledgement of the lives and contributions of all girls and women living in York Region.

Girls require and deserve the awareness, attention, and commitment of a wide range of individuals and organizations to promote their healthy development. We thank you for your consideration of our request and we look forward to your positive response.

Sincerely,



Ashley Martin
Program Manager
905-830-0776 ext. 303



Newmarket Public Library Board
Regular Board Meeting
Wednesday, January 15, 2014
Newmarket Public Library Board Room

Present: Joan Stonehocker – Chair
Tom Vegh – Vice Chair
Tara Brown
Michael Castro
Tom Hempen (*arrived at 5:10 pm*)
John Taylor

Regrets: Wes Playter

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

Guest: Karen Dubeau, Vice President,
Newmarket Chamber of Commerce (*left at 5:40 pm*)

The Chair called the meeting to order at 5:00 p.m.

1. COMMUNITY COLLABORATIVE ECOSYSTEM PRESENTATION:

A presentation was provided by the Vice President, Newmarket Chamber of Commerce on the Community Collaborative Ecosystem Initiative and the role the Newmarket Public Library might have in this project.

1. ADOPTION OF AGENDA ITEMS:

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

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

Motion 14.01.282

MOVED BY JOHN TAYLOR
SECONDED BY TARA BROWN

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

CARRIED

2. DECLARATIONS

None were declared.

3. CONSENT AGENDA ITEMS:

- i) Adoption of the Regular Board Meeting Minutes for Wednesday, December 18 , 2013
- ii) Strategic Operations Report for December, 2013
- iii) Library Statistical Data
- iv) Monthly Bank Transfer
- v) 2013 Business Plan Year End Success Report

Motion 14.01.283

MOVED BY TOM VEGH

SECONDED BY MICHAEL CASTRO

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

CARRIED

The Library Board reviewed the 2013 Business Plan Year End Success Report. Clarification was provided on the Library Ambassador Campaign which is to be launched in 2014. The Board discussed promoting more of the strategic vision of the Library to the public.

Motion 14.01.284

MOVED BY JOHN TAYLOR

SECONDED BY TARA BROWN

THAT the Library Board receive the report on 2013 Business Plan Year-End Successes.

CARRIED

4. MOTION TO CONVENE INTO A CLOSED SESSION

There were no Closed Session items.

5. BUSINESS ARISING

- i) Action List

The Board reviewed the Action List. Action Item 15-11 was revised and an Annual Success Report will now be presented to the Town of Newmarket Council.

6. NEW BUSINESS

- i) Active Board Demonstration

A demonstration of the Library Active Board will be added to the next Library Board meeting schedule February 19, 2014.

7. DATE(S) OF FUTURE MEETINGS

The next regular Library Board meeting will be Wednesday, February 19, 2014 at 5:00 pm in the Library Board room

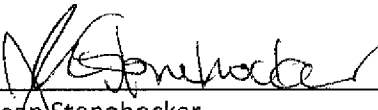
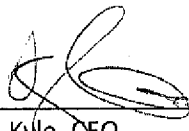
8. ADJOURNMENT*Motion 14.01.285*

MOVED BY TARA BROWN

SECONDED BY MICHAEL CASTRO

THAT there being no further business the meeting adjourned at 6:15 p.m.

CARRIED


Joan Stonehocker
Chair
Todd Kyle, CEO
Secretary/Treasurer



Town of Newmarket MINUTES

ENVIRONMENTAL ADVISORY COMMITTEE

Wednesday, January 8, 2014
at 6:30 p.m.
Cane A & B, 395 Mulock Drive

A meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, January 8, 2014 at 6:30 p.m. in the Cane Room at 395 Mulock Drive.

Present: John Birchall
Philip Breault
Wes Guldemon
Jill King
Dayna Laxton (Meeting Chair)
Geoff Shore
Councillor Twinney

Absent: Doug Jagger
Joanna Parsons
Stacey Tidman

Guest: Pat Lusink, Program Manager, Smart Commute Central York

Staff: D. Ruggle, Senior Planner – Community Planning (6:33 to 8:00 pm)
C. Schmitt, Traffic Technician
L. Moor, Council/Committee Coordinator

The meeting was called to order at 6:33 p.m.

Dayna Laxton in the Chair.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

None.

1. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 1 **APPROVAL OF MINUTES**

Environmental Advisory Committee Minutes of November 6, 2013.

**Moved by Philip Breault
Seconded by Wes Guldemon**

THAT the Environmental Advisory Committee Minutes of November 6, 2013 be approved.

CARRIED

**2. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 2
CORRESPONDENCE**

**Moved by Councillor Twinney
Seconded by Geoff Shore**

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

CARRIED

**3. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 3
SMART COMMUTE PRESENTATION**

Ms. Pat Lusink, Program Manager, Smart Commute Central York addressed the Committee with a PowerPoint presentation regarding the Smart Commute program, initiatives and statistics of its success. Ms. Lusink requested that the Environmental Advisory Committee recommend support for permanent funding on a go forward basis by the Town. Councillor Twinney advised that the 2014 budget deliberations included a line of item of \$25,000 with the intention of keeping this in future budgets for the Smart Commute program.

**Moved by Wes Guldemon
Seconded by Geoff Shore**

THAT the PowerPoint presentation by Ms. Pat Lusink, Program Manager, Smart Commute Central York regarding the program, initiatives and statistics be received.

CARRIED

**4. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 4
DARK SKIES – GENERAL DISCUSSION**

The Senior Planner – Community Planning addressed the Committee regarding exterior lighting requirements contained within Planning documents. Discussion ensued regarding feasible terminology and potential mandated lighting/signage controls being incorporated into zoning, site plan and subdivision development documents. The Committee members advised the Senior Planner – Community Planning that a broad definition of “dark skies” will be compiled in the next few weeks along with collaborative information and a subsequent recommendation would then be submitted to the Planning Department for review.

The Meeting Chair requested a roundtable introduction of members for the benefit of the newest member in attendance.

**5. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 5
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – PLANNING AND
BUILDING SERVICES 2013-59 – APPLICATION FOR OFFICIAL PLAN AMENDMENT,
ZONING BY-LAW AMENDMENT, DRAFT PLAN OF CONDOMINIUM AND DRAFT
PLAN OF SUBDIVISION – 292145 ONTARIO LIMITED**

Discussion ensued regarding the details associated with the development applications for the property located on the west side of Silken Laumann Drive, east of Yonge Street, and south of Mulock Drive, Concession I, Part of Lot 89, in the Town of Newmarket. The Senior Planner – Community Planning advised that the statutory public meeting for the application is tentatively scheduled for February 24, 2014 beginning at 7:00 p.m. John Birchall suggested that comments be compiled and ready for final substantiation at the February 5, 2014 Environmental Advisory Committee meeting.

**6. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 6
RESIDENTIAL GARBAGE BAG REDUCTIONS**

John Birchall provided a verbal report regarding the City of Markham's refuse collection and their use of clear plastic bags. Preliminary discussions ensued with respect to the feasibility of the reduction of refuse bag limits in the Town of Newmarket. A suggestion was made to bring this matter back to the February 5, 2014 Environmental Advisory Committee meeting for further idea exchange.

**7. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 7
POST COUNCIL REVIEW WORKSHOP UPDATE/PLAN**

John Birchall provided a verbal update regarding the November 12, 2013 Council/NEAC Workshop. He advised that although some progress was made at the workshop regarding NEAC initiatives/focus and resources, another workshop in February or March, 2014 will be scheduled to continue discussions.

**8. NEWMARKET EAC MINUTES – JANUARY 8, 2014 – ITEM 8
NEW BUSINESS**

- a) John Birchall provided a verbal update subsequent to Joanna Parsons recent e-mail explaining the challenges associated with re-printing of the trail maps. He advised that the Town's GIS department has completed updated mapping and the Committee could be in a position to re-print maps by February, 2014. Discussion ensued regarding the feasibility of sponsorship opportunities to assist in the funding of re-prints. John Birchall advised that he would contact the Supervisor of Marketing and Sponsorship for potential assistance in this regard.
- b) The Meeting Chair distributed copies of the 2012/2013 Community Report
- c) Geoff Shore advised of his interest in finding out what environmental incentives are being offered in the Mosaik Homes subdivision development at Bathurst Street and Davis Drive West.

Moved by Councillor Twinney
Seconded by Geoff Shore

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:40 p.m.

Feb 12/14
Date

Dayna Laxton
Dayna Laxton, Meeting Chair

Next Meeting Date: Wednesday, February 5, 2014 beginning at 6:30 p.m. in the Mulock Room. Meeting Chair – Philip Breault

The regular meeting of the Inclusivity Advisory Committee was held on Wednesday, January 22, 2014 at 7:00 p.m. in the Mulock Room, Municipal Offices, 395 Mulock Drive, Newmarket.

Members

Present: Farrah Bacchus
Evert Akkerman
Mohammad Khan
Nolie Johnston
Ranji Singh
Councillor Vegh

Absent: Denise Anderson
Councillor Di Muccio
Rob Hums
Ken Sisler

Ricky Veerappan, York Regional Police (non-voting member)

Staff: Lisa Lyons, Deputy Clerk

The meeting convened at 7:40 p.m.

Farrah Bacchus in the Chair.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

None.

Mission

We act as an ongoing source of guidance and information to Council and residents. We facilitate experiences that encourage awareness, promote sharing, understanding, and foster harmony.

Vision

We envision Newmarket to be an inclusive community where differences are welcome and celebrated, and where its mosaic of citizens are renowned for showing mutual courtesy, dignity, and respect.

1. INCLUSIVITY ADVISORY COMMITTEE MINUTES – JANUARY 22, 2014
ITEM 1 – QUORUM REQUIREMENTS

Discussion ensued regarding attainment of quorum at meetings.

Moved by Ranji Singh
 Seconded by Evert Akkerman

THAT given the consistent struggles of the Inclusivity Advisory Committee members in attaining quorum requirements that the Committee not hold any further meetings for the remainder of the term.

MOTION LOST

Moved by Evert Akkerman
 Seconded by Mohammad Khan

The Inclusivity Advisory Committee recommends to Council:

THAT due to the consistent struggles of the Inclusivity Advisory Committee in attaining quorum requirements that the Inclusivity Advisory Committee cease holding regular meetings for the remainder of the term and should a meeting be required that it be at the call of the Chair.

CARRIED

2. INCLUSIVITY ADVISORY COMMITTEE MINUTES – JANUARY 22, 2014 –
ITEM 2
INCLUSIVITY ADVISORY COMMITTEE MINUTES

Inclusivity Advisory Committee Minutes of November 27, 2013.

Moved by Evert Akkerman
 Seconded by Ranji Singh

THAT the Inclusivity Advisory Committee Minutes of November 27, 2013 be approved.

CARRIED

The remainder of the listed agenda items were not dealt with.

Moved by Nolie Johnston
Seconded by Evert Akkerman

THAT the meeting adjourn.

CARRIED

There being no further business, the meeting adjourned at 8:00 p.m.

Date

Farrah Bacchus, Chair

1. **INCLUSIVITY ADVISORY COMMITTEE MINUTES – JANUARY 22, 2014**
ITEM 1 – QUORUM REQUIREMENTS

Discussion ensued regarding attainment of quorum at meetings.

Moved by Ranji Singh
Seconded by Evert Akkerman

THAT given the consistent struggles of the Inclusivity Advisory Committee members in attaining quorum requirements that the Committee not hold any further meetings for the remainder of the term.

MOTION LOST

Moved by Evert Akkerman
Seconded by Mohammad Khan

The Inclusivity Advisory Committee recommends to Council:

THAT due to the consistent struggles of the Inclusivity Advisory Committee in attaining quorum requirements that the Inclusivity Advisory Committee cease holding regular meetings for the remainder of the term and should a meeting be required that it be at the call of the Chair.

CARRIED

The meeting of Site Plan Review Committee was held on Monday, February 10, 2014 at 2:00 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members

Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Emanuel
Councillor Kerwin
Councillor Sponga
Councillor Twinney
Councillor Vegh

Members

Absent: Councillor Di Muccio
Councillor Hempen

Staff:

Ian McDougall, Commissioner, Community Services
Rob Prentice, Commissioner, Development & Infrastructure Services
Rick Nethery, Director of Planning & Building Services
Dave Potter, Chief Building Official
Linda Traviss, Senior Planner – Development
Dave Ruggle, Senior Planner – Community Planning
Kym Pelham, Committee Secretary

Accessibility

Advisory

Committee: No members were present

The meeting was called to order at 2:00 p.m. No conflicts of interest were declared.

Mayor Van Bynen in the Chair.

1. **APPLICATION FOR TELECOMMUNICATIONS TOWER
17665 LESLIE STREET - WARD 3
(ON THE EAST SIDE OF LESLIE AND NORTH OF DAVIS DRIVE)
OUR FILE NO.: D11-NP1401
YORK REGION CONDO CORP. NO. 781 (BELL MOBILITY)**
-

Application for a Telecommunications Tower to permit a 30 metre monopole tower to be erected on the subject lands.

Duane Lovelace, Associate, Municipal Consultation Site Acquisition of Altus Group was present to address Committee.

The Site Plan Review Committee recommends:

1. **THAT the Application for a Telecommunications Tower to permit a 30 metre monopole tower to be erected on the subject lands be deferred to a future Site Plan Review Committee meeting in order that the applicant explore relocating the proposed tower towards the rear of the property or to the industrial area and the applicant shall provide Site Plan Review Committee with the details of the circulation range and how many people were notified;**
2. **AND THAT Duane Lovelace, Associate, Municipal Consultation Site Acquisition of Altus Group, 33 Yonge Street, Suite 500, TORONTO, ON M5E 1G4 be notified of this decision;**
3. **AND THAT York Region Condominium Plan #781 of 17665 Leslie Street, NEWMARKET, ON L3Y 3E3 be notified of this decision.**

The meeting adjourned at approximately 2:24 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on March 3, 2014.

Feb 11/14

Dated



Director of Planning & Building Services

**1. APPLICATION FOR TELECOMMUNICATIONS TOWER
17665 LESLIE STREET - WARD 3
(ON THE EAST SIDE OF LESLIE AND NORTH OF DAVIS DRIVE)
OUR FILE NO.: D11-NP1401
YORK REGION CONDO CORP. NO. 781 (BELL MOBILITY)**

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- 2. AND THAT Duane Lovelace, Associate, Municipal Consultation Site Acquisition of Altus Group, 33 Yonge Street, Suite 500, TORONTO, ON M5E 1G4 be notified of this decision;**
- 3. AND THAT York Region Condominium Plan #781 of 17665 Leslie Street, NEWMARKET, ON L3Y 3E3 be notified of this decision.**

The meeting of Site Plan Review Committee was held on Monday, March 3, 2014 at 2:00 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members

Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Di Muccio
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Twinney
Councillor Vegh

Members

Absent: Councillor Sponga

Staff:

Ian McDougall, Commissioner, Community Services
Rob Prentice, Commissioner, Development & Infrastructure Services
Rick Nethery, Director of Planning & Building Services
David Potter, Chief Building Official
Linda Traviss, Senior Planner – Development
Meghan White, Planner
Kym Pelham, Committee Secretary

Accessibility

Advisory

Committee: No members were present

The meeting was called to order at 2:00 p.m. No conflicts of interest were declared.

Councillor Hempen in the Chair.

1. **APPLICATION FOR SITE PLAN APPROVAL
17150 YONGE STREET - WARD 7
(NORTH SIDE OF EAGLE STREET, WEST SIDE OF YONGE STREET)
OUR FILE NO.: D11-NP1403
THE REGIONAL MUNICIPALITY OF YORK**
-

Application for Site Plan Approval to permit an 8 storey Administrative Centre Annex Building with a gross floor area of 37,628.6 m² together with 2 levels of underground parking and a pedestrian bridge of 137.76 m² connecting the proposed annex building to the main administrative building at 17250 Yonge Street on the subject lands.

Carl Blanchaer from WZMH Architects and Rene Masad, Director, Property Standards Branch, Region of York were present to address Committee. Derek Dagleish and Ben Worth from MMM Group and Len Abelman from WZMH Architects responded to questions from Committee.

The Site Plan Review Committee recommends:

1. **THAT the Application for Site Plan Approval to permit an 8 storey Administrative Centre Annex Building with a gross floor area of 37,628.6 m² together with 2 levels of underground parking and a pedestrian bridge of 137.76 m² connecting the proposed annex building to the main administrative building at 17250 Yonge Street on the subject lands be referred to a Public Information Centre (PIC) subject to the following:**
 - a. **THAT staff provide a memorandum to Site Plan Review Committee advising of the notification process for the Public Information Centre (PIC);**
 - b. **THAT following the Public Information Centre the application be brought back to Site Plan Review Committee for further consideration.**
2. **AND THAT Michael Del Buono, Project Manager, Capital Delivery, Property Services Branch, The Regional Municipality of York, 17250 Yonge Street, NEWMARKET, ON L3Y 6Z1 be notified of this decision;**
3. **AND THAT Lauren Capilongo of Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, MARKHAM, ON L3R 6B3 be notified of this decision.**

The meeting adjourned at approximately 2:58 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on March 24, 2014.

March 5, 2014

Dated



Director of Planning & Building Services

**1. APPLICATION FOR SITE PLAN APPROVAL
17150 YONGE STREET - WARD 7
(NORTH SIDE OF EAGLE STREET, WEST SIDE OF YONGE STREET)
OUR FILE NO.: D11-NP1403
THE REGIONAL MUNICIPALITY OF YORK**

Application for Site Plan Approval to permit an 8 storey Administrative Centre Annex Building with a gross floor area of 37,628.6 m² together with 2 levels of underground parking and a pedestrian bridge of 137.76 m² connecting the proposed annex building to the main administrative building at 17250 Yonge Street on the subject lands.

Carl Blanchaer from WZMH Architects and Rene Masad, Director, Property Standards Branch, Region of York were present to address Committee. Derek Dagleish and Ben Worth from MMM Group and Len Abelman from WZMH Architects responded to questions from Committee.

The Site Plan Review Committee recommends:

1. **THAT the Application for Site Plan Approval to permit an 8 storey Administrative Centre Annex Building with a gross floor area of 37,628.6 m² together with 2 levels of underground parking and a pedestrian bridge of 137.76 m² connecting the proposed annex building to the main administrative building at 17250 Yonge Street on the subject lands be referred to a Public Information Centre (PIC) subject to the following:**
 - a. **THAT staff provide a memorandum to Site Plan Review Committee advising of the notification process for the Public Information Centre (PIC);**
 - b. **THAT following the Public Information Centre the application be brought back to Site Plan Review Committee for further consideration.**
2. **AND THAT Michael Del Buono, Project Manager, Capital Delivery, Property Services Branch, The Regional Municipality of York, 17250 Yonge Street, NEWMARKET, ON L3Y 6Z1 be notified of this decision;**
3. **AND THAT Lauren Capilongo of Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, MARKHAM, ON L3R 6B3 be notified of this decision.**


PLANNING AND BUILDING SERVICES
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March 17, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES –
PLANNING REPORT 2014-11**

TO: Committee of the Whole

SUBJECT: Official Plan Amendment # 10 – Town of Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan
File No: NP-13-37

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2014-11 dated March 17, 2014 regarding Official Plan Amendment # 10 – the Town of Newmarket Urban Centres Secondary Plan and Associated Amendments to the Official Plan be received and that the following recommendations be adopted:

- 1. THAT Development and Infrastructure Services/Planning & Building Services Report 2014-09 dated February 24, 2014 be received.**
- 2. THAT the following recommended changes as reflected in the Revised Draft Secondary Plan dated March 17, 2014 and as specifically addressed in this staff report be included for further public consultation and consideration:**
 - a) the Transitional Policies adjacent to residential neighbourhoods as recommended in this report**
 - b) the height, density, and bonusing policies as recommended in this report**
 - c) the Interim Development and Angular Plane policies as recommended in this report.**
- 3. THAT Committee of the Whole provide staff with any direction it considers appropriate regarding the Revised Draft Secondary Plan and Associated Amendments to the Official Plan.**
- 4. THAT staff be directed to provide public notice for the review and comment on the Revised Draft of the Town of Newmarket Official Plan Amendment # 10 - the Town of**

Newmarket Urban Centres Secondary Plan and Associated Amendments - and that Amendment # 10 be referred to a public meeting.

- 5. AND THAT following the public meeting, any additional comments from the public, and those received through agency and departmental circulation be addressed by staff in a comprehensive report to the Committee of the Whole for consideration in May 2014.**

PURPOSE OF THE REPORT

The purpose of this report is to:

- A. Address the information requested at the Special Committee of the Whole meeting of February 18, 2014, namely:
1. examine areas where the Urban Centres boundary directly abuts a residential neighbourhood separated by a residential street including but not limited to Queen Street from Prospect Street to Roxborough Road, the area adjacent to Watson Drive and any other applicable areas, and report on alternative options that may include: exclusion of such areas from the Secondary Plan or reduce heights and densities in order to provide a more compatible interface with the neighbouring uses;
 2. an analysis of the three options identified for Committee's consideration related to the recommended heights, density, and bonusing policies;
 3. appropriate interim development policies to apply to existing commercial properties, including Upper Canada Mall, that would allow interim development to be permitted in advance of future redevelopment;
 4. the appropriateness of the 1:1 persons to jobs ratio;
 5. projected population relative to past growth and implications, if any, on Development Charges; and
 6. a cost estimate for external legal counsel to review the policies.

Legal Services will report separately on the estimated cost to have external legal counsel review the Draft Secondary Plan.

- B. Recommend to Committee that the Revised Draft Secondary Plan resulting from the above recommendations be circulated for public comment and be the subject of a special public meeting, before staff recommend the Final Secondary Plan for Council adoption.

COMMENTS

The following addresses the above cited issues and related recommendations.

1. Transitional Policies to Existing Residential Streets

Does the Secondary Plan adequately address situations where new development within the Urban Centre fronts onto a residential neighbourhood separated by a street such that the residential character of the neighbourhood and the streetscape can be maintained?

Examples where this situation exists includes, Queen Street, from Prospect Street to Roxborough Road, the area adjacent to Watson Drive east of Lundy's Lane, Simcoe Street, Penn Avenue, Walter Avenue, Herbcairn Avenue, Terry Drive, Peevers Crescent, Brammar Street and Savage Road.

This report addresses alternative options that include:

- exclusion of such areas from the Secondary Plan;
- special policy areas within the North and South Transitional designations within the Regional Healthcare Centre;
- reduced heights and densities in order to provide a more compatible interface with the neighbouring uses; and
- recommended refined Transitional and Angular Plane policies.

Analysis

1.1 Exclusion of Areas from the Secondary Plan

Staff is not recommending that the study area be reduced to avoid situations where the Urban Centres front on a street that is shared by an existing stable residential area. Instead it is recommended that appropriate transitional policies be applied to ensure that the streetscape and built form is compatible with the facing residential uses.

There are three areas that were recently **added** through the development of the Secondary Plan Area that fall into the situation where the Urban Centres front onto a street shared by an existing stable residential area, namely:

- Simcoe Street between Superior Street and Niagara Street;
- Irwin Crescent between Patterson Street and Huron Heights High School; and
- Walter Avenue, between Newbury Drive and Barbara Road.

These three areas were added to ensure that there is sufficient depth to facilitate redevelopment along the Davis Drive rapid transit way. The other areas have been part of the Secondary Plan Area since the development of the Secondary Plan Boundary in 2010, and there is no apparent rationale for their exclusion at this time.

1.2 Special Policy Area(s) e.g., Regional Healthcare Centre

Consideration was given to whether a special policy area should be identified to address specific areas, e.g., the South and North Transitional Areas within the Regional Healthcare Centre.

Staff is not recommending a Special Policy Area approach and instead recommends the generic policy approach as summarized below, and detailed in **Attachment 1**, apply to all areas that front on a stable residential area.

In the parent Official Plan, both of the Regional Healthcare Centre transitional areas were recognized as areas where “change is anticipated to occur” and established that they be planned to provide “a suitable interface” with the adjacent residential uses to the north (for the North Transition Area) and to the south (for the South Transition Area). The Official Plan provides for the conversion of the existing residences to non-residential uses, including medical related facilities and offices, and convalescent homes, provided the conversion is compatible with the surrounding land uses. The Official Plan policy aims to retain as much as possible the residential built form appearance while permitting future development.¹

The Zoning By-law zoned the majority of the North and South Transitional Areas in a Residential Zone (R1D-119 and R1-D) pending the completion of the Secondary Plan.

The Secondary Plan is intended review and update the existing Official Plan policies to provide the policy direction to ensure appropriate transitions are achieved, while providing for a range of mixed uses. The Recommended Transitional and Angular Plane Policies outlined below and in **Attachment 1**, aim to provide appropriate policies for these areas as well as a transition to the adjacent residential neighbourhoods outside the Urban Centres.

Furthermore, the inclusion of the North and South Transitional Areas in a mixed use designation provides additional land area for not only the mix of medically related uses but also much needed residential opportunities in close proximity to a key employment area and the Go-train Station.

1.3 Reduce Height and Densities

A review of the density designations has been undertaken to determine if there are areas fronting on existing residential streets where the height and density should be reduced.

With the exception of a small portion of Terry Drive, these areas fall within the Low designation which has a maximum height of 6 storeys.

¹ The Official Plan policy indicates that new medical offices in the North Transition Area may be permitted provided that the built form is designed with characteristics that reflect the exterior materials, fenestration, height and size of single detached dwelling stock in the area.

Reductions in height to 4 or 5 storeys would be less than the 6 and 8 storeys permitted by the current Zoning By-law in the following areas: Penn Ave, Peevers Cres., Brammar St. Herbcairn Ave., and a short portion of Terry Dr. and may pose grounds for an OMB challenge.

Therefore, staff is not recommending reduced heights and density and is confident that the recommended Transitional and Angular Plane policies outlined below, along with the other applicable provisions of the Secondary Plan, e.g., shadow studies, is a more objective, context oriented and defensible approach to address compatibility with adjacent residential uses.

1.4 Recommended Proposed Transitional and Angular Plane Policies

The following is a summary of the recommended policy approach to address a suitable transition adjacent to stable residential neighbourhoods separated by a street. The additional policies from what was presented on February 18 are highlighted below. The full policy is contained in **Attachment 1** and includes the following provisions:

- the front yard setback be required to match that of the existing residential development outside the Urban Centre and fronting on the same street;
- new development directly fronting on the shared street shall have a maximum height of 2 storeys, or permitted to have a maximum height not to exceed the existing development fronting on the same street and outside the Urban Centres, where the existing development is higher than 2 storeys;
- in addition to the above height restriction, development would be required to be below a 22 degree angular plane, measured from the property line of the adjacent residential property at a height of 1.7 m;
- require the buildings fronting on the street to be designed to maintain or create a built form that is compatible in scale and fenestration, with the residential character outside the Urban Centres.

A 45 degree angular plane continues to be recommended for development that backs onto the rear yards of existing adjacent residential neighbourhoods.

2. Height, Density and Bonusing Options

Are the heights, density and bonusing provisions of the Draft Secondary Plan appropriate for the longer term vision for Newmarket?

At the Special Committee of the Whole meeting on February 18, 2014, the Committee directed staff to undertake an analysis of the three options identified in the power point presentation and report back.

The main issues identified by Committee members included:

- the role of bonusing and if the “permitted” height cap should be within what may be permitted through bonusing;
- a concern that the height and density in the Draft Secondary Plan, which allowed for a maximum height of 30 storeys through bonusing in the High designation and up to 25 storeys through bonusing in the Medium-High designation was too high, not in keeping with the long term vision for Newmarket and may not reflect market realities;
- the height gap between the permitted height and the bonusing height was too large and has been inconsistently applied (varying between a 33 % increase in height to an 80 % increase in height);
- clarification if an argument could be made before the OMB that the bonusing height represented the “permitted” height;
- the role of bonusing and if it would represent an incentive in Newmarket.

Analysis

2.1 Role and Implementation of Bonusing

Bonusing is a tool that may be implemented at Council’s discretion pursuant to Section 37 of the *Planning Act* and may allow buildings to exceed the height and/or density otherwise not permitted by the zoning by-law in exchange for community benefits.

Bonusing cannot be implemented unless there is appropriate policy related to bonusing in an approved Official Plan (or Secondary Plan). The policies in the Official Plan must set out the matters that may be eligible for bonusing and may establish the threshold above which bonusing would apply, (e, g., above a specified permitted height or density established in the Official Plan).

Bonusing requires a site specific zoning amendment application pursuant to Section 34 of the *Planning Act*. If the proposed increase in height or density is within the policy thresholds set out in the Official Plan an official plan amendment would not be required.

Council has full discretion, through the bonusing by-law to grant, refuse or modify the increase in height and/or density. It is important to have clear policy wording that specifies:

- when bonusing is a consideration;
- the maximum height and/or density that may be achieved through bonusing; and
- the public benefits that may be eligible for bonusing.

Such language reduces ambiguity and potential challenges at the OMB.

Since bonusing is the exception rather than the rule, it is difficult to prescribe the actual permitted level of bonusing in advance. Each application must be considered on its merits, within the planning context and weighed against the public benefit(s) under consideration.

For this reason, bonusing should not be assumed to be applicable to all applications. The permitted heights and densities are the most relevant planning considerations. To avoid confusion regarding whether bonusing is part of the “permitted height cap” as opposed to above the “permitted” heights and density identified on Schedule 4, it is recommended that the maximum height and density that may be permitted through bonusing be removed from Schedule 4.

A new bonusing section is proposed in Policy 6.4.7 to clarify any increase in height and density above that identified on Schedule 4. This would be required to be considered through a bonusing by-law. The maximum increase in height and density that may be considered through zoning is recommended to be up to 20 % above the permitted height and density identified on Schedule 4 and is addressed in detail below.

Regarding the question whether bonusing would represent an incentive to development in Newmarket, it is difficult to provide advice on this issue until there has been more development interests to test the concept.

2.2 What are the Appropriate Permitted Heights and Densities within the Secondary Plan?

Attachment 2 identifies the three Height, Density and Bonusing Options presented to Committee on February 18, 2014, namely:

- | | |
|-----------|---------------------------------------------------------------------------|
| Option 1 | The Draft Secondary Plan Permitted Height and Density with Lower Bonusing |
| Option 2 | Lower Permitted Height and Density with Lower Bonusing |
| Option 2A | An Alternative Lower Permitted Height and Density with Lower Bonusing |

In order to address the Committee's concern that the height and densities were too high, and that the gap between the permitted height and the bonusing height was inconsistent and in some cases too large, a percentage increase of up to 20 % was considered and compared to the three Options.

In addition, **Attachment 3** contains a chart that compares the three options (without bonusing) with the following parameters:

1. How do the options for permitted height and density compare to existing site specific permissions and active applications within the Urban Centres?
2. How do the options compare to existing higher density development within the Centres?
3. How do the options compare to the existing zoning by-law provisions? It should be noted that the current Zoning By-law for the Urban Centres was meant to be interim until the Secondary Plan was developed, after which it would be updated or replaced in whole or part by a new zoning by-law or Development Permitting By-law.

Although not determinative, it is informative to compare the three options with these parameters to appreciate how they may or may not reflect current and past permissions and the interim vision of the Zoning By-law.

The densities (FSI) are not addressed as part of this analysis and may be revisited once direction is received with respect to the height.

Option 1 with provision for bonusing above the permitted maximum height to a maximum of 20 % is recommended based on the following analysis.

2.2.1 Comparison to Current Permissions and Active Applications

The following is a summary of the Options.

Within **High** designation Option 1's permitted heights are in keeping with current permission at 39 Davis Drive (20 storeys).

The **Medium-High designation is slightly lower than** what was permitted on the Slessor site and within the range for the current Kerbel application.

In comparison, Options 2 and 2A would represent heights significantly lower than current permissions for applications in **High and Medium High** designations (e.g., Max. 12 vs 21 on the Slessor site and 39 Davis) and is within the range for the Kerbel application (12 vs. 11 and 12).

2.2.2 Comparison to Existing Higher Density Development

It would generally be inappropriate to compare planned intensification with existing development. However, some historical intensification in the form of apartment buildings has occurred within the Urban Centre, namely, the existing apartments on William Roe Boulevard and on Davis Drive west of Lorne Ave. These apartments range in height from 9 to 11 storeys and fall within the recommended **Medium** designation.

The maximum permitted heights of both Options 2 and 2A within the **Medium** designation would be less than these existing apartments (e.g., 7 and 8 storeys) and comparable heights would require bonusing.

Option 1 (3-10 storeys) would be comparable to these existing higher density developments. To propose development heights lower than the existing historical development would appear contrary to intensification, unless these existing buildings were considered to represent poor planning or pose land use conflicts.

2.2.3 How do the Options Compare to Existing Zoning?

Once the Secondary Plan is approved, it is anticipated that the existing Zoning By-law will be refined or be replaced by a Development Permitting By-law.

As anticipated, in all three options, the **High and Medium High** designations exceed the permitted heights in the current Zoning By-law (Provincial Urban Centre – 8 storeys and Regional Urban Centre – 6 storeys).

Option 1 in the **Low** designation proposes heights less than the 8 storeys permitted in the Provincial Urban Centre and is comparable to the existing 6 storeys that apply within the Regional Urban Centres.

Option 2 and 2A proposes heights in both the **Medium and Low** designation that are lower than what is permitted by the current Zoning By-law. Down zoning in these areas may represent a potential challenge before the OMB.

2.2.4 Recommendation Height and Bonusing

It is recommended that Option 1 is the most defensible approach with respect to height and provides for a range of intensification that would be appropriate for Newmarket. These densities are recommended in conjunction with the potential to increase the height by 20 percent through bonusing.

In order to address the concerns raised by Committee, the wording of the Secondary Plan is proposed to be modified as follows:

- Schedule 4 will only include the **permitted** minimum and maximum heights and densities and will **not** include any reference to bonusing;
- Policy 6.4.7, General Building Height and Density, will clearly specify that an increase of up to 20 % above the permitted height and density identified on Schedule 4 will be subject to the bonusing provisions of Section 14.2.9, i.e., a site specific bonusing by-law; and
- Policy 6.4.7 will also indicate that an amendment to the Secondary Plan is required for height and density increases above the 20 %.

It is important to note that the Transitional, Angular Plane, shadow and other relevant provisions of the Secondary Plan will also be applied to the consideration of development applications and impact the ultimate permitted height and density.

The recommended revised policy is contained in **Attachment 4**.

3. Interim Development Policies

3.1 Refined Interim Development Policies

As indicated in the Development and Infrastructure Services/Planning & Building Services Report 2014-09 dated February 24, 2014, numerous comments have been received from commercial land owners, including Upper Canada Mall that provisions should be added to allow for limited development in advance of redevelopment.

Analysis

In response to these comments a 5% and 10 % increase in the gross ground floor area has been considered.

In order to provide some limited flexibility, the policies have been refined to permit up to a 10 % increase in the gross ground floor area.

The increase in floor area would be permitted as:

- an addition to the existing commercial building;
- an additional floor to the existing building; or
- a stand-alone building(s).

3.2 Recommended Interim Development Policy

The recommended revised policy is contained in **Attachment 5**. Criteria have been included to ensure that the interim development does not compromise the re-development of the site or the implementation of the planned transportation network.

4. Appropriateness of the 1:1 Persons to Jobs Ratio Urban Centre Wide

4.1 York Region Official Plan

Policy 4.5.20 g. of the York Region Official Plan establishes a “long term resident to employment target ratio of 1:1 within the Regional Center”, which is the same as the Provincial Urban Growth Centre as identified on Schedule 1 and 2 of the Draft Secondary Plan.

4.2 Town of Newmarket Official Plan (2006)

The Urban Centres Objective 4.1 e, of The Town of Newmarket Official Plan includes the following objective:

“achieve a balance between persons and jobs of 1:1 in the Yonge-Davis Provincial Urban Growth Centre and the Yonge Street Regional Centre and 2:1 on a Town-wide basis.”

Policy 4.3.2.1 Yonge Street Regional Centre Secondary Plan also requires that:

“The Secondary Plan shall strive for employment targets that contribute to an overall, long term target resident-to-employee ratio of 1:1.”

The Town’s plan embraced the Regional concept of providing for a balance of residents and jobs within not only the Provincial Urban Growth Centre but also the Regional Urban Centres.

The rationale of the policy direction in the Secondary Plan is to achieve conformity with the provisions of the Regional Plan and implement the policy direction established in the Town’s Official Plan.

5. Projected Population

At the February 18, 2014 Special Committee of the Whole meeting, staff was asked provide an analysis of how the projected population compared to historic growth and any implications with respect to Development Charges.

Analysis

5.1 Methodology

The projected growth has considered the following:

- The projected population within the Urban Centres based on the Draft Secondary Plan (31,000 to build out);
- The development applications that have been approved and not occupied as of October 2013 both within and outside the Urban Centres;
- The development applications that are pending a decision (exclusive of Glenway due to OMB appeal);
- Future population growth outside the Urban Centres beyond the development pending applications was estimated at 3000 people and includes future intensification throughout the Town, e.g., with the Historic Downtown Centre, Leslie Street, and other redevelopment opportunities that may arise Town wide.

Historical growth from 1971 was used to compare with the projected growth.

As with any forecast, it may not accurately represent the actual development and is subject to external factors including but not limited to the economy, landowner/development interest and confidence.

5.2 Summary of Forecast Findings

Table 1 illustrates the forecasted growth by population, e.g., 1971 at approximately 20,000 and 2051 at approximately 130,000. This Table illustrates a gradual but consistent increase in population.

Table 2 illustrates the annual percentage growth between 1972 and 2051 and illustrates that historical growth, from an annual percentage of existing growth, has been significantly greater in the past. The slight increase in projected growth from 2013-2016 reflects the occupation of the current ground related applications, which are predominantly outside the Urban Centres (Mosaic, Lowton, Goldstein, National Homes etc.). By 2017 ground related development will still be a factor but less significant. The forecast assumes that the Urban Centre development will begin by 2017 but will probably be more significant after 2026-2027.

Table 3 illustrates the percentage population growth attributed to within and outside the Urban Centres commencing in 2013 through 2051. In 2013 there were approximately 2,600 people living within the Urban Centres. The population within the Urban Centres is forecast to grow gradually to approximately 33,500 by build out and represent approximately 25 % of the Town's total population by that time (130,000).

Table 4 and 5 illustrate the new population growth and the percentage of new growth within and outside the Urban Centres.

Over the next few years, annual development is expected to exceed 2% per annum as the ground related development outside the Urban Centres is built out and occupied. Thereafter the growth is forecast to be slower i.e., less than 2 % per annum, and there will be a shift to development within the Urban Centres.

The implications of the forecasted slower development on Development Charges have been discussed with Finance Services. Lower population growth is not anticipated to have the same proportional degree of impact on capital project requirements. Therefore, lower growth would generally result in a higher per capita cost and therefore, a higher Development Charge. Development Charges are also subject to the capital projects identified by the Town.

RECOMMENDATION

Subject to the recommendations of this report, and following the Committee of Whole meeting, the Revised Draft Secondary Plan will be refined accordingly and circulated for public comment and will be the subject of a special public meeting, before staff recommends the Final Secondary Plan for Council adoption.

6. Additional Issues Requiring Clarification

7.1. Affordable Housing

The Region of York has indicated that York Region Official Plan Policy 3.5.7 requires that a minimum of 35 % of new housing units in Regional Centres and key development areas be affordable. The Regional staff has recommended that the 35 % affordable housing target, as a minimum, apply to the Provincial Urban Growth Centre and the Regional Healthcare Character Area.

Staff recommends this approach as it:

- meets the intent of the Regional Plan;
- would provide more opportunities for affordable housing in proximity to the two transit hubs (Yonge and Davis and the Go-train station); and
- includes the two key areas where employment is intended to be focused - the Provincial Urban Growth Centre and the Regional Healthcare Character Area.

7. Additional Comments Received

7.1 Davies Howe Partners on behalf of the Estate of Thomas Mulock, Joyce Mulock Trust

Davies Howe has provided clarification to the summary of comments received as contained in the February 24, 2014 Staff Report that the Estate of Thomas Mulock, Joyce Mulock Trust "is not in general concurrence with the Proposed Parks and Open Space designation."

7.2 Upper Canada Mall

Upper Canada Mall, in comments provided on February 26, 2014, has objected to what it describes as "the long term redevelopment of the property" as opposed to the "continued existence and improvement of the Regional Mall". Upper Canada Mall has considered two alternatives:

1. Remove the Upper Canada Mall from the Secondary Plan Area;
2. Revise, as a minimum, Policies 5.3.4 and 5.3.4.1 to recognize Upper Canada Mall as a key economic driver and to provide for "incremental high quality improvements and additions."

The circulation of the Revised Draft Secondary Plan and the modified Interim Development Policies provide an opportunity for further dialogue with Upper Canada Mall toward a mutually agreeable resolution.

7.3 Zelinka Priamo Ltd. on behalf of Marriannville (Glenway)

Zelinka Priamo Ltd. has reiterated its comment provided in response to the Directions Report and dated June 21, 2013, that it requests that its lands adjacent to the Go-bus station on Davis Drive be included in the area of the Secondary Plan.

NEXT STEPS

The Staff Recommended policies outlined in this report as directed by Committee will be incorporated into a Revised Draft Secondary Plan.

The Revised Draft Secondary Plan will be circulated for formal public review and comment, posted on the Town's website, and will be subject to a public meeting, tentatively scheduled for April 28, 2014.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The development of the Secondary Plan and associated public engagement process meets the following strategic directions:

Well-planned and Connected

- ensuring long term strategy matched with short-term action plan
- furthering the provisions of the Official Plan
- improved inter-connectivity and interaction amongst neighbours and neighbourhoods

Well-respected

- being a champion for co-operation and collaboration
- promoting engagement in civic affairs

Well-equipped & Managed

- clear vision of the future and aligned corporate/business plans
- ideal mix of residential, commercial, industrial and institutional land use
- appropriate mix of jobs to population and people to industry
- varied housing types, affordability and densities

Living well by:

- implementing traffic and growth management strategies

CONSULTATION

In addition to the public, internal and external consultation generally described in the Development and Infrastructure Services/Planning & Building Services Report 2014-09 dated February 24, 2014, consultation was carried out with Legal Services and Financial Services.

HUMAN RESOURCE CONSIDERATIONS

None applicable to this report.

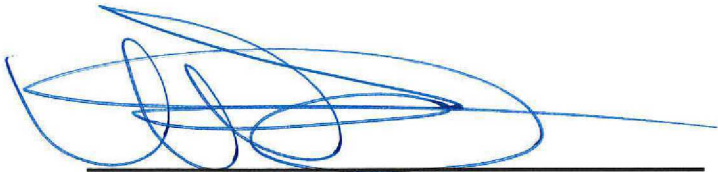
BUDGET IMPACT

Budget impacts related to this amendment and additional resource implications were addressed in a separate report (Development and Infrastructure Services - Planning and Building Services Report 2014-05) considered by Committee on February 24, 2014.

Legal Services will report separately on the estimated cost to have external legal counsel review the Draft Secondary Plan.

CONTACT

For more information on this report, contact Marion Plaunt, Senior Planner, Policy at 905 953-5300 x 2459 or at mplaunt@newmarket.ca.



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Planning & Building Services



Richard Nethery, B.E.S., MCIP, RPP
Director of Planning & Building Services



Rob Prentice
Commissioner
Development and Infrastructure Services

ATTACHMENT 1

Transitional Policies to Existing Residential Streets

The following Transitional and Angular Plane Policies are recommended.

7.3.3 Transitional and Angular Plane Policies

- i. The Transitional and Angular Plane policies do not apply to the Yonge Street and Davis Drive frontages.

7.3.3.1 Development fronting onto Existing Residential Neighbourhoods, Parks and Open Space

- ~~i. Development immediately adjacent to an existing low-rise residential area or planned low-rise residential area shall generally not exceed the height of the adjacent buildings within the low-rise residential area.~~

- i. To ensure new development is sensitive to and compatible with the existing or planned context and provides for an appropriate transition in scale to the lower scale adjacent buildings or Parks and Open Spaces, new development shall be designed to meet the following provisions.

- a) Development located directly adjacent to the rear or side yard of an existing low-rise residential area or existing or planned parkland shall be designed to be a maximum minimum of 2 storeys, unless the adjacent development is taller than 2 storeys, then the and development generally shall not exceed the height of the adjacent development.

~~Thereafter, within the low-rise residential area.~~

- b) the maximum height of any building, including mechanical units, shall should fall not exceed an angular plane of 45 degrees measured from the neighbouring property line of the adjacent property.

- c) Balconies, railings, overhangs and other projections should be contained within the angular plane.

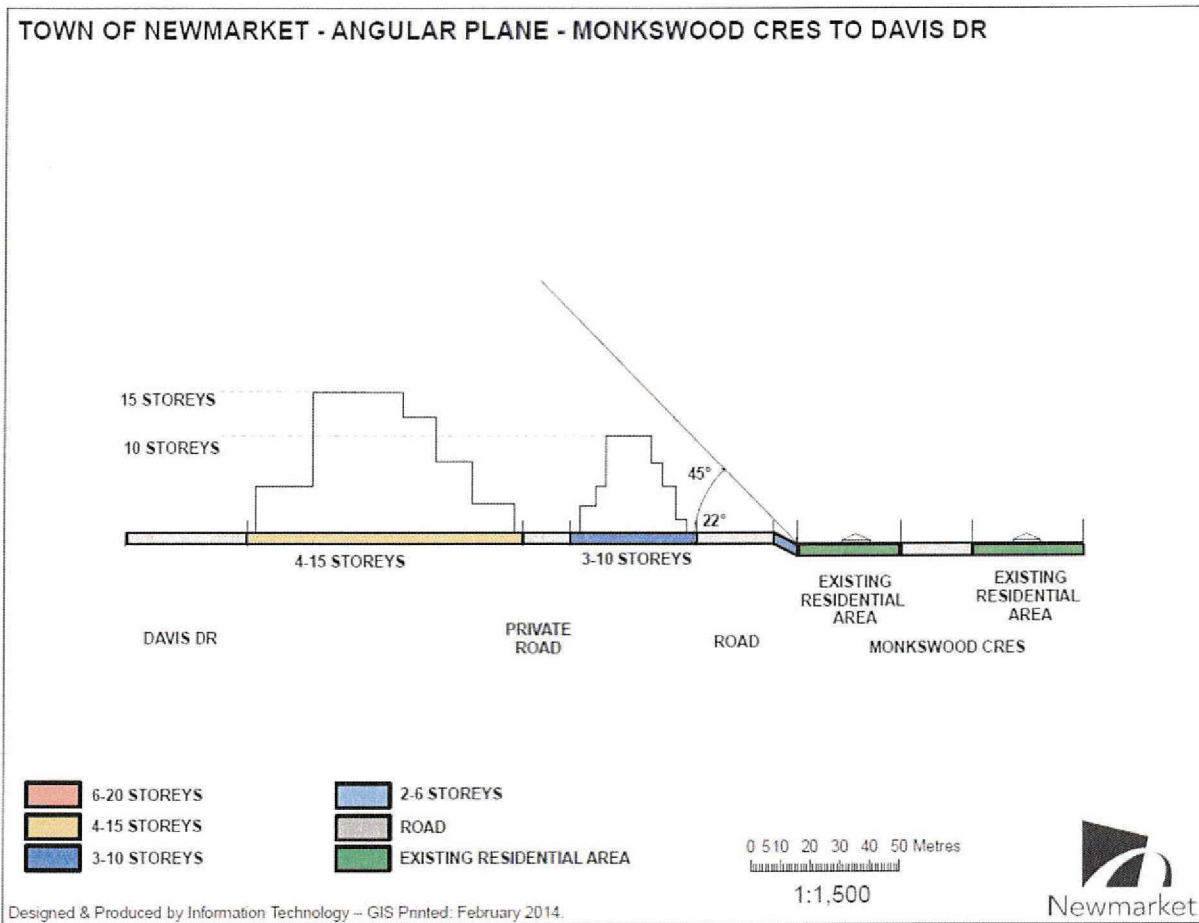
7.3.3.2 Development Fronting on a Street Shared by Existing Low-Rise Residential Development

- i. In order to maintain the character of an existing residential streetscape and to ensure that new development is compatible with the built form of an existing residential neighbourhood, new development located opposite an existing residential neighbourhood separated by a street (e.g., Queen Street, Penn Avenue, Walter Avenue, Herbcairn Avenue, etc.) shall be designed to meet the following provisions.

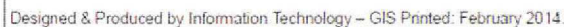
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- a) The front yard setback will reflect the front yard setback permitted on the opposite side of the street, but shall not exceed 7.5 m. in order to maintain the neighbourhood feel of the streetscape.
 - b) The new development directly fronting on the shared street shall be designed to be a maximum ~~minimum~~ of 2 storeys, unless the existing development on the opposite side of the shared street is taller than 2 storeys, then the ~~and~~ development generally shall not exceed the height of the existing fronting development within the stable residential neighbourhood.
 - c) Thereafter, the maximum height of any building, including mechanical units, shall ~~shouldfall~~ not exceed an angular plane of 22 degrees measured from the neighbouring property line of the adjacent property at a height of 1.7 m which is a height that approximates "eye level."
 - d) The buildings fronting on the street shall be designed to maintain or create a built form that is compatible in scale and fenestration with the residential character outside the Urban Centres in order to maintain the residential character of the streetscape.
- ii A Zoning By-law amendment may be considered to provide for exceptions to the maximum heights without requiring an amendment to the Secondary Plan, where it is demonstrated to the satisfaction of the Town that the intent of this Plan is achieved.

Examples of the application of the Transitional and Angular Plane Policies are attached in Figures 1 and 2.

FIGURE 1



TOWN OF NEWMARKET - ANGULAR PLANE - WALTER AVE TO DAVIS DR



ATTACHMENT 2

Comparison of Three Height and Density Options with a Percentage Increase Approach to Bonusing

Option 1 Lower Bonusing

	Permitted Min. Height	Permitted Max. Height	Max Height with Bonusing	Max height through Bonusing to 15 %	Max. through Bonusing to 20 %
High	6 storeys	20 storeys (62m)	25 storeys	23 storeys (71 m)	24 storeys (74 m)
Med High	4 storeys	15 storeys (47m)	20 storeys	17 storeys(54 m)	18 storeys (57 m)
Medium	3 storeys	10 storeys (32m)	15 storeys	12 storeys(37 m)	12 storeys (38 m)
Low	2 storeys	6 storeys (20m)		8 storeys	7 storeys(23 m) 7 storeys (24 m)

Option 2 Lower Permitted Height and Density with Lower Bonusing

High	6 storeys	15 storeys (47m)	25 storeys	17 storeys(54 m)	18 storeys (57 m)
Med High	4 storeys	12 storeys (38m)	20 storeys	14 storeys(44 m)	15 storeys (47 m)
Medium	3 storeys	8 storeys (26m)	15 storeys	9 storeys(30 m)	10 storeys (32 m)
Low	2 storeys	6 storeys (20m)	8 storeys	7 storeys(23 m)	7 storeys (24 m)

Option 2A Lower Permitted Height and Density with Lower Bonusing

High	6 storeys	17 storeys (54m)	20 storeys	20 storeys(62 m)	21 storeys (65 m)
Med High	4 storeys	12 storeys (38m)	15 storeys	14 storeys(44 m)	15 storeys (47 m)
Medium	3 storeys	7 storeys (23m)	10 storeys	8 storeys(27 m)	9 storeys (30 m)
Low	2 storeys	4 storeys (14m)	6 storeys	5 storeys(16 m)	5 storeys (16 m)

ATTACHMENT 3

Comparative Analysis of the Three Height, Density and Bonusing Options with a Percentage Approach to Bonusing

For the purposes of this analysis only the Permitted Height before bonusing is considered as Bonusing is discretionary

	Option 1	Option 2	Option 2 A	Bonusing up to 20 %
<p>High</p> <p>Medium High</p> <p>Medium</p> <p>Low</p>	<p>6-20 Bonus 25</p> <p>4-15 Bonus 20</p> <p>3-10 Bonus 15</p> <p>2-6 Bonus 8</p>	<p>6-15 Bonus 25</p> <p>4-12 Bonus 20</p> <p>3-8 Bonus 15</p> <p>2-6 Bonus 8</p>	<p>6-17 Bonus 20</p> <p>4-12 Bonus 15</p> <p>3-7 Bonus 10</p> <p>2-4 Bonus 6</p>	<p>6-20 Bonus 24</p> <p>4-15 Bonus 18</p> <p>3-10 Bonus 12</p> <p>2-6 Bonus 7</p>
<p>How do the Permitted Heights before bonusing compare to existing site specific permissions or applications applied for through the Town's Zoning By-law?</p>	<p>High – within range for 39 Davis (20 storeys (65 m)</p> <p>Medium High – is lower than permissions for Slessor (19 and 21 Storeys)</p> <p>Within range of the Kerbel Application (11 and 12 storeys)</p> <p>Medium – within range of Regional Administrative Annex Building (8 storeys)</p> <p>Low- is within the range for application at 345-351 Davis Drive (4 storeys) and 212 Davis at 4 storeys</p>	<p>High – below permission for 39 Davis (20 storeys)</p> <p>Medium High – lower than permissions for Slessor (19 and 21 Storeys)</p> <p>Within range of the Kerbel Application (11 and 12 storeys)</p> <p>Medium - within range of Regional Administrative Annex Building (8 storeys)</p> <p>Low- is within the range for application at 345-351 Davis Drive (4 storeys) and 212 Davis at 4 storeys</p>	<p>High – below permission for 39 Davis (20 storeys)</p> <p>Medium High – lower than permissions for Slessor (19 and 21 Storeys)</p> <p>Within range of the Kerbel Application (11 and 12 storeys)</p> <p>Medium - lower than Regional Administrative Annex Building (8 storeys)</p> <p>Low- is within the range for applications at 345-351 Davis Drive (4 storeys) and 212 Davis at 4 storeys</p>	<p>High – within range for 39 Davis (20 storeys)</p> <p>Medium High – lower than permissions for Slessor (19 and 21 Storeys)</p> <p>Within range of the Kerbel Application (11 and 12 storeys)</p> <p>Medium - within range of Regional Administrative Annex Building (8 storeys)</p> <p>Low- is within the range for application at 345-351 Davis Drive (4 storeys) and 212 Davis at 4 storeys</p>

	Option 1	Option 2	Option 2 A	Bonusing up to 20 %
<p>High</p> <p>Medium High</p> <p>Medium</p> <p>Low</p>	<p>6-20 Bonus 25</p> <p>4-15 Bonus 20</p> <p>3-10 Bonus 15</p> <p>2-6 Bonus 8</p>	<p>6-15 Bonus 25</p> <p>4-12 Bonus 20</p> <p>3-8 Bonus 15</p> <p>2-6 Bonus 8</p>	<p>6-17 Bonus 20</p> <p>4-12 Bonus 15</p> <p>3-7 Bonus 10</p> <p>2-4 Bonus 6</p>	<p>6-20 Bonus 24</p> <p>4-15 Bonus 18</p> <p>3-10 Bonus 12</p> <p>2-6 Bonus 7</p>
<p>How do the Options compare to existing development?</p>	<p>High and Medium High – higher than existing uses</p> <p>Medium - The maximum permitted heights are slightly lower than the existing apartment development at Wm. Roe Boulevard and Yonge Street and on the south side of Davis Drive west of Lorne Ave. (9 and 11 storeys)</p> <p>Low – within the range of existing development</p>	<p>High and Medium High – higher than existing uses</p> <p>Medium - The maximum permitted heights are lower than the existing apartment development at Wm. Roe Boulevard and Yonge Street and on the south side of Davis Drive west of Lorne Ave. (9 and 11 storeys)</p> <p>Low – within the range of existing development</p>	<p>High and Medium High – higher than existing uses</p> <p>Medium - The maximum permitted heights are significantly lower than the existing apartment development at Wm. Roe Boulevard and Yonge Street and on the south side of Davis Drive west of Lorne Ave. (9 and 11 storeys)</p> <p>Low – within the range of existing development</p>	<p>High and Medium High – higher than existing uses</p> <p>Medium - The maximum permitted heights are slightly lower than the existing apartment development at Wm. Roe Boulevard and Yonge Street and on the south side of Davis Drive west of Lorne Ave. (9 and 11 storeys)</p> <p>Low – within the range of existing development</p>
<p>How do the option compare to the Zoning By-law provisions along the corridor?</p> <ul style="list-style-type: none"> Provincial Urban Centre (8 Storeys) Regional Urban Centre (6 storeys) 	<p>High, Medium High and Medium - the maximum permitted is higher than the current zoning provisions</p> <p>Low- the maximum permitted is lower than the current Zoning provisions of 8 storeys within the Provincial Urban Centres Zone</p>	<p>High , Medium High and Medium - the maximum permitted is higher than the current zoning provisions.</p> <p>Low- the maximum permitted is lower than the current Zoning provisions of 8 storeys within the Provincial Urban Centres Zone</p>	<p>High and Medium High - the maximum permitted is higher than the current zoning provisions.</p> <p>Medium and Low- the maximum permitted is lower than the current Zoning provisions of 8 storeys within the Provincial Urban Centres Zone and lower than the zoning provision within the Regional Centres</p>	<p>High , Medium High and Medium - the maximum permitted is higher than the current zoning provisions.</p> <p>Low- the maximum permitted is lower than the current Zoning provisions of 8 storeys within the Provincial Urban Centres Zone</p>

ATTACHMENT 4**Recommended Height, Density and Bonusing Provisions****1. Schedule 4**

Revise Schedule 4 to remove the “maximum height with bonusing” provisions from the legend for both height and density.

2. Policy 6.4.7 General Building Height and Density

Replace the Draft policy with the following revised policy.

6.4.7 General Building Height and Density

- i. Schedule 4 establishes the permitted minimum and maximum heights and densities for each of the *density designations* within the Urban Centres and will be applied at the time of the development applications.
- iii The boundaries of the *density designations* shall be determined by the Town, at the time of development, and shall approximate the areas shown on Schedule 4.
- iii. Development proposals shall not be evaluated based on height and density targets alone, but in combination with all other policies of this Secondary Plan, including but not limited to, the Urban Design and the Floodplain and Hazard Lands policies.

Bonusing

- iv. Increases to the maximum building heights and densities identified on Schedule 4 will be subject to the bonusing provision of Policy 14.2.9, including the Bonusing Justification Report, and may be permitted without an amendment to the Official Plan provided:
 - the requested increase does not exceed a 20 % increase over the maximum building height and/or density otherwise permitted on Schedule 4; and
 - the Town is satisfied that the public benefit is appropriate.

Height

- v. The minimum and maximum heights shall apply on a site specific basis in accordance with the *density designations* identified on Schedule 4.
- vi. As the height of storeys may vary, where there is a discrepancy between the height in metres and the number of storeys, as identified on Schedule 4, the height in metres shall prevail.

- vii. No development shall have a height lower than the minimum height identified on Schedule 4, except as provided for in Policy 6.4.7(vii), or higher than the maximum height identified on Schedule 4, except as provided for in Policy 6.4.7(ii).
- viii. Minor reductions to the minimum building heights identified on Schedule 4 may be considered without an amendment to the Official Plan as part of development applications in order to allow flexibility in building and site design, such as, reduced height to articulate a portion of a façade, for development involving heritage structures, or to transition to adjacent parkland. Such consideration shall require demonstration, to the satisfaction of the Town, that the minimum density of the *density designation* will be achieved.

Density

- ix. The minimum and maximum densities shall apply on the basis of the *density designations* identified on Schedule 4.
- x. The intent of the minimum and maximum densities on Schedule 4 is to appropriately distribute densities. The *FSI* shall generally be calculated on a site specific basis, such that each development application achieves an *FSI* of not less than the minimum *FSI* and not more than the maximum *FSI* for the applicable density designation as identified on Schedule 4.
- xi. The density of a development is calculated by dividing the *gross floor area* of that development by the *land area* of that development.
- xii. The calculation of *gross floor area* shall not include the floor area of underground parking, bicycle parking, or public transit uses, such as stations or waiting areas.
- xiii. The Town may consider an *FSI* that is higher within a portion of a designation where it can be demonstrated to the satisfaction of the Town that
 - a) other properties within the same *density designation* are constrained by other policies, e.g., heritage features, proximity to *low-rise* residential areas and/or the Transitional and Angular Plane policies;
 - b) the maximum *FSI* for the individual *density designation* within which the application applies will not be exceeded;
 - c) the applicable urban design and built form policies are met; and
 - d) the location and characteristics of the site make it appropriate to accommodate more of the density relative to other properties within the same *density designation*.

14.2.9 Bonusing

- i. The Town may implement bonusing provisions under Section 37 of the *Planning Act* to secure a range of public benefits in the Urban Centres.
- ii. The Town, at its sole discretion, may allow increases in building height and/or densities above those permitted on Schedule 4 without amendment to this Plan in exchange for the following public benefits **or cash in lieu of such benefits**:
 - a) cultural facilities, such as a performing arts centre, amphitheatre or museum;
 - b) special park or recreational facilities and improvements identified by the Town as desirable for the area but which are beyond those required by this Plan, the *Planning Act*, or the Town's standard levels of service;
 - c) public amenities within identified environmental open spaces, including but not limited to permanent pathways, recreational trails and bridges, **including contribution toward the Town's Active Transportation Network**;
 - d) public art, where the contribution to public art is greater than the contribution requirements of this Plan;
 - e) structured parking for vehicles where a significant portion of the parking is to be transferred to a public authority for use as public parking;
 - f) streetscape, gateway features, *pedestrian mews* and open space design enhancements that are beyond those required by this Plan, the *Planning Act*, or the Town's standard levels of service;
 - g) upgrades to and/or provision of *community facilities* such as community centres, including seniors and youth facilities and other social services;
 - h) other *community facilities* identified by the Town as desirable for the Urban Centres;
 - i) inclusion of energy or water conservation measures beyond those required by this Plan or by any other applicable plan;
 - j) affordable housing units beyond those required by this Plan or by the York Region Official Plan;
 - k) provision of rental accommodation which is guaranteed to remain as rental for a period of not less than 15 years; and
 - l) provision for social housing that is affordable to those below the 40th percentile in household income.
- iii. Increases to height and density through bonusing shall only be permitted where the proposed development can be accommodated by existing or improved infrastructure and provided the transportation impact analysis confirms that the additional development will not adversely impact the transportation network or, where cumulative impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided prior to the time of development.
- iv. Applications requesting bonusing shall be supported by a Bonusing Justification Report that sets out the public benefits proposed, the increase in density and/or height requested, the planning rationale for the requested bonusing and demonstrates to the satisfaction of the Town that the following provisions are met:
 - a) it represents good planning;
 - b) it is consistent with the objectives of this Plan;
 - c) it meets the applicable urban design and built form policies of this Plan;

- d) it represents appropriate development in the context of the surrounding character, and
- e) it provides community benefits beyond those that would otherwise be required by this Plan, the *Planning Act*, the *Development Charges Act* or any other statute.

v. Bonusing permissions shall not exceed the limits provided for in Policy 6.4.7.

vi. The Town may develop guidelines to support the implementation of the bonusing provisions to ensure a transparent and equitable process.

vii. A by-law passed under Section 34 of the *Planning Act* is required to permit increases in height and density. The by-law shall set out the approved heights and densities and shall describe the community benefits which are being exchanged for the increase in height and/or density. The landowner may be required to enter into an agreement with the Town with respect to the community benefits. The agreement may be registered against the land to which it applies.

ATTACHMENT 5

Refine the Revised Draft Interim Development to include provision for interim development up to 10 % of the total gross ground floor area.

6.4.8 Interim Development Policies

- i. Although the intent of this Plan is that development and re-development occur to achieve the planned height and densities identified on Schedule 4, limited interim development that is lower in height or density may be permitted without amendment to this Plan subject to Policy 6.4.9(ii).
- ii. This Interim Development policy is intended to apply in the short term in order to provide the existing commercial uses in the Urban Centres with the flexibility to remain economically viable until they are ultimately redeveloped in accordance with this Plan. The Town may permit development that is lower than the minimum heights and/or densities of this Plan without amendment to this Plan, subject to the following:
 - a) the development does not increase the total gross ground floor area present on the site at the time of the approval of this Plan by more than 10%, as either an addition, increased height or as stand alone building(s);
 - b) development is not intended to be long-term and is considered appropriate over the short- to medium-term;
 - c) the maximum building height does not exceed two storeys unless the development is designed to be the podium of the next phase of development;
 - d) the development does not preclude the long-term re-development of the site as envisioned by this Plan;
 - e) the development does not preclude the achievement of a compact, pedestrian-oriented and transit-supportive urban form;
 - f) the street network and pedestrian mews connections envisioned in Schedule 5 are not compromised or precluded; and
 - g) the development does not include residential uses or underground structures.
- iii. It is the intent of the Town to review the Interim Development Policies within approximately five (5) years of approval of this Plan to determine their continued applicability in view of the intent to achieve the densities identified on Schedule 4.

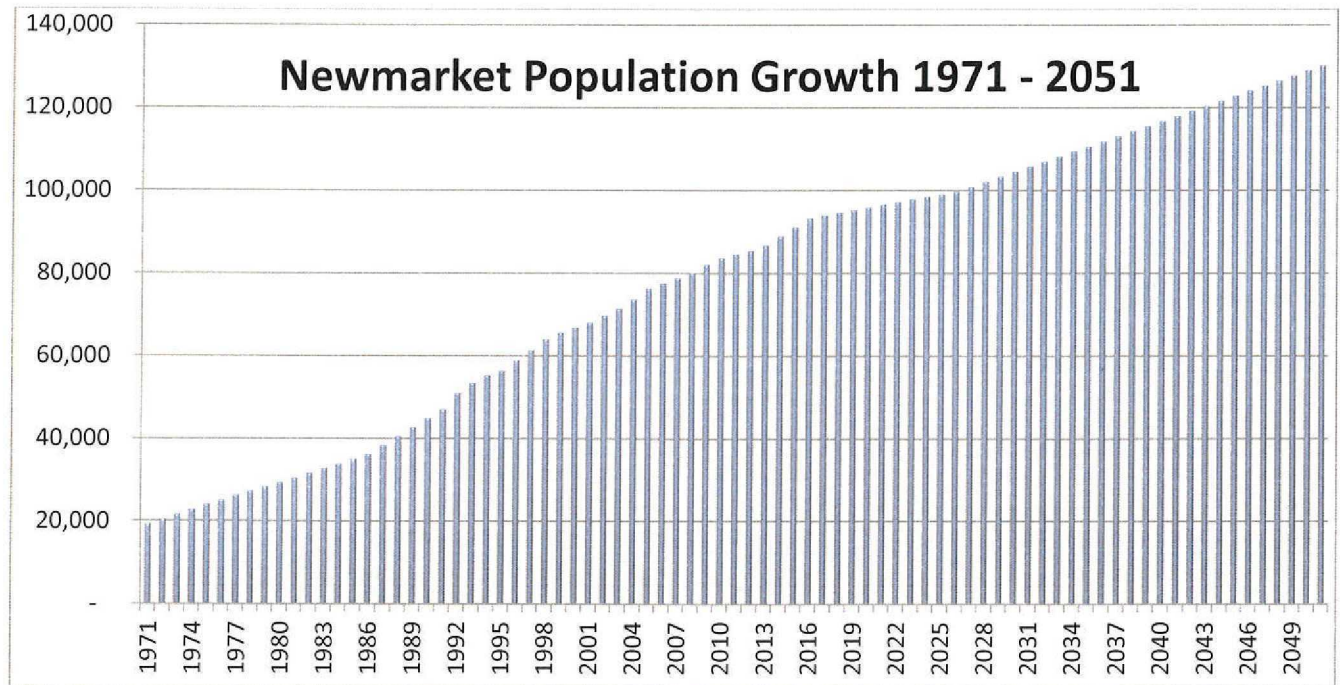
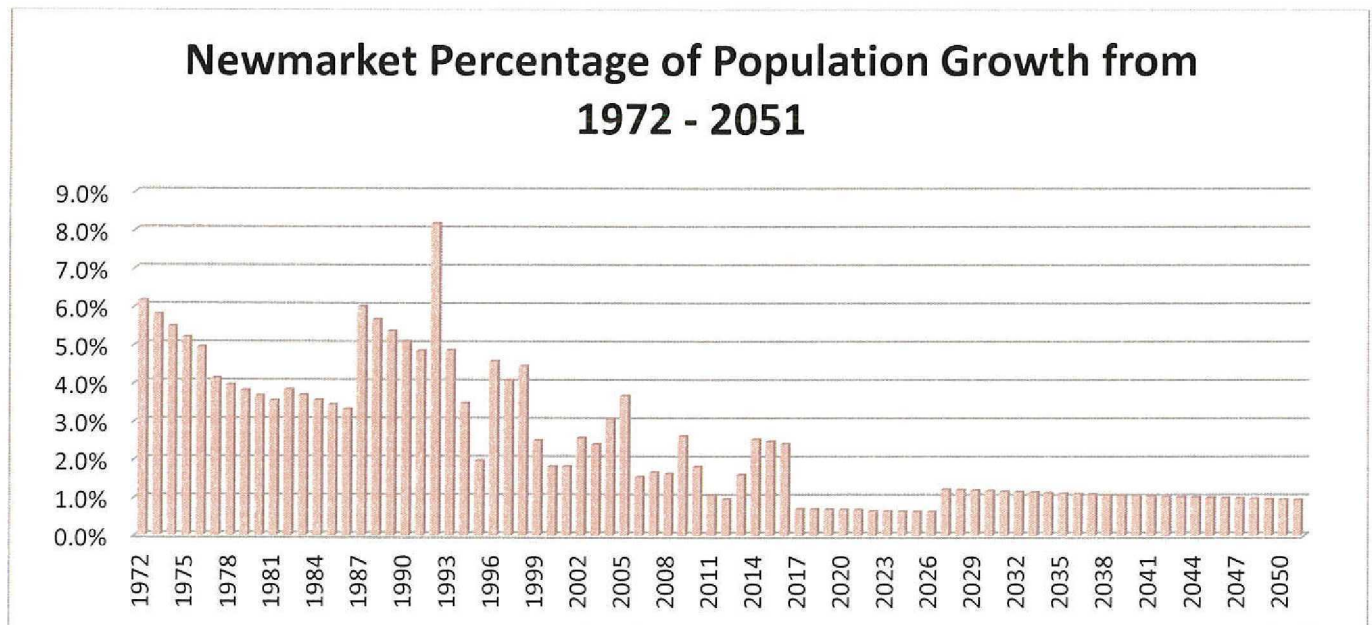
TABLE 1**TABLE 2**

TABLE 3

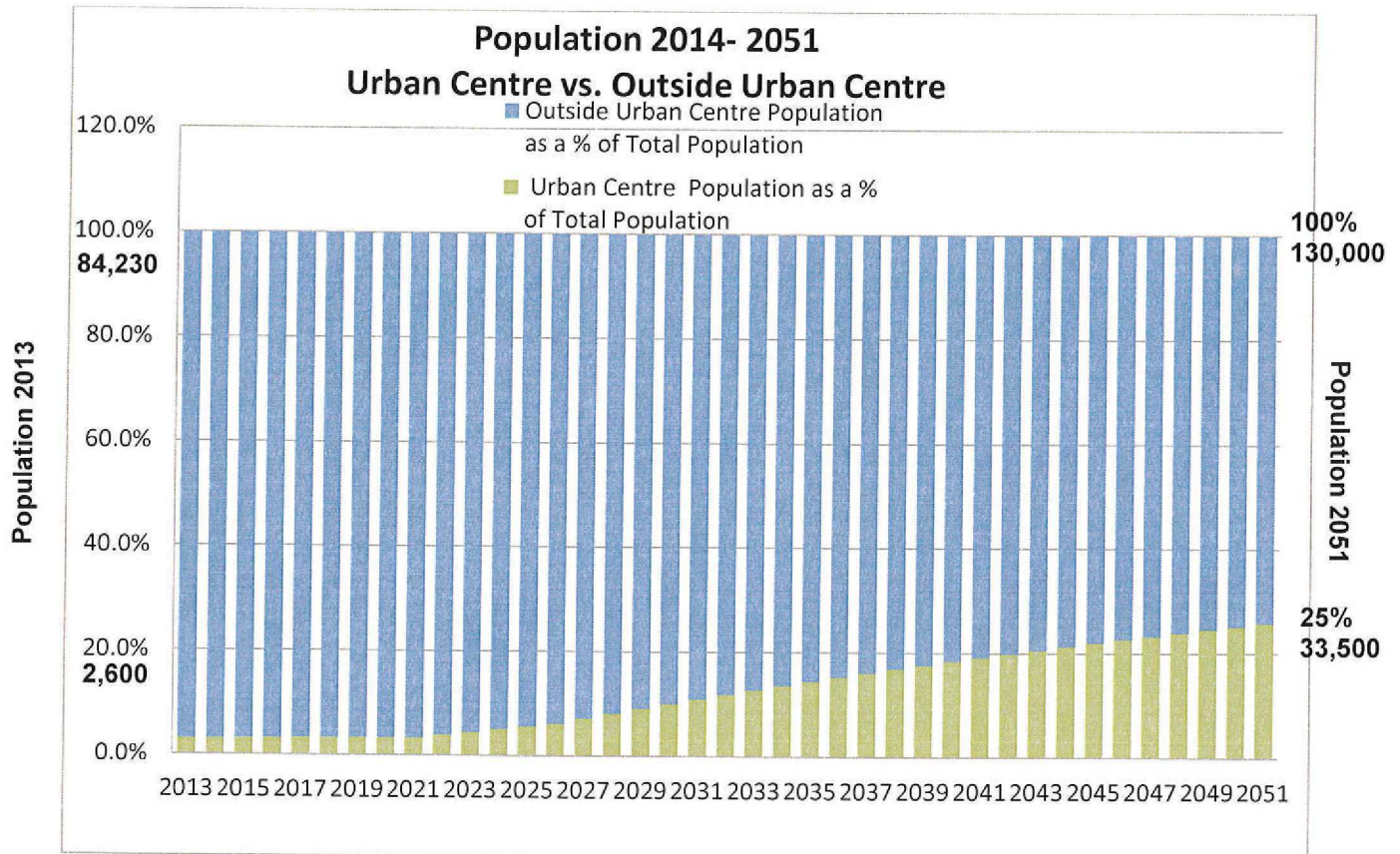


TABLE 4

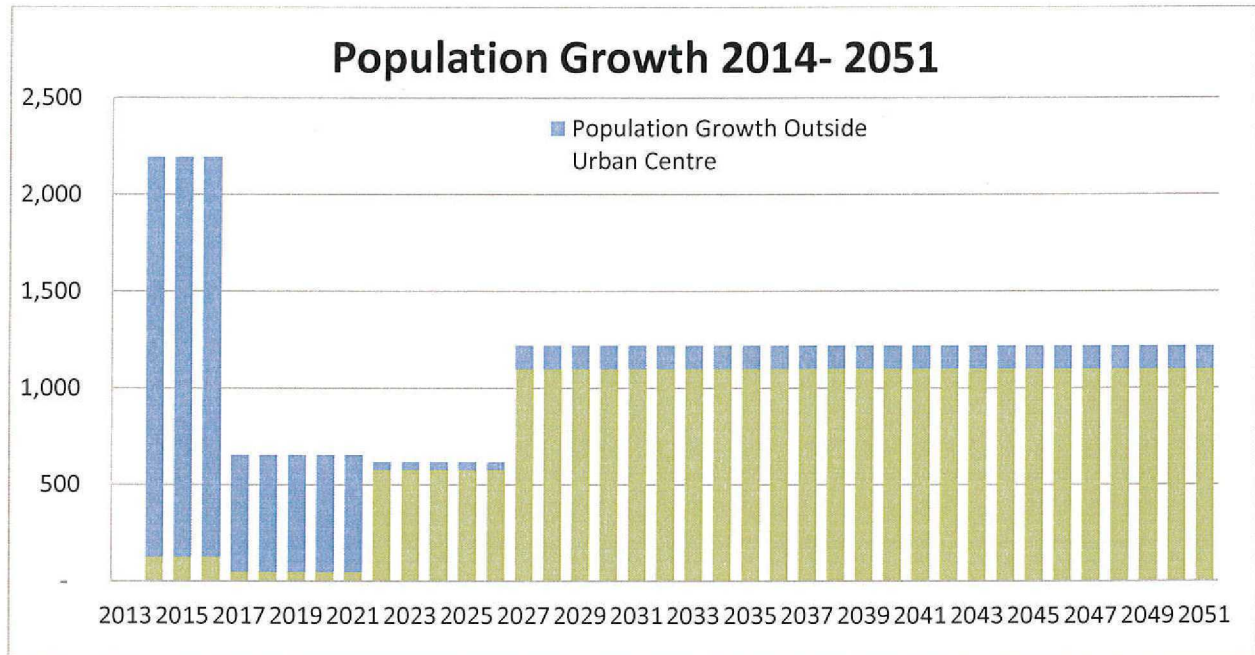
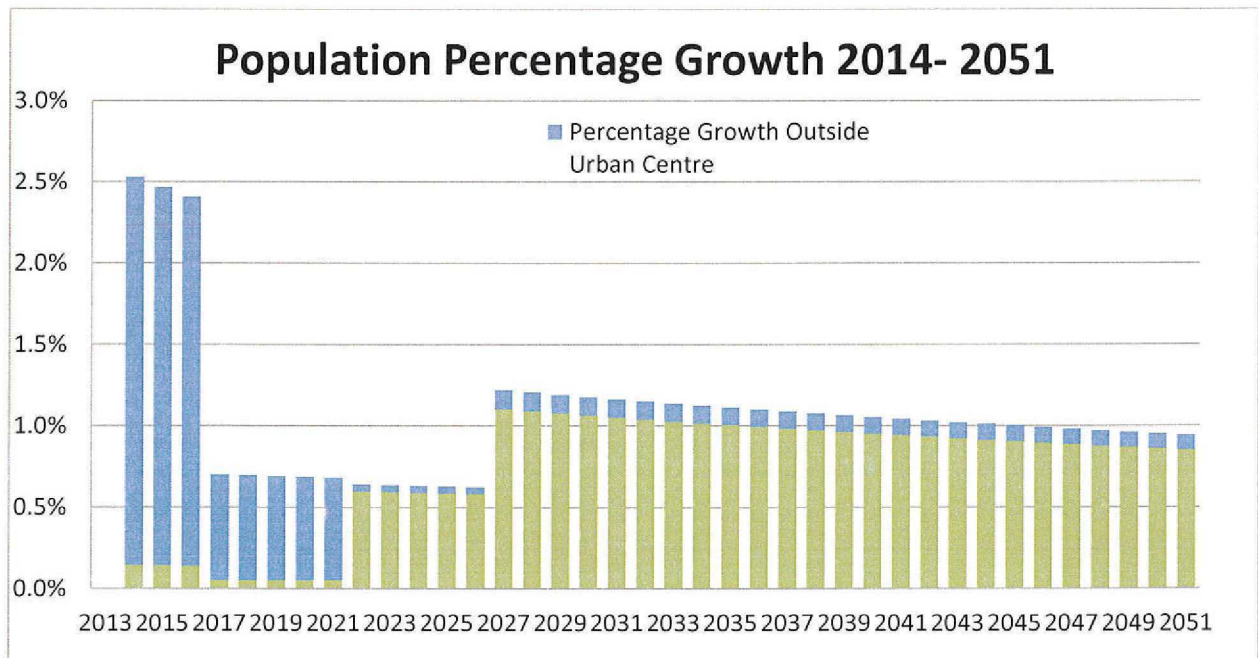


TABLE 5





Corporate Services Commission
Procurement Services Department
www.newmarket.ca

February 3, 2014

**Corporate Services Commission – Procurement Services
Development and Infrastructure Services Commission – Facility Services**

JOINT REPORT 2014-05

MEMORANDUM TO: Committee of the Whole

SUBJECT: Report on Single Source Purchase
Ice Resurfacing Machines
Award to: Zamboni Company Ltd

ORIGIN: Joint Report – Director, Public Works Services and the Manager,
Procurement Services

RECOMMENDATIONS

THAT Corporate Services Commission – Procurement Services and Development and Infrastructure Services Commission – Facility Services Joint Report 2014-05, dated February 3, 2014, regarding Single Source contract for Ice Resurfacers be received and the following recommendation be adopted.

1. THAT Council approve a five (5) year Single Source contract for the supply and delivery of Ice Resurfacers, as follows:

Estimated Delivery	Unit Cost	Quantity	Description	Extended Cost
2014	\$ 86,495.00	1	Zamboni 525	\$ 86,495.00
2015	\$ 88,000.00	1	Zamboni 525	\$ 88,000.00
2016	\$ 89,500.00	1	Zamboni 525	\$ 89,500.00
2017	\$ 90,750.00	3	Zamboni 525	\$ 272,250.00
2018	\$ 92,500.00	1	Zamboni 525	\$ 92,500.00
SUB TOTAL SINGLE SOURCE CONTRACT				\$ 628,745.00

COMMENTS

The Manager, Procurement Services supports the recommendation by the Manager, Facility Services and Fleet Supervisor that a single source contract be established with Zamboni Company Ltd for several reasons including but not limited to: both operators and mechanics would have to learn to operate and maintain two different manufacturer Ice Resurfacers, a second line of parts would need to be stocked and the Zamboni brand Ice Resurfacer has a hydrostatic transmission vs automatic transmission provided by competitors.

A hydrostatic style transmission is hydraulically driven and the operator can infinitely vary the travel speed while maintaining a fixed engine speed. With this design of propulsion, the engine speed can be set and locked at an appropriate speed to operate the water pumps and hydraulic pumps needed to clean and resurface the ice, while still allowing the operator to slow the travel speed down to a crawl in the corners of the ice surface and increase the travel speeds while travelling the length of the ice surface. With an automotive style automatic transmission, the engine speed must be varied to either speed up or slow down the travel speed, which in turn, speeds up and slows down the other engine driven components such as water pumps and hydraulic pumps. This type of operation creates inconsistencies in ice surface quality

This contract was publicly bid in 2005 for a period of three (3) years with two (2) option years and the Town received only one (1) proposal submission from Zamboni Company Ltd. The Manager, Procurement Services has compared the proposed costs with other municipalities and the costs are in line with that paid by other municipalities.

This recommendation is being classified as a Single Source purchase.

Single Source Purchase rationale:

This purchase would be in accordance with Procurement bylaw 2011-78, 12.6, items i and iii which states, a Single Source purchasing may be conducted for the procurement for goods, service(s) or construction of any contract value without the competitive Bid process, when any of the following circumstances apply:

- i. For reasons of standardization, warranty, function or service, such as: technical qualifications;
- ii. Where compatibility with an existing product, equipment, facility or service is a paramount consideration;

CONSULTATION

The Manager, Procurement Services has been consulted and supports the recommendation.

BUDGET IMPACT (CURRENT AND FUTURE)

The 2014 Ice Resurfacer is an approved capital budgeted item for 2013. All future purchases under this contract are subject to budget approval.

CONTACT

For more information on this report, contact: Gord Sears, Manager, Procurement Services at ext. 2351.



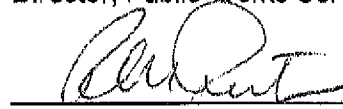
Gord Sears, CPPB, CPPO
Manager, Procurement Services



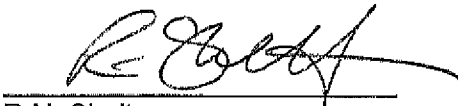
Chris Kalimootoo, BA, P.Eng., MPA, PMP
Director, Public Works Services



Anita Moore
Commissioner, Corporate Services



Rob Prentice
Commissioner, Development &
Infrastructure Services



R.N. Shelton
Chief Administrative Officer

Return the signed report to the Procurement Services Department for filing under the public drive for reports.



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

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905.895.5193 ext. 2102

March 3, 2014

CORPORATE SERVICES REPORT - FINANCIAL SERVICES - 2014-03

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

SUBJECT: Investment Activities and Returns – Annual Report for 2013

ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATION

THAT Corporate Services Report - Financial Services – 2014-03 dated March 3, 2014 regarding Investment Activities and Returns – Annual Report for 2013 be received for information purposes.

COMMENTS

Purpose

The purpose of this report is to report on the preliminary results of investment activities and returns in 2013.

Budget Impact

In 2013, there was \$59,176 in incremental income earned. \$50,000 will be transferred to the Operating fund and the remaining \$9,176 will be allocated to the Reserve Funds.

Summary

The Treasurer can confirm that all investment activities comply with the Municipal Act, the Town's Investment Policy and Investment Strategy.

A long-term cashflow has been developed for our reserves which projects that \$25 million is available for investing over the next 10 years. \$5 million was used to purchase a 2-year GIC. \$20 million has been set aside for the Region's investment portfolio management program or for other Council priorities.

Background

Council approved an Investment Policy on April 16, 2012. In terms of reporting, it states:

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

- *List of individual 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 over a one-year duration 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 goals adopted by the Town; and*
- *Such other information that the Council may require or that, in the opinion of the Treasurer, should be included.*

Analysis & Options

Financial Services report 2013-25 dated September 12, 2013 established an Investment Strategy to further expand on this. There are 9 elements to this strategy.

1. Projection of future cash requirements

The preparation of a long-term cashflow projection was a challenge as the Town does not currently have multi-year operating and capital budgets or forecasts. The following factors were taken into consideration in projecting the availability of cash for investment purposes:

- Operating budgets are self-financing over the long term, so investments will be made from the projected residual cash in the Reserves and Reserve Funds. Reserves and Reserve Funds are fully allocated by Council for specific purposes but, due to their long cash cycle between collection and disbursement, there are unused balances at any point in time.
- Asset Replacement Funds have been excluded, as our current forecasts show them being fully utilized with the next 10 years.
- Incremental development-related revenues (parkland cash-in-lieu contributions, Development Charges, etc.) have not been included, on the assumption that incremental amounts will be spent on incremental requirements.

This analysis determined that \$25 million is and will be available for investment purposes over the next 10 years. On this basis, in 2013, a \$5 million GIC was purchased. That left \$20 million that could be provided to the Region for investing. However, it is possible that opportunities may arise and Council priorities may change. If a project or projects were to arise that require substantial funding beyond our normal anticipated levels, and if Council was to be adverse to debt financing, then this amount would be reduced.

As we progress with the Capital Financing Sustainability Strategy, and possibly move to multi-year budgeting, this forecast can be refined further.

2. Ladder approach to investments

A ladder approach is to have investments that mature at various times in the future to coordinate with the projected capital requirement for that year. This will be built up over time based on market conditions and opportunities.

Our first investment was for a 2-year period, as we start with the lower rungs of the ladder.

3. Delegated authority to the Treasurer

All investments have been initiated by the Treasurer and are in accordance with the Municipal Act and the Town's Investment Policy.

4. Use of authorized dealers, including the Region

We currently have arrangements to make investments with the following:

- Royal Bank – our corporate banker
- CIBC Wood Gundy – another schedule A bank that has been communicating with us

At this time, we have not contacted or been contacted by any other banks.

The Region has expressed their confidence that they will be able to include Newmarket in its investment portfolio management program. They have been sent a copy of our Investment Strategy and Policy. A meeting is being arranged to sort out the details. It is our understanding that participation in this program will require a minimum investment of \$20 million.

5. Investment guidelines

The investment made is allowed under Regulation 373/11 to the Municipal Act, meets or exceeds our investment benchmark, and complies with our investment policy – including the restrictions by source in the Investment Policy Procedures, Appendix A of the Investment Policy.

On October 31, 2013, we purchased a \$5 million Guaranteed Investment Certificate (GIC) from CIBC Wood Gundy. It has a 2-year term and pays annual interest of 2.1%. Our guidelines state that GIC's must be from a Schedule A Bank and that there is no limit to the proportion of our portfolio that can consist of GIC's.

6. Benchmarks for returns

The benchmark for short-term returns, as set out in the Investment Policy, is the prime rate less 1.75%. This is the rate that we can currently get on our bank balances. Currently, this is 1.25% per annum.

The benchmark for returns on non-traditional investments is the prime rate, which is currently 3%. This is the minimum return that is required.

7. Consideration of non-traditional investments

A non-traditional investment would typically be a loan to an outside party or an internal loan to finance projects that have a monetary return (such as budgetary savings). We have 5 projects that fit into this category:

1. Golden Space Development – a \$1,379,307 loan for the deferral of development charges and planning fees. The start date was December 20, 2011. This was fully repaid on November 29, 2013.
2. Newmarket Soccer Club - a \$ 89,768 loan for the deferral of development charges and planning fees. The start date was September 30, 2011. This is being repaid over a 10-year term.

Although these two arrangements pre-dated the development of the Investment Strategy, the 2013 interest charges have been included as they fit with the intent of the strategy.

3. Newmarket Soccer Club - a \$ 2.8 million mortgage for the indoor facility. The loan was executed on December 20, 2013. The initial term is for 5 years and has a 25-year amortization period. Payments will be interest only until the sale of their Whitchurch-Stouffville property. The interest rate is prime plus 2%.
4. Solar Panels were installed at various Town facilities financed by a \$279,057 reserve fund loan. Interest is at 3%. The term is 10 years, which is 5 years less than the expected life of the equipment. Revenue of \$12,290 was generated – almost double the interest and amortization expense.

There are other projects in that category and they have not started yet. They are included in the 2014 budget and will be reported on for that year.

5. Honeywell Phase 2 Energy Retrofit Project - \$8,639,506
6. Solar Panels at the Ray Twinney Recreation Complex (\$600,000)

8. Application of incremental income

Incremental income is the amount by which the investment returns exceed the current benchmark of 1.25%. Interest revenue in the operating fund is projected to fall short of its budget target by about \$50,000. This was the amount by which the 2013 budget was increased in anticipation of increased investment revenues. Therefore, it would be appropriate to transfer incremental income, up to a maximum of \$50,000, to the operating fund.

For this reason, of the \$59,176 in incremental income earned, \$50,000 will be transferred to the Operating fund and the remaining \$9,176 will be allocated to the Reserve Funds. Approval of the Investment Strategy has delegated to the Treasurer the authority to make these transfers.

9. Reporting

In addition to the annual reporting required under the Investment Policy, the Investment Strategy proposed that for at least the first year, there should be quarterly reports. This is the first annual report. Quarterly reports will be issued throughout 2014.

A summary of investment activities and returns is attached as Appendix A.

Next Steps

There have been discussions with the Museum Board to commence an investment program for the Elman Campbell Trust Fund. They are working on a long-term cash requirement plan as a first step to facilitate this.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

We have consulted with our investment advisors and with York Region's Treasury branch.

HUMAN RESOURCE CONSIDERATIONS

Not applicable to this report.

BUDGET IMPACT

Operating Budget (Current and Future)

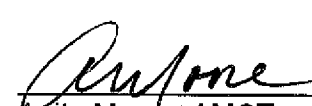
Of the \$59,176 in incremental income earned, \$50,000 will be transferred to the Tax-Supported Operating Fund. This is the additional interest income that was anticipated to be earned and included in the 2013 budget.

Capital Budget

The remaining \$9,176 in incremental interest income will be distributed to the Reserve Funds; a proportionate amount of which will be available for future capital expenditures.

CONTACT

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


Mike Mayes, CGA
Director, Financial Services/Treasurer
Anita Moore, AMCT
Commissioner, Corporate Services

MM/nh

Attachment

Appendix A

Investment Summary for the Year Ended December 31, 2013

Description	Principal Amount	Starting Date	Term	January 1 to December 31, 2013			
				Interest Rate	Return on Investment	Benchmark Return	Incremental Income
CIBC - GIC	\$ 5,000,000	2013-11-01	2 Years	2.10%	\$17,548	\$10,445	\$7,103
Loan - Golden Space Development Charges and Planning Fees	\$ 1,379,307	2011-12-20	2 Years	5.00%	62,730	15,683	47,047
Loan - Newmarket Soccer Club Development Charges and Planning Fees	\$ 89,768	2011-09-30	10 Years	4.00%	2,977	930	2,046
Loan - Newmarket Soccer Club Indoor Facility Mortgage	\$ 2,800,000	2013-12-20	5 Years	5.00%	4,219	1,055	3,164
Loan - Solar Panels	\$ 279,057	2013-12-01	10 Years	3.00%	698	291	407
Total					\$88,171	\$28,403	\$59,767
Incremental investment income included in 2013							
Operating Budget, transferred to the Tax-Supported							
Operating Fund in 2013 per the Investment Strategy							
Incremental investment income allocated to reserve							
funds in 2013 per the Investment Strategy							
							50,000
							\$9,767



**Mike Mayes, Director
Financial Services**

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March 6, 2014

CORPORATE SERVICES REPORT - FINANCIAL SERVICES-2014-10

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

SUBJECT: Projected 2013 Operating Results

ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATION

THAT Corporate Services Report - Financial Services – 2014-10 dated March 6, 2014 regarding the Projected 2013 Operating Results be received and the following recommendation be adopted:

THAT the reserve and reserve fund transfers, totaling \$900,000 listed below, be approved.

COMMENTS

Purpose

The purpose of this report is to advise on the projected 2013 year-end results, as well as to obtain Council approval for allocations of the surplus to reserves and reserve funds.

Budget Impact

After making reserve and reserve fund transfers, and other provisions and allowances which have been authorized by budget, policy, delegated authority, or specific Council direction, there is an estimated Operating Surplus of \$930,000.

This report recommends that \$900,000 of the surplus be transferred to reserves, consisting of \$600,000 for Legal and Planning contingencies and \$300,000 to the Asset Replacement Fund (ARF) to help offset the shortfall in Water and Sewer ARF contributions.

After the recommended reserve transfers, the revised Operating Surplus of \$30,000 would be transferred to the Efficiency/Enhancement Reserve in accordance with policy.

Summary

Implementation of the recommendations in this report will place the Town in an improved position to deal with financial sustainability, potential fluctuations in the tax rate and unforeseen events.

RECOMMENDED RESERVE AND RESERVE FUND TRANSFERS	
RESERVES / RESERVE FUNDS	RECOMMENDED TRANSFER
Reserves for Operational Contingencies	
Planning	\$ 60,000
Legal Reserve	540,000
Asset Replacement Funds	300,000
TOTAL	\$900,000

Reserves for Operational Contingencies

One of the challenges in setting budgets in areas where there are unpredictable variable results is the lack of contingencies. Consequently, budgets in these areas can have a tendency to be conservative to provide for the worst case since there is no backup funding. Establishing reserves, and the systematic replenishment of them, can allow us to budget at an average level.

Ensuring adequate funding for planning and legal fees associated with Ontario Municipal Board (OMB) hearings such as the Glenway development and other litigation and planning matters is prudent. Current reserves should be enhanced and transfers to associated reserves are recommended.

Asset Replacement Funds (ARF)

The Utility Rate Group experienced lower revenues and higher maintenance costs. The rate stabilization funds are not healthy enough to fully subsidize the loss. The transfer to ARF from tax-supported operations will offset the reduction in ARF contributions required to balance the utility rate group.

PROJECTED 2013 TAX-SUPPORTED OPERATING RESULTS

Prior to making any transfers to reserves, the projection for 2013 is a surplus of \$930,000. The main drivers are:

2013 DRIVERS	
Revenue	
Supplementary taxes	\$ 830,000
Miscellaneous net savings	100,000
TOTAL	\$ 930,000

Supplementary taxes are difficult to predict and are not sustainable. For this reason, a conservative amount of \$391,000 was built into the budget in 2013 and similarly in 2014. The remaining \$100,000 is due to a combination of factors, with no one factor taking precedence.

Discretionary Operating Transfers

After making all the transfers described above, there would remain an amount of approximately \$30,000. Conforming with the Town's policy to transfer any surplus to the Efficiency/Enhancement Reserve, any remaining amount will be transferred to this reserve which can be used to fund new initiatives to enhance our operational efficiency. The resulting balance in this reserve would be \$158,583.

OTHER PROJECTED 2013 OPERATING RESULTS**Central York Fire Services (CYFS)**

The surplus of \$159,000, due mostly to lower vehicle maintenance costs, was transferred to the CYFS Reserve Fund. This is consistent with past practice. Provisions have been made for wage adjustments paid in 2014 and any further future payments relating to 2013.

Newmarket Public Library

The Newmarket Public Library had a budgetary surplus of \$61,441. These funds will be transferred to the Library Reserve.

Newmarket Downtown BIA

The Newmarket Downtown Business Improvement Area is self-funded through a local property tax on its members. As such, its surplus of \$125 was transferred to a reserve for future use.

Building Department

In compliance with the Building Code Act, Building Department revenues are limited to the recovery of Building Department costs. As such, its surplus of \$1,651,278 has been transferred to a reserve to be applied to future Building Department costs.

Utility (Water and Wastewater Rate Groups)

The Sustainable Water and Sewage Systems Act mandates that the Water and Wastewater systems are to be fully funded from their rates. The 6-Year Water and Wastewater Financial Plan projected a combined surplus of \$200,000 in 2013. The actual deficit was \$769,000, as a result of lower revenues and higher maintenance costs. The deficit will be covered by using the rate stabilization reserves and reducing contributions to the Asset Replacement Fund.

ANALYSIS OF PROVISIONS AND RESERVES**Allowance for Doubtful Accounts**

A thorough review of our doubtful accounts and receipts after year-end was undertaken and it was deemed that no additional provision was necessary.

Winter Control

The Winter Control Reserve was established to set aside funds for unplanned higher costs associated with a longer and/or more severe winter season. 2013 fit both criteria and as a result \$118,000 was transferred from the reserve to offset higher snow ploughing and winter control road expenses.

The Town of Newmarket has made a claim under the Ontario Disaster Relief Assistance Program as a result of the ice storm in December. The total claim was for \$181,350, including \$118,750 for winter control and \$62,600 for parks and forestry costs. We have not accounted for any possible grant monies that may be received. Should these funds be received, they will be used to replenish the winter control reserve and to offset parks maintenance costs.

Hydro Dividend

An additional dividend of \$500,000 was received from Newmarket Hydro in 2013. The precedent of transferring this extra amount to an operating reserve – the Hydro Dividend Reserve, was continued bringing the balance in the reserve to \$761,000.

Land Remediation

The surplus is net of \$170,000 in land remediation costs in recognition of the liability that existed at year-end. In future years, Public Sector Accounting Standards (PSAB) will require us to provide for such costs, if applicable, on all municipal owned lands.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

This report has been prepared in consultation with the CAO and Commissioners. The Library and CYFS have been consulted on their issues.

BUDGET IMPACT

Operating Budget (Current and Future)

After making reserve and reserve fund transfers, and other provisions and allowances which have been authorized by budget, policy, delegated authority, or specific Council direction, there is an estimated Operating Surplus of \$930,000. This report recommends that \$900,000 of the surplus be transferred to reserves, including \$600,000 for operational contingencies and \$300,000 to the Asset Replacement Fund. The additional funds transferred to ARF from the tax supported area will offset the reduced ARF contributions from the Water and Wastewater area. After the recommended reserve transfers, the revised Operating Surplus of \$30,000 would be transferred to the Efficiency/Enhancement Reserve, in accordance with policy.

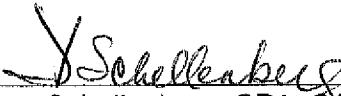
If the final audit results vary significantly from our current projection, the transfer to the Efficiency/Enhancement Reserve Fund would be adjusted. Staff will provide an information report on the final audit amount.

Capital Budget

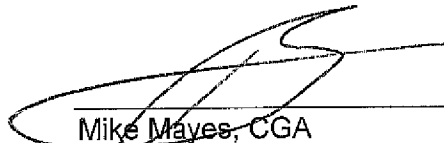
The \$300,000 transfer to ARF will offset the decreased Water and Wastewater contribution to the Asset Replacement Fund and so ensure that there is no impact on the Capital Budget.

CONTACT

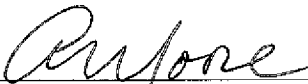
For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102; or via e-mail at mmayes@newmarket.ca



Dawn Schellenberg, CPA, CA
Manager, Finance and Accounting



Mike Mayes, CGA
Director, Financial Services/Treasurer



Anita Moore, AMCT
Commissioner, Corporate Services

DS/nh



**Mike Mayes, Director
Financial Services**

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March 4, 2014

CORPORATE SERVICES REPORT - FINANCIAL SERVICES - 2014-11

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

SUBJECT: Tax Write-offs Pursuant to the Municipal Act 2001

ORIGIN: Supervisor, Property Taxes

RECOMMENDATION

THAT Corporate Services Report - Financial Services – 2014-11 dated March 4, 2014 regarding Tax Write-offs Pursuant to the *Municipal Act, 2001* be received and the following recommendation be adopted:

THAT the tax adjustments outlined in Appendix 1 for application for the cancellation or refund of taxes pursuant to Sections 357 & 358 of the *Municipal Act, 2001* be approved.

COMMENTS

Purpose

The purpose of this report is to obtain approval by Council to adjust and/or write-off the balance of various tax accounts set out on the attached schedule.

Budget Impact

The total cancellation, reduction or refund of taxes, as recommended is \$5,450.00. The Town's portion of this amount is \$2,087.68; the Region's portion equals \$2,260.10 and the School Board's portion is \$1,102.22.

Summary

Sections 357 and 358 of the *Municipal Act, 2001* provide the authorities and reasons for the write-off, cancellation, reduction or refund of taxes.

Background

Sections 357 and 358 of the *Municipal Act, 2001* provide the authorities and reasons for the write-off, cancellation, reduction or refund of taxes. Some examples of eligible criteria are:

- Tax classification change
- Structure razed or damaged by fire or demolition
- Land has become exempt
- Gross or manifest error (MPAC makes an error that may be factual or clerical in nature)

Applications were received by taxation staff and forwarded to the Municipal Property Assessment Corporation (MPAC) for review. Upon receiving comments from MPAC, staff calculates the amount for tax cancellation. Once Council approves the cancellation, reduction or refund of taxes, taxation staff will notify the taxpayer.

All tax amounts approved for cancellation, reduction or refund will be charged back in proportion to the amounts levied on behalf of the Town, Region and School Boards.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

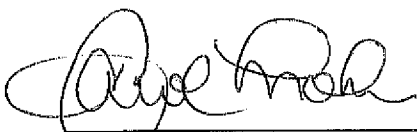
Municipal Property Assessment Corporation (MPAC)

BUDGET IMPACT

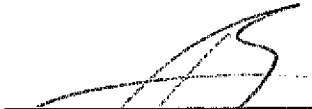
The total cancellation, reduction or refund of taxes, as recommended is \$5,450.00. The Town's portion of this amount is \$2,087.68; the Region's portion equals \$2,260.10 and the School Board's portion is \$1,102.22.

CONTACT

For more information on this report, contact: Carol Mohr at 905-953-5300, ext. 2413 or via e-mail at cmohr@newmarket.ca



Carol Mohr
Supervisor, Property Taxes



Mike Mayes, CGA
Director, Financial Services /Treasurer



Anita Moore, AMCT
Commissioner, Corporate Services

CM/nh
Attachment

Appendix 1

ROLL NO.	APPEAL #	LOCATION	REASON	YEAR	TAX CLASS	TOTAL	TOWN	REGION	SCHOOL BOARD
020.090.38800	2012-31	443 TIMOTHY ST	RAZED BY FIRE	2012	RTEP	313.10	117.79	131.26	64.05
020.090.38800	2013-17	443 TIMOTHY ST	RAZED BY FIRE	2013	RTEP	1970.56	757.94	815.14	397.48
030.120.13400	2013-11	111 QUEEN ST	REPAIRS/RENOVATIONS	2012	RTEP	408.99	153.85	171.47	83.67
040.163.33000	2013-09	378 AMELIA ST	RAZED BY FIRE	2013	RTEP	914.12	351.60	378.13	184.39
040.204.36346	2013-04	359 FLANAGAN CRT	RAZED BY FIRE	2012	RTEP	292.71	110.12	122.71	59.88
040.204.36346	2013-05	359 FLANAGAN CRT	RAZED BY FIRE	2013	RTEP	1550.52	596.38	641.39	312.

137

TOTALS:

5450.00	2087.68	2260.10	1102.22
---------	---------	---------	---------

PREPARED BY:

BIRGIT D'ANNA, TAX CLERK

APPROVED BY:

CAROL MOHR, SUPERVISOR OF PROPERTY TAXES

APPROVED BY:

MIKES MAYES, FINANCIAL SERVICES/TREASURER

DATE:

March 4, 2014



**Mike Mayes, Director
Financial Services**

TOWN OF NEWMARKET
395 Mulock Drive
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March 3, 2014

CORPORATE SERVICES REPORT - FINANCE 2014-12

TO: Mayor and Members of Council
Committee of the Whole

SUBJECT: Statement of Remuneration and Expenses
2013 Payments to Elected and Appointed Officials

ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATION

THAT Corporate Services Report – Finance 2014-12 and the attached Statement of Remuneration and Expenses – 2013 Payments to Elected and Appointed Officials, dated March 3, 2014 be received.

Purpose

The purpose of this report is to comply with legislative requirements by providing Council with the 2013 Payments to Elected and Appointed Officials.

Budget Impact

This report is for information purposes only and therefore has no budget impact.

Summary

Attached, is a summary of all payments made to Council and local board members. The local boards include Newmarket's Committee of Adjustment, Property Standards/Fence Viewing/Appeals Committee and the Newmarket Public Library Board.

Next Steps

As of March 25, the information will be available in hardcopy to the public and posted on our website.

COMMENTS

In accordance with Section 284 of the Municipal Act, the Treasurer of the municipality "... shall in each year on or before March 31 provide to the Council of the municipality an itemized statement on remuneration and expenses paid in the previous year ..." to each Member of Council and each person appointed to serve as a member of any body, including a local board.

The report will be available to the public in hardcopy and on the Town website after it has been formally received by Council on March 24, 2014.

Attached is the Statement of Remuneration and Expenses for the year 2013.

Council Member Expenses

The annual Statement of Remuneration and Expenses provides a summary of expenses by Council Member. In addition, detailed listings of Council Member expenses are posted to the Town's website on a quarterly basis.

Council adopted an Elected Officials Expense Policy during the year. As the new policy only becomes effective January 1, 2014, no changes have been reflected in the 2013 annual statement.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

The Library Board details were provided by Library staff.

HUMAN RESOURCE CONSIDERATIONS

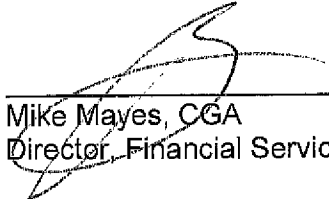
Not applicable to this report.

BUDGET IMPACT

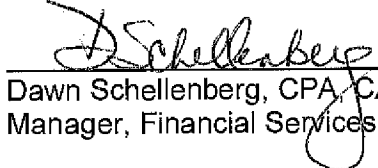
This report is for information purposes only and therefore has no budget impact.


CONTACT

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



Mike Mayes, CGA
Director, Financial Services /Treasurer

Anita Moore, AMCT
Commissioner, Corporate Services

Dawn Schellenberg, CPA, CA
Manager, Financial Services

Steffi Ertle
Financial Analyst

MM/nh

Attachments

TOWN OF NEWMARKET
STATEMENT OF REMUNERATION AND EXPENSES
2013 PAYMENTS TO ELECTED AND APPOINTED OFFICIALS

1) 2013 Payments to Members of Council pursuant to Sections 283(1) and 283(2) of the Municipal Act, 2001:

	REMUNERATION & EXPENSE/INDEMNITY	BENEFITS	SUB-TOTAL	AUTO ALLOWANCE	OTHER EXPENSES	TOTAL
Anthony VanBynen	89,441.56	15,557.12	104,998.68	6,463.60	3,768.86	115,231.14
John Taylor	51,724.60	12,331.40	64,056.00	6,065.54	5,854.50	75,976.04
Maddie Di Muccio	46,188.48	10,288.78	56,477.26	5,391.62	3,582.89	65,451.77
Christopher Emanuel	46,188.48	8,619.82	54,808.30	5,391.62	9,041.12	69,241.04
Thomas Hempten	46,188.48	11,655.83	57,844.31	5,391.62	1,819.40	65,055.33
J. David Kerwin	46,188.48	3,950.01	50,138.49	5,391.62	3,364.84	58,894.95
Joseph Sponga	46,188.48	10,288.78	56,477.26	5,391.62	2,335.59	64,204.47
Jane Twinney	46,188.48	10,288.78	56,477.26	5,391.62	4,486.40	66,355.28
Tom Vegh	46,188.48	11,655.83	57,844.31	5,391.62	3,281.50	66,517.43

TOWN OF NEWMARKET
STATEMENT OF REMUNERATION AND EXPENSES
2013 PAYMENTS TO ELECTED AND APPOINTED OFFICIALS

2) 2013 Payments to Members of the Newmarket Committee of Adjustment pursuant to Section 283(3) of the Municipal Act, 2001:

BYLAW 2011-20	REMUNERATION & EXPENSE INDEMNITY	BENEFITS	SUB-TOTAL	AUTO ALLOWANCE	OTHER EXPENSES	TOTAL
Leonis, Maria	825.00		825.00		-	825.00
Repas, James	300.00		300.00		-	300.00
Seller, Donald	675.00		675.00		-	675.00
Smith, Ken	765.00		765.00		-	765.00
Stoneman, Fred	675.00		675.00			675.00
Vescio, Gino	900.00		900.00			900.00

3) 2013 Payments to Members of the Property Standards/Fenceviewing/Appeals Committee pursuant to Section 283(3) of the Municipal Act, 2001:

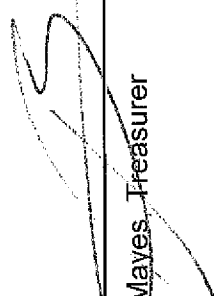
BYLAW 2011-10	REMUNERATION & EXPENSE INDEMNITY	BENEFITS	SUB-TOTAL	AUTO ALLOWANCE	OTHER EXPENSES	TOTAL
Bond, Donald L.	300.00	-	300.00	-	-	300.00
Cox, Andrew	300.00	-	300.00	-	-	300.00
Mewhinney, Richard	350.00	-	350.00	-	-	350.00
Turner, Shawn	100.00	-	100.00	-	-	100.00
Vescio, Gino	300.00	-	300.00	-	-	300.00

TOWN OF NEWMARKET
STATEMENT OF REMUNERATION AND EXPENSES
2013 PAYMENTS TO ELECTED AND APPOINTED OFFICIALS

4) 2013 Payments to Members of the Newmarket Public Library Board pursuant to Section 283(3) of the Municipal Act, 2001:

BYLAW 2011-06	REMUNERATION & EXPENSE INDEMNITY	BENEFITS	SUB-TOTAL	AUTO ALLOWANCE	OTHER EXPENSES	TOTAL
Brown, Tara			-	-	-	-
Castro, Michael			-	-	-	-
Hempen Tom			-	-	-	-
Playter Wes			-	-	-	-
Stonehocker Joan						
Taylor John			-	-	-	-
Van Straten, Wendy			-	-	45.79	45.79
Vegh, Tom			-	-	-	-
			-	-	-	-

Respectively submitted,


Mike Mayes, Treasurer



DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES
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395 Mulock Drive
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planning@newmarket.ca
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February 26, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES
PLANNING & BUILDING SERVICES
REPORT 2014-12**

TO: Committee of the Whole

SUBJECT: Municipal Energy Plan Budget

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development & Infrastructure Services/Planning & Building Services Report 2014-12 dated February 26, 2014 regarding the Municipal Energy Plan Budget be received and the following recommendation(s) be adopted:

THAT Finance transfer \$100,000 from the 2013 Community Improvement Plan for Urban Centers and Brownfield Developments Budget to a new budget for the Municipal Energy Plan.

COMMENTS

The Ministry of Energy currently has a funding program to support the creation of Municipal Energy Plans.

The Ministry of Energy's Municipal Energy Plan Program ("MEP Program") is designed to help municipalities understand their energy use through a community energy planning process. The program provides up to \$90,000 per project or 50% of total project costs, whichever is less, for the development of a municipal energy plan ("MEP"). This funding is for stakeholder engagement, the gathering and analysis of baseline data, which may include energy mapping, and the creation of the MEP.

The creation of a MEP is a requirement of the Regional Official Plan for the "Newmarket Centre" Regional Centre (Provincial Urban Growth Centre) and the DRAFT Urban Centres Secondary Plan

The Regional Official Plan requires that municipalities prepare energy plans for Regional Centres, while the draft Secondary Plan directs that the Town will develop a Community Energy Plan that will include the urban centres. While the focus of the MEP will likely be on the centres, other areas of Town such as the industrial areas and/or other commercial and residential areas will also likely be addressed.

It is anticipated that the MEP will bring financial, social, and environmental benefits to the municipality, residents, businesses, existing and future academic institutions, developers, and major institutions. It is expected that the MEP will address such things as energy efficient buildings and neighbourhoods (for example the "character areas" in the Secondary Plan), energy-efficient transportation systems, efficient

energy distribution, clean and renewable energy, and greenhouse gas emissions, in addition to other areas that may be identified through the public consultation process.

The Regional Official Plan, Town Official Plan, draft Secondary Plan, and the Town's Site Plan Manual all contain sustainability provisions that are to be encouraged or required for new development, and it is anticipated that the MEP could integrate these objectives and provide additional targets to be achieved as the Town and in particular the urban centres develop over time.

Staff has applied for and has been successful in securing funding (up to \$90,000) through the MEP Program for the creation of a MEP

The Ministry of Energy has recently advised that our application has been reviewed and recommended for funding. The program includes various milestones that must be met, as follows:

Stage 1 – Stakeholder Engagement (6 months after execution of funding agreement)

Stage 2 – Gathering and analysis of baseline data (6 months after completion of Stage 1)

Stage 3 – Creation of the MEP (12 months after completion of Stage 2)

It is staff's intention to hire a consultant to carry out the above duties.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The creation of a Municipal Energy Plan will help implement key elements of the Town's Strategic Plan, Official Plan, and Secondary Plan which together provide a basis for planning policy, including maintaining and promoting a healthy community, encouraging growth in support of a sustainable community, and a focus on environmental protection. It is anticipated that the MEP will identify long-term energy conservation strategies in support of these goals.

CONSULTATION

No public consultation was required for this report

Some of the key stakeholders that have been identified to-date that staff expects will work with the Town in the development of the MEP include the Upper Canada Mall, Southlake Regional Health Centre, York Region, Rogers, Hydro One, the YRDSB and YCSB, Bell, NEDAC, NEAC, Enbridge and Newmarket-Tay Hydro.

HUMAN RESOURCE CONSIDERATIONS

It is staff's intention to hire a consultant to carry out the consultation process, data gathering, and preparation of the MEP with the assistance of the program funding.

BUDGET IMPACT

The 2013 Budget included \$250,000 for the Community Improvement Plan for Urban Centers and Brownfield Developments Study (CIP). Due to timing of priorities, the CIP will not be initiated until 2015 at the earliest, and as a result staff has carried over the budget for 2014. With recent transfers from this budget to the Secondary Plan (\$50,000) and the Corridor Streetscape Plan, (\$100,000), the CIP budget

currently has \$100,000 remaining, which staff recommends be transferred into a new Municipal Energy Plan budget. In 2015 staff will request additional budget \$250,000 to complete the CIP as originally contemplated.

CONTACT

For more information on this report, contact R. Nethery, Director, Planning & Building Services, ext. 2451, (rnethery@newmarket.ca), or L. Ellis, Business Performance Coordinator, ext. 2515.


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



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 395 Mulock Drive planning@newmarket.ca
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March 6, 2014

DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2014-13

TO: Committee of the Whole

**SUBJECT: Application for Draft Plan of Condominium – Phase 1 (19CDMN-2013 003)
 Part Lots 87 and 88, Concession 1, Part Block 88, Plan 65M-3087,
 Part Block 88, Plan 65M-3087, Part Block 50 and Block 70, Plan 65M-3129
 804 Shadrach Drive
 Daniels LR Corporation
 File Number: D07-NP 13 27**

ORIGIN: Planning Division

RECOMMENDATIONS

THAT Development & Infrastructure Services /Planning & Building Services Report 2014-13 dated March 6, 2014 regarding application for Draft Plan of Condominium be received and the following recommendation(s) be adopted:

- 1. THAT approval be given to Draft Plan of Condominium 19CDMN-2013 003 subject to the Schedule of Conditions attached and forming part of Development & Infrastructure Services/Planning & Building Services Report 2014-13;**
- 2. AND THAT Daniels LR Corporation, (c/o Remo Agostino), 20 Queen Street West, Suite 3400, TORONTO ON M5H 3R3 be notified of this action.**

COMMENTS

Draft plan of condominium 19CDMN-2013 003 (Phase 1) relates to a development that will contain 49 residential townhouse units on a private road. The balance of the lands which will contain 52 townhouse units will be subject to a further condominium application. The subject land is located on the south side of Shadrach Drive west of Bayview Avenue and is shown on the attached Key Map. A copy of the draft plan of condominium, as recommended for approval, is also attached.

Proposal

An application for draft plan of condominium has been submitted by Daniels LR Corporation. The developer is intending to convert the 49 townhouse units currently under construction into condominium units. The parking and landscaped areas surrounding the buildings will form the common element and each of the units may be individually sold.

Planning Considerations

Draft Plan of Condominium

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

Site Plan

Development of this site is subject to the site plan approval process which included a detailed review and analysis of the technical requirements, specifically grading, drainage, parking and landscaping. The owner of the subject land entered into a Site Plan Agreement with the Town dated July 22, 2008 and an Amending Site Plan Agreement dated May 29, 2013 and provided all payments and securities required by the Agreement. Building permits have been issued for 60 of the 101 townhouse units. It is anticipated that applications for building permits for the remaining 41 townhouses will be issued by the Town in the near future. Engineering Services staff is currently monitoring this site as part of the site plan agreement process.

As a condition of site plan approval, the Owner of the lands agreed to provide an easement in favour of the Town for a future east/west trail connection through the private stormwater management pond lands subject to matters associated with cost, maintenance and liability being addressed to the satisfaction of York Region Condominium Corporations 952 and 971 and the Owner by November 5, 2014. During 2013, the Town facilitated meetings with representatives from the condominium corporations and with representatives from the residents association. A further meeting will be held within the next few months to which all stakeholders in this matter will be invited to attend.

Official Plan

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

Zoning By-law Consideration

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

Provincial Policy Statement Considerations

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

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

Servicing Allocation

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

Conclusion

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

BUDGET IMPACT

Operating Budget (Current and Future)

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

Capital Budget

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

CONTACT

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



Commissioner, Development &
Infrastructure Services



Director of Planning & Building Services



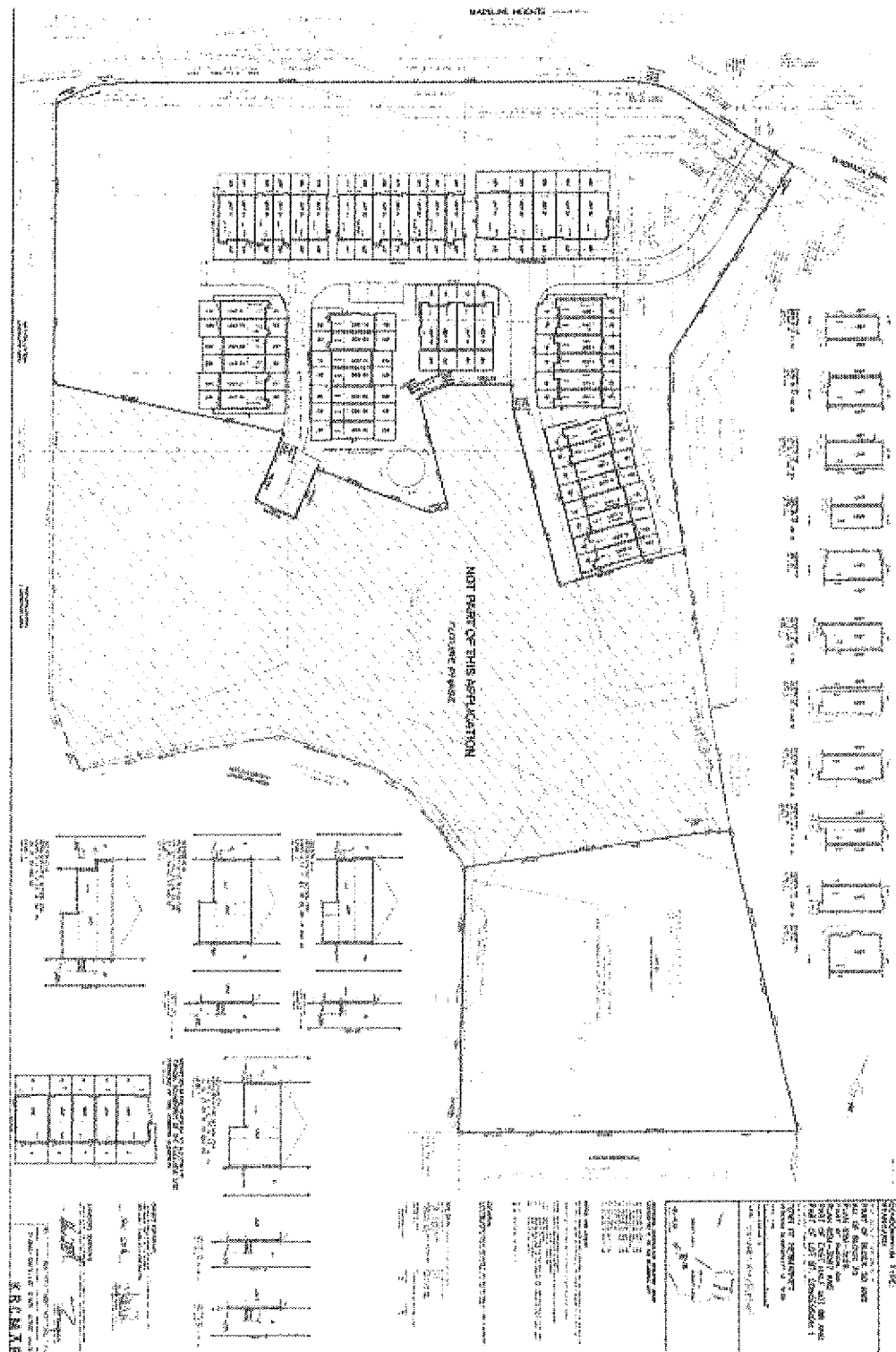
Senior Planner – Development

Attachments

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

SCHEDULE OF CONDITIONS
DRAFT PLAN OF CONDOMINIUM 19CDMN-2013 003
DANIELS LR CORPORATION

1. Approval shall relate to the draft plan of condominium prepared by KRCMAR, Job No. 05-041, dated November 28, 2013.
2. The Owner shall provide confirmation from the Director of Engineering Services that the Owner has fulfilled all of its obligations under the Site Plan Agreement dated July 22, 2008 and Amending Site Plan Agreement dated May 29, 2013, as amended from time to time, or in the alternative, that the Owner has provided sufficient financial security and appropriate completion schedules to ensure that the Site Plan Agreement will be complied with in a timely manner.
3. Prior to registration, the Owner shall obtain any required minor variances to recognize any zoning deficiencies, if required.
4. Prior to final approval, the Owner shall submit a survey substantially in conformity with the plan set out in Condition Number 1 and in conformity with the requirements of the Condominium Act.
5. Prior to final approval, the Owner agrees to consult with Canada Post to determine suitable conditions for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.







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March 17, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES
JOINT ENGINEERING SERVICES & PUBLIC WORKS SERVICES
REPORT ES/PWS-2014-17**

TO: Committee of the Whole
SUBJECT: Davis Drive Field Verification Program
ORIGIN: Director, Engineering Services & Director, Public Works Services

RECOMMENDATION

THAT Development & Infrastructure Services Commission – Joint Engineering Services & Public Works Services Report 2014-17 dated February 17, 2014, be received and the following recommendations be adopted:

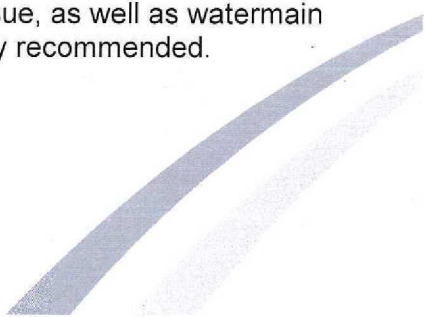
- 1. THAT Council approve Davis Drive Field Verification Program**
- 2. AND THAT Council approve the additional budget request of \$650,000**
- 3. AND THAT the additional budget be funded from the Asset Replacement Fund**

COMMENTS

In 2012, York Region began works on Davis Drive for the vivaNext Rapidway. As part of the project, the Town took advantage of the Region's project to include numerous essential infrastructure improvements such as spot sewer and watermain section replacements, as well as streetscaping works.

As Viva proceeded with its construction over the summer/fall of 2013, the Town was advised that corrosion was uncovered on five watermain service laterals and one watermain elbow. Viva also noticed discrepancies between the watermain materials and sizes shown in the "as-built" drawings as compared to what was actually found in the ground. Upon further investigation it was concluded that the existing watermain pipe itself appears to be in good condition, but the watermain fittings are susceptible to failure in the near future.

In an effort to mitigate future risk due to corrosion and to protect the future integrity of the new road surface and rapidway, Viva recommended a comprehensive field verification program to determine the extent of the corrosion issue and to estimate the costs of replacing corroded fittings. This has resulted in Viva requesting additional funding to confirm locations where corrosion might be an issue, as well as watermain pipe size, material and location. Town staff agrees that such investigation is highly recommended.



At the time of writing this report, the extent of the corrosion within the corridor is unknown. However, if locations of significant corrosion are not identified and repaired, there is a risk that breaks could occur at any time after the Davis Drive reconstruction is completed. Such imminent failures pose a health and safety risk in terms of fire protection and sanitation for the residents and businesses of the area, not to mention the disruption to daily activities of families and businesses affected by water service interruptions required for repairs. Also, once Davis Drive fully reconstructed, the expected breaks will require a significantly higher cost to repair due to the type of construction and the restoration that will be needed. The breaks may also have a negative impact on the RapidWay itself, causing potential disruption to public transit along the centre corridor. And furthermore, having to re-excavate a newly finished road can result in future road surface integrity issues, as well as creating a negative public perception.

With the assistance of the project consultant, RV Anderson, Staff has identified potential risk locations and is recommending spot checking of all service connections either by small diameter potholing or by full test pit excavations. Other non-invasive techniques such as ground probing radar or other geophysical methods have been considered but have been determined unsuitable for the investigations that are required.

There are two phases being proposed as part of the Field Verification Program:

Phase I Works: Complete test pits or potholing to uncover and inspect all mainline fittings/service laterals that could potentially be corroded. Fittings/service laterals found to have minor to moderate corrosion will be cathodically protected and an anode will be installed as per accepted standards. The anode works as a sacrificial metal which corrodes instead of the pipe. The sacrificial anode will extend the life of the fitting by 15 to 25 years.

Phase II Works: Any fittings that show severe corrosion will be repaired or replaced. At this time, staff is estimating that this category will comprise 20% of the fittings that are inspected.

Staff has received an estimate from Viva and its contractor Kiewit EllisDon (KED) of \$650,000 for the Phase I and II works. This amount includes Viva's field verification program, excavation, visual inspection of the existing fittings, the installation of anodes to prolong the life of fittings that are salvageable, the removal of soils impacted by corrosion and the replacement of the estimated 20% of the watermain fittings needing determined to be beyond salvage.

BUDGET IMPACT

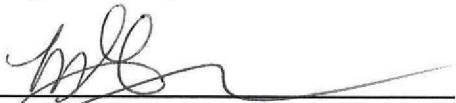
The Davis Drive Field Verification Program will require a budget of \$650,000. It is recommended that the funding source for this project be the asset replacement fund.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

- Well Equipped & Managed... Efficient management of capital assets and municipal services to meet existing and future operational demands.
- Well Planned and Connected...continue to improve the quality of the road network within the Town of Newmarket.

CONTACT

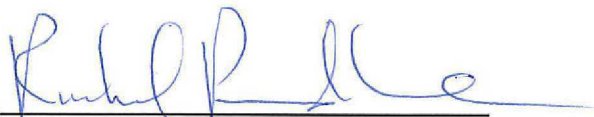
For more information on this report, please contact: Rachel Prudhomme, M.Sc., P.Eng., Director, Engineering Services at Ext: 2501 or via email to rprudhomme@newmarket.ca, or Chris Kalimootoo, P.Eng, Director, Public Works Services at Ext 2551, or via email to ckalimootoo@newmarket.ca.



Meredith Goodwin,
Manager, Capital Projects



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



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



R. Prentice
Commissioner of Community Services



Mike Mayes
Director, Financial Services / Treasurer



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February 26, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
 ENGINEERING SERVICES 2014-20**

TO: Committee of the Whole

SUBJECT: Main Street – On-street Accessible Parking Spaces
 File No.: T08 T.30 Main Street

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development & infrastructure Services Report – ES 2014-20, dated February 26, 2014 regarding Main Street – On-street Accessible Parking Spaces, be received and the following recommendation(s) be adopted:

- 1. THAT accessible parking spaces on Main Street be approved at the following on-street locations:**
 - a. 127 Main Street**
 - b. 99 Main Street**
 - c. 71 Main Street**
 - d. 35 Main Street**
 - e. 48 Main Street**
 - f. 22 Main Street**
- 2. AND THAT the property owners fronting onto Main Street from Millard Avenue to Davis Drive be notified;**
- 3. AND THAT the necessary Bylaw be prepared and submitted to Council for its approval.**

BACKGROUND

At its regular meeting of Monday, January 21, 2013, Town Council adopted recommendations under New Business that stated:

- h) Councillor Sponga requested staff investigate the need for an accessible parking space on Main Street between Ontario Street and Davis Drive and report back by April 2013.*

Town staff decided to expand the area of review from Millard Avenue to Davis Drive. The southern part of Main Street, from Millard Avenue to Water Street, has 37 on-street parking spaces of which three (3) have been designated as accessible spaces. The northern part of Main Street from Millard Avenue to Davis Drive has 31 parking spaces with no designated accessible spaces, which is the subject of this review.

At its regular meeting of Monday April 15, 2013, Town Council adopted recommendations of Development & Infrastructure Report ES2013-18. The recommendations of that report outlined the location of the six (6) on-street accessible parking spaces and recommended soliciting comments from the Accessibility Advisory Committee and the Main Street District Business Improvement Area Board of Management (Main Street BIA).

COMMENTS

The comments from both the Accessibility Advisory Committee and the Main Street BIA have been received. Both organizations are in support of the recommendations.

Therefore, it is recommended that on-street accessible parking spaces be located at:

1. 127 Main Street – the most northern parking space in the row of six parking spaces starting at the church
2. 99 Main Street – the most northern parking space in a row of two parking spaces south of Queen Street
3. 71 Main Street – the most southern parking space in a row of three parking spaces north of Queen Street
4. 35 Main Street – the most southern parking space in a row of three parking spaces north of Ontario Street
5. 48 Main Street – the most southern parking space in a row of two parking spaces north of Ontario Street
6. 22 Main Street – the most southern parking space in a row of four parking spaces north of Simcoe Street

The attached maps indicate the exact locations.

It is also recommended that the property owners fronting Main Street from Millard Avenue to Davis Drive be notified of the change and of the inclusion of on-street accessible parking spaces.

PUBLIC CONSULTATION

The Accessibility Advisory Committee reviewed this issue as noted in their April 16, 2013 minutes. The Main Street District Improvement area Board of Management reviewed this issue at their November 2013 meeting, as noted in their February 18, 2014 minutes. Both groups were supportive of the proposal.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Living Well

- Investigate and resolve bylaw complaints in a timely fashion, and promote voluntary compliance through regular dialogue with the public, thereby promoting health, education and a harmonious community.

IMPACT ON PUBLIC HEALTH AND SAFETY

The proposed parking alterations may improve the community and promote safe and efficient operations on the street.

HUMAN RESOURCE CONSIDERATIONS

No impact to current staffing levels.

IMPACT ON BUDGETOperating Budget (Current and Future)

No impact to the Operating Budget.

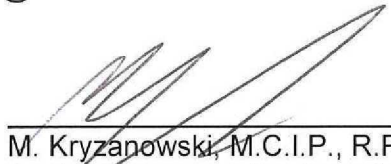
Capital Budget

The cost of the signs and pavement marking would be in the range of \$500.00 to \$1,000.00 per location.

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. Bingham, C.E.T.,
Manager, Engineering & Technical Services
R. Prudhomme, M.Sc., P. Eng.
Director, Engineering Services
R. Prentice, Commissioner,
Development & Infrastructure Services

Millard Avenue to Queen Street



Existing On-Street Parking Space



Proposed Accessible On-street Parking Space*



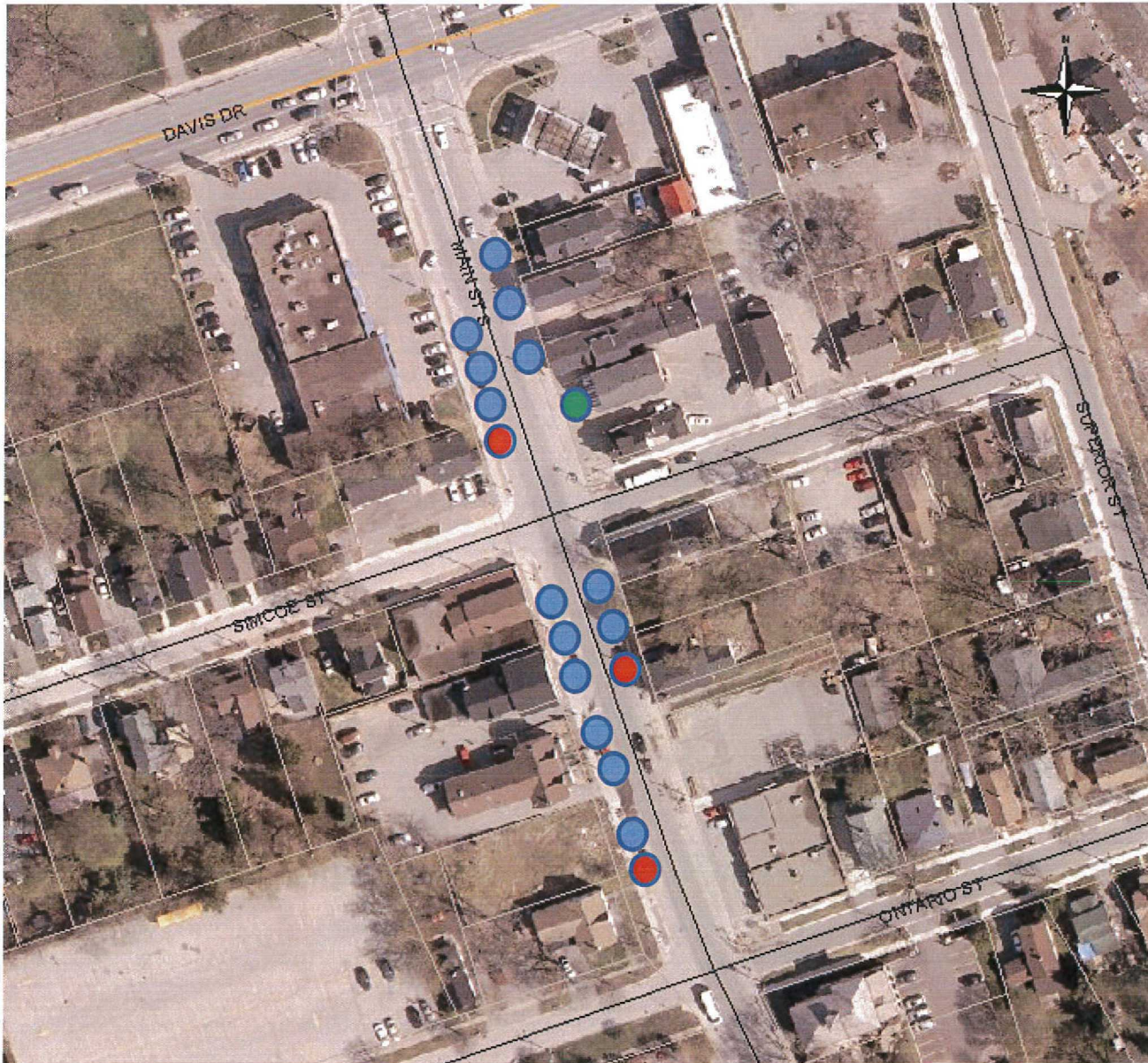
Private Accessible Parking Space

***These are existing parking spaces, not new parking spaces.**

Queen Street to Ontario Street



Ontario Street to Davis Drive



Existing On-Street Parking Space



Proposed Accessible On-street Parking Space*



Private Accessible Parking Space

***These are existing parking spaces, not new parking spaces.**



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March 5, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
 ENGINEERING SERVICES 2014-22**

TO: Committee of the Whole
 SUBJECT: VIVA Yonge Street Design
 ORIGIN: Director of Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – Engineering Services 2014-22 dated February 28, 2014, regarding the provision for future pedestrian lighting on the Yonge Street VIVA Corridor from approximately Savage Road North to Davis Drive be received and the following recommendations be adopted:

1. **THAT the Town of Newmarket request VIVA to include estimates for the design and construction of a conduit for future pedestrian lighting within the Yonge Street corridor in the pricing for the project as an optional item;**
2. **AND THAT subject to receiving acceptable prices, staff be authorized to approve the inclusion of these works in the contract;**
3. **AND THAT VIVA be notified of this action.**

COMMENTS

York Region is currently establishing the scope of work for the improvements to Yonge Street from south of Savage Road to Davis Drive as part of the vivaNext RapidWay project. Within the scope of work, the Town of Newmarket has the option of requesting provisions for the installation of duct work along Yonge Street to provide for future pedestrian lighting. The installation of duct work at this time would eliminate the need for future excavation at the time that urbanization is occurring and pedestrian lighting is installed. This includes electrical chambers, underground conduit systems and other needed provisions for future pedestrian illumination on roadside light poles and future pedestrian poles located midway between the lighting poles on both sides of Yonge Street.

The schedule for the design and construction of the Yonge Street VIVA project requires that the Town of Newmarket provide direction now regarding our interest in including these works. When the pricing of the work is received from the contractor, the Town will then have the opportunity to give direction on whether the works should be included or not. It may be necessary provide this direction to VIVA at a point later in the year, and more specifically at a time when Council or Committee meetings are not scheduled or when Council is not able to provide direction due to the timing of the election and restrictions on decision making as per the Municipal Act. For that reason it is suggested that Council provide direction on the matter at this time and authorize staff to approve the works provided the cost estimates received are acceptable.

The scope of this work is as follows:

200.11.7 NEWMARKET PEDESTRIAN LIGHTING PROVISIONS

The Town of Newmarket requires provision of future pedestrian illumination within the Project limits of the Y3.2 Segment. This includes electrical chambers, underground conduit systems and other needed provisions for future pedestrian illumination on roadside light poles and future pedestrian poles located midway between the lighting poles on both sides of Yonge Street. Included in the works is the following:

- Design of the future pedestrian lighting system (to identify poles, luminaries and power supply locations);
- The design of the future pedestrian lighting system shall meet TAC horizontal luminance and uniformity requirements;
- Design and construction of electrical and underground work shall follow OPSS standards;
- Minimum acceptable mounting height for pole mounted luminaries is 4.88m;
- Provisions for separate wiring connection to power supply and metering locations;
- Provisions for underground low voltage cables between street lighting poles constructed on the Yonge Street project and the future pedestrian poles located midway between the street lighting poles;
- Appropriately sized underground empty Rigid PVC conduits, stubs, connections, waterproof hand wells, junction boxes and utility access covers required to permit all future electrical cables, and ensure the design will prevent conduction to the surface;
- For electrical work in general, construction shall be as per OPSS 601;
- Construction of ducts shall be as per the requirements of OPSS 603 and shall be installed in accordance with the latest OPSS 2103.02; and
- Duct joints shall be made with the use of sleeves, which will permit a smooth joint between ducts and all joints shall be made waterproof by means of coupler and sealant.

The Town has received a preliminary estimate for the works noted above of \$353,000.00

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well Planned and Well Connected

Initiate and respond to planning initiatives and policies of other levels of government, neighbouring municipalities and external agencies in a manner that supports achievement of the objectives of the Community Strategic Plan.

CONSULTATION

The VIVA project was subject to extensive community consultation during the Environmental Assessment of the project.

HUMAN RESOURCE CONSIDERATIONS

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

BUDGET IMPACT

Operating Budget (Current and Future)

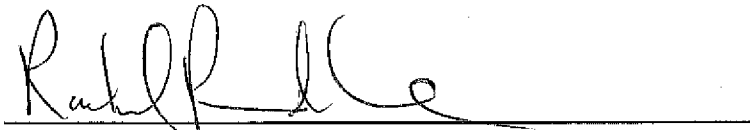
This project does not have an operating budget impact.

Capital Budget

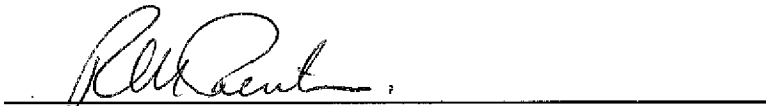
Should the tendered prices for the works be acceptable and the works proceed, funds would be allocated in the 2015 budget along with other VIVA program related works on behalf of the municipality. The preliminary estimate for the work provided by VIVA is \$353,000. The municipality will be invoiced for these works as they are completed, which will likely be in late 2015 or 2016.

CONTACT

For more information on this report, please contact the Director of Engineering Services, Rachel Prudhomme, M.Sc., P.Eng. at 905-953-5300, ext. 2501 or by e-mail at rprudhomme@newmarket.ca.



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



Robert Prentice
Commissioner, Development and Infrastructure Services



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March 6, 2014

CORPORATE SERVICES – LEGISLATIVE SERVICES REPORT – 2014-06

TO: Mayor Van Bynen and Members of Council

ORIGIN: Lisa Lyons, Deputy Clerk

SUBJECT: Advance Voting Opportunities and Language and Communication for the 2014 Municipal Election

RECOMMENDATIONS

THAT Corporate Services Report – Legislative Services 2014-06 dated March 6, 2014 regarding “Advance Voting Opportunities and Language and Communication for the 2014 Municipal Election” be received and the following recommendations be adopted:

- a) THAT a by-law be enacted to permit the following dates, times and locations for Advance Voting in the Town of Newmarket for the 2014 municipal election;**

Date	Time	Locations
Saturday, October 11, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
	8:00 a.m. – 1:00 p.m.	Farmer's Market/ Community Centre
Sunday, October 12, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Saturday, October 18, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
	8:00 a.m. – 1:00 p.m.	Farmer's Market/Community Centre
Sunday, October 19, 2014	12:00 p.m. – 4:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Monday, October 20, 2014	4:00 p.m. – 8:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Tuesday, October 21, 2014	4:00 p.m. – 8:00 p.m.	Ray Twinney Recreation Complex Magna Centre
Wednesday, October 22, 2014	4:00 p.m. – 8:00 p.m.	Multi Unit Residences (to be identified at the discretion of the Clerk)
Thursday, October 23, 2014	4:00 p.m. – 8:00 p.m.	Ray Twinney Recreation Complex Magna Centre

- b) AND THAT a by-law be enacted to provide for reduced voting hours with respect to a voting place that is only for the use of residents of the institution or retirement home;**
- c) AND THAT a by-law be enacted to include other languages in addition to English and French in order to relay election related information to the general public.**

COMMENTS

Advance Voting

Section 43 (1) of the *Municipal Elections Act* (the “Act”) specifies that Council shall pass a by-law at least 30 days prior to Voting Day, establishing one or more dates for an advance vote and the hours during which voting location(s) shall be open on advance vote days. Advance voting provides a choice for eligible electors that may not be available on Voting Day.

In 2010 there were a total of eight (8) advance voting days; six (6) days held at the Municipal Office; one (1) day for designated multi unit residences; and the Saturday of the Thanksgiving weekend at the Upper Canada Mall. Although two additional advance vote days were implemented for 2010, there was a 6% decrease in the advance vote from 2006.

For 2014, staff is proposing that eight (8) advance vote days be maintained, however additional vote locations will be offered including the following changes:

- Provide advance voting locations Saturday and Sunday of the Thanksgiving weekend to allow electors who may be away at post-secondary institutions to vote while home for the holiday weekend. This weekend will also offer an early opportunity for voting for those electors who may travel out of the country during the winter months.
- In an effort to improve convenience, locations are recommended at recreation facilities and events where individuals and families are already gathered. The Ray Twinney Recreation Complex and Magna Centre will be utilized throughout the advance voting period. Additionally, advance locations will be established at the Farmer's Market/Community Centre on two (2) Saturday mornings. Feedback from staff in 2010 had indicated that the advance vote location at the Upper Canada Mall was not as well attended as anticipated as many of the interested voters were not eligible Newmarket electors.
- Voting hours on weekends will remain 12 pm to 4 pm except at the Farmer's Market/Community Centre location which will be 8 am to 1 pm. Weekday advance voting will occur from 4 pm to 8 pm.
- Advance voting opportunities will be available at multi unit residences throughout the Town on Wednesday October 22, 2014 from 4 pm to 8 pm. Staff are currently confirming multi unit residences throughout the Town, and it is proposed that the Clerk be delegated the authority to make this determination. At a minimum, the same multi unit residences will be used as established in the 2010 election, where applicable multi unit residence voters, candidates and the community will be advised in advance of October 22nd.
- “Vote Anywhere” - all advance voting locations will operate by utilizing a real-time, live voter strike off system that allows election staff to process electors by accessing an electronic version of the voters' list. This also provides efficiencies when updating the voters' list in advance of the Voting Day.

The objective of improving an election event is to ensure that the election is accessible and easy for the electors to schedule when they intend to vote. The proposed advance voting locations are well distributed throughout the Town, and Staff will continue to ensure that all voting places are accessible. Staff will also ensure the advance voting opportunities and accessible vote opportunities are communicated well in advance of these dates and utilize a variety of communication tactics.

Reduced Voting – Long Term Care Facilities

Section 46(3) of the Act specifies that Council may pass a by-law to provide for reduced voting hours with respect to a voting place that is only for the use of residents of the institution or retirement home. The Act provides that a voting place shall be provided on the premises of:

- An institution in which, on nomination day, 20 or more beds are occupied by persons who are disabled, chronically ill or infirm.
- A retirement home in which, on nomination day, 50 or more beds are occupied.

Staff is currently having discussions with administrators from the institutions and retirement homes that meet the requirements of the Act regarding reduced voting hours at the respective facilities. When identified, a by-law will be brought forward directly to Council at a future meeting. A roving poll will be established at these facilities, being open for a period of two (2) hours which will provide an opportunity for all eligible electors to vote. The operating hours of these polls will be coordinated with the administrators of the locations and be communicated with the electors and candidates accordingly.

Language and Communication

Section 9(2) of the Act specifies that Council can pass a by-law allowing for the use of languages other than English in notices, forms (other than prescribed) and other information provided under the Act. Like other GTA municipalities, in 2010 Newmarket passed a by-law in recognition of the diversity of the community and to make key voting information accessible to more electors by providing it in a language that is easier for them to comprehend.

The 2011 Statistics Canada Census indicates that Newmarket is ranked fourth in York Region for immigration with 24% of the population being immigrants. Staff is working with the York Region Local Immigration Partnership to provide input on the voting process and on a Civic 101 Guide, outlining how government works and the decision making process. Outreach strategies will also be formulated to promote the municipal election to newcomers.

Given the potential communication barriers for participation in the Municipal Election, it would be beneficial to provide voters with election material in languages that most widely represent Newmarket. The proposed by-law is worded broadly to allow for the Clerk's discretion in determining the language groups and scope of information to be provided.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This initiative supports the Town's Vision, Mission and Community Strategic Plan goal of being well-equipped and managed by implementing policies and processes that reflect sound and accountable governance and fiscal responsibility in achieving service excellence.

HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations associated with this report.

BUDGET IMPACT

All costs associated with Advance Voting and providing election related information in additional languages can be accommodated within the election budget of the Legislative Services department.

CONTACT

For more information on this report, contact Lisa Lyons, Deputy Clerk (ext. 2203, llyons@newmarket.ca).



Lisa Lyons, Deputy Clerk



Andrew Brouwer, Director,
Legislative Services/Town Clerk



Anita Moore, Commissioner,
Corporate Services

A meeting of the Street Naming Committee was held on November 15, 2013 at 9:00 AM, at the offices of the Town of Newmarket, 395 Mulock Drive, Newmarket.

Present: E. Adam
W. Playter (via teleconference)

Staff: M. White, Planner

The meeting was called to order at 9:35 AM.

1. ADDING NEW NAMES TO RESERVE LIST

a) Veterans Names

Names of Newmarket veterans have been provided by the Veteran's Association and the Legion. The names were circulated to the Region and eight are allowable as street names. Staff provided the Committee with materials found regarding various World War II veterans.

Discussion:

It was decided that any veteran, i.e. a person who has participated in a war on Canada's behalf, should be considered eligible for the honor of a street name. If possible, and if the information is available, priority will be given to those who have seen combat and to those who came from Newmarket.

Jack Giles was deemed to be the next available veteran's name on the Reserve List for use in the renaming of Slingerland Circle.

Motion:

Moved by: Elaine Adam
Seconded by: Wes Playter

THAT a priority be set for veterans who have seen combat and for those from Newmarket, but that any veteran be considered eligible for the honour of a street name (depending on information available).

CARRIED.

Motion:

Moved by: Wes Playter
Seconded by: Elaine Adam

THAT the following names of Newmarket veterans be added to the Reserve List.

Jack Giles
Herb Elines
Alf Neely
Carm Chier
Bennett (Dr. John)
Betty Gordon
Roy Smalley
Harold Brown

AND THAT Jake Giles be used for the renaming of Slingerland Circle.

CARRIED.

b) Pioneer farmers

Mrs. Needler provided the Street Naming Committee with a list of pioneer farmers.

Discussion:

The Committee reviewed the information provided by Mrs. Needler. It was determined that the farms described were along Poplar Bank Sideroad (now known as Greenlane). The Committee decided that the names did not meet the criteria under Section 2.2.1 a) and b) of the Street Naming Policy and Procedure as the farms described seem to be lands which are in the Town of East Gwillimbury. Staff will advise Mrs. Needler and pass along the names to the Town of East Gwillimbury.

c) Other requests

Mrs. Lemaitre sent in a request to have a street in Newmarket named in honour of John Lemaitre.

Discussion:

The Committee reviewed the letter provided by Mrs. Lemaitre and determined that it did not meet the criteria under Section 2.2.1 a) and b) of the Street Naming Policy and Procedure. Staff will advise Mrs. Lemaitre in writing of the Committee's decision.

2. UPDATE ON IAC'S ROLE IN STREET NAMING PROCESS AND FUTURE MEETING

Staff advised the Committee that the Inclusivity Advisory Committee (IAC) has requested not to be circulated future names prior to their addition to the Reserve List. The IAC does not want the responsibility of determining if a proposed name is "inclusive". The IAC has requested a meeting with the Committee to review the current criteria for street names and provide recommendations on how to ensure the criteria are inclusive. The Committee agreed to attend a future meeting with the IAC. Staff will organize the meeting.

3. UPDATE ON RECRUITMENT PROCESS

Staff advised the Committee that the vacant position has been filled and the new member will be able to attend the next meeting.

4. NEW BUSINESS

None.

5. NEXT MEETING DATE

The Committee agreed the next meeting would be in February, if required. Staff will send out a meeting request in January.

There being no further business, the Street Naming Committee adjourned at 10:04 AM.

Date

Elaine Adam, Member

Date

Wes Playter, Member



Planning and Building Services

TOWN OF NEWMARKET

395 Mulock Drive

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905.953.5321

March 6, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES
PLANNING AND BUILDING SERVICES - PLANNING REPORT 2014-14**

TO: Committee of the Whole

SUBJECT: Process for Renaming Slingerland Circle and Procedure for Renaming an Existing Street

ORIGIN: Direction from Council

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning & Building Services Report 2014-14 dated March 6, 2014 regarding renaming Slingerland Circle be received and the following recommendation(s) be adopted:

1. THAT staff proceed with the procedure outlined in Development and Infrastructure Services/Planning & Building Services Report 2014-14 to rename Slingerland Circle to Jack Giles Circle;
2. AND THAT Council advise Staff if it desires a PIC to be held prior to the name change coming into effect;
3. AND THAT compensation be approved for the 50 affected owners to a maximum of \$50 per dwelling as per the process outlined in this report;
4. AND THAT all 50 residents be notified in writing of the name change and when the street name change will take effect;
5. AND THAT Council adopt the new procedure for renaming an existing street name outlined in this report;
6. AND THAT the new procedure for renaming an existing street name be added to the Street Naming Policy and Procedures;
7. AND THAT York Region Condominium 825, c/o Cheval Developments & Property Management Group, 372 Hollandview Trail, Suite 103, Aurora, ON L4G 0A5, be notified of this decision;
8. AND THAT Council request the Board of Directors of York Region Condominium 825 to allow Public Works Services staff to enter on the property to change the two street signs.

Background

On June 10, 2013 Council directed staff to provide information on the process for renaming a street and examining best practices of other municipalities.

On November 4, 2013 Council directed staff to proceed with changing Slingerland Circle to the next available veteran's name from the Street Name Reserve List and that a report be brought back outlining reasonable compensation to residents.

Municipal Best Practices

The following is a summary of information on how other municipalities have dealt with renaming streets and compensation.

Markham, Richmond Hill, Toronto, and Vaughan, Town of Aurora have not offered compensation to residents for a street name change.

Aurora, Whitchurch-Stouffville, East Gwillimbury, and Georgina have not initiated a change to the name of an existing street.

The Town of Milton has provided compensation to residents and businesses for Town initiated street name changes in 2009. Residents had to fill out a form and submit receipts of costs incurred to be reimbursed. The maximum compensation available was \$50 for residential land owners and \$100 for business and home occupation owners.

Compensation

Based on the practice in Milton, staff are recommending that \$50 be available to the 50 affected dwelling units as compensation. Staff propose that residents could obtain the \$50 from Customer Service with proof of residence on Slingerland Circle. Two forms of identification would be required, a government issued photo ID (i.e. driver's license) and a tax bill or credit card bill. Customer Service staff would submit a cheque request for processing and it would be mailed directly to the resident. As cheque runs are scheduled every two weeks, typically the cheque would arrive at the resident within 2 or 3 weeks of the request.

Alternatively, compensation could be mailed directly to each dwelling, or the Town could require that receipts are provided as proof of money spent on changing documents. The second option would require Town staff to review each request for compensation prior to a cheque request being submitted.

Costs of Renaming a Private Road

Newmarket Tay Hydro charges fees to cover the engineering and administrative costs of updating their systems. They estimate it will cost approximately \$1,000.

It is possible to update addresses for Government of Ontario identification (i.e. driver's license, health card) online for no charge (<http://www.ontario.ca/home-and-community/change-your-address>).

The physical street signs will have to be replaced. The Town's Public Works Department can fabricate the signs, they estimate it will cost approximately \$30 per sign and the equivalent of \$40 worth of labour to install them. They will have to get permission from the Condominium Corporation to enter into the lands and install the signs.

The costs to the Town are summarized below:

Estimated cost to rename Slingerland Circle (50 dwellings)

	Cost per dwelling	Total Cost
Newmarket-Tay Hydro Fee (approximate)	---	(\$1,000.00) waived
Resident compensation	\$50	\$2,500.00
Town's mailing costs (approximate)	\$1.00	\$50.00
New street signs (2 signs plus installation)	---	\$100.00
	TOTAL	\$2,650.00

If a PIC is held, costs will include staff time and mailing costs; the standard for any PIC held by the Town.

Newmarket-Tay Hydro has advised staff that they will waive the engineering and administrative costs of approximately \$1,000 as this is a Council directed name change.

Process for renaming Slingerland Circle

Council has determined it wants to rename Slingerland Circle and requested the next available veteran's name from the Street Name Reserve List. The veteran's name is Jack Giles, proposed as Jack Giles Circle.

Jack Giles was a charter member of the Royal Canadian Legion. He was born in 1925 and died in Newmarket in December 2006. He served in the Navy during World War II from January 1944 to March 1946. His name was added to the Street Naming Reserve list at the suggestion of the Royal Canadian Legion.

The *Municipal Act* requires that public notice be given for a street name change. The Town's Public Notice Policy requires advertising on the Town Page for two or three weeks, depending on the time of year.

At Council's direction, staff can organize a Public Information Centre (PIC) to provide residents with information on the impacts of the street name change and how they can receive compensation. An invitation to the PIC would be mailed to each dwelling on Slingerland Circle.

If Council approves the use of "Jack Giles Circle" staff will issue a change of street name notice; using the same process that is already in place for address notifications. The following agencies are formally notified of any address change:

- Canada Post,
- Enbridge,
- York Region,
- Town of Newmarket tax department,
- 911 Addressing,

- Emergency Medical Services,
- Central York Fire Services,
- York Region Police,
- Assessment Office,
- Ministry of Health,
- Rogers Cable,
- Bell Canada, and
- Newmarket Hydro.

They will all update their systems with the new street name change.

Staff will notify all 50 residents by mail when the name change will come into effect. It is suggested that the street name will come into effect approximately three weeks to a month after Council approves the change.

If Council directs staff to hold a PIC, it will take place prior to the agencies being notified of the name change.

Current Street Naming Process

Council has a policy for naming new streets outlined in the Street Naming Policy and Procedure (attached as Appendix 1). When a new street is proposed the developer may choose a name from the Reserve List or suggest a name. The process for vetting a new name and adding a name to the Reserve List are the same. The name is first vetted by the Region. The name is then taken to the Street Naming Committee. The Street Naming Committee considers the name and makes a recommendation to Council regarding the acceptability of the name (i.e. accept, reject or accept with modifications) and adding it to the Reserve List. The Street Naming Policy contains criteria for determining if the name is acceptable. Once the name is approved by Council it is added to the Reserve List. From the Reserve List it can be assigned to a new street by the Street Naming Committee.

The street name is registered on title through the registration of the Plan of Subdivision or by by-law.

Recommended Procedure for Renaming an Existing Public Street (when request by a resident)

Staff recommend establishing a policy to rename existing streets that will be in place should a resident request the renaming of a street. This procedure is not being proposed for the renaming of Slingerland Circle. It also only considers renaming a public street. Slingerland Circle is a private street. Based on municipal best practices and our experience in Newmarket, staff recommends the following procedure for considering changing a street name:

1. All applications for renaming streets shall be made in writing to Council.
2. The application shall include a petition with the names, addresses, and signatures of 60% the affected residents (persons who reside on or own property that fronts on to the subject street; including tenants and business owners). The petition must demonstrate that at a minimum 60% of the affected residents/owners are interested in considering changing the street name.

3. The application shall include a recommended new name that is in accordance with the Street Naming Policy (i.e. is from the Reserve List or that meets the requirements of the Policy).
4. If Council accepts the request to consider the name change, Council will direct staff to process the request as follows:
 - Advise, in writing through the mail, all affected residents that Council is considering changing the street name and the suggested new name.
 - Hold a Public Information Centre where residents can receive information on potential impacts of the change and express their opinion on the proposed change. Residents will be informed of the fees that the Town may be aware of (i.e. the \$257/address charged by Newmarket Tay Hydro) and reminded of the various agencies to be contacted and documents to be changed.
 - Prepare a "Letter of Consent" for the applicant to use in obtaining written agreement from the affected residents.
5. The applicant is responsible for collecting Letters of Consent from a minimum of 80% of affected residents.
6. If the request is to consider renaming a portion of the road as it was originally registered, a Reference Plan, prepared by a Surveyor may be required, at the applicant's expense.
7. If requested by the affected residents and/or applicant Council can consider offering compensation to cover the cost of changing addresses (i.e. the fee charged by Newmarket Tay Hydro to change addresses) and/or covering the cost of the Reference Plan (if required).
8. Staff will report back to Council with the results of the public consultation, and if the 80% agreement of residents was achieved, and make a recommendation to Council. The report will include a recommendation on the proposed change, the new name, and whether or not compensation should be considered.
9. If Council decides to approve the street name change, staff will be directed to:
 - Bring forward a by-law repealing existing street name (if required);
 - Bring forward a by-law for the new street name; and
 - Registered the new name on title.
10. Through the Fees and Charges By-law, Council may choose to establish an application fee to cover the staff time and resources required to process the street name change.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This proposed procedure supports the Community Strategic Plan by being *Well-Equipped and Managed* by suggesting policy and processes that reflect sound and accountable governance.

CONSULTATION

Residents will be notified of the street name change by a notice in the Town Page as per the Town's policy. Residents will also be notified by direct mail, indicating the date when the name change comes into effect. If directed by Council, staff can hold a PIC to answer residents' questions.

HUMAN RESOURCE CONSIDERATION


Not applicable to this report.

BUDGET IMPACT (CURRENT AND FUTURE)

As outlined in the chart above, the potential total cost to the municipality to rename the Slingerland Circle is approximately **\$2,650.00**.

CONTACT

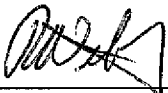
For more information on this report, contact: Meghan White, Planner at 905-953-5321, Extension 2458 or via email at mwhite@newmarket.ca.



Meghan White, Planner



Commissioner of Development and Infrastructure Services



Director of Planning and Building Services

APPENDIX 1

STREET NAMING POLICY



Street Naming Policy and Procedure

PURPOSE: TO PROVIDE POLICIES AND ESTABLISH A PROCESS FOR ASSIGNING STREET NAMES WITHIN THE TOWN OF NEWMARKET

1. Establish a Street Name Reserve List:

- 1.1 The reserve list is a database of names intended to be used as street names within the Town of Newmarket.
- 1.2 The Street Naming Committee of Council shall set a maximum size for the Street Name Reserve List to ensure all names will be used in conjunction with development growth.
- 1.3 Names within the reserve list may be prioritized to expedite selection. Criteria for prioritization are set out in section 3.0
- 1.4 The reserve list will be maintained by the Street Naming Committee.

2. Adding names to the Street Name Reserve List:

- 2.1 Street name requests are to be forwarded to the Town of Newmarket Planning Department.
 - 2.1.1 Anyone can make a request, including the Street Naming Committee.
 - 2.1.2 The request shall include the proposed name, a description as to how it meets the criteria established in sections 2.2 and 2.3 and contact information.
- 2.2 Street Name Criteria:
 - 2.2.1 Names must relate to local individuals/families posthumously who:

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Planning Division**

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905.953.5321

- a. Have had a considerable relationship with the Town, and/or
- b. Have made a significant social, political or cultural contribution to the Town.

Or

- 2.2.2 Streets named after famous or distinguished individuals will normally occur after their deaths unless council determines extenuating circumstances exist to grant such an honour.

Or

- 2.2.3 Other names of historical importance.

Or

- 2.2.4 In the case of large developments (e.g. residential and/or industrial subdivisions), street name themes may be used. Such themes shall be of local, regional, provincial or national significance. Priority shall be given to themes with local significance.

- 2.3 Proposed street names **should not** have any of the following characteristics:

- 2.3.1 Generic names, such as Bay Street
- 2.3.2 Names with undesirable definitions or pronounced or spelled similar to such undesirable words
- 2.3.3 More than one word; use surname unless given names(s) necessary to avoid duplication
- 2.3.4 The first word of a new street name may not be reused
- 2.3.5 Corrupted, or modified names, such as Sandiford in recognition of Sandford
- 2.3.6 Discriminatory or derogatory names (e.g. with regard to race, sex, colour, creed, political affiliation or other social factors)
- 2.3.7 Names seen as advertising for a particular business

- 2.3.8 Re-use of former street names
- 2.3.9 Names of existing institutions, parks, facilities, enterprises, service clubs or similar organizations, lands or structures.
- 2.3.10 Sound alike / similar street names are prohibited (e.g. Lynx and Links)
- 2.3.11 Names of existing streets shall be used on new streets which are continuations of, or in alignment with, existing streets
- 2.4 The naming of private streets must be submitted to the Street Naming Committee for review and approval in accordance with the existing Street Naming Policies. Due to the potential confusion and problems which may occur for emergency and delivery services caused by the naming of private streets municipal staff is to implement this policy as a condition of approval of proposed site plans with internal streets.
- 2.5 The Street Naming Committee shall forward all street name requests to the York Region Planning Department for Regional approval. If York Region does not approve the name, the Street Naming Committee may use its discretion to alter the name while maintaining consistency with the Policy and re-submitting it to York Region for approval. The individual/family who submitted the name should be contacted for their approval before the altered name is re-submitted to York Region.
- 2.6 Upon receiving Regional approval, the street name request shall be forwarded to the Town of Newmarket Council for Local approval. If Council does not approve the name, the Street Naming Committee may use its discretion to alter the name while maintaining consistency with the Policy and re-submitting it to York Region for approval. The individual/family who submitted the name should be contacted for their approval before the altered name is re-submitted to York Region. Upon receiving Regional approval, the street name shall be re-submitted to the Town of Newmarket Council for Local approval.
- 2.7 Concurrent with the request for Regional approval, the submitted street name(s) shall be circulated to the Newmarket Inclusivity Advisory Committee for awareness and comment. Council will be made aware of any comments prior to approval of the street name.

- 2.8 Upon receiving Regional and Local approval, the name is added to the Street Name Reserve List.

3. Street Name Reserve List Prioritization:

- 3.1 A name on the Street Name Reserve List shall receive priority standing if it has remained on the reserve list after a time period as specified by the Street Naming Committee.
- 3.2 The specified time period may be reviewed by the Street Naming Committee on an as needed basis to further the selection of names from the reserve list.
- 3.3 The Street Naming Committee may also prioritize names from the Street Name Reserve List based on the level of significance to the criteria established under section 2.2.
- 3.4 The Street Name Reserve List shall note those names with priority standing.
- 3.5 Every third name selected must be from names on the Town Cenotaph as listed on the approved Reserve List.
- 3.6 Council may use its discretion to prioritize an approved street name on the Street Name Reserve List.
- 3.7 All names on the current Street Name Reserve List are grandfathered.

4. Assigning street names to a development:

- 4.1 The Street Naming Committee shall review draft plans to determine the number of new streets.
- 4.2 The property owner shall submit a selection of names from the Street Name Reserve List for consideration by the Street Naming Committee.
- 4.3 One of every two selected names shall be names with Priority standing (rounded up).
- 4.4 The property owner may request the addition of names to the Street Name Reserve List for assignment within new developments. Such requests are required to comply with this policy.

- 4.5 The Street Naming Committee will review and assign the name to a new street.
- 4.6 At such time as a name is assigned to a new street within the Town of Newmarket, the Street Naming Committee shall advise the original requestor within two weeks that the street name has been officially assigned.
- 4.7 The Street Naming Committee may require and designate additional information, crest, symbols, etc. pertaining to the street name on street signs, while still maintaining the typical sign size.

General:

The above guidelines reflect the general criteria used by the Street Naming Committee in approving the use of street names within the Town of Newmarket.

It is recognized that judgment must be used when using these guidelines and that each proposed name should be judged on its own individual merits.

Approved by Newmarket Council September 21, 2009
Revised by Newmarket Council October 17, 2011

STREET NAMING COMMITTEE – MANDATE

(Legal and Development Services Report – Planning Report 2007-44 – adopted by Council on October 9, 2007)

The Street Naming Committee will be created to consider requests for street names and the assignment of names to new streets. The Committee will be responsible for the development of a street naming policy and procedure that will include identifying criteria for eligible names that have been nominated and the assignment of approved names to new streets.

Membership

There was limited discussion by Committee of the Whole on their September 4, 2007 meeting regarding the committee membership. A suggestion was made to have a 3-person membership appointed by Council. The naming of new streets has historically formed part of the land development process and has typically occurred in a timely fashion. A streamlined Street Naming Committee would facilitate the Town's customer service mandate and should thus be a relatively small committee for administrative purposes.

Governance

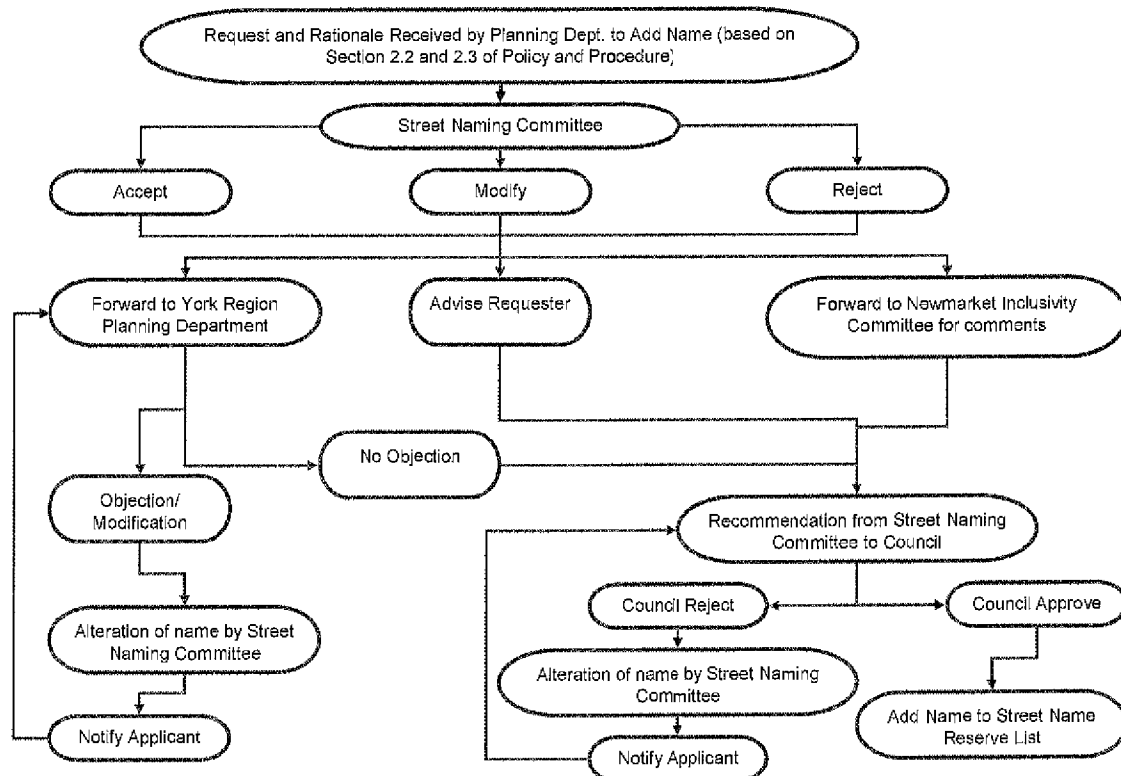
The governance plan for the Street Naming Committee of Council shall be as follows:

Role	Responsibilities	Assignment
Sponsor	<ul style="list-style-type: none"> Establish and appoint the Street Naming Committee of Council. Adopt a Street Name Policy and Procedure. Approve street name nominations. 	Council
Committee Chair	<ul style="list-style-type: none"> Chair meetings, facilitating group discussion and in cooperation with the Administration and Staff Resources ensuring an open and productive environment exists to meet the mandate of the group. 	To be appointed by the Committee
Staff Resources	<ul style="list-style-type: none"> First point of contact for receiving street name nominations. Provide advice and information to the Street Naming Committee regarding street name nominations and status of new street developments. Provide administrative support for the Committee. 	Director of Planning or designate

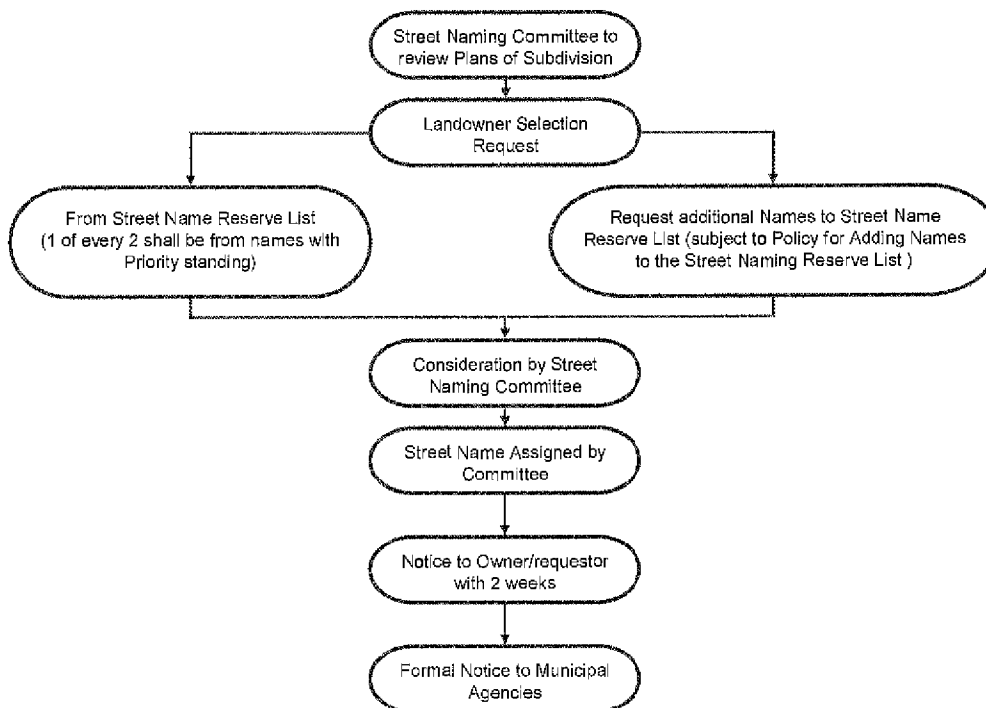
Members of the Street Naming Committee	<ul style="list-style-type: none"> • Establish and maintain a Street Naming Policy and Procedure. • Review street name nominations for compliance with the Street Naming Policy and Procedure. • Provide recommendations to Council for the approval of street name nominations. • Assign approved street names to new streets. 	<ul style="list-style-type: none"> • One designated member from Heritage Newmarket • Two designated members from the public. • Committee to consist of a maximum of three individuals. • Staff is not a voting member.
Communication and Reporting Relationships	<ul style="list-style-type: none"> • Staff is responsible for making recommendations and communicating the views and recommendations of the Committee to Council and to provide feedback to the Committee regarding Council's disposition of the Committee business. 	Director of Planning Services or designate

¹ Revised October 17, 2011 - staff to report to Council on the recommendations of the Street Naming Committee

Policy for Adding Names to the Street Naming Reserve List



Policy for Assigning Street Names to a Development



TOWN OF NEWMARKET COUNCIL - EXTRACT - MONDAY, MARCH 3, 2014

	REF'D TO	COPY TO		REF'D TO	COPY TO
Mayor Tony Van Bynen			Development & Infrastructure Services, Commissioner of		
Reg. Councillor Taylor			Community Services, Commissioner of		
Councillor Vegh			Corporate Services, Commissioner of		
Councillor Kerwin			Planning & Building Services, Dir. of		
Councillor Twinney			Recreation & Culture, Dir. of		
Councillor Hempen			Human Resources, Dir. of		
Councillor Sponga			Engineering Services Dir. of		
Councillor Di Muccio			Public Works Services, Dir. of		
Councillor Emanuel			Financial Services, Dir. of		
			Legal Services, Dir. of		
CAO			Legislative Services, Dir. of		
OTHER:			Corporate Communications, Dir. of		
			Chief Building Official		
PENDING AGENDAS: COW			Economic Development Officer		
COUNCIL			Information Technology, Dir. of		
JCC			Fire Chief		
			Purchasing Manager		
Letter: File:			ORIGINAL REPORT IN DEPARTMENT BINDER	✓	

54. Development and Infrastructure Services Report – Planning and Building Services 2014-07 dated February 13, 2014 regarding cash in lieu of parking.

THAT the following be referred to the March 17, 2014 Committee of the Whole Meeting:

THAT Development and Infrastructure Services Report - Planning and Building Services 2014-07 dated February 13, 2014 regarding cash in lieu of parking be received and the following recommendations, as amended, be adopted:

- a) THAT cash in lieu of parking be set in accordance with Appendix A forming part of this report;
- b) AND THAT the Cash In Lieu of Parking policy identified as Appendix A be implemented immediately upon Council approval;
- c) AND THAT current Planning Act applications that may benefit from cash in lieu of parking, be grandfathered at the current cash in lieu of parking rate.

Carried



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February 13, 2014

DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2014-07

TO: Committee of the Whole

SUBJECT: Cash in lieu of Parking

ORIGIN: Planning Department

RECOMMENDATIONS

THAT Development & Infrastructure Services/Planning and Building Services Report 2014-07 dated February 13, 2014 regarding cash in lieu of parking be received and the following recommendation(s) be adopted:

1. THAT cash in lieu of parking be set in accordance with appendix A forming part of this report.
2. AND THAT the Cash in Lieu of Parking policy identified as appendix A be implemented June 30, 2014.
3. AND THAT current Planning Act applications that may benefit from cash in lieu of parking, be grandfathered at the current cash in lieu of parking rate.

Background

At the September 30, 2013 Council meeting, the following direction was given:

THAT Development and Infrastructure Services Report – Planning and Building Services 2013-40 dated September 12, 2013 regarding Cash in Lieu of Parking be referred to a future Committee of the Whole meeting;

AND THAT the report be circulated to BILD (Building Industry and Land Development Association) Canada.

Staff circulated the referenced report to BILD for comments. The report was circulated to all members of the York Chapter. Due to lack of response to the circulation, BILD have indicated that they will not be submitting a letter in response to the Town's proposed Cash in Lieu of Parking policy. They have verbally provided brief comments and have asked some questions of clarification.

There was a comment that the increase from the existing fee to the new fee is large, but they are supportive of the proposed subsidy for cash in lieu of Parking.

A suggestion was made that the land values used in the report may be inflated. For the purpose of this exercise recent land sales along with the advice from Economic Development determined approximate land values for each land use area to use as a basis for the discussion. If the proposed cash in lieu of parking policy is adopted, prior to the policy coming into force, the land values and construction costs will have to be confirmed. Staff will ensure that the final numbers used in calculations are supported by background information and based on real land values. The values currently used as a point of discussion are as follows:

Land Use Area	Approximate land value per square metre	Approximate land value per acre
Regional + Prov Urban Centre	\$370.00	\$1,500,000.00
Downtown	\$247.00	\$1,000,000.00

BILD also requested clarification on the 28m² and 40m² used in the report and the reasoning behind the area used for calculating the amount. As expressed in previous reports, the 28m² represents the area of a parking space (14.5m²) and associated aisle (9.5m²) and access (4m²). The 40m² is the same as previous with the addition of a Buffer area of 12m². These areas generally reflect the areas required for a full parking lot including access points, buffers, aisles and the parking space. The numbers are also consistent with other municipalities using a similar ratio to calculate cash in lieu of parking payments.

To provide better clarification, the chart below details the formula with the dollar values included.

	P	40	(Px40)	S	28	(Sx28)	M	m	
Land Use	Assessed land cost per square metre	Area of parking space + aisle and buffer in m ²		Construction cost per square metre	Area of parking space + aisle and access m ²		Multiplier 1 =full cost recovery 0-1 subsidy rate	Ongoing maintenance and capital repairs per space	Total per space
Regional + Provincial Urban Centre	\$370	40m ²	\$14,800	\$178.50	28m ²	\$4,998	(\$19,789)x.5	(\$9,899)+\$3,000	\$12,899.00
Downtown	\$247	40m ²	\$9,880	\$178.50	28m ²	\$4,998	(\$14,878)x.5	(\$7,439)+\$3,000	\$10,439.00

BUDGET IMPACT (CURRENT AND FUTURE)

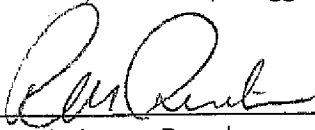
The Town will see increased revenue for municipal parking facilities where developers are able to take advantage of the cash in lieu of parking policy.

CONCLUSIONS

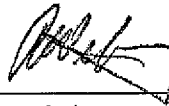
The proposed Cash in Lieu of Parking policy is consistent with best practices, conforms to the intent, goals and strategic directions of the 2006 Official Plan and is consistent with the Provincial Policy Statement. As such the recommendations contained in this report are appropriate and represent good planning.

CONTACT

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



Commissioner, Development and
Infrastructure Services



Director of Planning & Building Services



Senior Planner - Community Planning

Appendix "A"

TOWN OF NEWMARKET CASH-IN-LIEU OF PARKING POLICY

Section 40 of the Planning Act provides among other things that, where an owner or occupant of a building is required under a by-law of a local municipality to provide and maintain parking facilities on land that is not part of a highway, the council of the municipality and such owner or occupant may enter into an agreement exempting the owner or occupant to the extent specified in the agreement, from the requirement of providing or maintaining the parking facilities, and the agreement shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the exemption.

1.0 DEFINITIONS

Cash-in-lieu shall mean the use of money for the construction of shared public parking spaces in place of private, on-site parking spaces.

Council shall mean the Municipal Council for the Town of Newmarket.

Development shall mean:

- the construction of a building or an addition to, or replacement of a building.
- a change of land use that results in a higher parking requirement than the previous use.

Parking Space shall mean an area of land that is accessible by a driveway or aisle, having access to a public street or lane, that is reserved for the purpose of the temporary parking or storage of one motor vehicle.

Town shall mean the corporation of the Town of Newmarket.

2.0 PARKING CASH-IN-LIEU POLICY

Purpose:

The purpose of this policy is to provide guidelines for implementing the Cash-in-lieu of parking program as outlined in the Land Use Bylaw.

Council or staff who have been delegated authority may, at its discretion, accept a Cash-in-lieu payment for the difference between the total number or required parking spaces and the number of parking spaces provided for land use development in the Town of Newmarket.

Policies:

The following policies shall apply subject to the approval of Council:

3.1 The Cash-in-lieu of parking policy shall apply to all new developments within the Town of Newmarket.

3.2 The Cash-in-lieu of parking fee shall be assessed for the difference between the total number of required parking spaces and the number of parking spaces provided for a development proposal.

3.3 The required Cash-in-lieu of parking fee shall be collected through development agreements/site plan agreements.

3.4 Where a proposed development cannot meet the zoning by-laws required parking and Cash-in-lieu of parking is requested, in contemplating such a request, the following should be considered:

- Compliance with the Official Plan, Zoning By-law and any other policy document in effect
- Concerns of commenting agencies, if any
- Whether there is an identified municipal interest in providing municipal parking facilities in the area
- The timing for the delivery of municipal parking facilities
- Whether the onsite parking deficiency would result in a hardship for the site or surrounding area
- Ability of the site to accommodate the proposed development, based on the available supply of parking
- The number of stalls proposed to be considered for payment in lieu

3.5 The Cash-in-lieu of parking land costs and construction costs shall be reviewed and established by the Town of Newmarket on a yearly basis.

3.6 Calculation of Cash-in-lieu of Parking Rates:

The required development/site plan agreement shall acknowledge that in consideration of the exemption provided for the establishment of parking space, the owner will pay to the Town an amount of money in lieu of parking calculated using the following formula:

$$\text{\$} = ((P \times 40) + (S \times 28)) \times M + m$$

\\$ = Amount to be charged per parking space

P = Land cost per square metre

40 = Area of parking space + aisle and buffer in square metres

S = Construction cost per square metre

28 = Area of parking space + aisle and access in square metres

M = Multiplier, where 1 is full cost recovery and the value between 0 and 1 is the subsidy rate, a rate of 0.5 would be a 50% subsidy rate.

m= Maintenance and capital repairs per space

3.7 The subsidy multiplier (M) shall be set at 0.5. Council may apply a further subsidy at their discretion for applications of special merit.

3.8 All Cash-in-lieu fees shall be deposited into a parking account(s) established for the purpose of constructing and maintaining existing and future parking facilities.

Land Values and construction costs: (to be updated on an annual basis)
Updated: June 2013

Land Use Area	Approximate land value per square metre	Approximate land value per acre
Regional + Prov Urban Centre	\$370.00	\$1,500,000.00
Downtown	\$247.00	\$1,000,000.00

	P	40	(Px40)	S	28	(Sx28)	M	m	
Land Use	Assessed land cost per square metre	Area of parking space + aisle and buffer in m ²		Construction cost per square metre	Area of parking space + aisle and access m ²		Multiplier 1 =full cost recovery 0-1 subsidy rate	Ongoing maintenance and capital repairs per space	Total per space
Regional + Provincial Urban Centre	\$370	40m ²	\$14,800	\$178.50	28m ²	\$4,998	(\$19,789)x.5	(\$9,899)+\$3,000	\$12,899.00
Downtown	\$247	40m ²	\$9,880	\$178.50	28m ²	\$4,998	(\$14,878)x.5	(\$7,439)+\$3,000	\$10,439.00



DEVELOPMENT & INFRASTRUCTURE SERVICES – PUBLIC WORKS SERVICES
 TOWN OF NEWMARKET
 395 Mulock Drive
 P.O. Box 328
 Newmarket, ON L3Y 4X7

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 info@newmarket.ca
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28 February 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
 PUBLIC WORKS SERVICES 2014-15**

TO: Committee of the Whole

SUBJECT: 2013 Newmarket Water Distribution System Annual Water Quality Summary Report

ORIGIN: Director, Public Works Services

RECOMMENDATIONS

THAT the DEVELOPMENT & INFRASTRUCTURE SERVICES – Public Works Services – Report PW 2014-15 dated 18 February 2014 regarding the **2013 Newmarket Water Distribution System Annual Water Quality Summary Report** be received and the following recommendations(s), be adopted:

1. THAT the 2013 Newmarket Water Distribution System Annual Water Quality Summary Report for the period of 1 January 2013 to 31 December 2013 be received for information.
2. AND THAT the information in the attached report be available for public viewing on the Town's website, at the Customer Service counter at 395 Mulock Drive and the Operations Centre at 1275 Maple Hill Court.

COMMENTS

The **2013 Newmarket Water Distribution System Annual Water Quality Summary Report** is required under Ontario's Drinking Water Systems Regulation (O.Reg. 170/03), made under the Safe Drinking Water Act, 2002 which requires that the owner of a municipal drinking water system prepare an annual report on the operation of the system and the quality of its water.

Schedule 22 of Ontario Regulation 170/03 also requires that a report be prepared and submitted to the members of Council by March 31st of the following year, for each reporting year. The reporting period covered in this year's report is 1 January 2013 to 31 December 2013.

The report contains an overview of water distribution system, water maintenance, replacement and repairs, Part III of the General Re distribution system and the Monthly Water Flows and Daily Consumptio

The report was prepared by the Water/Wastewater Supervisor as the designated Overall Responsible Operator (ORO) for the water distribution system for the Town of Newmarket.

The report contains the water quality reports (samples taken) for the dates between 1 January 2013 and 31 December 2013. In 2013, Public Works Services' provincially certified Water Operators took 1,152 Microbiological samples and 16 samples for lead for submission to the York Durham Regional Environmental Laboratory for analysis. Our Operators tested over 7,000 Choramine (disinfectant) residuals in the field. Water quality within the Town of Newmarket's distribution system is tested 7 days a week, 365 days per year.

From January 1, 2013 to December 31, 2013, the Town of Newmarket reported 105 Adverse Water Quality Incidents (AWQI's) in the Newmarket Water Distribution System (WDS). Most of these were as a result of disinfectant (chloramine) residuals dropping below the regulated minimum of 0.25mg/L combined chlorine. The AWQI Table (Table 6) in the Annual Water Quality Summary Report outlines all of the AWQI's for 2013, the response/action taken by operators and the corresponding re-sampling results. At no time was public safety at risk and staff document and implement procedures to ensure corrective actions are taken immediately.

In an effort to address the ongoing challenges in the Newmarket WDS in regards to disinfectant residual decay, the Town:

- Hired Stantec Consulting to create a hydraulic model of the Newmarket WDS to model water quality trends/scenarios. This model has been instrumental in addressing water quality challenges, and has been noted as being one of the most advanced water system models created to date in North America
- Undertook the Free Chlorine Conversion Program in 2012/2013 of three phases of the Newmarket Water Distribution System
- Contracted Corix Water Services to assist with watermain flushing for water quality
- Continues to work closely with industry experts, the Local Medical Officer of Health, the Ministry of the Environment, the Region of York, and the Town of East Gwillimbury in trying to address our ongoing challenges and come up with both short and long-term solutions

The laboratory results of the water samples taken during 2013 shows that The Town of Newmarket and its operators have provided safe drinking water and excellent customer service to its residents.

The report also highlights major work performed on the water distribution system during 2013.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The Community Strategic Plan for the Town of Newmarket articulates the goals of:

- Living well... focusing on health, safety and the environment to promote activity and enrich lives;
- Well-equipped and managed... implement policy and processes that reflect sound and accountable governance for fiscal responsibility, service excellence, management of assets and services to meet operational demands

CONSULTATION

Consultation is not required for this report.

HUMAN RESOURCE CONSIDERATIONS


None required for this report.

BUDGET IMPACT (CURRENT AND FUTURE)

The utility rate portion of the operating and capital budget provides the funding required for the regulatory requirements under the Safe Drinking Act. The additional costs incurred as a result of flushing to maintain water quality are currently under review/negotiation with the Region of York.

CONTACT

For more information on this report, contact; Bill Wilson, O.R.O., Water/Wastewater Supervisor, at 905-953-5300, ext. 2553 or email at bwilson@newmarket.ca.

Prepared by: 
Bill Wilson, ORO
Water/Wastewater Supervisor

Reviewed by: 
Rod Smith
Manager, Operations

Approved by: 
Christopher Kalimootoo, B.A., P.Eng., MPA, PMP
Director, Public Works Services

Approved by: 
Rob Prentice
Commissioner, Development and Infrastructure
Services



2013 NEWMARKET WATER DISTRIBUTION SYSTEM ANNUAL WATER QUALITY SUMMARY REPORT

1 JAN 2013 – 31 DEC 2013

Report prepared by: the Town of Newmarket, Public Works Services – Development & Infrastructure Services Commission

2013 ANNUAL WATER QUALITY SUMMARY REPORT

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2013 ANNUAL WATER QUALITY SUMMARY REPORT

EXECUTIVE SUMMARY

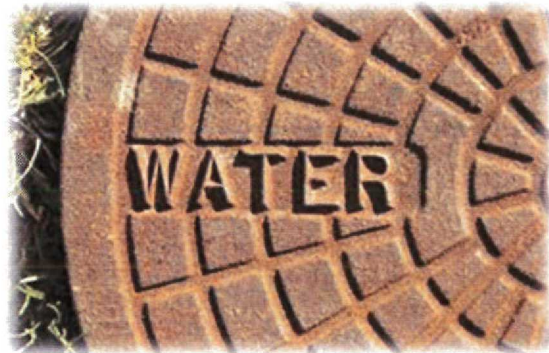
Town of Newmarket Public Works Services, as part of the Development and Infrastructure and Services Commission of the Corporation of the Town of Newmarket ("the Town") delivers drinking water to its residents' through the Water Distribution System (WDS). The Town acts as the Operating Authority and owns/operates the Newmarket WDS (DWS 260003188).

The Town has approximately 25,117 fully metered water service connections, 300 kilometers of watermain, 2,636 mainline valves, 2,291 fire hydrants and an approximate population of 79,978 (2011 Census). The Town is considered a Large Municipal Residential System under the Safe Drinking Water Act and is known as the "Newmarket WDS" (Class I).

The Newmarket WDS is divided into 3 zones (East, Central, and West) that range in pressure from approximately 40 psi – 100 psi.

The Town's water operators, certified by the Province of Ontario through the Ministry of the Environment (MOE), maintain and operate the WDS. Some of the typical operational activities performed by staff include, but are not limited to:

- ❖ Water sampling for submission to accredited laboratories for analysis
- ❖ Field testing for disinfectant residuals
- ❖ Uni-directional flushing
- ❖ Watermain/service repair
- ❖ Locates of municipal infrastructure
- ❖ Valve exercising/inspections
- ❖ Hydrant inspection
- ❖ Customer service for water quality inquiries



The Newmarket WDS is required by law to comply with the *Safe Drinking Water Act (SDWA)* and associated regulations (i.e. *O. Reg. 170/03*), as well as related requirements. The numbers of samples that are tested annually exceed the requirements of *O. Reg. 170/03*.

The Town's water quality monitoring program ensures that sufficient disinfectant levels are present in the water that we provide such that Regulatory requirements are met, as well as ensuring that there is no presence of pathogenic organisms.

Water samples are collected at various locations in town through the use of designated Sampling Stations. This practice assures that samples are being drawn at points which represent the entire distribution system.

2013 ANNUAL WATER QUALITY SUMMARY REPORT

The York-Durham Regional Environmental Laboratory (located in Pickering, Ontario), an accredited laboratory registered with the Canadian Association for Laboratory Certification Inc. (CALA), is under contract with the Town for water quality analysis of all water samples sent to them from our distribution system.

From January 1, 2013 to December 31, 2013, the Town of Newmarket reported 105 Adverse Water Quality Incidents (AWQIs) in the Newmarket WDS. 100 were as a result of disinfectant (chloramine) residuals dropping below the regulated lower limits of 0.25mg/L combined chlorine and 0.05mg/L free chlorine. One (1) AWQI was for the presence of E. Coli (which was resampled and came back negative, indicating a false result), and four (4) were for the presence of Total Coliform.

In an effort to address the ongoing challenges in the Newmarket WDS in regards to disinfectant residual decay, the Town hired Stantec Consulting to create a hydraulic model of the Newmarket WDS to model water quality trends/scenarios. This model has been instrumental in aiding us in addressing water quality challenges, and has been noted as being one of the most advanced water system models created to date in North America.



The Region of York ("the Region") is responsible for water supply, treatment, storage, and transmission to the Town of Newmarket. All supplied water was tested against and met all regulatory standards. Continuous monitoring by the Region via online monitoring systems (SCADA) ensures the highest quality of water is provided to our municipality at all times. Six Regionally-

owned/operated/maintained storage tanks located throughout the distribution system provide additional storage, pressure, and fire protection. The Region publishes a report with respect to water quality of both source and treated waters. This report is updated annually and is posted on their website: www.york.ca.

Newmarket is supplied with both surface (lake-based) and ground source (well) waters. The purpose of blending these two sources is to decrease the demand on the underground aquifer and provide additional security by having a second supply source to supplement the needs of our rapidly growing community. The ground source is supplied through the Yonge Street aquifer (5 wells located along the Yonge Street corridor, numbered 13 & 16, 1 & 2, and 15) as well as from an additional 4 wells located in the community of Queensville. All 9 of these wells are owned and operated by the Region. In 2008, the Region began to supplement the ground water supply with surface water from Lake Ontario via Peel Region. This water is conveyed through four connections with the Town of Aurora located along our Southern boundary (Bathurst Street, Yonge Street, Bayview Avenue, and Leslie Street). Five interface connections owned and operated by the Region, with the Town of East Gwillimbury have also been established to provide water to their drinking water systems (Harry Walker Parkway, Davis Drive, Yonge Street-east side, Yonge Street-west side, and Woodspring Avenue).

Treatment of the water supplied to the Newmarket WDS by the Region is through the process of chloramination (the addition of chlorine and ammonia). From August 2012 – May 2013, the Town of

2013 ANNUAL WATER QUALITY SUMMARY REPORT

Newmarket, in conjunction with the Region, temporarily changed to a free chlorine (chlorine only) disinfection method in three phases of the WDS.



As the Operating Authority, the Newmarket WDS is inspected annually by the Ministry of the Environment (MOE) to ensure compliance with regulatory requirements. An unannounced inspection was conducted September 25, 2013 (for the period of January 1, 2013 to September 25, 2013) with a resulting final inspection rating of 90.99%.

The Newmarket WDS has been accredited by SAI Global under the requirements of the SDWA. To receive this third party accreditation, the Town was required to develop an Operational Plan. This plan has been completed and is available to view upon request from the Town of Newmarket Operations Centre.

Additionally, internal and external audits of this Operational Plan have been conducted for 2013. The Town has met the Quality Management System Requirements as required by the SDWA.

The Town maintained the drinking water system in a fit state of repair in 2013 and followed best industry practices during the repair, inspection, and maintenance of the system.

The Town has completed this summary report to satisfy the regulatory requirements of the *Safe Drinking Water Act, O. Reg. 170/03*. For more information, please visit www.newmarket.ca or call The Town of Newmarket at 905-895-5193.

Any questions related to the Newmarket Water System, this report, or any water quality issue may be directed to the Overall Responsible Operator, Bill Wilson (Supervisor of Water/Wastewater Operations) at our Operations Centre 905-953-5300, ext. 2550, or via email at bwilson@newmarket.ca.



Town of
East Gwillimbury



2013 ANNUAL WATER QUALITY SUMMARY REPORT

INTRODUCTION

PURPOSE

The purpose of this report is to provide information to our consumers and stakeholders as well as to satisfy regulatory requirements of the *Safe Drinking Water Act, 2002* including the *Drinking Water Quality Management System (DWQMS)*, reports to Owner, and regulatory reporting required under *O. Reg. 170/03*. This report is a compilation of information that helps to illustrate the ongoing delivery of safe drinking water to our consumers in the Town of Newmarket.

SCOPE

This Annual Water Quality Report includes information pertaining to the Town of Newmarket's WDS for the period of January 1, 2013 to December 31, 2013. This information is required by law to be reported to the following:

1. The Drinking Water System Owners (The Corporation of the Town of Newmarket – Mayor and Council)
2. Top Management (Director – Public Works Services)
3. The public

NEWMARKET'S QUALITY MANAGEMENT POLICY

The Town of Newmarket is committed to the consistent delivery of safe drinking water through compliance with legislative and regulatory requirements. We will strive to achieve this goal through the implementation and continuous improvement of the Quality Management System.

The Town of Newmarket also pledges to ensure open communication, both with public, as well as staff concerning all policies, procedures, and documentation pertaining to drinking water quality.

The Quality Management Policy applies to all municipal management and staff, and is posted at the municipal offices, operations centre and on the municipal website.

Figure 1: Quality Management Policy

2013 ANNUAL WATER QUALITY SUMMARY REPORT

Report Requirements of the Safe Drinking Water Act

This report satisfies the Ministry of the Environment's (the "ministry", "MOE") *Safe Drinking Water Act* (SDWA) and *Ontario Regulation (O. Reg.) 170/03*:

- *Section 11, Annual Reports* which include:
 - A brief description of the Drinking Water System
 - A summary of the most recent water test results required under *O. Reg. 170/03*
 - A summary of adverse test results and other issues reported to the Ministry including corrective actions taken
 - A description of the major expenses incurred to install, repair, or replace required equipment/infrastructure
 - The locations where this report is available for inspection

And;

- *Schedule 22, Summary Report* which includes:
 - List the requirements of the SDWA, the regulations, the system's approval, *Drinking Water Works Permit (DWWP)*, *Municipal Drinking Water Licence (MDWL)*, and any orders applicable for the system that were not met at any time during the period covered by the report
 - For each requirement that was not met, the duration of the failure and the measures that were taken to correct the failure

This report satisfies the requirements for the Newmarket WDS.

A copy of the Annual Report is available for viewing at:

- Newmarket Operations Centre, 1275 Maple Hill Court
- Newmarket Municipal Offices, Customer Service Counter, 395 Mulock Drive
- Online at www.newmarket.ca

NOTICE:

Please note that every reasonable effort has been made to ensure the accuracy of this report. This report is published with the best available information at the time of publication.

2013 ANNUAL WATER QUALITY SUMMARY REPORT

NEWMARKET WATER DISTRIBUTION SYSTEM OVERVIEW

The mission of the Town of Newmarket's Public Works Services is to provide customers and the community with a safe, consistent supply of high quality drinking water while meeting, exceeding, and continually improving on legal, operational, and quality management system requirements.



The Newmarket WDS is a Class I Distribution Subsystem. From January 1, 2013 to December 31, 2013, sixteen (16) water operators and staff were certified to operate/maintain the system (14 full-time water/wastewater operators, plus 2 additional licenced staff who work in a different department that are available for support).

The Distribution System Infrastructure (including watermain, valves, hydrants, water services, and meters) services approximately 79,978 people (2011 Census) within the Town of Newmarket. All new components meet NSF 61 requirements or approved equivalents and are installed and maintained in accordance with approved industry standards.

The Newmarket WDS is comprised of/maintains the following infrastructure:

- ❖ 298.16 kilometers of distribution system watermain with a diameter <500mm
- ❖ 2636 mainline valves
- ❖ 2291 municipally owned fire hydrants
- ❖ 25,117 metered water services
- ❖ 2 Pressure Regulating Valves

Water pressure is maintained throughout the distribution system ranging between approximately 40-100 psi.



Newmarket is supplied with both surface (lake-based) and ground (well) source waters. The purpose of blending these two sources is to decrease the demand on the underground aquifer and provide additional security by having a second supply source to supplement the needs of our rapidly growing community. The ground source is supplied through the Yonge Street aquifer (5 wells located along the Yonge Street corridor; numbered 13 & 16, 1 & 2, and 15) as well as from an additional 4 wells located in the community of Queensville. All 9 of

these wells are owned and operated by the Region of York ("the Region"). In 2008, the Region began to supplement the ground water supply with surface water from Lake Ontario via Peel Region. This water is conveyed through four connections with the Town of Aurora located along our Southern boundary (Bathurst Street, Yonge Street, Bayview Avenue, and Leslie Street). Five interface connections with the Town of East

2013 ANNUAL WATER QUALITY SUMMARY REPORT

Gwillimbury have also been established to provide water to their systems (Harry Walker Parkway, Davis Drive, Yonge Street-east side, Yonge Street-west side, and Woodspring Avenue).

From January 1, 2013 to December 31, 2013, a total of 8,803,271 m³ of water was purchased from the Region for the Newmarket WDS. Of this total amount purchased, it was necessary to flush (through the use of fire hydrant flows) approximately 232,110 m³ in order to maintain water quality throughout the distribution system.

From January 1, 2013 to December 31, 2013, over 1000 regulatory microbiological and chemical quality samples were taken by certified operators; and tests performed by accredited, licenced laboratories on water samples collected throughout the drinking water system. In all cases, the drinking water supplied to all customers was confirmed safe.

From January 1, 2013 to December 31, 2013, the Town recorded 103 concerns from customers regarding colour, taste, and/or odour in relation to their drinking water.

The Newmarket WDS is classified as a Large Municipal Residential system and operates under the provincially regulated requirements of the Safe Drinking Water Act which may be found at <http://www.e-laws.gov.on.ca>. The DWS operates under:

Municipal Drinking Water Licence (MDWL) 124-101 (Issue 2)

Drinking Water Works Permit (DWWP) 124-201 (Issue 1).

The MDWL and the DWWP describe system-specific requirements that are supplementary to provincial regulations and act as licences for WDS's. These documents outline specific conditions and requirements regarding operation, maintenance and upgrades that are required by the system and considered regulatory in nature. These documents are available by request for viewing at the Newmarket Operations Centre, 1275 Maple Hill Court.

2013 ANNUAL WATER QUALITY SUMMARY REPORT

MAJOR EXPENSES INCURRED TO INSTALL, REPAIR, OR REPLACE REQUIRED EQUIPMENT/INFRASTRUCTURE

From January 1, 2013 to December 31, 2013, the Town incurred several significant expenses in regards to enhanced maintenance, replacement programs, and repair of infrastructure related to the WDS.

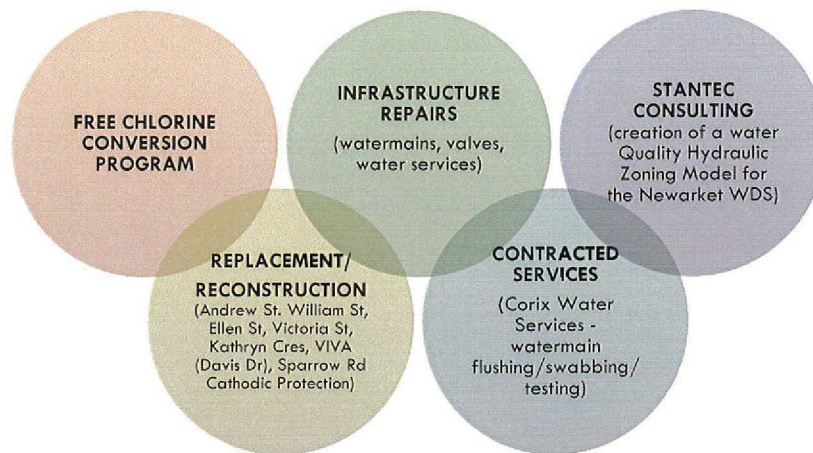


Figure 2: 2013 Major Expenses Incurred

Table 1: 2013 Excavation Details

EXCAVATION DATE	ADDRESS	TYPE OF REPAIR	PIPE MATERIAL	PIPE SIZE	BREAK TYPE	APPARENT CAUSE
2 JAN 2013	William St @ Eagle	Watermain	Cast Iron	200mm	Circumference	Beam Failure
JAN 2013	669 Elgin St	Watermain	Ductile Iron	150mm	Blow Hole	Corrosion
18 JAN 2013	315 Cotter St	Watermain	PVC	200mm	Split at bell	Bore machine
22 JAN 2013	986 Srigley St	Watermain	Ductile Iron	200mm	Circumference	Beam Failure
29 JAN 2013	115 William St @ Eagle	Watermain	Ductile Iron	150mm	Blow Hole	Swabbing
31 JAN 2013	66 Charlotte St. N	Watermain	Ductile Iron	150mm	Circumference	Beam Failure

2013 ANNUAL WATER QUALITY SUMMARY REPORT

EXCAVATION DATE	ADDRESS	TYPE OF REPAIR	PIPE MATERIAL	PIPE SIZE	BREAK TYPE	APPARENT CAUSE
31 JAN 2013	70 Charlotte St. N	Watermain	Cast Iron	150mm	Circumference	Beam Failure
4 FEB 2013	175 Deerfield	Watermain	Cast Iron	150mm	Circumference	Unknown
4 FEB 2013	309 Plymouth Trail	Valve	Ductile Iron	150mm	Bolts on valve broken	Corrosion
5 FEB 2013	232 Cherrywood	Watermain	Cast Iron	150mm	Circumference	Over storm sewer
11 FEB 2013	231 Kathryn Cres.	Watermain	Ductile Iron	150mm	Corrosion	Beam Failure
13 FEB 2013	796 Arnold Cres.	Watermain	Cast Iron	200mm	Circumference	Unknown
15 FEB 2013	81 Gladman Ave	Watermain	Steel & Ductile Iron	150mm	Beam	Corrosion
17 FEB 2013	141 Harrison Dr.	Watermain	Ductile Iron	150mm	Unknown	Corrosion
18 FEB 2013	96 Cherrywood	Watermain	Ductile Iron	150mm	Ring Break	Unknown
18 FEB 2013	26 Walter Ave	Watermain	Ductile Iron	150mm	Ring Break	Unknown
FEB 2013	415 Roywood Cres.	Watermain	Cast Iron	150mm	Circumference	Beam Failure
1 FEB 2013	117 Cherrywood	Watermain	Cast Iron	150mm	Circumference	Beam Failure
21 FEB 2013	348 Glenrose	Watermain	Ductile Iron	150mm	Circumference	Age
24 FEB 2013	300 Prospect St	Watermain	Water Service	25mm	Service Leak	Age
1 MAR 2013	24 Longford Dr.	Watermain	Cast Iron	150mm	Circumference	Beam Failure
2 MAR 2013	109 Meadowbank	Watermain	Cast Iron	150mm	Circumference	Beam Failure
4 MAR 2013	16774 Bayview Ave S	Watermain	Cast Iron	300mm	Circumference	Beam Failure

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EXCAVATION DATE	ADDRESS	TYPE OF REPAIR	PIPE MATERIAL	PIPE SIZE	BREAK TYPE	APPARENT CAUSE
5 MAR 2013	289 Roywood Cres.	Watermain	Cast Iron	150mm	Circumference	Beam Failure
5 MAR 2013	226 Cherrywood	Watermain	Cast Iron	150mm	Circumference	Beam Failure
5 MAR 2013	132 Harrison Dr.	Watermain	Ductile Iron	150mm	Circumference	Age
7 MAR 2013	93 Walter Ave	Watermain	Cast Iron	150mm	Circumference	Frost
5 MAR 2013	137 Harrison Dr.	Watermain	Cast Iron	150mm	Circumference	Beam Failure
4 FEB 2013	309 Liverpool	Watermain	Ductile Iron	150mm	Blow Hole	Corrosion
MAR 2013	372 Glenrose	Watermain	Ductile Iron	150mm	Blow Hole	Corrosion
12 MAR 2013	141 Patterson	Watermain	Ductile Iron	250mm	Blow Hole	Corrosion
17 MAR 2013	Walter @ Sheldon	Watermain	Cast Iron	150mm	Circumference	Beam Failure
12 MAR 2013	417 Patterson	Watermain	Ductile Iron	250mm	Blow Holes	Corrosion
14 MAR 2013	381 Eagle St	Water Service	Copper	16mm		
20 MAR 2013	419 Church St	Valve	Cast Iron	150mm	Missing bolts	Corrosion
10 APR 2013	490 Cody Cres.	Watermain	Ductile Iron	150mm	Blow Hole	Corrosion
22 MAY 2013	383 Davis Dr.	Water Service	Copper	19mm	Leak	Corrosion
23 MAY 2013	498 Cody Cres.	Watermain	Ductile Iron	150mm	Blow Hole	Corrosion
3 JUN 2013	74 Millard Ave	Valve	Cast Iron	150mm	n/a	Corrosion
6 JUN 2013	692 Sunnypoint	Curbstop Rod Replacement	n/a	n/a	n/a	Corrosion
17 JUN 2013	760 Greenfield Cres.	Curbstop Rod Replacement	n/a	n/a	n/a	Corrosion
17 JUN 2013	160 Pony Dr.	Valve Box Repair	n/a	n/a	Offset	Unknown

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EXCAVATION DATE	ADDRESS	TYPE OF REPAIR	PIPE MATERIAL	PIPE SIZE	BREAK TYPE	APPARENT CAUSE
9 JUL 2013	227 Talbot	Watermain	Ductile Iron	150mm	Main stop Blow Out	Swabbing
11 JUL 2013	405 Roywood Cres.	Watermain	Cast Iron	150mm	Circumference	Swabbing
14 JUL 2013	354 Buckingham	Watermain	Ductile Iron	150mm	Blow Hole	Corrosion
23 JUL 2013	109 Meadowbank	Watermain	Cast Iron	150mm	Circumference	Beam Failure
24 JUL 2013	501 Bristol Rd	Watermain	Ductile Iron	200mm	Blow Hole	Corrosion
25 JUL 2013	181 Penn Ave	Watermain	Cast Iron	150mm	Longitude Split	Swabbing
1 AUG 2013	20 Hill St	Water Service	Copper/Galvanized	50mm	Leak	Corrosion
12 AUG 2013	261 Alex Doner	Curbstop Rod Replacement	n/a	n/a	n/a	Corrosion
20 AUG 2013	185 Grant Blight	Service Replacement	Copper	19mm	n/a	Corrosion
27 AUG 2013	270 Rogers Rd	Curbstop Rod Replacement	n/a	n/a	n/a	Corrosion
30 AUG 2013	119 Glenway Circle	Curbstop Rod Replacement	n/a	n/a	n/a	Corrosion
9 SEPT 2013	Harewood Blvd @ Willow Ln	Valve Box Repair	n/a	n/a	Offset	Unknown
10 SEPT 2013	57 Ashton Rd	Curbstop Leak	Brass/Copper	19mm	Curbstop Leak	Unknown
11 SEPT 2013	383 Davis Drive	Water Service	Copper	19mm	Leak	Corrosion
17 SEPT 2013	531 Davis Dr.	Abandoned Water Service Leak	Copper	50mm	Abandoned Water Service Leak	Corrosion
2 OCT 2013	Eagle St @ James Ave	Mainline Valve Removal	Cast Iron	150mm	Mainline Valve Removal	Corrosion
20 OCT 2013	53 Wilstead Dr.	Watermain	Cast Iron	150mm	Blow out - top section	Corrosion
21 OCT 2013	Charles St @ Davis Dr.	Watermain	PVC/Hypotech	150mm	Blow off of Elbow	Unrestrained at original install
21 OCT 2013	1058 East Hill Crt.	Curbstop rod Replacement	n/a	n/a	n/a	Corrosion

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EXCAVATION DATE	ADDRESS	TYPE OF REPAIR	PIPE MATERIAL	PIPE SIZE	BREAK TYPE	APPARENT CAUSE
19 DEC 2013	72 George St	Water Service	Copper	16mm	Leaking at flared fitting	Corrosion

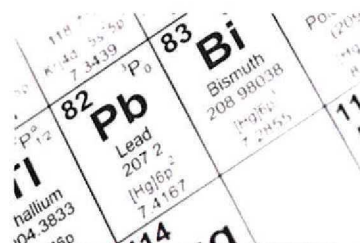
FREE CHLORINE CONVERSION PROGRAM

Difficulties maintaining chlorine residuals in sections of the Newmarket WDS led to multiple adverse water quality incidents in 2012 and 2013. After increased maintenance programs, several third-party studies/analyses, careful deliberation amongst industry professionals, as well as local and regional governments, the Town initiated a formal request to the Region to convert areas of challenge from a chloraminated (chlorine + ammonia) disinfection system to a free chlorine (chlorine only) system for enhanced maintenance. Ontario Ministry of the Environment Drinking Water Inspectors and the local Medical Officer of Health were also consulted throughout the process to ensure they understood and supported the program.

Free chlorine disinfection is one of the Ministry of the Environment's (MOE) approved methods for drinking water disinfection in Ontario and is one of the most widely-used processes across North America. Free chlorine is a stronger disinfectant than chloramine, and was chosen for enhanced maintenance of the WDS to maintain Newmarket's high standard of water quality.

REGULATORY LEAD SAMPLING PROGRAM

In 2013, lead sampling programs were conducted in compliance with Schedule 15.1 of O. Reg. 170/03 of the *Safe Drinking Water Act*. Sixteen (16) samples were taken and submitted to the York-Durham Regional Environmental Laboratory for analysis. Sample results ranged from between 0.0001mg/L-0.0005mg/L for distribution system samples. Due to sufficient evidence indicating that lead is not leaching from infrastructure in the Newmarket WDS, combined with a significant decline in volunteers for residential samples, the Corporation of the Town of Newmarket, on April 20, 2012, submitted a request for Regulatory Relief from Lead Sampling Requirements.



"Amendments to Ontario Regulation 170/03 (Drinking Water Systems) to reduce the potential for elevated levels of lead in drinking water at the tap came into effect on July 26, 2007. These amendments include mandatory community-wide testing for lead, notification of results from the community testing program, and the development and implementation of corrosion control measures for lead reduction... Under Part V (municipal systems) and Part VI (regulated non-municipal systems) of the Safe Drinking Water Act, 2002, the Director, through conditions of an approval, may provide relief for a drinking water system from a regulatory requirement related to the treatment of water, the sampling, testing or monitoring of water quality, or the reporting of the results. As outlined in the December 17, 2007 letter to municipal and non-municipal residential

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drinking water system owners, the ministry will consider granting regulatory relief to owners who, despite best efforts, are not able to secure the required number of sampling locations."

*Section 38 (Municipal Drinking Water Systems),
Guide for Requesting Regulatory Relief from Lead Sampling Requirements in
Schedule 15.1 of Regulation 170/03, Safe Drinking Water Act, 2002*

The application for relief was approved by the Ontario Ministry of the Environment, with the below table updated to illustrate the Newmarket WDS's new regulatory requirements (effective until October 15, 2016).

NUMBER OF SAMPLING POINTS REQUIRED FOR RELIEF FROM REGULATORY REQUIREMENTS

Table 2: Number of Sampling Points Required For Relief from Regulatory Requirements

Column 1 Drinking Water System Or Drinking Water Subsystem name	Column 2 DWS Number	Column 3 Number of Sampling Points in Plumbing that Serves Private Residences	Column 4 Number of Sampling Points in Plumbing that Does Not Serve Private Residences	Column 5 Number of Sampling Points in Distribution System
Newmarket Distribution System	260003188	0	0	8

Source: Municipal Drinking Water Licence number 124-101 Dated 18th day of May, 2012

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WATER SAMPLING SUMMARY

Table 3: Microbiological Parameters

PARAMETER	REGULATED LIMIT	TOTAL NO. OF SAMPLES TESTED	NO. OF DETECT-ABLE RESULTS	SAMPLES EXCEEDING LIMIT	REPORTED EXCEED-ANCES	RANGE OF RESULTS
Heterotrophic Plate Count (HPC)	*no current standards	512	111	0	0	<1CFU/mL – 4,000 CFU/mL
Total Coliforms (MPN/PA)	0 MAC	1152	5	5	4*	A MPN/100mL – P MPN/100mL
Escherichia E. Coli/E. (MPN/PA)	0 MAC	1152	1	1	1	A MPN/100mL – P MPN/100mL

Table 4: Organic/Inorganic Parameters

PARAMETER	REGULATED LIMIT	TOTAL NO. OF SAMPLES TESTED	NO. OF DETECT-ABLE RESULTS	SAMPLES EXCEEDING LIMIT	REPORTED EXCEED-ANCES	RANGE OF RESULTS
Alkalinity (total as CaCO ₃)	Operational Guideline: 30-500mg/L	16	16	0	0	90.7mg/L – 204mg/L
Ammonia (free, as N) *field tested	*no current standards	76*	76	0	0	0.00mg/L – 0.55mg/L
Ammonia (total, as N)	*no current standards	6	6	0	0	0.34mg/L – 0.42mg/L
Bromide		6	0	0	0	<0.04mg/L – <0.04mg/L
Bromodichloromethane	*no current standards	14	14	0	0	0.0028mg/L – 0.0062mg/L
Bromoform	(one of the 4 THMs that make up Total THMs)	14	11	0	0	<0.0002mg/L – = 0.0005mg/L
Calcium	*no current standards	6	6	0	0	34.9mg/L – 41.5mg/L
Chloride	Aesthetic Object (AO) 250 mg/L	6	6	0	0	18.1mg/L – 24.1mg/L
Chloroform	(one of the 4 THMs that make up Total THMs)	14	14	0	0	0.0033mg/L – 0.0087mg/L

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PARAMETER	REGULATED LIMIT	TOTAL NO. OF SAMPLES TESTED	NO. OF DETECT-ABLE RESULTS	SAMPLES EXCEEDING LIMIT	REPORTED EXCEED-ANCES	RANGE OF RESULTS
Dibromochloromethane	(one of the 4 THMs that make up Total THMs)	14	14	0	0	0.0010mg/L – 0.0049mg/L
Fluoride	1.5 mg/L	6	6	0	0	0.35mg/L – 0.45mg/L
Hardness (total, as CaCO ₃)	Operational Guideline 80-100mg/L	6	6	6	0	131mg/L – 157mg/L
Lead (total)	0.01 mg/L	16	16	0	0	0.0001mg/L – 0.0005mg/L
Magnesium (total)	*no current standards	6	6	0	0	10.4mg/L – 12.8mg/L
Nitrate (as N)	10 mg/L (as Nitrogen)	6	6	0	0	0.754mg/L – 0.844mg/L
Nitrate + Nitrite (as N)	10 mg/L (as Nitrogen)	6	6	0	0	0.75mg/L – 0.84mg/L
o-Phosphate (as P)	*no current standards	6	1	0	0	<0.01mg/L – 0.02mg/L
pH	Operational Guideline 6.5 – 8.5	611	611	18	0	7.07mg/L – 9.25 mg/L
Potassium (total)	*no current standards	6	6	0	0	1.3mg/L – 1.5mg/L
Sodium (total)**	Aesthetic Objective (AO) 200 mg/L Indicator of adverse quality 20 mg/L	6	6	0	0	14.9mg/L – 17.6mg/L
Sulphate	Aesthetic Objective (AO) 500 mg/L	6	6	0	0	13.6mg/L – 21.0mg/L
Total Trihalomethanes (TTHMs)	0.100 mg/L	14	14	0	0	0.0097mg/L – 0.0180mg/L

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Table 5: Disinfectant Residual Monitoring

PARAMETER	MINIMUM REGULATED LIMIT	TOTAL NO. OF SAMPLES	RANGE	SAMPLES EXCEEDING LIMIT	REPORTED EXCEEDANCES (AWQIs)
Chlorine (Combined Chlorine/Free Chlorine)	0.25 mg/L (combined)	7015	0.00mg/L – 2.69mg/L	100	100
- routine sampling/daily residuals/ extra sampling	0.05 mg/L (free)				

2013 WATER QUALITY CHALLENGES

Disinfectant (chloramine) residual maintenance challenges in sections of the Newmarket WDS led to multiple adverse water quality incidents in 2013. After increased maintenance programs, several third-party studies/analyses, careful deliberation amongst industry professionals, as well as local and regional governments, the Town initiated a formal request to the Region to convert areas of challenge from a chloraminated (chlorine + ammonia) disinfection system to a free chlorine (chlorine only) system for enhanced maintenance. Free chlorine disinfection is one of the Ministry of the Environment's (MOE) approved methods for drinking water disinfection in Ontario and is one of the most widely-used processes across North America. Free chlorine is a stronger disinfectant than chloramine, and was chosen for enhanced maintenance of the WDS to maintain Newmarket's high standard of water quality. Ontario Ministry of the Environment Drinking Water Inspectors and the local Medical Officer of Health were also consulted throughout the process to ensure they understood and supported this very successful program.

In a continuing effort to address the ongoing challenges in the Newmarket WDS in regards to disinfectant residual decay and ensure the provision of safe drinking water to our residents, the Town also:

- Hired Stantec Consulting to create a hydraulic model of the Newmarket WDS to model water quality trends/scenarios. This model has been instrumental in aiding us in addressing water quality challenges, and has been noted as being one of the most advanced water system models created to date in North America
- Contracted Corix Water Services to assist with watermain flushing for water quality
- Continues to work closely with industry experts, the Local Medical Officer of Health, the Ministry of the Environment, the Region of York, and the Town of East Gwillimbury in trying to address our ongoing challenges and come up with both short and long-term solutions

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ADVERSE WATER QUALITY INCIDENTS (AWQIs)

Table 6: 2013 AWQIs

DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
14 JAN 2013	13:20	109750	Combined chlorine	0.25 mg/L	0.07	H1828- 111 Gail Parks Cres.	<ul style="list-style-type: none"> Flushed system & restored residual 14 Jan 2013 14:20 0.44 mg/l
7 FEB 2013	13:00	109924	Combined chlorine	0.25 mg/L	0.14	H1040- Aspenwood/Yonge St.	<ul style="list-style-type: none"> Flushed system & restored residual 7 Feb 2013 13:50 0.40 mg/l
14 MAR 2014	13:45	110255	Total coliform	0 MAC	PRESENT	SS-17 William Roe Blvd.	<ul style="list-style-type: none"> Flushed system & resampled Present 13 Mar 2013
15 MAR 2013	10:00	110273	Total coliform	0 MAC	PRESENT	SS-17 William Roe Blvd	<ul style="list-style-type: none"> Flushed system & resampled Absent 15 Mar 2013 Absent 19 Mar 2013
31 MAY 2013	08:20	111326	E. Coli	0 MAC	PRESENT	SS-25 William Dunn Ave.	<ul style="list-style-type: none"> Flushed system & resampled Absent 31 May 2013
20 JUN 2013	10:30	111780	Combined chlorine	0.25 mg/L	0.06	H0047 - 620 Haines Rd.	<ul style="list-style-type: none"> Flushed system & restored residual
25 JUN 2013	08:35	111855	Combined chlorine	0.25 mg/L	0.16	H0049- 584 Haines Rd.	<ul style="list-style-type: none"> Flushed system & restored residual
28 JUN 2013	10:45	111970	Combined chlorine	0.25 mg/L	0.19	H0052- 599 Brooks Howard Crt.	<ul style="list-style-type: none"> Flushed system & restored residual

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DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
3 JUL 2013	08:15	112054	Combined chlorine	0.25 mg/L	0.17	H0084 - N of London Rd. on Main St.	• Flushed system & restored residual
4 JUL 2013	08:35	112094	Combined chlorine	0.25 mg/L	0.12	H0084 - N of London Rd. on Main St.	• Flushed system & restored residual
10 JUL 2013	13:50	112310	Total coliform	0 MAC	PRESENT	SS-14 Shoniker Dr.	• Flushed system & resampled
12 JUL 2013	08:00	112413	Combined chlorine	0.25 mg/L	0.00	H1582 - 984 Gorham St.	• Flushed system & restored residual
12 JUL 2013	11:10	112418	Combined chlorine	0.25 mg/L	0.17	H0520 - 287 Woodland Crt.	• Flushed system & restored residual
16 JUL 2013	08:15	112491	Combined chlorine	0.25 mg/L	0.09	H0049 - 584 Haines Rd.	• Flushed system & restored residual
16 JUL 2013	08:45	112494	Combined chlorine	0.25 mg/L	0.17	SS-10 Lindsay Ave.	• Flushed system & restored residual
16 JUL 2013	10:30	112501	Combined chlorine	0.25 mg/L	0.06	H1582 - 984 Gorham St.	• Flushed system & restored residual
18 JUL 2013	10:25	112580	Combined chlorine	0.25 mg/L	0.12	SS-10 Lindsay Ave.	• Flushed system & restored residual
19 JUL 2013	13:30	112632	Combined chlorine	0.25 mg/L	0.12	H0220 - 391 Harewood Blvd.	• Flushed system & restored residual

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DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
22 JUL 2013	10:35	112726	Combined chlorine	0.25 mg/L	0.04	H0307 - 406 Weddell Crt.	<ul style="list-style-type: none"> Flushed system & restored residual
22 JUL 2013	11:35	112832	Total coliform	0	PRESENT	SS-24 18100 Yonge St.	<ul style="list-style-type: none"> Flushed system & resampled
23 JUL 2013	14:45	112802	Combined chlorine	0.25 mg/L	0.18	H0224 - Harewood Blvd.	<ul style="list-style-type: none"> Flushed system & restored residual
24 JUL 2013	09:50	112820	Combined chlorine	0.25 mg/L	0.06	SS-28 Max Stiles Park	<ul style="list-style-type: none"> Flushed system & restored residual
29 JUL 2013	13:40	112980	Combined chlorine	0.25 mg/L	0.11	H0506 - 187 Queen St.	<ul style="list-style-type: none"> Flushed system & restored residual
30 JUL 2013	12:40	113011	Combined chlorine	0.25 mg/L	0.14	H0382- 693 Mountview Pl.	<ul style="list-style-type: none"> Flushed system & restored residual
31 JUL 2013	09:10	113044	Combined chlorine	0.25 mg/L	0.18	H0520 - 287 Woodland Crt.	<ul style="list-style-type: none"> Flushed system & restored residual
1 AUG 2013	09:30	113080	Combined chlorine	0.25 mg/L	0.10	SS-10 Lindsay Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
1 AUG 2013	09:45	113084	Combined chlorine	0.25 mg/L	0.10	H2084 - 18100 Yonge St.	<ul style="list-style-type: none"> Flushed system & restored residual
6 AUG 2013	10:05	113175	Combined chlorine	0.25 mg/L	0.13	H0226 - 379 Harewood Blvd.	<ul style="list-style-type: none"> Flushed system & restored residual

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DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
7 AUG 2013	09:30	113205	Combined chlorine	0.25 mg/L	0.08	H1675- 52 George St.	<ul style="list-style-type: none"> Flushed system & restored residual
8 AUG 2013	08:20	113262	Combined chlorine	0.25 mg/L	0.04	H1675- 52 George St.	<ul style="list-style-type: none"> Flushed system & restored residual
9 AUG 2013	08:50	113295	Combined chlorine	0.25 mg/L	0.08	H1675- 52 George St.	<ul style="list-style-type: none"> Flushed system & restored residual
10 AUG 2013	10:20	113324	Combined chlorine	0.25 mg/L	0.16	H2084 - 18100 Yonge St.	<ul style="list-style-type: none"> Flushed system & restored residual
14 AUG 2013	11:05	113403	Combined chlorine	0.25 mg/L	0.09	SS-06 30 Main St S @ Simcoe St.	<ul style="list-style-type: none"> Flushed system & restored residual
14 AUG 2013	10:05	113397	Combined chlorine	0.25 mg/L	0.09	H2084 - 18100 Yonge St.	<ul style="list-style-type: none"> Flushed system & restored residual
15 AUG 2013	09:45	113433	Combined chlorine	0.25 mg/L	0.23	H0531 - 308 Millard Ave	<ul style="list-style-type: none"> Flushed system & restored residual
19 AUG 2013	08:10	113468	Combined chlorine	0.25 mg/L	0.13	H0531 - 308 Millard Ave	<ul style="list-style-type: none"> Flushed system & restored residual
20 AUG 2013	08:55	113486	Combined chlorine	0.25 mg/L	0.08	H9015 - 482 Ontario St.	<ul style="list-style-type: none"> Flushed system & restored residual
21 AUG 2013	11:45	113519	Combined chlorine	0.25 mg/L	0.01	H0416 - 755 Botany Hill Cres.	<ul style="list-style-type: none"> Flushed system & restored residual

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DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
23 AUG 2013	10:55	113581	Combined chlorine	0.25 mg/L	0.07	H2084 - 18100 Yonge St.	• Flushed system & restored residual
25 AUG 2013	12:51	113609	Combined chlorine	0.25 mg/L	0.05	H2055 - 487 Queen St.	• Flushed system & restored residual
25 AUG 2013	10:25	113606	Combined chlorine	0.25 mg/L	0.07	H2084 - 18100 Yonge St.	• Flushed system & restored residual
26 AUG 2013	08:35	113611	Combined chlorine	0.25 mg/L	0.13	H1528 - 471 Eagle St.	• Flushed system & restored residual
27 AUG 2013	08:40	113645	Combined chlorine	0.25 mg/L	0.13	H1528 - 471 Eagle St.	• Flushed system & restored residual
27 AUG 2013	11:00	113657	Combined chlorine	0.25 mg/L	0.14	H2084 - 18100 Yonge St.	• Flushed system & restored residual
29 AUG 2013	09:05	113725	Combined chlorine	0.25 mg/L	0.00	H0596 - 424 D'arcy St.	• Flushed system & restored residual
30 AUG 2013	09:45	113769	Combined chlorine	0.25 mg/L	0.11	H2055 - 487 Queen St.	• Flushed system & restored residual
3 SEPT 2013	11:00	113981	Combined chlorine	0.25 mg/L	0.22	H0596 - 424 D'arcy St.	• Flushed system & restored residual
5 SEPT 2013	09:35	113879	Combined chlorine	0.25 mg/L	0.06	H0113 - D'arcy St Lions Park	• Flushed system & restored residual

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DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
6 SEPT 2013	09:00	113900	Combined chlorine	0.25 mg/L	0.16	SS-11 Cedarwood Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
9 SEPT 2013	13:15	113933	Combined chlorine	0.25 mg/L	0.14	H0563 - 347 Simcoe St.	<ul style="list-style-type: none"> Flushed system & restored residual
12 SEPT 2013	08:00	114009	Combined chlorine	0.25 mg/L	0.11	H1528 - 471 Eagle St.	<ul style="list-style-type: none"> Flushed system & restored residual
13 SEPT 2013	08:25	114037	Combined chlorine	0.25 mg/L	0.14	H1528 - 471 Eagle St.	<ul style="list-style-type: none"> Flushed system & restored residual
14 SEPT 2013	12:50	114060	Combined chlorine	0.25 mg/L	0.14	H1400 - 184 Sherwood Pl.	<ul style="list-style-type: none"> Flushed system & restored residual
16 SEPT 2013	08:30	114075	Combined chlorine	0.25 mg/L	0.16	H1528 - 471 Eagle St.	<ul style="list-style-type: none"> Flushed system & restored residual
17 SEPT 2013	09:30	114091	Combined chlorine	0.25 mg/L	0.11	H2084 - 18100 Yonge St.	<ul style="list-style-type: none"> Flushed system & restored residual
19 SEPT 2013	09:20	114131	Combined chlorine	0.25 mg/L	0.13	H1528 - 471 Eagle St.	<ul style="list-style-type: none"> Flushed system & restored residual
20 SEPT 2013	08:50	114153	Combined chlorine	0.25 mg/L	0.03	H1527 - 433 Eagle St.	<ul style="list-style-type: none"> Flushed system & restored residual
23 SEPT 2013	10:15	114240	Combined chlorine	0.25 mg/L	0.08	H0757 - 16900 Bayview Ave.	<ul style="list-style-type: none"> Flushed system & restored residual

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DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
25 SEPT 2013	08:35	114264	Combined chlorine	0.25 mg/L	0.14	H1573 - 315 Cotter St.	<ul style="list-style-type: none"> Flushed system & restored residual
27 SEPT 2013	09:35	114299	Combined chlorine	0.25 mg/L	0.17	SS-04 531 Davis Dr.	<ul style="list-style-type: none"> Flushed system & restored residual
30 SEPT 2013	08:25	114319	Combined chlorine	0.25 mg/L	0.12	H1400 - 184 Sherwood Pl.	<ul style="list-style-type: none"> Flushed system & restored residual
30 SEPT 2013	11:00	114321	Combined chlorine	0.25 mg/L	0.20	H1594 - 186 Coleridge Dr.	<ul style="list-style-type: none"> Flushed system & restored residual
30 SEPT 2013	13:45	114326	Combined chlorine	0.25 mg/L	0.11	H1913 - 573 Roeder Crt.	<ul style="list-style-type: none"> Flushed system & restored residual
1 OCT 2013	09:35	114331	Combined chlorine	0.25 mg/L	0.18	SS-06 30 Main St S @ Simcoe St.	<ul style="list-style-type: none"> Flushed system & restored residual
2 OCT 2013	10:45	114343	Combined chlorine	0.25 mg/L	0.12	SS-17 William Roe Blvd.	<ul style="list-style-type: none"> Flushed system & restored residual
3 OCT 2013	09:40	114359	Combined chlorine	0.25 mg/L	0.02	H0656 - 151 William Roe Blvd.	<ul style="list-style-type: none"> Flushed system & restored residual
4 OCT 2013	08:40	114381	Combined chlorine	0.25 mg/L	0.02	H0697 - 385 Lorne Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
7 OCT 2013	07:50	114442	Combined chlorine	0.25 mg/L	0.05	SS-11 738 Cedarwood Ave.	<ul style="list-style-type: none"> Flushed system & restored residual

2013 ANNUAL WATER QUALITY SUMMARY REPORT

DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
8 OCT 2013	08:40	114469	Combined chlorine	0.25 mg/L	0.10	H0933 - 756 Cedarwood Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
9 OCT 2013	08:45	114498	Combined chlorine	0.25 mg/L	0.01	H0933 - 756 Cedarwood Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
10 OCT 2013	08:15	114516	Combined chlorine	0.25 mg/L	0.01	H0933 - 756 Cedarwood Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
11 OCT 2013	08:20	114539	Combined chlorine	0.25 mg/L	0.09	H1581 - 270 Doak Lane	<ul style="list-style-type: none"> Flushed system & restored residual
15 OCT 2013	08:40	114566	Combined chlorine	0.25 mg/L	0.22	H0933 - 756 Cedarwood Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
16 OCT 2013	08:00	114574	Combined chlorine	0.25 mg/L	0.04	H1602 - 276 Stewart St.	<ul style="list-style-type: none"> Flushed system & restored residual
17 OCT 2013	08:55	114611	Combined chlorine	0.25 mg/L	0.08	H1691 - 531 Davis Dr.	<ul style="list-style-type: none"> Flushed system & restored residual
18 OCT 2013	09:00	114630	Combined chlorine	0.25 mg/L	0.02	H3000 - 339 Gaston Pl.	<ul style="list-style-type: none"> Flushed system & restored residual
19 OCT 2013	12:00	114650	Combined chlorine	0.25 mg/L	0.09	SS-27 College Manor Dr.	<ul style="list-style-type: none"> Flushed system & restored residual
21 OCT 2013	08:10	114662	Combined chlorine	0.25 mg/L	0.12	H3000 - 339 Gaston Pl.	<ul style="list-style-type: none"> Flushed system & restored residual

2013 ANNUAL WATER QUALITY SUMMARY REPORT

DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
23 OCT 2013	10:35	114689	Combined chlorine	0.25 mg/L	0.12	H3000 - 339 Gaston Pl.	<ul style="list-style-type: none"> Flushed system & restored residual
24 OCT 2013	09:35	114714	Combined chlorine	0.25 mg/L	0.21	H0933 - 756 Cedarwood Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
25 OCT 2013	10:00	114734	Combined chlorine	0.25 mg/L	0.01	H1934 - 619 Steven Crt.	<ul style="list-style-type: none"> Flushed system & restored residual
28 OCT 2013	11:20	114777	Combined chlorine	0.25 mg/L	0.13	H0598 - 238 Lorne Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
29 OCT 2013	12:49	114792	Combined chlorine	0.25 mg/L	0.20	H1913 - 573 Roeder Crt.	<ul style="list-style-type: none"> Flushed system & restored residual
30 OCT 2013	12:50	114803	Combined chlorine	0.25 mg/L	0.15	H0248 - 311 Sheridan Crt.	<ul style="list-style-type: none"> Flushed system & restored residual
31 OCT 2013	15:00	114828	Combined chlorine	0.25 mg/L	0.05	H1949 - 869 Surin Crt.	<ul style="list-style-type: none"> Flushed system & restored residual
1 NOV 2013	10:00	114864	Combined chlorine	0.25 mg/L	0.19	H3015 - 522 Pickering Cres.	<ul style="list-style-type: none"> Flushed system & restored residual
4 NOV 2013	11:15	114899	Combined chlorine	0.25 mg/L	0.18	H0680 - 183 Hodgson Dr.	<ul style="list-style-type: none"> Flushed system & restored residual
4 NOV 2013	14:40	114902	Combined chlorine	0.25 mg/L	0.08	H0598 - 238 Lorne Ave.	<ul style="list-style-type: none"> Flushed system & restored residual

2013 ANNUAL WATER QUALITY SUMMARY REPORT

DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
5 NOV 2013	13:45	114912	Combined chlorine	0.25 mg/L	0.08	H0047 - 620 Haines Rd.	• Flushed system & restored residual
6 NOV 2013	08:30	114919	Combined chlorine	0.25 mg/L	0.14	Hyd- 700 College Manor Dr	• Flushed system & restored residual
7 NOV 2013	08:30	114934	Combined chlorine	0.25 mg/L	0.08	H0520 - 287 Woodland Crt.	• Flushed system & restored residual
8 NOV 2013	13:30	114956	Combined chlorine	0.25 mg/L	0.09	H0520 - 287 Woodland Crt.	• Flushed system & restored residual
11 NOV 2013	09:35	114976	Combined chlorine	0.25 mg/L	0.15	H2038 - 314 Avenue Rd.	• Flushed system & restored residual
12 NOV 2013	10:10	114982	Combined chlorine	0.25 mg/L	0.20	H0527 - 166 Millard Ave.	• Flushed system & restored residual
14 NOV 2013	08:30	115001	Combined chlorine	0.25 mg/L	0.15	SS-28 Max Stiles Park	• Flushed system & restored residual
18 NOV 2013	09:00	115060	Combined chlorine	0.25 mg/L	0.16	SS-28 Max Stiles Park	• Flushed system & restored residual
19 NOV 2013	11:40	115094	Combined chlorine	0.25 mg/L	0.17	H0381 - 661 Mountview Pl.	• Flushed system & restored residual
22 NOV 2013	09:05	115133	Combined chlorine	0.25 mg/L	0.12	H0048 - 602 Haines Rd.	• Flushed system & restored residual

2013 ANNUAL WATER QUALITY SUMMARY REPORT

DATE	TIME	AWQI	PARAMETER	STANDARD	RESULT (mg/L)	LOCATION	RESOLUTION
25 NOV 2013	13:00	115164	Combined chlorine	0.25 mg/L	0.12	SS-06 30 Main St S @ Simcoe St.	<ul style="list-style-type: none"> Flushed system & restored residual
26 NOV 2013	10:10	115171	Combined chlorine	0.25 mg/L	0.23	H0381- 661 Mountview Pl.	<ul style="list-style-type: none"> Flushed system & restored residual
27 NOV 2013	09:30	115179	Combined chlorine	0.25 mg/L	0.08	SS-27 College Manor Dr.	<ul style="list-style-type: none"> Flushed system & restored residual
28 NOV 2013	12:50	115202	Combined chlorine	0.25 mg/L	0.24	H0598 - 247 Lorne Ave.	<ul style="list-style-type: none"> Flushed system & restored residual
3 DEC 2013	09:20	115250	Combined chlorine	0.25 mg/L	0.11	H1528 - 471 Eagle St.	<ul style="list-style-type: none"> Flushed system & restored residual
4 DEC 2013	10:00	115267	Combined chlorine	0.25 mg/L	0.17	H1528 - 471 Eagle St.	<ul style="list-style-type: none"> Flushed system & restored residual
10 DEC 2013	08:05	115319	Combined chlorine	0.25 mg/L	0.15	SS-08 238 Lorne Ave.	<ul style="list-style-type: none"> Flushed system & restored residual

2013 ANNUAL WATER QUALITY SUMMARY REPORT

2013 WATER CONSUMPTION



The below table is a summary of 2013 area municipality wastewater and water billing. For more detailed information, please contact the Public Works Services Department at 905.953.5300, ext. 2550.

Table 7: 2013 Consumption Data

DESCRIPTION	AMOUNT
Total water billed to Newmarket by York Region	8,803,271 m ³
Total water billed to consumers by Newmarket	7,080,898 m ³
m ³ Unbilled	1,722,373 m ³
% Loss	*19.57%

** % loss includes water used for flushing to maintain water quality, firefighting, new watermain commissioning/testing, routine maintenance activities, watermain breaks, meter reading inaccuracies, and system leakage*

**Town of Newmarket
Monthly Water Flows 2013**

Production Data 2013

Production Flows		P1		P2		P3		P4		P5		P6		Year to Date	
	January	February	March	April	May	June	July	August	September	October	November	December			
No. 1 Well m³	27,591	25,690	25,942	27,140	25,537	14,021	5,481	22,244	26,302	34,820	19,955	17,793	271,916	271,916	
No. 2 Well m³	85,935	56,793	67,046	61,288	54,254	55,151	12,030	68,015	104,443	84,031	25,251	17,412	691,849	691,849	
No. 13 Well m³	107,973	67,570	85,631	66,097	47,317	57,765	14,941	51,833	31,456	94,976	55,808	48,548	737,265	737,265	
No. 15 Well m³	54,885	25,615	44,698	34,271	14,491	4,838	1,128	41,837	60,812	43,431	27,559	20,986	374,551	374,551	
No. 16 Well m³	93,087	26,553	1,967	26,206	58,626	3,527	0	38,991	36,533	90,496	49,381	48,959	474,326	474,326	
Queensville Wells	109,366	93,087	43,158	33,683	191,620	152,255	221,598	212,134	220,327	178,879	175,959	257,497	1,836,137	1,836,137	
AU-NM1 Yorge WMC (Interface)	4,248	85,832	131,544	138,720	35,864	98,626	254,544	81,494	62,828	8,290	22,880	37,978	961,828	961,828	
AU-NM1 Ballymore WMC	104,823	43,599	63	77	127,552	124,688	179,345	114,112	77,776	45,744	42,304	55,424	915,507	915,507	
AU-NM1 Bathurst WMC (West)	108,118	184,217	262,819	230,305	4,789	69,739	98,742	83,413	78,670	23,628	102,195	136,184	1,382,819	1,382,819	
AU-NM1 Leslie WMC (East)	82,304	123,230	103,868	117,134	251,906	205,986	220,772	272,482	213,418	220,264	226,076	122,368	2,159,808	2,159,808	
Sharon WMC #1	3,720	3,360	3,720	3,600	13,330	16,347	16,369	16,680	13,238	11,661	12,692	13,502	128,229	128,229	
North Sharon WMC	8,440	8,157	8,588	10,802	12,916	15,961	16,553	16,791	11,438	11,229	12,527	12,975	146,377	146,377	
Colonial Weyling	8,040	7,952	8,397	10,304	13,919	12,600	14,074	13,175	12,120	10,912	9,600	10,261	131,354	131,354	
Queensville WMC #2	9,595	9,209	9,464	9,337	3,720	3,600	3,720	3,720	3,600	3,720	3,600	3,720	67,005	67,005	
Herald Road WMC #3	437	729	481	473	736	1,107	1,321	1,550	1,354	1,088	430	465	10,171	10,171	
Sub-Total Water Production	748,097	667,353	735,485	700,404	767,338	737,980	956,543	941,976	852,814	785,948	706,500	722,226	9,322,665	9,322,665	
NM-EG Yorge & Bristol WMC	7,241	5,109	6,255	5,061	6,087	5,847	7,516	6,943	6,379	4,526	4,533	5,456	70,953	70,953	
NM-EG Woodspring WMC	60,324	35,566	17,481	24,860	12,225	13,813	58,622	93,730	111,726	45,374	47,488	48,470	569,489	569,489	
NM-EG Aspenwood WMC	-38	12	5,900	15,307	3,378	5,122	19,936	-18	-27	-33	-28	-28	48,879	48,879	
Total Water Consumption m³	680,570	626,666	706,510	655,349	745,648	713,198	870,469	841,321	734,736	736,081	654,503	668,326	8,633,377	8,633,377	
Adjustments	240,140		61	-27	-5,485	-3,020		-1,200	-230	-2,449			227,790	227,790	
Billed Water m³	440,430	626,666	706,510	655,349	740,163	710,179	870,469	840,121	734,506	733,632	654,503	668,326	8,380,854	8,380,854	
Maximum Daily Flow m³	31-Jan	28,532	29,759	29,326	29,012	29,591	35,052	33,958	30,314	27,108					

NewmarketFlow = Well #1 + Well #2 + Well #9 + Well #11 + Well #13 + Well #14 + Well #15 + Well #16 + Queensville Wells + AU-NM Yonge WMC (Interface) + AU-NM Ballymore WMC + AU-NM Bathurst (West) + AU-NM Leslie WMC + Sharon WMC #1 + North Sharon WMC + Colonel Weyling + Queensville WMC #2 + Herald Road WMC #3 + NM-EG Woodspring WMC + NM-EG Woodspring WMC - NM-EG penwood WMC + AU-NM WMC #2 - Bristol WMC

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KEEPING NEWMARKET'S DRINKING WATER SAFE

As a part of the Walkerton Inquiry, Justice Dennis O'Connor endorsed a "multi-barrier approach" to ensure drinking water safety. This multi-faceted system is a collection of "procedures, processes, and tools that collectively prevent or reduce the contamination of drinking water from source to consumer in order to reduce the risks to public health." (Source: Ontario Ministry of the Environment, 2007, *Implementing Quality Management: A Guide for Ontario's Drinking Water Systems*)

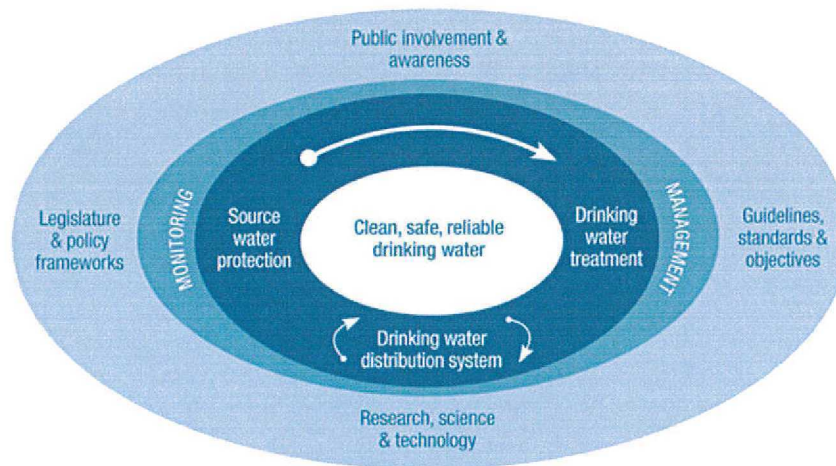


Figure 3: Multiple Barrier Approach to Drinking Water Protection

The multiple barriers include:

- ❖ **Source Protection** to keep the raw water as clean as possible in order to lower the risks that hazards present
- ❖ **Treatment** to remove and/or neutralize hazards
- ❖ **Monitoring Program** to detect and act on system problems that could impair drinking water safety and to verify the performance of the system components and finished drinking water quality
- ❖ Effective **management systems** including automatic control systems, well-developed responses, and operating practices that are the ultimate means for protecting the safety of drinking water systems."

(Source: Ontario MOE, 2007, *Implementing Quality Management: A Guide for Ontario's Drinking Water Systems*)

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The Ontario *Safe Drinking Water Act, 2002 (SDWA)* enhances the level of drinking water protection across the province by providing a clear, consistent set of standards and rules to ensure the provision of safe, high-quality drinking water. This Act holds owners of drinking water systems to their responsibilities to protect drinking water consumers: It specifies the requirements for drinking water systems, testing services, and for the certification of operators, as well as setting quality standards and mechanisms for compliance and enforcement. The section of the SDWA that specifically applies to the owners and operating authority of the Newmarket WDS is "*Part III – General Requirements*". This document outlines the minimum standards that owners/operating authorities must adhere to.

PART III GENERAL REQUIREMENTS

Potable water

10. Despite any other Act, a requirement that water be "potable" in any Act, regulation, order or other document issued under the authority of any Act or in a municipal by-law shall be deemed to be a requirement to meet, at a minimum, the requirements of the prescribed drinking water quality standards. 2002, c. 32, s. 10.

Duties of owners and operating authorities

11. (1) Every owner of a municipal drinking water system or a regulated non-municipal drinking water system and, if an operating authority is responsible for the operation of the system, the operating authority for the system shall ensure the following:

- 1. That all water provided by the system to the point where the system is connected to a user's plumbing system meets the requirements of the prescribed drinking water quality standards.*
- 2. That, at all times in which it is in service, the drinking water system,*
 - i. is operated in accordance with the requirements under this Act,*
 - ii. is maintained in a fit state of repair, and*
 - iii. satisfies the requirements of the standards prescribed for the system or the class of systems to which the system belongs.*
- 3. That the drinking water system is operated by persons having the training or expertise for their operating functions that is required by the regulations and the licence or approval issued or granted for the system under this Act.*
- 4. That all sampling, testing and monitoring requirements under this Act that relate to the drinking water system are complied with.*
- 5. That personnel at the drinking water system are under the supervision of persons having the prescribed qualifications.*

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6. That the persons who carry out functions in relation to the drinking water system comply with such reporting requirements as may be prescribed or that are required by the conditions in the licence or approval issued or granted for the system under this Act. 2002, c. 32, s. 11 (1).

Duty of owner to report to public

(2) If an owner of a municipal drinking water system or regulated non-municipal drinking water system is required by the regulations to report on any matter to the public, the owner shall report in accordance with the regulations. 2002, c. 32, s. 11 (2).

Out-of-province drinking water testing service

(3) No owner or operating authority of a municipal drinking water system or regulated non-municipal drinking water system shall obtain a drinking water testing service from a person who is not licensed under Part VII to offer or provide the service unless,

(a) the laboratory at which the testing is to be conducted is located outside Ontario and is an eligible laboratory in respect of the particular tests to be conducted;

(b) the person agrees in writing to comply with section 18 and any prescribed requirements; and

(c) the owner or operating authority provides to the Director appointed for the purposes of Part VII,

(i) written notice of the use of the testing service,

(ii) a copy of the accreditation referred to in clause (4) (a), if applicable, and

(iii) a copy of the agreement referred to in clause (b). 2002, c. 32, s. 11 (3).

Eligible laboratory

(4) For the purposes of this section, a laboratory located outside Ontario is an eligible laboratory in respect of a particular test if the laboratory is on a list maintained by the Director appointed for the purposes of Part VII and,

(a) the laboratory is accredited for the conduct of the test and, in the Director's opinion, the accreditation is equivalent to the accreditation standard of an accreditation body for drinking water testing under Part VII; or

(b) in the Director's opinion,

(i) it is desirable for the purposes of this Act that the test be available,

(ii) there is no laboratory, or there are insufficient laboratories, in the area for the conduct of the test under a licence issued under Part VII, and

(iii) the person who is to provide the drinking water testing service will be capable of conducting the test at the laboratory, or causing the test to be conducted there. 2002, c. 32, s. 11 (4).

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List of out-of-province laboratories

(5) For the purposes of subsection (4), a laboratory may be added to the list maintained by the Director, and may be retained on the list, only if,

(a) any fee required under this Act has been paid in respect of the laboratory; and

(b) the laboratory complies with the prescribed requirements. 2002, c. 32, s. 11 (5).

Director's direction

(6) The Director may issue a direction to one or more owners or operating authorities prohibiting them from obtaining drinking water testing services from a laboratory located outside Ontario if the Director has reason to believe that the laboratory has ceased to be an eligible laboratory or has failed to comply with section 18 or a prescribed requirement. 2002, c. 32, s. 11 (6).

Same

(7) Every person who receives a direction under subsection (6) shall comply with the direction and advise the Director in writing of the alternative laboratory from which the person will obtain drinking water testing services. 2002, c. 32, s. 11 (7).

Revocation of direction

(8) The Director may revoke a direction issued under subsection (6) if he or she is of the opinion that the reasons for issuing the direction no longer exist. 2002, c. 32, s. 11 (8).

Operator's certificate

12. (1) No person shall operate a municipal drinking water system or a regulated non-municipal drinking water system unless the person holds a valid operator's certificate issued in accordance with the regulations. 2002, c. 32, s. 12 (1).

Transitional

(2) For the purposes of subsection (1), a valid operator's licence issued under section 6 of Ontario Regulation 435/93 under the Ontario Water Resources Act shall be deemed to be an operator's certificate until the day the operator's licence expires or is cancelled or suspended. 2002, c. 32, s. 12 (2).

Same

(3) For the purposes of subsection (1), a valid operator's licence issued under section 7 or 8 of Ontario Regulation 435/93 under the Ontario Water Resources Act shall be deemed to be an operator's certificate until the earlier of,

(a) the day the operator's licence is cancelled or suspended; and

(b) the day that is the second anniversary of the day of filing of a regulation made under this Act governing the application and issue of operator's certificates. 2002, c. 32, s. 12 (3).

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Same

(4) If an operator's licence mentioned in subsection (3) expires before the day described in clause (3) (b) and is not renewed, the licence ceases to be deemed to be an operator's certificate on the day it expires. 2002, c. 32, s. 12 (4).

Duty to have accredited operating authority

13. (1) Every owner of a municipal drinking water system shall ensure that an accredited operating authority is in charge of the system at all times on and after the day specified in the regulations for the municipality, the system or the owner of the system. 2002, c. 32, s. 13 (1).

Same

(2) If the Minister makes a regulation requiring an accredited operating authority to be in charge of a non-municipal drinking water system, the owner of the system shall ensure that an accredited operating authority is in charge of the system at all times. 2002, c. 32, s. 13 (2).

Agreement with accredited operating authority

14. (1) If an accredited operating authority is in charge of a drinking water system and it is not the owner of the system, the accredited operating authority and the owner of the system shall enter into an agreement that contains the following:

- 1. A description of the system or the parts of the system for which the operating authority is responsible.*
- 2. A description of the respective responsibilities of the owner and the operating authority to ensure that the operation, maintenance, management and alteration of the system comply with this Act, the regulations, any order under this Act and the conditions in,*
 - i. the drinking water works permit and the municipal drinking water licence for the system, in the case of a municipal drinking water system, or*
 - ii. the approval for the system, in the case of a non-municipal drinking water system.*
- 3. A description of the respective responsibilities of the owner and the accredited operating authority in the event a deficiency is determined to exist or an emergency occurs.*
- 4. A description of the respective responsibilities of the owner and the accredited operating authority to ensure that the operational plans for the system are reviewed and revised appropriately and that both parties are informed of all revisions.*
- 5. Any other provisions required by the regulations. 2002, c. 32, s. 14 (1).*

Delegation of duty

(2) If an owner of a drinking water system enters into an agreement with an accredited operating authority, the owner may, in the agreement, delegate a duty imposed on the owner under this Act to the accredited operating authority. 2002, c. 32, s. 14 (2).

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Exception

(3) A delegation referred to in subsection (2) shall not relieve the owner of the drinking water system from the duty to comply with section 19 or the duty,

(a) to ensure that the accredited operating authority carries out its duties under this Act and the agreement in a competent and diligent manner while it is in charge of the system; and

(b) upon discovery that the accredited operating authority is failing to act in accordance with clause (a), to take all reasonable steps to ensure that the operation of the system complies with the requirements under this Act. 2002, c. 32, s. 14 (3).

Agreement to be made public

(4) The contents of every agreement referred to in subsection (1) between an owner of a drinking water system and an accredited operating authority shall be made public by the owner of the system in accordance with the requirements prescribed by the Minister. 2002, c. 32, s. 14 (4).

Directions, operational plans

15. (1) The Director shall, on or before the prescribed date, issue directions governing the preparation and content of operational plans for municipal drinking water systems and may issue such additional directions as the Director considers necessary for the purposes of this section. 2002, c. 32, s. 15 (1).

Same

(2) If the Minister makes a regulation requiring a non-municipal drinking water system or a class of non-municipal drinking water systems to have operational plans, the Director shall, on or before the date prescribed by the Minister, issue directions governing the preparation and content of operational plans for the system or systems. 2002, c. 32, s. 15 (2).

Same

(3) The Director may amend, revoke or replace a direction issued under this section. 2002, c. 32, s. 15 (3).

Content of direction

(4) The direction shall include,

(a) minimum content requirements for operational plans;

(b) rules respecting the retention of copies of versions of operational plans;

(c) rules respecting the public disclosure of the contents of operational plans; and

(d) such other requirements as the Director considers necessary for the purposes of this Act and the regulations. 2002, c. 32, s. 15 (4).

Same

(5) A direction issued under this section may,

(a) be general or limited in its application;

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(b) apply in respect of any class of drinking water systems;

(c) require the preparation of operational plans for a treatment system, a distribution system or any part of either or both of them. 2002, c. 32, s. 15 (5).

Publication

(6) A direction, amendment to a direction or revocation of a direction takes effect when a notice of the direction, amendment or revocation, as the case may be, is given in the Registry. 2002, c. 32, s. 15 (6).

Legislation Act, 2006, Part III

(7) Part III (Regulations) of the Legislation Act, 2006 does not apply to a direction issued under this section. 2002, c. 32, s. 15 (7); 2006, c. 21, Sched. F, s. 132 (1).

Operational plans

16. (1) If operational plans are required for a drinking water system under this Act, every owner and accredited operational authority of the system shall,

(a) ensure that the plans comply with such directions issued under section 15 that apply in respect of the system; and

(b) make public the contents of the operating plans in accordance with the Director's directions. 2002, c. 32, s. 16 (1).

Submission of plans, municipal drinking water system

(2) Every owner of a municipal drinking water system shall provide a copy of all operational plans for the system to the Director on or before the day prescribed by the regulations for the municipality, the system or the owner of the system. 2002, c. 32, s. 16 (2).

Review of plans

(3) The Director shall review the operational plans for the municipal drinking water system and shall issue a notice,

(a) accepting the plans if the Director is satisfied that the plans satisfy the directions; or

(b) rejecting the plans for the reasons set out in the notice, if the Director is not satisfied that the plans satisfy the directions. 2002, c. 32, s. 16 (3).

Resubmission of plans

(4) The owner of a municipal drinking water system whose operational plans are rejected by the Director shall revise and resubmit the revised plans to the Director in accordance with the directions specified in the notice. 2002, c. 32, s. 16 (4).

Ownership of operational plans

17. (1) All operational plans for a drinking water system remain the property of the owner of the system, irrespective of who prepares or revises the plans. 2002, c. 32, s. 17 (1).

2013 ANNUAL WATER QUALITY SUMMARY REPORT

Retention of plans

(2) Every accredited operating authority of a drinking water system for which operational plans are required under this Act shall retain copies of the operational plans for the system in accordance with the Director's directions under section 15. 2002, c. 32, s. 17 (2).

Same

(3) Upon termination of an agreement between the owner and the accredited operating authority of a system, the accredited operating authority shall ensure that the owner has copies of the most recently prepared and revised operational plans for the system. 2002, c. 32, s. 17 (3).

Duty to report adverse test result

18. (1) Each of the following persons shall report every prescribed adverse result of a drinking water test conducted on any waters from a municipal drinking water system or a regulated non-municipal drinking water system to the Ministry and the medical officer of health immediately after the adverse result is obtained:

- 1. The operating authority responsible for the system or, if there is no operating authority responsible for the system, the owner of the system.*
- 2. The person operating the laboratory at which the adverse result was obtained. 2002, c. 32, s. 18 (1); 2007, c. 10, Sched. D, s. 3 (6).*

Same

(2) A report under subsection (1) shall be made in accordance with the regulations. 2002, c. 32, s. 18 (2).

Duty to report to the owner

(3) If an operating authority is required to report an adverse test result under subsection (1), the operating authority shall also immediately report the adverse test result to the owner of the system for which the operating authority is responsible. 2007, c. 10, Sched. D, s. 3 (7).

Duty of laboratory to report

(4) Every person operating a laboratory who is required to report an adverse test result under subsection (1) shall also notify the operating authority responsible for the system or, if there is no operating authority responsible for the system, the owner of the system, of every adverse test result relating to the system, immediately after the adverse result is obtained. 2007, c. 10, Sched. D, s. 3 (7).

Duty to report adverse test result

18.1 (1) The person operating the laboratory at which an adverse result was obtained shall report every prescribed adverse result of a drinking water test conducted on any waters from a small drinking water system within the meaning of the Health Protection and Promotion Act to the Ministry of Health and Long-Term Care and the medical officer of health immediately after the adverse result is obtained. 2007, c. 10, Sched. D, s. 3 (8).

Same

(2) A report under subsection (1) shall be made in accordance with the regulations. 2007, c. 10, Sched. D, s. 3 (8).

2013 ANNUAL WATER QUALITY SUMMARY REPORT

Duty of laboratory to report

(3) Every person operating a laboratory who is required to report an adverse test result under subsection (1) shall also notify the operator responsible for the system or, if there is no operator responsible for the system, the owner of the system, of every adverse test result relating to the system, immediately after the adverse result is obtained. 2007, c. 10, Sched. D, s. 3 (8).

Standard of care, municipal drinking water system

19. (1) Each of the persons listed in subsection (2) shall,

(a) exercise the level of care, diligence and skill in respect of a municipal drinking water system that a reasonably prudent person would be expected to exercise in a similar situation; and

(b) act honestly, competently and with integrity, with a view to ensuring the protection and safety of the users of the municipal drinking water system. 2002, c. 32, s. 19 (1).

Same

(2) The following are the persons listed for the purposes of subsection (1):

1. The owner of the municipal drinking water system.

2. If the municipal drinking water system is owned by a corporation other than a municipality, every officer and director of the corporation.

3. If the system is owned by a municipality, every person who, on behalf of the municipality, oversees the accredited operating authority of the system or exercises decision-making authority over the system. 2002, c. 32, s. 19 (2).

Offence

(3) Every person under a duty described in subsection (1) who fails to carry out that duty is guilty of an offence. 2002, c. 32, s. 19 (3).

Same

(4) A person may be convicted of an offence under this section in respect of a municipal drinking water system whether or not the owner of the system is prosecuted or convicted. 2002, c. 32, s. 19 (4).

Reliance on experts

(5) A person shall not be considered to have failed to carry out a duty described in subsection (1) in any circumstance in which the person relies in good faith on a report of an engineer, lawyer, accountant or other person whose professional qualifications lend credibility to the report. 2002, c. 32, s. 19 (5).

Prohibition

20. (1) No person shall cause or permit any thing to enter a drinking water system if it could result in,

(a) a drinking water health hazard;

(b) a contravention of a prescribed standard; or

2013 ANNUAL WATER QUALITY SUMMARY REPORT

(c) interference with the normal operation of the system. 2002, c. 32, s. 20 (1).

Exception

[2] Subsection (1) does not apply to prohibit activities that are carried out,

*(a) in the course of the proper operation, maintenance, repair or alteration of a drinking water system;
or*

(b) under a statutory authority or for the purposes of complying with a statutory requirement. 2002, c. 32, s. 20 (2).

Dilution no defence

[3] For the purposes of prosecuting the offence of contravening subsection (1), it is not necessary to prove that the thing, if it was diluted when or after it entered the system, continued to result in or could have resulted in a drinking water health hazard. 2002, c. 32, s. 20 (3).

Safe Drinking Water Act, 2002 (S.O. 2002, CHAPTER 32), PART III - GENERAL REQUIREMENTS

Consolidation Period: From December 31, 2012 to the e-Laws currency date.

*Last amendment: See Table of Public Statute Provisions Repealed under Section 10.1 of the Legislation Act, 2006 –
December 31, 2012.*

2013 ANNUAL WATER QUALITY SUMMARY REPORT

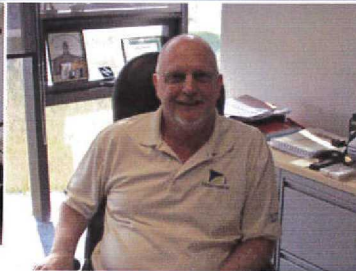
CONTACT INFORMATION

BILL WILSON
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WATER/WASTEWATER
OPERATIONS



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ROD SMITH
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The Corporation of the Town of Newmarket, Public Works Services Department
1275 Maple Hill Court, Newmarket, ON, L3Y 9E8
Tel 905.953.5300, ext.2550
Fax 905-953-5319
www.newmarket.ca

The Public Works Services Department is pleased to present this report for 2013 to members of Council and our residents.





TOWN OF NEWMARKET
Outstanding Matters
Reviewed by Operational Leadership Team
March 4, 2014

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
1. Committee of the Whole Minutes – August 30, 2010 – Item 41 Legal and Development Services Report – Joint Legal and Planning 2010-29; Ontario Municipal Board Appeals - Town of Newmarket Comprehensive Zoning By-Law 2010-40	<ul style="list-style-type: none"> THAT staff seek clarification regarding Ontario Municipal Board hearing timelines and report back. 	Matter joint with Glenway matter	
2. Committee of the Whole Minutes – March 21, 2011 – Item 6 Community Services Report – ES 2011-15 Northwest Newmarket Quadrant – Traffic Monitoring Status Update	<ul style="list-style-type: none"> THAT Engineering Services staff bring a report back to Town Council with the results of all studies including mitigation measures if required, and next steps. AND THAT the On-street Bicycle Lane Implementation Plan be brought back to Town Council for review and adoption including a phasing plan in consideration of budgetary requirements and implementation. 	Q2 2014	Waiting for report from NWQ developer's group Waiting for feedback from developer Part of Active Transportation Plan coordinated by Planning Dept.
3. Committee of the Whole Minutes – April 30, 2012 – Item 16 Corporate Services Report – Legislative Services 2012-13 – Canadian Coalition Of Municipalities Against Racial Discrimination (CCMARD) Membership	<ul style="list-style-type: none"> AND THAT staff report to Committee of the Whole with a draft Action Plan in support of the Ten Common Commitments. 	Q2 2014	

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

Last revisions made on March 5, 2014
 (Updated and including Committee of the Whole Minutes of February 24, 2014)

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
4. Committee of the Whole Minutes – February 25, 2013 – Item 16 Development and Infrastructure Services Report – Public Works Services 2013-09 Graffiti Removal Services – Update	<ul style="list-style-type: none"> THAT staff continue to contract Graffiti removal services, in the amount of \$15,000 for 2013; AND THAT staff continue to evaluate the program's impact for 2013 and report back to Council on the effectiveness of the program in one year. 	April 2014	Information Report circulated
5. Committee of the Whole Minutes – April 8, 2013 – Item 13 Community Services – Recreation and Culture Development and Infrastructure Services – PWS/ES Planning & Building Services Joint Report 2013-05 Future use of Fernbank Farmhouse	<ul style="list-style-type: none"> THAT staff be authorized to issue a request for proposals with the intent of securing a suitable charitable and/or not for profit organization dedicated to serving Newmarket for use of the Fernbank Farmhouse; AND THAT staff report back recommending a tenant along with operating and capital projections. 	Q2 2014	Information Report circulated
6. Committee of the Whole Minutes – April 29, 2013 – Item 17 Hospital Parking Charges	<ul style="list-style-type: none"> AND THAT the request to endorse the resolution regarding reduction and capping of parking charges be referred to staff to obtain feedback and input from Southlake Regional Health Centre and report back. 	Q2 2014	CAO to follow-up
7. Committee of the Whole Minutes – June 10, 2013 – Item 12 Borland Court – Repaving Request	<ul style="list-style-type: none"> THAT the deputation by Ms. Sidor regarding a request to repair and repave Borland Court be received; AND THAT the matter of repairing and repaving Borland Court be referred to staff to report back at the earliest opportunity on the feasibility of accelerating this particular road rehabilitation project. 	Q1 2014	Included in Budget
8. Committee of the Whole Minutes September 22, 2013 – Item 22 Development & Infrastructure Services Report – Planning & Building Services 2013-40 Cash In Lieu of Parking	<ul style="list-style-type: none"> THAT Development & Infrastructure Services Report – Planning & Building Services 2013-40 dated September 12, 2013 regarding Cash In Lieu of Parking be referred to a future Committee of the Whole meeting; AND THAT the report be circulated to BILD (Building Industry and Land Development Association) Canada 	March 17, 2014	

Item Subject	Recommendation	Date to come back to Committee	Staff Comments
<p>9. Committee of the Whole Minutes – June 10, 2013 – Item 16 Development and Infrastructure Services Report – ES 2013-28 Davis Drive and Yonge Street Streetscape Design and Entrance Features</p>	<ul style="list-style-type: none"> • THAT Recommendations 1 and 2 of Development and Infrastructure Services Report ES 2013-28 dated June 6, 2013 regarding the Davis Drive and Yonge Street Streetscape Plans be referred back to staff and subsequently to members of the Newmarket Economic Development Advisory Committee to obtain comments, including reduced cost and design feedback; 	Q1 2014	
	<ul style="list-style-type: none"> • THAT approval be granted to proceed with the conceptual Urban Place Making designs for the following intersections at a combined estimated cost of \$18,650.00 and to report back through the VIVA Task Force: <ul style="list-style-type: none"> i) Yonge Street and Davis Drive iii) Yonge Street and Eagle Street • AND THAT Recommendation 3 ii) (Davis Drive and Main Street) of Development and Infrastructure Services Report ES 2013-28 dated June 6, 2013 regarding the Davis Drive and Yonge Street Streetscape Plans be referred to the Heritage Newmarket Advisory Committee and the Newmarket Historical Society to obtain feedback. 	Q1 2014	
<p>10 Committee of the Whole Minutes – June 10, 2013 – Item 24 – New Business f) Committee of the Whole Minutes – November 4, 2013 – Item 13 - Development & Infrastructure Services Report – ES 2013-48 – Millard Avenue Parking Review – Forest Glen Road to Lorne Avenue</p>	<ul style="list-style-type: none"> • THAT staff review the parking restrictions currently in place on Millard Avenue between Lorne Avenue and Forest Glen with a view to implement a three hour limit and no overnight parking. • THAT Development & Infrastructure Services Report – ES 2013-48 dated October 15, 2013 regarding Millard Avenue Parking Review – Forest Glen Road to Lorne Avenue be referred back to staff for further review. 	April 2014	
<p>11 Special Committee of the Whole – August 1, 2013 – Item 4 Development and Infrastructure Services Report – Commissioner 2013-34 Old Town Hall Renovations</p>	<ul style="list-style-type: none"> • AND THAT staff authorize a peer review on the due diligence aspect of the project within a 120 day time frame. 	Q2 2014	RFQ is being awarded. Report to follow upon completion of review.

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



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

www.newmarket.ca
info@newmarket.ca
905.895.5193

DATE: March 17, 2014

DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT ENGINEERING SERVICES 2014-16

TO: Committee of the Whole

SUBJECT: VivaNext Streetscape Improvements

ORIGIN: Engineering Services

RECOMMENDATION

THAT Development & Infrastructure Services Commission – Engineering Services Report 2014-16 dated Mar 17, 2014, be received and the following recommendations adopted:

1. THAT Council approve the conceptual design of the Yonge Street/Davis Drive, Main Street/Davis Drive and Eagle Street/Davis Drive intersection and that IBI be retained to complete the detailed design.
2. THAT Council provide direction on the wording for the Main Street/Davis Drive intersection arch on Main Street from the following Options:

Front of the Sign:

 - a) Historic Downtown
 - b) Historic Downtown of Newmarket
 - c) Historic Downtown District
 - d) Historic Main Street
3. AND THAT staff be authorized to negotiate with Viva and to tender works as necessary and award the contract for the works, provided the prices are within budget.

PURPOSE/BACKGROUND

IBI Group was commissioned by VivaNext to increase the functionality and aesthetic value of the Davis Drive streetscapes. To incorporate the Town of Newmarket branding and Wayfinding into the Viva Next project, the Town retained IBI Group to proceed with the conceptual designs for the intersections of Yonge Street and Davis Drive, Main Street and Davis Drive and Yonge Street and Eagle Street.

IBI reported their initial designs to the Committee of the Whole on June 10, 2013 and on June 17, 2014 Council recommended that the streetscape plans be referred back to staff and to members of the Newmarket Economic Development Advisory Committee, the Heritage Newmarket Advisory Committee, and the Newmarket Historical Society to obtain feedback.

A working group of Town Staff from Planning, Recreation, Engineering and Operations was formed to provide input to IBI to complete conceptual designs for the intersections. With input from the working group, IBI came up with new design options. They integrated the Historic Downtown to the Main/Davis intersection design and incorporated the Secondary Plan into their design for Davis/Yonge and Yonge/Eagle. As these areas grow, the Streetscape designs will provide spaces for the public to gather, explore public art, and promote Newmarket's identity.

The draft designs were presented to the Viva Task Force on December 11, 2013. The Viva Task force supported the initial designs provided and it was recommended to present the designs to the Heritage Committee and the BIA for their input and report back to the Viva Task Force.

Staff presented the designs to the committees as recommended and the designs were unanimously supported by staff, and by both committees with some recommendations that could be incorporated into the detailed design. Different wording for the signage has been discussed and both of the committees recommended that the word "Downtown" be incorporated into the design.

Staff reported back to the Viva Task Force on February 26, 2014 and the task force was in agreement with the conceptual design and recommended that it be presented to Council. A copy of the conceptual design and preliminary budget estimates are attached as Appendix A.

The current budget proposal will address the following locations:

- 1) Southerly two corners of Main Street/Davis Drive intersection
- 2) Northwest and Southeast corners of Davis and Yonge Street

The remaining locations including the Eagle Street/Yonge Street intersection can be addressed in future budgets and will also be subject to negotiations regarding future site plan or development agreements at these locations.

NEXT STEPS

Should Town Council approve the conceptual streetscape design, IBI will continue with the detailed design to construction. Town staff will then continue to work with VivaNext staff to review any design/utility conflicts to ensure that the Streetscape design can be accommodated within the project, whether through the project itself or post Davis construction.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

- Well Respected...Identify, facilitate, and support continuous improvement opportunities across the organization.

HUMAN RESOURCE CONSIDERATIONS

No Impact to current staffing levels.

BUDGET IMPACT**Capital Budget**

The project budget was approved in the 2012 and 2013 Capital Project Budget which is to include the conceptual design, detailed design and construction of the Gateway Entrance Features as well as the Yonge Street/Davis Drive and Eagle Street/Yonge Street Intersection Streetscaping Improvements.


Operating Budget (Current and Future)

As outlined in the report, the completion of all works on the remaining corners portions of the intersections of Main/Davis, Yonge /Davis, and Yonge/Eagle_would require additional budget allocations. It is recommended that these improvements be considered in future phases and/or as matters negotiated during the development of the adjacent lands.

Staff will report back to Council on Operational Costs once the detailed design is completed.

CONTACT

For more information on this report please contact Meredith Goodwin at 905-953-5300 extension 2518 or email: mgoodwin@newmarket.ca



Meredith Goodwin, C.E.T
Manager of Capital Projects



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

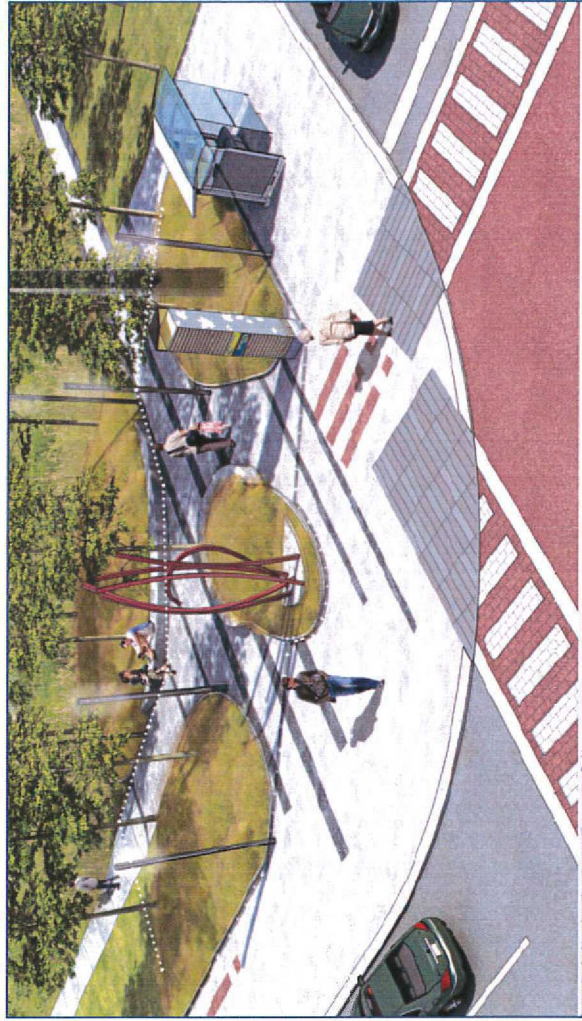
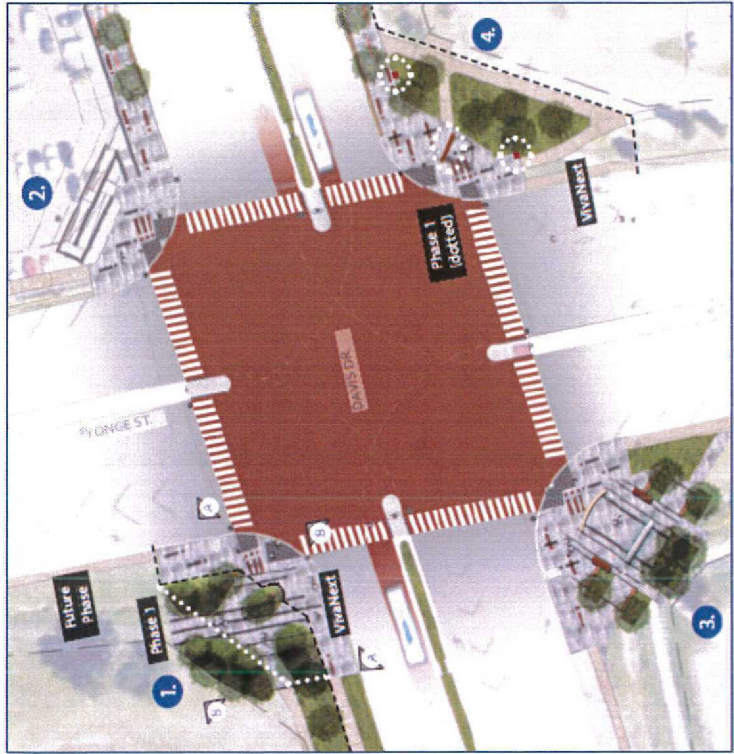


R. Prentice
Commissioner of Community Services

APPENDIX A

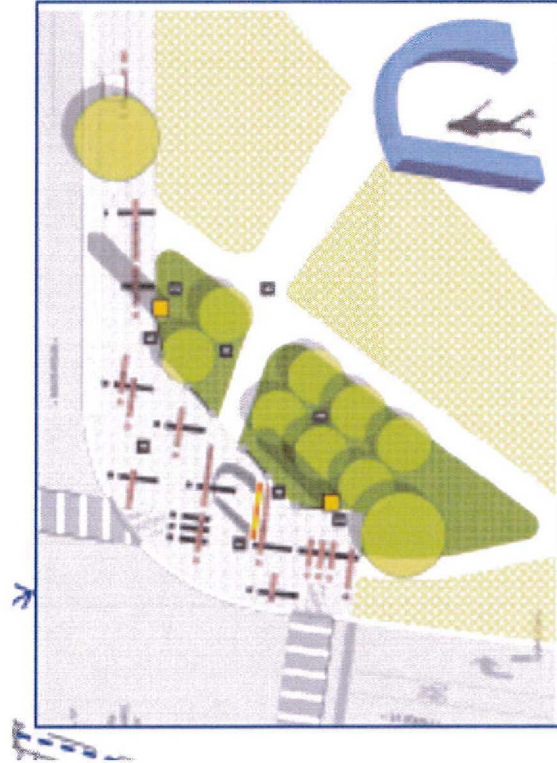
Preliminary Estimate Yonge/Davis Intersection Northwest Corner

Site Work	\$25,440.00
Walls & Curbs	\$30,800.00
Unit Pavers in plaza with banding	\$27,000.00
VivaNext upgraded Pavers	
Planting	Viva project costs
Lighting	\$12,350.00
	\$27,800.00
	Subtotal
	\$123,390.00
	15% Contingency
	\$18,508.50
	Total Newmarket Project Costs
	\$141,898.50



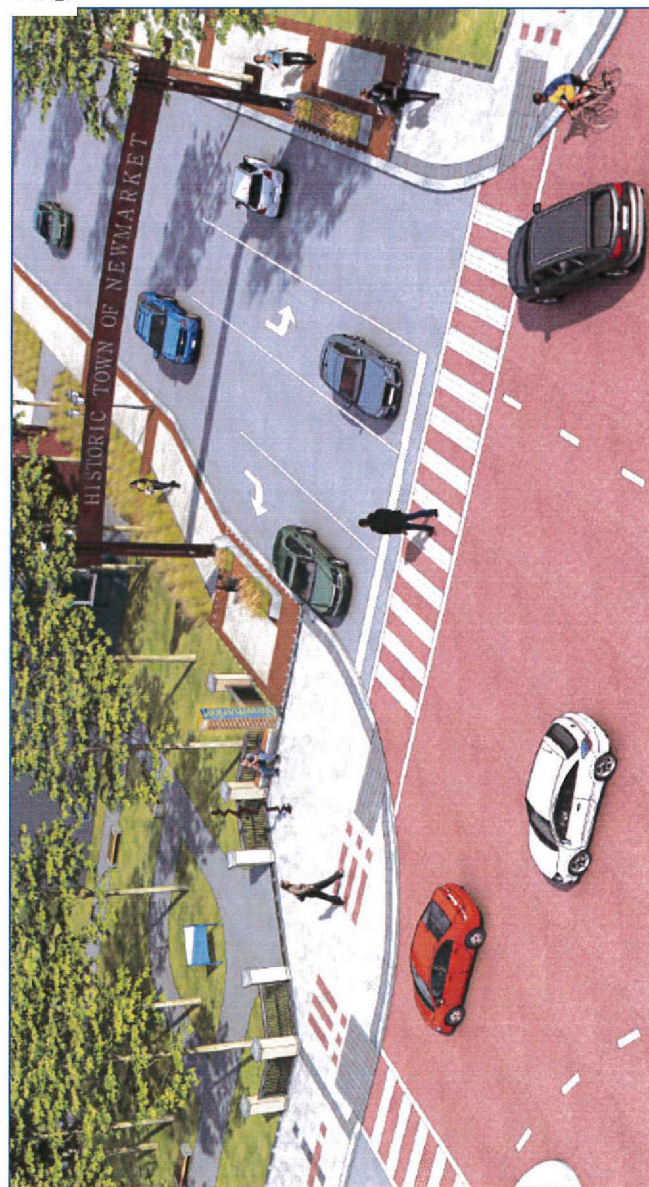
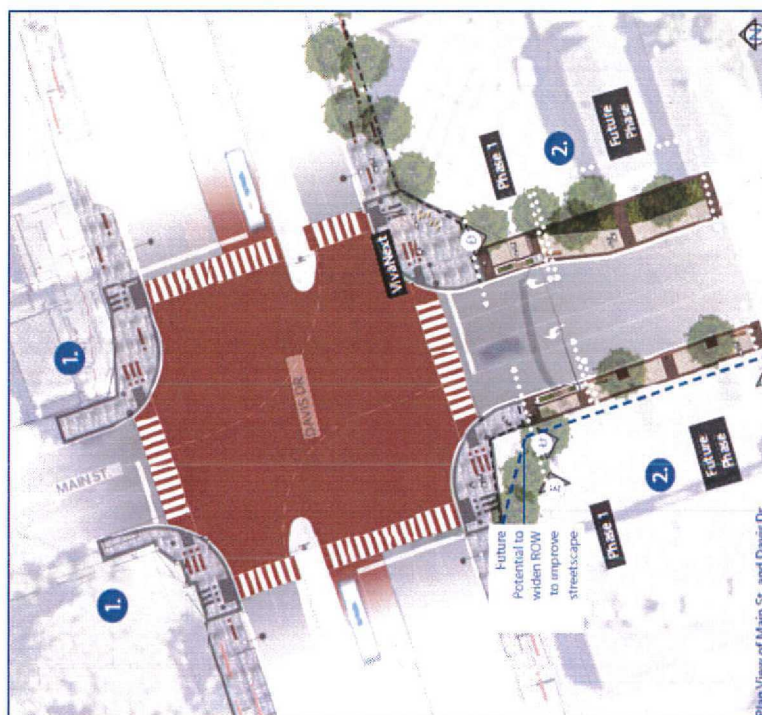
Preliminary Estimate Yonge/Davis Intersection Southeast Corner

Site Work	\$7,155.00
Signage	\$71,843.00
Planting	\$18,600.00
Subtotal	\$97,598.00
15% Contingency	\$14,639.70
Total Newmarket Project Costs	\$112,237.70



Preliminary Estimate Main/Davis South Corners 'Historic Downtown Gateway'

Site Work	\$10,000.00
Professional fees	\$4,000.00
Signage Component	\$95,000.00
Walls/Signage Foundation	\$32,125.00
Paving- Town	\$6,775.00
VivaNext upgraded Pavers	
Planting	
Viva project costs	\$600.00
Subtotal	\$148,500.00
15% Contingency	\$22,275.00
Total Newmarket Project Costs	\$170,775.00



From: Brouwer, Andrew
Sent: March-05-14 2:21 PM
To: Moor, Linda
Subject: AMO Breaking News - Joint and Several Liability

From: AMO Communications [<mailto:communicate@amo.on.ca>]
Sent: March 4, 2014 6:07 PM
To: Mayor Van Bynen
Subject: AMO Breaking News - Joint and Several Liability

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL

March 4, 2014

Legislature Supports Motion on Municipal Liability Reform – More Municipal Action Needed

On February 27, 2014, MPPs from all parties supported a motion calling on the government to reform joint and several liability. Passage of this resolution marks a significant milestone in the municipal campaign for reform. Now that the issue has captured the attention of the Legislature, it is time for your municipality to consider the endorsement of a more detailed legislative solution.

Nearly 200 municipalities supported the motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called on the government to implement a comprehensive, long-term solution no later than June 2014. Many more also wrote to the Attorney General, the Honourable John Gerretsen in response to AMO's February 7, 2014 call for support.

Currently, the Ministry of the Attorney General is consulting municipalities and the legal community on a comprehensive long-term solution. The Ministry describes three options below:

The Saskatchewan model: This modification to joint and several liability was adopted in Saskatchewan in 2004. Under the Saskatchewan model, where there is a shortfall due to one defendant being insolvent and the plaintiff's own negligence contributed to the harm, the shortfall is to be divided among the remaining defendants and the plaintiff in proportion to their fault. This model would apply to all types of defendants in all types of negligence claims.

The Multiplier model: In road authority cases (auto accident cases in which a municipality is sued for breach of duty to maintain a public road), where there is a shortfall due to one defendant being insolvent the municipality would never be liable for more than two times its proportion of damages, even if this means that a plaintiff does not fully recover. Because this rule has the potential to result in a seriously injured plaintiff being unable to fully recover, the proposal would be limited to municipalities and to the specific subset of cases that municipalities tell us impose the most significant and unfair burden – road authority cases.

The Combined model: The Saskatchewan model and the Multiplier model could be combined. In a case in which both models would apply – a road authority case involving contributory negligence on the

part of the plaintiff – the Saskatchewan model would be applied first. The Multiplier model would be applied if needed to ensure that the municipality would not be liable for more than two times its proportion of damages.

AMO supports the adopted of the "Combined model" listed above. This places some reasonable limits on the damages that may be recovered from a municipality under limited circumstances. It is a significant incremental step to address a pressing municipal issue.

The Ministry of the Attorney General is seeking your comments by April 16, 2014. We urge all municipalities to express their support for this combined model. This includes municipalities which supported either the Pettapiece motion or AMO's form letter of February 7, 2014.

Below is a draft letter for municipalities to submit to the provincial government by April 16, 2014. Please add your community's voice of support to this solution.

The Honourable Kathleen Wynne
Premier of Ontario
Legislative Building - Room 281
Queen's Park
Toronto ON M7A 1A1

The Honourable John Gerretsen
Attorney General
McMurtry-Scott Building
720 Bay Street – 11th Floor
Toronto ON M7A 2S9

The Honourable Linda Jeffrey
Minister of Municipal Affairs and Housing
777 Bay Street - 17th Floor
Toronto ON M5G 2E5

Dear Premier, Attorney General, MMAH Minister:

[I or we] support the government's consideration and adoption of measures which limit the impact of joint and several liability on municipalities. Specifically, we understand three options are under consideration – the Saskatchewan Model, the Multiplier Model, or a third model which combines both.

I write to you in support of this third Combined Model as described by AMO's March 4, 2014 policy update. We support AMO's advice to the government that such changes would represent a significant incremental step to address a pressing municipal issue. This places some reasonable limits on the damages that may be recovered from a municipality under limited circumstances.

The provisions of the *Negligence Act* have not been updated for decades and the legislation was never intended to place the burden of insurer of last resort on municipalities. It is entirely unfair to ask municipalities to carry the lion's share of a damage award when at minimal fault or to assume responsibility for someone else's mistake.

For this reason, [I or we] support the adoption of the Combined Model under consideration. We strongly encourage the government to immediately proceed with legislation which gives effect to this model.

Sincerely,

Name

cc: AMO

AMO Contact: Matthew Wilson, Senior Advisor, 416-971-9856 Ext. 323 or mwilson@amo.on.ca.

PLEASE NOTE AMO Breaking News will be broadcast to the member municipality's council, administrator and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

DISCLAIMER These are final versions of AMO documents. AMO assumes no responsibility for any discrepancies that may have been transmitted with the electronic version. The printed versions of the documents stand as the official record.

Date: February 7, 2014

Recent Developments in Joint and Several Liability – Municipal Action Needed

Two recent developments are worthy of the immediate written support of municipal councils and municipal solicitors.

The first is a private member's resolution introduced by Randy Pettapiece, MPP for Perth-Wellington. It calls on the government to implement comprehensive reform to joint and several liability by June 2014. Debate on this motion is scheduled for February 27, 2014. While a resolution of the Ontario Legislature is not a specific legislative plan, it does capture the spirit of municipal concerns. Mr. Pettapiece has written directly to all councils seeking your support; AMO encourages your reply.

Of immediate significance, the Ministry of the Attorney General has recently written to members of the legal community seeking their input on two specific proposals under consideration. Feedback is due by February 14, 2014. The proposals include a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent (the Saskatchewan model). Also under consideration is a limit on awards such that a municipality would never be liable for more than two times its proportion of damages (the Multiplier model). AMO supports the adoption of both of these measures.

This is a positive development for municipalities and a step in the right direction. The adoption of both reforms would be a significant incremental step to addressing a pressing municipal issue. The written support of municipal councils and solicitors is requested. Below is a draft letter for municipalities to submit to the provincial government by February 14, 2014. Please add your voice of support.

As you know, municipal governments have long advocated for liability reform because the legal regime of joint and several liability makes municipalities and property taxpayers an easy target for litigation.

It has been two years since AMO conducted the first ever municipal insurance survey, which found that municipal liability premiums had increased 22 per cent over 5 years and 4 years since AMO presented a comprehensive report detailing municipal challenges to the Attorney General. We have argued for some time that the heavy insurance burden and legal environment is unsustainable for Ontario's communities.

AMO Contact: Matthew Wilson, Senior Advisor, mwilson@amo.on.ca - 416.971.9856 ext. 323.

The Honourable John Gerretsen
 Attorney General
 McMurtry-Scott Building
 720 Bay Street – 11th Floor
 Toronto ON M7A 2S9

Dear Attorney General:

[I or we] support the government's consideration and adoption of measures which limit the punishing impact of joint and several liability on municipalities.

The provisions of the *Negligence Act* have not been updated for decades and the legislation was never intended to place the burden of insurer of last resort on municipalities. It is entirely unfair to ask municipalities to carry the lion's share of a damage award when at minimal fault or to assume responsibility for someone else's mistake. Other jurisdictions have recognized the current model of joint and several liability is not sustainable. It is time for Ontario to do the same.

If this situation continues, the scaling back on public services in order to limit liability exposure and insurance costs will only continue. Regrettably, it will be at the expense of the communities we all call home.

For this reason, [I or we] support the adoption of both models under consideration as a significant incremental step to addressing a pressing municipal issue.

Sincerely,

Name

cc: The Honourable Kathleen Wynne, Premier of Ontario
 The Honourable Linda Jeffrey, Minister of Municipal Affairs and Housing



TOWN OF GEORGINA

26557 Civic Centre Rd., Keswick, Ontario L4P 3G1

February 12, 2014

Right Honourable Kathleen Wynne,
Premier of Ontario,
Legislative Building,
Room 281,
Queen's Park,
Toronto, Ontario M7A 1A1

Right Honourable Premier:

Re: Joint and Several Liability Insurance Reform

Please be advised that Council for the Corporation of the Town of Georgina considered correspondence from Randy Pettapiece, MPP for Perth-Wellington, requesting support of his position with regard to rising municipal insurance premiums. Town Council passed the following motion:

WHEREAS under the current joint and several liability provision, if two or more defendants are responsible for a loss, each is potentially liable for the full amount of the loss. If one defendant is absent or insolvent and cannot pay, the other defendant has to cover their costs. The main alternative to this provision is a system of proportionate liability. Under this provision a defendant would only be liable for a share of the total loss, relative to their responsibility in causing the loss;

AND WHEREAS the joint and several liability provision frequently allocates risk to municipal governments who are usually considered to be the "deepest pockets" in a dispute. If the defendant has become insolvent, the joint and several liability provision means that the plaintiff may recover all of their costs from the municipal government;

AND WHEREAS for many years, municipalities have petitioned the province to address joint and several liability reform, which is the primary contributor to rising premiums;

AND WHEREAS municipalities may be held responsible for massive damage awards even if they are deemed just one percent responsible;

AND WHEREAS municipalities cannot afford to wait any longer for insurance reform policies as it is unfair and unrealistic for the provincial government to allow this situation to continue — especially as it affects small and rural municipalities, which can least afford to pay out these judgments;

AND WHEREAS Randy Pettapiece, MPP for Perth Wellington, has circulated correspondence to the Town of Georgina dated January 13, 2014 requesting action of support by the Council for joint and several liability insurance reform;

... 2

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NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Georgina supports implementing a comprehensive, long term solution to reform joint and several liability insurance for municipalities by no later than June 2014 by addressing the alarming rise in insurance premiums due to rising litigation and claims costs;

AND FURTHER that copies of this resolution of support be forwarded to the Right Honourable Kathleen Wynne, Premier of Ontario; the Honourable John Gerretsen, Attorney General; Randy Pettapiece, MPP for Perth-Wellington; the Honourable Peter Van Loan, MP; Julia Munroe, MPP for York-Simcoe; the Association of Municipalities of Ontario; the Association of Municipal Managers, Clerks and Treasurers of Ontario; the Regional Municipality of York and all local municipalities within the Region of York.

AND THAT the Director of Administrative Services and Treasurer request a representative of the Association of Municipalities of Ontario to make a presentation to Town Council.

Accordingly, we respectfully request your consideration of the rapidly rising insurance premiums by implementing a long term solution to reform joint and several liability insurance for municipalities.

Sincerely,
FOR THE TOWN OF GEORGINA,



Carolyn Lance
Council Services Coordinator

cc: The Honourable John Gerretsen, Ministry of the Attorney General, McMurtry-Scott Building, 720 Bay Street, 11th Floor, Toronto M7A 2S9
Randy Pettapiece, MPP for Perth-Wellington, 55 Lorne Avenue East, Stratford N5A 6S4
The Honourable Peter Van Loan, MP, 45 Grist Mill Road, Unit 10, Holland Landing L9N 1M7
Julia Munro, MPP for York-Simcoe, 45 Grist Mill Road, Unit 8, Holland Landing L9N 1M7
The Association of Municipalities of Ontario (AMO), 200 University Ave, Ste 801, Toronto M5H 3C6
The Association of Municipal Manager, Clerks and Treasurers (AMCTO), 2680 Skymark Ave, Ste 610, Mississauga L4W 5L6
Denis Kelly, Regional Clerk, Regional Municipality of York, 17250 Yonge Street, Newmarket L3Y 6Z1
Winanne Grant, CAO, Town of Georgina
Rebecca Mathewson, Director of Administrative Services and Treasurer, Town of Georgina
John Leach, Town Clerk, Town of Aurora, 100 John West Way, Box 1000, Aurora L4G 6J1
Fernando Lamanna, Town Clerk, Town of East Gwillimbury, 19000 Leslie Street, Sharon L0G 1V0
Kathryn Smyth, Clerk, Township of King, 2075 King Road, King City L7B 1A1
Kimberley Kitteringham, Clerk, Town of Markham, 101 Town Centre Blvd, Markham L3R 9W3
Andrew Brouwer, Town Clerk, Town of Newmarket, P.O.Box 328, Newmarket L3Y 4X7
Donna McLarty, Town Clerk, Town of Richmond Hill, 225 East Beaver Creek Rd, Richmond Hill L4B 3P4
Jeffrey Abrams, City Clerk, City of Vaughan, 2141 Major Mackenzie Drive, Vaughan L6A 1T1
Michele Kennedy, Clerk, Town of Whitchurch-Stouffville, 111 Sandiford Dr, Stouffville L4A 0Z8



February 12, 2014

The Honourable Kathleen Wynne
Premier of Ontario
Queen's Park, Room 281
111 Wellesley Street W
Toronto, ON M7A 1A1

A16 1-011

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J. G. G. G.

**RE: JOINT AND SEVERAL LIABILITIES INSURANCE
REFORM FOR MUNICIPALITIES (13.0)**

Dear Ms. Wynne:

This will confirm that at a meeting held on February 11, 2014, Council of the City of Markham adopted the following resolution:

"Whereas the *Negligence Act* provides that "where damages have been caused or contributed to by the fault or neglect of two or more persons...and where, two or more persons are found at fault or negligent, they are jointly and severally liable to the person suffering the loss or damage"; and,

Whereas while fault may be apportioned among parties to litigation, a defendant who is only 1% responsible for damages may be required to satisfy the entire judgment, regardless of the size of the judgment or apportionment of responsibility; and,

Whereas municipalities are frequently the targets of litigation due, in part, to a perception that they have more resources, in fact "deep pockets", to satisfy judgments that other defendants do not; and,

Whereas recent case law suggests that courts are frequently assigning significant liability to municipalities in circumstances where the plaintiff has been clearly at fault (excessive speeds, driver negligence, drinking while driving, failure to obey stop signs); and,

Whereas the Association of Municipalities of Ontario (AMO) has determined through a survey done two years ago that premiums for municipality liability insurance had risen 22 percent over five years; and,

.....2/

Whereas Randy Pettapiece, MPP Perth-Wellington, has proposed a private member's resolution in the Ontario Legislature, to be debated on February 27, 2014, as follows:

"That, in the opinion of this House, the government should protect taxpayers from higher property taxes by implementing a comprehensive, long-term solution to reform joint and several liability insurance for municipalities by no later than June 2014, addressing the alarming rise in insurance premiums due to rising litigation and claim costs."; and,

Whereas the Attorney General is consulting on reforms to joint and several liability, which would limit the amount payable by a municipality where the municipality has been found to be contributorily negligent, which should have a corresponding impact on liability insurance premiums;

Now therefore be it resolved:

- 1) That the City of Markham supports the private member's resolution proposed by Randy Pettapiece, MPP Perth-Wellington, to the Government of Ontario as set out below:

"That, in the opinion of this House, the government should protect taxpayers from higher property taxes by implementing a comprehensive, long-term solution to reform joint and several liability insurance for municipalities by no later than June 2014, addressing the alarming rise in insurance premiums due to rising litigation and claim costs."; and,
- 2) That the City of Markham supports the proposals to limit joint and several liability for municipalities currently under consideration by the Attorney General of Ontario; and further,
- 3) That this resolution be forwarded to the Premier of Ontario, Association of Municipalities of Ontario (AMO), Area Members of Provincial Parliament, Randy Pettapiece MPP Perth-Wellington, York Region municipalities and the Insurance Bureau of Canada.

Yours sincerely,



Kimberley Kitteringham
City Clerk

Copy to: Randy Pettapiece, MPP, Perth-Wellington
York Region MPP's
York Region Municipalities
Don Forgeron, President & CEO, Insurance Bureau of Canada
Association of Municipalities in Ontario (AMO)

THE REGIONAL MUNICIPALITY OF YORK

Committee of the Whole
Finance and Administration
February 13, 2014
Report of the
Regional Solicitor

RESOLUTION ON JOINT AND SEVERAL LIABILITY REFORM

1. RECOMMENDATIONS

It is recommended that:

1. Council support the Private Member's resolution of Randy Pettapiece, MPP, Perth-Wellington in the Ontario Legislature for reform of the joint and several liability regime.
2. The Regional Clerk circulate a copy of Council's resolution to Randy Pettapiece, MPP, the Premier of Ontario, Minister of Finance, York Region MPP's and the Association of Municipalities of Ontario ("AMO").

2. PURPOSE

This report recommends that Council support a Private Member's resolution in the Ontario Legislature for reform of the joint and several liability regime for municipalities no later than June 2014.

3. BACKGROUND

The *Negligence Act* establishes joint and several liability which is also referred to as the "1% Rule"

The *Negligence Act* provides that "where damages have been caused or contributed to by the fault or neglect of two or more persons... and, where two or more persons are found at fault or negligent, they are jointly and severally liable to the person suffering the loss or damage..." This is generally referred to as joint and several liability or the "1% Rule", because liability for damages is apportioned among parties and may be recovered from a defendant who is only 1% responsible if the other defendants are unable to pay their portion of the damages.

Because of the operation of the 1% Rule, municipalities have often become the targets of litigation when other defendants do not have the means to pay high damage awards, as they are "deep pocket" defendants with resources at their disposal through

RESOLUTION ON JOINT AND SEVERAL LIABILITY REFORM

taxation. In recent years, courts have apportioned an increasing percentage of liability against municipalities despite clear findings of fault against plaintiffs and other defendants, no doubt the result of the “deep pockets” status of municipalities.

4. ANALYSIS AND OPTIONS

The Region and other Ontario municipalities have faced large damage awards in recent years even when the municipality’s actual liability was minimal

Over the past five years, two cases involving motor vehicle accidents on Regional roads resulted in liability being apportioned to the Region under the 1% Rule. In one case involving a single vehicle accident, the Region and its roads contractor were each found to be 25% liable for the fatal accident despite the court’s finding that the driver lost control of his vehicle while driving at twice the posted limit. The decision was however overturned on appeal. Had the decision not been overturned, the Region would have been liable for \$850,000 in damages. In a second case involving a collision between two vehicles, the court found the second driver 50% liable but apportioned the remaining 50% (\$1 million) in damages to the Region despite finding that the driver had been speeding and not driving according to the winter conditions. Had the driver (or his insurance) not paid his portion of damages, the Region would have been held liable for the full \$2 million.

Other municipalities have recently faced even more onerous judgments. In the case of *Deering v. Scugog (Township) and City of Oshawa* (2012), the plaintiffs were rendered quadriplegic following a single vehicle accident in which the driver lost control and veered into a ditch. The driver claimed that the municipalities were at fault for the design of the road, whereas the municipalities argued that the accident was due to driver error. The trial judge found that the driver was not paying attention to her speed and that she was “essentially oblivious” to the need for caution when driving at night on a rural road. Despite these findings, the court apportioned liability one-third to the driver and two-thirds to the municipal Defendants, with an award in excess of \$20 million.

A similar award was issued against the County of Brant in 2013. A young, inexperienced driver was critically injured after failing to negotiate a curve on a rural road in winter conditions. Despite finding fault in the driver for speeding and failing to drive to the conditions, the court apportioned 55% of the damages to the municipality for failing to warn drivers of the severity of the curve in the road.

In *Fordham et al v. Municipality of Dutton-Dunwich*, (2012) a sixteen year old driver was injured after he failed to stop at a stop sign and crashed into a concrete abutment on the other side of the intersection. The trial judge concluded that the driver was not seat-belted, was drinking in the vehicle and failed to obey a clearly marked stop sign. However, the plaintiff argued that the municipality was at fault due to the “unusual” design of the intersection and failure to warn drivers about the unusual design. The trial

judge apportioned liability 50% to the driver and 50% (\$5.5 million) to the municipality, notwithstanding the evidence of driver error including consuming alcohol while driving. The decision is currently under appeal.

These cases demonstrate not only to significant exposure created by the 1% Rule, but also the growing tendency of courts in Ontario to apportion a liability to municipalities despite clear evidence of fault by other parties.

The “1% Rule” impacts damage awards, as well as insurance settlements and premiums

It is impossible to quantify the effect of the “1% Rule” on insurance settlements; however, it is clear from the examples set out above that courts are more likely to assign increased liability to municipalities despite clear fault on the part of plaintiffs. As a result of such awards, the 1% Rule influences insurers to settle in order to minimize the risk of proceeding to a trial where the joint and several liability issue will greatly impact the insurer’s exposure. The decisions to settle these claims results in payment of larger damages than would be warranted by strictly proportional liability.

AMO has long proposed reform regarding the issue of joint and several liability

In April 2010, AMO presented a white paper in which they opined, in part:

“Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.”

As recently as August, 2013, AMO posted additional information on its website advising that municipalities are now paying \$35 million more in insurance premiums than they were four years ago and AMO continues to urge the Province to reform this regime.

AMO is seeking a proportionate liability regime which has been successfully adopted in other jurisdictions, including Saskatchewan and 38 states in the United States.

A Private Member’s resolution seeks reform of the joint and several liability regime for municipalities no later than June 2014

MPP Randy Pettapiece (PC) recently introduced a Private Member’s resolution in the Ontario Legislature:

“That, in the opinion of this House, the government should protect taxpayers from higher property taxes by implementing a comprehensive, long-term solution to reform joint and several liability insurance for municipalities by no later than June

RESOLUTION ON JOINT AND SEVERAL LIABILITY REFORM

2014, addressing the alarming rise in insurance premiums due to rising litigation and claim costs.”

Debate on the resolution is scheduled for February 27, 2014. Mr. Pettapiece is seeking support from all parties and all municipalities in Ontario as the issue of joint and several liability affects all municipalities in the Province. Many municipal councils in Ontario have already passed resolutions in support of Mr. Pettapiece.

Link to key Council-approved plans

The Strategic Plan calls for prudent financial management of the Region’s resources and a favourable reform of the joint and several liability regime would assist the Region in maintaining sound fiscal management by creating more stability in insurance costs.

5. FINANCIAL IMPLICATIONS**Reform to the joint and several legal regime will protect against rising costs**

Without reform to the joint and several liability regime, it is likely that municipalities can expect to see continuing escalation of insurance costs. If joint and several liability is replaced with proportionate liability, the Region would likely see a reduction in the number of claims and awards where the Region’s liability is minimal, thereby reducing insurance costs. As well, proportionate liability would make equitable settlement more likely as the advantage in forcing a municipality to trial so as to tie the municipality to the 1% Rule would no longer exist.

6. LOCAL MUNICIPAL IMPACT

The local municipalities would enjoy the same benefits of other municipalities in the event of favourable reform to the joint and several legal regime.

7. CONCLUSION

Staff recommend a resolution in support of the Private Member’s resolution in the Ontario Legislature of Randy Pettapiece, MPP, Perth-Wellington.

For more information on this report, please contact Dan Kuzmyk, ext. 71401 or Tina Gardiner ext. 71656.

Recommended by:

Approved For Submission by:

Joy Hulton
Regional Solicitor

Bruce Macgregor
Chief Administrative Officer

January 29, 2014

jc

#5357571

A motion concerning the outstanding monies owed by the Newmarket Soccer Club to the Corporation of the Town of Newmarket

The Council of the Town of Newmarket provides the following directions to staff:

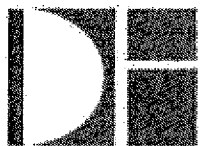
- 1) Due to not having been provided full rights as a member of the Newmarket Soccer Club Board of Directors nor permission to share the minutes of the Newmarket Soccer Club Inc board meetings with members of Newmarket Council, no member of the Town of Newmarket staff shall represent the Town at meetings of the Newmarket Soccer Club Board of Directors henceforth; and that
- 2) All staff reports that have been provided to Council with respect to the Town of Newmarket lending public funds to the Newmarket Soccer Club shall be made available to any member of the public who requests a copy; and that
- 3) The total amount of money, which includes any development charges, user fees, and outstanding loans and mortgages, owed to the Corporation of the Town of Newmarket by the Newmarket Soccer Club is to be published on the Town page in the Newmarket Era during the week ending March 29, 2014; and that
- 4) Staff has provided assurances to Council that monies owing for 2013 user fees as well as anticipation of the sale of the property known as "The Woodbine Lands" that substantial sums of monies are expected to be received by the end of May, 2014. Therefore, the Town of Newmarket will keep the public informed by publishing the total amount of money owing by the Newmarket Soccer Club to the Town of Newmarket on the Town page in the Newmarket Era during the week ending June 14, 2014; and that
- 5) That a copy of the mortgage loan agreement between the Town of Newmarket and the Newmarket Soccer Club Inc shall be made available to any member of the public who requests a copy; and that
- 6) The Newmarket Soccer Club be provided written notice as soon as practicable that the Corporation of the Town of Newmarket is formally declining the option to extend the agreement after the three year term of the agreement is completed; and that
- 7) Upon the completion of the sale of the property known as "The Woodbine Lands", that the Town of Newmarket publish a notice in the Town page of the Newmarket Era making public the exact sum representing the Town's proceeds of said sale; and that
- 8) That staff formally express the concerns of the Corporation of the Town of Newmarket that 25% of the positions on the Newmarket Soccer Club Board of Directors appear to be vacant; and that
- 9) Staff is to provide Council with bi-monthly updates at the Committee of the Whole meetings on matters concerning the financial well being of the Newmarket Soccer Club, including but not limited to, actual numbers of youth registered with the Club, current number of vacancies on the Newmarket Soccer Club Board, and any instances of late payments from the club for user fees, loan payments or other money owed;; and that

10) Staff is to provide Council with a formal explanation at the next Committee of the Whole meeting of the circumstances that resulted in the Newmarket Soccer Club circumventing established user fee payment policies in 2013 along with an explanation of how outstanding money is to be collected from the Club and describe to Council how established user fee payment policies will be enforced in 2014; and that

11) Staff request that the Board of the Newmarket Soccer Club present to Newmarket Council details of its approved business plans governing the club for the next 36 months.

Councillor Di Muccio:

THAT Site Plan Review Committee, Council workshops and other public meetings scheduled in the Council Chamber where there is a quorum of Council required be web streamed at the earliest opportunity.



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

Please refer to: **Michael Melling**
e-mail: michaelm@davieshowe.com
direct line: 416.263.4515
File No. 702679

February 24, 2014

**By Email to *abrouwer@newmarket.ca*
and Next Day Courier**

Mr. Andrew Brouwer
Director, Legislative Services and Town Clerk
Town of Newmarket
395 Mulock Drive
Newmarket, Ontario
L3Y 4X7

Dear Mr. Brouwer:

**Re: Proposed Urban Centre Secondary Plan
Town of Newmarket (the "Town")
The Estate of Thomas Mulock, Joyce Mulock Trust (the "Estate")**

As you are aware, we are counsel to the Estate. Our client owns the lands municipally known as 16780 Yonge Street (the "Subject Lands") in the Town.

On February 24, 2014, the Town is holding a Committee of the Whole meeting on the proposed Urban Centres Secondary Plan (the "Secondary Plan"). The Secondary Plan proposes to designate the entire area of the Subject Lands as "Parks and Open Space".

Pursuant to Section 17(20) of the *Planning Act* (the "Act") the Estate provided written submissions with respect to the Secondary Plan by letter dated October 28, 2013 (the "Written Submission"). The Written Submission indicated that the Estate maintained significant concerns regarding the Secondary Plan.

Planning and Building Services Report – Planning 2014-09, describes our client's position regarding the proposed Parks and Open Space designation as being in "general concurrence".

Please be advised that our client remains concerned that the Town has designated the Subject Lands for public use notwithstanding their status as private property. Accordingly, the Estate is not in general concurrence with the proposed Parks and Open Space designation.



Davies
Howe
Partners
LLP

We would appreciate receiving written confirmation of receipt of this letter.

I trust this is satisfactory. However, please do not hesitate to contact me or our associate Jason Lewis if you have any questions or require anything further.

Yours truly,

DAVIES HOWE PARTNERS LLP

per [signature]
Michael Melling
MWM:jl

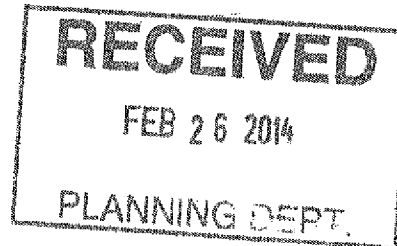
copy: Clients



Robert Horst
 General Manager, Upper Canada Mall
 Oxford Properties Group
 17600 Yonga Street, Box 256
 Newmarket, ON L3Y 4Z1
 Direct: 905.895.1961 ext. 224 Fax: 905.895.7873
rhurst@oxfordproperties.com

February 24, 2014

Ms. Marion Plaunt
 Senior Planner
 c/o The Town of Newmarket
 395 Mulock Drive
 P.O. Box 328
 Station Main
 Newmarket, Ontario L3Y 4X7



Dear Ms. Plaunt:

Re: Newmarket Urban Centres Secondary Plan – Upper Canada Mall

This letter is submitted by Oxford Properties Group (“Oxford”) in connection with its interest in Upper Canada Mall, in further response to the draft Newmarket Urban Centres Secondary Plan.

This is further to our series of meetings and written correspondence relative to our concerns with the Secondary Plan. For your reference, we are attaching our earlier letter of October 15, 2013, to Town Council, which you have already seen.

When we met with you before the holidays, you invited us to write to you with strategies that might help in resolving our concerns. We are hopeful that this letter will be of assistance.

As stated in our previous correspondence, including the attached letter of October 15, 2013, our underlying problem with the draft Secondary Plan is that it puts forward a vision for the site which is highly impractical. That vision involves the redevelopment of the property, as opposed to the continued existence and improvement of the Regional Mall. Equally troubling are restrictions in the draft plan which would prohibit the normal evolution of the Mall. That evolution involves incremental high-quality additions to the Mall within the existing site configuration.

Potential Solutions:

We believe that there are at least two alternative strategies that could be chosen to resolve these concerns.

Alternative No. 1:

The first, and perhaps most logical, is to remove Upper Canada Mall from the purview of the Secondary Plan, such that it would continue to be governed by the existing primary Newmarket Official Plan. As we have discussed, Oxford is in the process of preparing a Master Plan for Upper Canada Mall to help guide its future evolution. We look forward to sharing the Master Plan with the Town. It is likely that elements of the Master Plan can lead to Site-Specific Official Plan Policies for the site, and we would work with the Town in that regard. In the meantime, the draft Secondary Plan would be revised to exclude Upper Canada Mall from its purview. The primary revision would be the deletion of policies 5.3.4 and 5.3.4.1, to be replaced by a single provision to the effect that Upper Canada Mall is excluded from the Secondary Plan, with a similar notation on the Schedules.

Alternative No. 2:

The second alternative strategy would be to now do a major rewrite of several provisions of the draft Secondary Plan. That rewrite would involve a significant revision to Sections 5.3.4 and 5.3.4.1, as well as several others, to recognize Upper Canada Mall as a key economic driver within the Town, with provisions relating to incremental high quality improvements and additions that typify the evolution of regional malls in Ontario. Reference to Upper Canada Mall as a redevelopment site would be removed.

Further sections that would require revision include Sections 5.1, 5.3.4, 6.3.5, and 14.2.3, all of which describe Upper Canada Mall as a redevelopment site. In addition, the many provisions and schedules imposing minimum heights and densities on Upper Canada Mall are unworkable in the context of the normal evolution of a Regional Mall, and would require revision. Similarly,

sections of the Secondary Plan related to street conveyance would require revision, because the concept of public highways running through the Mall property is premature.

Conclusion:

For reasons of simplicity, we believe that Alternative No. 1 is preferable. Particularly with the

~~work now underway on Oxford's Master Plan, there is the opportunity for a shared vision for~~

~~Upper Canada Mall to emerge cooperatively through collaboration between Oxford and the~~

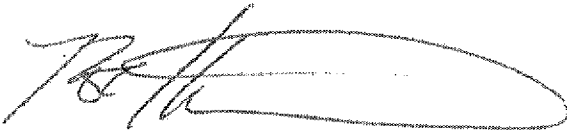
~~Town. A cornerstone of that vision is the continuing role of the Mall as a major contributor to~~

~~the economic and social vitality of the community.~~

We look forward to your response.

Yours truly,

OXFORD PROPERTIES GROUP

A handwritten signature in dark ink, appearing to read 'R. Horst', with a large, sweeping horizontal stroke extending to the right.

Robert Horst
General Manager
Upper Canada Mall

:att.

Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)
212 Davis Drive, Newmarket, ON

Green & Rose Developments Inc.

158 Duncan Mill Road, Unit 12, Toronto, Ontario, M3B 3N2

March 5, 2014

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

Attn: Marion Plaunt, Senior Policy Planner

RE: Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)
212 Davis Drive, Newmarket, ON (the "Property")

Dear Marion,

Green & Rose Developments Inc. is an affiliate of the company that has contracted to purchase the Property known as 212 Davis Drive. This letter is provided in response to the Draft Newmarket Urban Centres Secondary Plan process currently underway in the Town of Newmarket, particularly as it relates to the presentation at the recent Special Committee of the Whole meeting held on February 18, 2014.

The Property, which is currently vacant, is located on the south side of Davis Drive between Parkside Drive and Lorne Avenue.

The Draft Secondary Plan (Schedule 4) dated September 27, 2013 proposed to introduce policies relating to height and density for the study area. We recently requested a pre-consultation meeting with Planning Staff (scheduled for March 17, 2014) to review a development plan for the Property in conformity with the draft policy as set out in the September draft which outlined a maximum of 10 storeys, as-of-right, and 18 storeys with bonusing on the north half of the Property and 6 storeys, as-of-right, and 8 storeys with bonusing on the south half of the Property.

At the February 18, 2014 Special Committee of the Whole meeting, three additional options were presented for consideration that would modify the original draft as outlined in the slide deck, entitled "Council Workshop" which is available on the Town's website (Slides 25/26 attached).

The purpose of this communication is to notify staff and council that we are not supportive of these changes which are intended to reduce the maximum permitted heights and/or bonusing. We are particularly opposed to Option 2A which would limit the maximum height, including bonusing, on the Property to 10 storeys on the north half and 6 storeys on the south half. Of note, there is an 11.5 storey condominium building located adjacent to the Property to the east. This building, as well as the high-rise buildings further east were constructed decades ago. The guidance provided by the draft policies in the Draft Secondary Plan indicates that heights and densities increase in the westerly direction towards the peak at Yonge Street and Davis Drive. A height restriction for the Property which is west of the 11.5 storey building, does not align with that policy direction. We also understand that the Region of York would prefer higher building heights and densities along Davis Drive to support their substantial infrastructure investment in the VIVA/BRT line.

Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)
212 Davis Drive, Newmarket, ON

As you are aware, we have been working diligently and transparently with Town and Regional staff and council members toward the development of a privately developed rental housing building, the first to be developed in Newmarket for decades. The financial feasibility of the project is highly sensitive and, as a result of multiple factors, the partnership has moved from our original concept of a large floor-plate, 4-storey wood frame structure to a high-rise concrete format in order to maintain the density required for the project to remain viable. This would be lost if limited to the 10 storey height maximum imposed by Option 2A.

We respectfully request that council retain the draft Schedule 4, as is. An alternative solution would be to continue the "medium-high density" category east from Wilstead Drive to the proposed park designation at 230 Davis Drive along the north portions of the properties (to replace the current "medium density" category). Additionally, the "medium density" category on the south portions of the lots would be continued to replace the current "low density" designation. These changes would impact the Property and properties to our west. In all events, Option 2A lowers the permitted height and density and drastically reduces the benefit of bonusing to an extent that would inhibit the viability of our proposed rental project.

The substantial regional development charges, fees and other costs levied across the Region have played a large part in making the development of rental housing impossible and condo development difficult for many years. Newmarket, in particular, has been impacted because the prices commanded for condominiums are lower than in the southern municipalities within the region, yet the municipal costs/fees are similar. The policies outlined in the original Secondary Plan Draft, allowing council the subjective option to bonus density/height based on community benefit, was a positive step towards making rental housing viable. Removing this flexibility will have a significantly detrimental impact on our project and likely others.

Over the past year, we have received substantial Town and Regional support for our development proposal and we look forward to continuing this progress in the hopes of resolving this issue. York Region has been very clear in its desire to bring more rental housing to all of its municipalities. Some consideration must be given to the unique financial model of a development that is geared for rental, otherwise the amount of private investment will not be forthcoming.

We wish to reserve the right to provide further comments on the Town's Urban Centres Secondary Plan and request to be notified of any future changes or updates.

We would appreciate receiving written confirmation of receipt of this letter.

Should you have any questions, please contact the undersigned.

Yours truly,
GREEN & ROSE DEVELOPMENTS INC.



Daniel Berholz

cc: Rick Nethery, Jason Unger, Linda Traviss - Town of Newmarket
Regional Councillor John Taylor
Dino Basso, Region of York
Brad Rogers, Kerigan Kelly - Groundswell

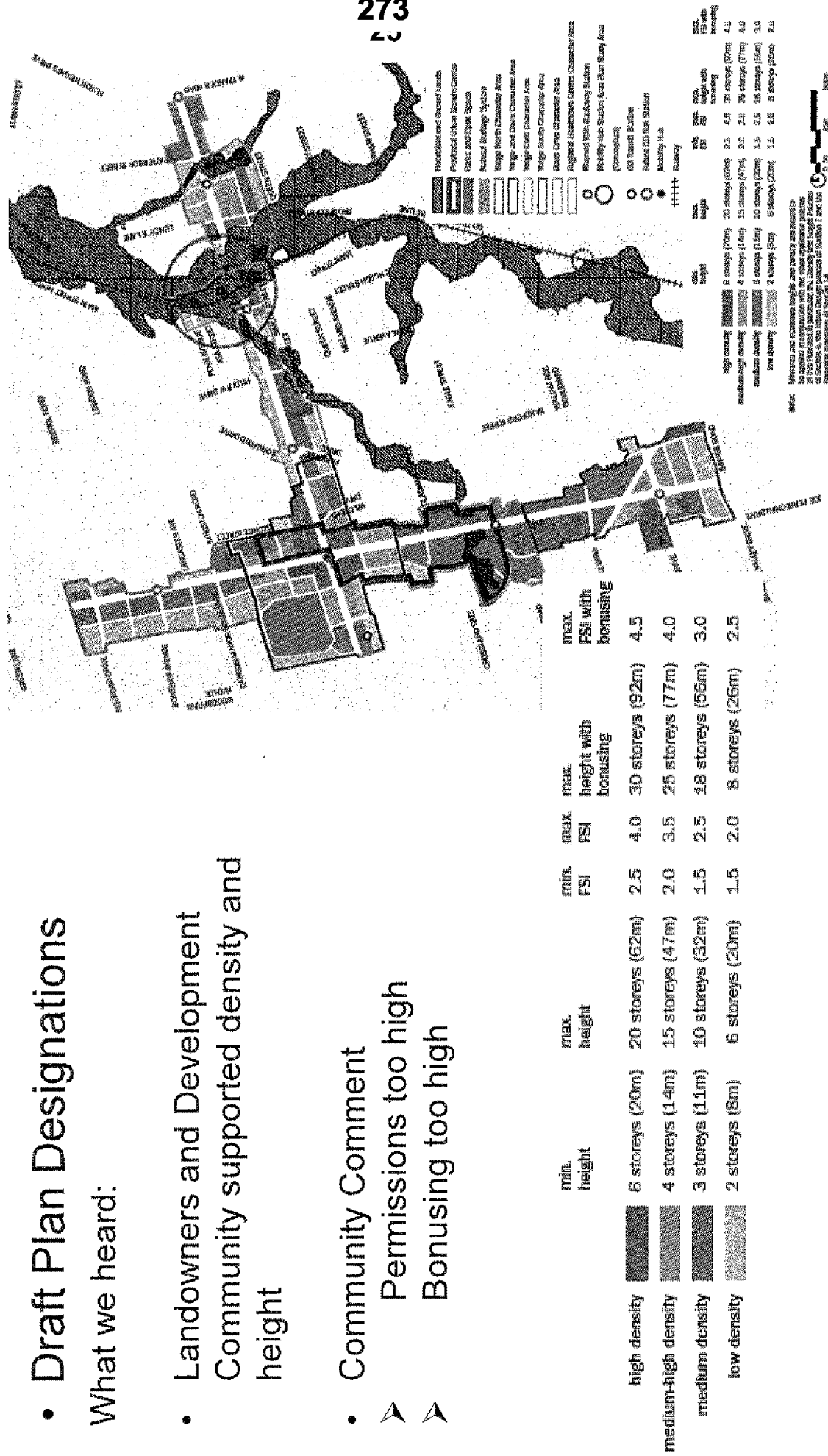
Attached: Slides 25/26 - Council Workshop - February 18, 2014 Special Committee of the Whole

Heights, Density and Bonus Policies

- Draft Plan Designations

What we heard:

- Landowners and Development Community supported density and height
- Community Comment
 - Permissions too high
 - Bonusing too high



Heights, Density and Bonusing Policies

Options for Consideration

Option 1 Lower Bonusing

	Min. Height	Max. Height	Max Height with Bonusing
High	6 storeys	20 storeys	25 storeys
Med High	4 storeys	15 storeys	20 storeys
Medium	3 storeys	10 storeys	15 storeys
Low	2 storeys	6 storeys	8 storeys

Bonusing is intended to be the exception and not the rule

Option 2 Lower Permitted Height and Density with Lower Bonusing

	Min. Height	Max. Height	Max Height with Bonusing
High	6 storeys	15 storeys	25 storeys
Med High	4 storeys	12 storeys	20 storeys
Medium	3 storeys	8 storeys	15 storeys
Low	2 storeys	6 storeys	8 storeys

Applied where clear public benefit is achieved

Option 2A Lower Permitted Height and Density with Lower Bonusing

	Min. Height	Max. Height	Max Height with Bonusing
High	6 storeys	12 storeys	20 storeys
Med High	4 storeys	10 storeys	15 storeys
Medium	3 storeys	7 storeys	10 storeys
Low	2 storeys	4 storeys	6 storeys

Is at the discretion of Council



ZELINKA PRIAMO LTD
A Professional Planning Practice

February 24, 2014

Mr. Andrew Brouwer
Clerk
Town of Newmarket
395 Mulock Drive
P. O. Box 328
Station Main
Newmarket, ON L3Y 4X7

Dear Mr. Brouwer

Re: Newmarket Urban Centres Secondary Plan Update

We note that this report to Council does not refer to the long-standing Marianneville request that the northeasterly part of their site, adjacent to the GO Bus Terminal, be included in the Yonge Street Regional Centre. We ask that this request be brought to the attention of the Committee and Council.

While the Marianneville proposal for this part of their site has reduced the requested maximum height to six storeys, its location warrants inclusion in the Secondary Plan.

For the reference of Council, we have attached our June 21, 2013 letter. Our request on this matter still stands.

Thank you for your consideration of this.

Yours very truly,

ZELINKA PRIAMO LTD.

Richard Zelinka, MES, MCIP, RPP
Principal Planner

cc Marianneville



ZELINKA PRIAMO LTD
A Professional Planning Practice

June 21, 2013

Town of Newmarket
 Planning and Building Services
 395 Mulock Drive
 P.O. Box 328, Station Main
 Newmarket, ON L3Y 4X7

Attention: Marion Plaunt, Senior Planner

Dear Ms. Plaunt:

Re: Urban Centres Directions Report

We are the Planning Consultants for Marianneville Developments Limited. In October, 2012 we submitted comments to the Town with respect to the Secondary Plan process.

We formally requested that, as part of the Urban Centres Secondary Plan process, the boundaries of the Yonge Street Regional Centre be extended to the west along Davis Drive to include the north-easterly portion of the Marianneville lands lying immediately west of the GO Transit Bus Terminal.

We have reviewed the Urban Centres Directions Report proposed by planningAlliance (May 17, 2013).

We note that the requested lands were not included in the lands added to the Urban Centres as Study Area Revisions (p. 4 and Appendix 1), nor were they mentioned in the list of recent development proposals in and abutting the study area (p. 25).

However, it is clear from a review of the Report that the Marianneville proposal for these lands is a desirable and logical fit with the Vision and Guiding Principles for that area.

We ask you again to include this north-easterly portion of the Marianneville lands within the secondary planning process for the Newmarket Urban Centres.

While the Planning Justification Report submitted with the Marianneville applications contained planning rationale for the inclusion of these lands, we would be pleased to provide additional information if it would be helpful to the process.

Yours very truly,

ZELINKA PRIAMO LTD.

A handwritten signature in black ink, appearing to read 'Richard Zelinka', with a stylized flourish at the end.

Richard Zelinka, MES, MCIP, RPP
Principal Planner

RZ/d

Cc Joanne Barnett, Marianneville Developments Limited

MMM Group Limited
100 Commerce Valley Drive West
Thornhill, ON Canada L3T 0A1
t: 905.882.1100 | f: 905.882.0055
www.mmm.ca

March 10, 2014

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

Attention: Ms. Marion Plaunt, Senior Planner

Dear Ms. Plaunt:

Re: York Region Rapid Transit Corporation Comments on Official Plan Amendment #10 Draft Newmarket Urban Centres Secondary Plan

Thank you for the opportunity to review and provide comments on the Town's Draft Official Plan Amendment (OPA #10 - Newmarket Urban Centres Secondary Plan) dated October 7, 2013 and the revised changes to the Secondary Plan presented to Council on February 10, 2014.

York Region Rapid Transit Corporation (YRRTC) has been involved as a key stakeholder in the Secondary Plan process since it began in 2010 and is the project office mandated on behalf of the Regional Municipality of York to implement and construct transit initiatives that are necessary to allow for required intensification throughout York Region.

The Bus Rapid Transit infrastructure that is planned and under construction along Yonge Street and Davis Drive was based on the intensification efforts and underlying city-building objectives outlined in the Secondary Plan.

YRRTC supports the high level objectives of the Secondary Plan which aim to create:

- an integrated mixed-use corridor;
- network of parks, trails and open space;
- compact and interesting built forms;
- walkable and pedestrian-friendly urban fabric;
- transportation options; and,
- a long term planning vision for the future of Newmarket

During the implementation of Bus Rapid Transit infrastructure along Davis Drive, YRRTC has acquired several land parcels in Newmarket west of Prospect Street extending to Barbara Road. As a major landholder along Davis Drive, the development policies proposed in the Newmarket Urban Centres Secondary Plan will impact future development on the lands we have acquired.

As mentioned, we have had an opportunity to review the most recent changes to the Secondary Plan text and accompanying schedules which were presented to Newmarket Council at a workshop dated February 10, 2014. The proposed policies in our opinion do not appear to align with the overall objectives outlined in the Secondary Plan. In stating this, the intensification for transit-oriented development that underlies the BRT project runs the risk of being compromised. Therefore, YRRTC cannot support the proposed policies of the Secondary Plan, specifically with regard to the following:

1. Height and Density
2. Angular Plane Policies
3. Davis Drive Widening and Burying of Utilities
4. Parks and Open Space
5. Street Network Schedules and Policies, and
6. Built Form

We have attached a preliminary set of comments as Appendix A to this letter. We are in the process of a property by property review of the proposed Secondary Plan policies and their impact on each YR owned property. This review can be made available in the upcoming weeks as a basis for future discussions with the Town.

We would like to thank the Town for the ongoing opportunity to participate and provide comments on the Secondary Plan process and we look forward to ongoing discussions in this regard.

Yours Truly,

MMM GROUP LIMITED



Chad B John-Baptise, MCIP, RPP
Senior Project Manager & Associate

Enclosures:

Appendix A – Comments of Behalf of YRRTC – Town of Newmarket Urban Centres Secondary Plan Amendment (Revised Changes as of February 10, 2014)

cc: Mary-Francis Turner, York Region Rapid Transit Corporation
David Clark, York Region Rapid Transit Corporation
Carolyn Ryall, York Region Rapid Transit Corporation
Rick Jones, MMM Group Limited

To: Carolyn Ryall Date: March 10, 2014
From: Chad John-Baptiste & Greg Gilbert Job No.: 3213001-000.800
Subject: Comments of Behalf of YRRTC – CC:
Town of Newmarket Urban Centres
Secondary Plan Amendment
(Revised Changes as of February 10,
2014)

Background

The York Region Official Plan has identified a portion of the Town of Newmarket's Davis Drive Corridor as one of four Regional Centres. Based on direction of the Provincial Growth Plan, this area has also been outlined as an area for future growth and urban intensification.

To facilitate construction of the Davis Drive and Yonge Street VIVAnext BRT facilities, YRRTC has purchased approximately 19 properties along Davis Drive. As a significant landholder along the Corridor, YRRTC now has a keen interest in proposed development policies, including the Town of Newmarket Urban Centres Secondary Plan. As the Owner's Engineer (OE), MMM Group has had an opportunity to review the Draft Urban Centres Secondary Plan and the Active Transportation Network Amendment and provide comment on the impact of the draft policies of this plan.

Comments on the proposed Town of Newmarket Urban Centres Secondary Plan policies are provided below:

Schedule 2: Character Areas

- The eastern delineation of the Yonge and Davis Character Area at Parkside Drive should align with the Parkside Drive realignment.

Schedule 3: Land Use

- The hatching to designate Priority Commercial Areas and Regional Shopping Centre Study Area are similar, we suggest different hatching be used.

Schedule 4: Height and Density

- 166 Davis Drive and the lands currently occupied by Parkside Drive but slated for closure to permit a more streamlined road network do not appear to have an assigned density on the schedule. Schedule 4 should be revised to assign density to these lands in accordance with abutting lands to the east and west.
- There is no density assigned to the lands at 309 Davis Drive which appears as an extension of Hillsvie Drive. (See separate comment regarding Hillsvie Drive extension)
- Lands located on the northwest corner of Davis Drive and Parkside Drive are adjacent to a proposed Viva Rapidway Station. These lands are allocated the lowest heights in the corridor and inconsistent with the spirit of Transit-Oriented Development along Regional Corridors as

outlined by the Region's Official Plan and Transit Oriented Development Guidelines (2006). Heights should be 3 to 10 stories at the intersection.

- As discussed further, the minimum 1.5 FSI density should be revised.

Various Schedules Transit Stations

There is a lack of consistency among Regional and Municipal Plans in clarifying the hierarchy of Transit Stations (major and minor), Mobility Hubs, GO Transit Stations, and Viva Rapidway Stations.

Section 5.4.31 of the Region's Official Plan reads:

That the most intensive and widest range of uses within the Regional Corridors be directed to specific intensification areas, identified by local municipalities as key development areas. These areas shall include the following segments of the Regional Corridor:

- a) lands within a reasonable and direct walking distance from all planned subway stations, and select rapid transit stations as identified by local municipalities;*
- b) major transit station areas immediately adjacent to transit stations and terminals, including GO Transit;*

- The proposed Secondary Plan has not formally identified a hierarchy for major and other transit station areas as discussed above. The Mobility Hub at the Newmarket GO Station is clearly defined with an intent for more detailed planning. However, the Secondary Plan also identifies Viva Rapidway stations with no direct policy reference to "Viva Rapidway Stations." Therefore it is not clear if these stations are also major transit station areas or transit stops of lesser importance.
- The Secondary Plan does make reference to transit stations. It is not a defined term whereas Major Transit Station Areas is a defined term. In lieu the Secondary Plan defines "Gateway Hubs" and "Anchor Hubs" but these are not terms utilized in the plan itself.
- We recommend that the plan be revised to clarify the intent of the different "transit station" type references.

Schedule 5: Street Network

- There is a proposed Local Road (Hillview Drive Extension) which traverses 309 Davis Drive and 315 Davis Drive.
- It is not clear if there's a transportation related need for this road extension. The extension would create a new traffic entrance into the community. If the local road connection has not been identified as a need separate from an urban design objective, we note that such an objective could be satisfied without the need for a through vehicular connection. This is particularly the case as the lands at 299 – 319 Davis Drive have limited full move access to Davis Drive save for the intersection with Lorne Avenue. This could be an access for all those properties combined allowing them to develop without creating more through traffic for the neighbourhood to the north.

The realignment of Parkside Drive will require an amendment to Schedule C of the Town of Newmarket Official Plan – Transportation Plan, and supporting schedules which display Minor Collector Roads.

6.3.2 Future Growth

Table 1: Growth and Development Targets by Character Area

- The minimum FSI of 1.5 does not relate to the minimum proposed height of 2 storeys. A development product with a minimum 1.5 FSI will typically be taller than 2 storeys. In addition, such a product will require an underground garage. This means that one of the proposed uses in the Davis Drive Corridor, specifically street or condominium townhouses, would not be feasible from a policy perspective when it could, and should be an appropriate use for several of the infill parcels. Therefore, we recommend a lower FSI which will better reflect the requirements of a townhouse product design while meeting the development objectives of the Secondary Plan.

Places of Entertainment Definitions and Separation Distances

_____ – Places offering leisure activities offered for gain or profit including cinemas, adult entertainment and night clubs, arcades and indoor games.

- Place of Entertainment is broadly defined in the Secondary Plan. It appears that the intention is to limit commercial uses that have a significant noise factor. The definition in the Secondary Plan could be misconstrued to include commercial uses that are generally considered appropriate within a mixed use area, such as restaurants.
- Policies 6.3.5.vii and 6.3.8.iv in the Secondary Plan note that separation distances may be introduced in the zoning by-law for these types of uses. Separation distances need to be based on factual information related to the impact of the use. In lieu of providing a separation distance in the by-law we recommend that uses that have noise concerns be placed in a holding provision pending the completion of a noise study. Otherwise, the use in question should not be listed as a permitted use and then be subject to a site specific zoning application as a permitted commercial use in the Secondary Plan. The Secondary Plan can then include policies regarding what must be completed when a noise generating land use is proposed near a residential land use.

6.4.1 Priority Commercial Areas

ii) Within Priority Commercial Areas, street-related commercial uses, including retail stores, restaurants, personal and business services, professional offices or public institutional uses shall be required on the ground floor levels of all buildings fronting on the public streets. Where residential uses are proposed above the ground floor level, formal entrances, including concierge and lobbies for the residential uses will also be permitted on ground floors.

- The ground floor level of multi-level buildings also fulfill loading and other service related requirements (i.e. garbage rooms, parking access) at grade. The proposed policy needs to be clarified to include ancillary service related uses as permitted uses at ground level.

7.3.3 Transitional and Angular Plane Policies

i) Development immediately adjacent to an existing low-rise residential area or planned low-rise residential area shall generally not exceed the height of the adjacent buildings within the low-rise residential area.

- Existing residential uses north of Davis Drive, with adjacent rear yards to properties fronting along Davis Drive are generally low rise 2 storey dwellings. By adhering to the policies of 7.3.3.i, new development will be unable to fulfill the secondary plan development objectives of a height of between 2 and 6 storeys and a minimum FSI of 1.5. This policy contravenes the development objectives of the Secondary Plan and York Region Official Plan. In lieu, the policy should be revised to discuss the need to transition building height and building form to abutting properties. For example, a tower podium can act as an appropriate transition to low rise development as part of a taller building.

ii) To ensure new development is compatible with the existing or planned context and provides an appropriate transition in scale to lower scale adjacent buildings or Parks and Open Spaces, the maximum height of any building, including mechanical units, should fall below an angular plane of 45 degrees measured from the neighbouring property line, applied to the front of the site and the rear of the site and, where the side of the site is along a public road, to the side of the site. The angular plane will generally not be applied across Yonge Street or Davis Drive. Balconies, railings, overhang and other projections should be contained within the angular plane.

- Angular planes are often used as a tool to implement the transition from lower density uses to higher density uses. The implementation of angular plane policies needs to consider the context of the area and the development objectives. The proposed angular plane policies will limit the ability of smaller sites to meet the minimum height and density objectives of the Secondary Plan. We have the following specific comments with respect to the proposed angular plane policies:
 - Angular planes should not apply to the Davis Drive frontage. Angular planes are intended to transition from areas of lower density to those of higher density. Both sides of Davis Drive are intended for higher density development therefore, the same type of transition is not required. The reference to “generally not be applied” to Davis Drive is not clear as it implies there are instances where it would apply and those instances should be specifically outlined.
 - The policy as currently proposed appears to apply the angular plane from the front lot line of a site when not located on Davis Drive or Yonge Street as it is not clear what would be considered the “neighbouring property line.” As a result, developments on properties fronting on other streets are unnecessarily restricted by the proposed policy. We recommend that the angular plane policy as currently proposed be removed.
 - The angular plane on the side of a site where it abuts a public road should also be removed or revised to reflect a more urban context consistent with the development objectives of the Secondary Plan. The policy as currently worded would limit the ability for corner sites to develop at the densities and heights proposed as buildings would be stepped back right from the property line.

Therefore, we recommend that angular plane policies not be applied to the exterior side yard of sites with frontage along Davis Drive and a public road..

7.3.4 Low Rise Residential Buildings

- i) The primary entrance of low rise residential buildings should be located on the public street. Entrances should be well defined and clearly visible from the street and distinguished by their architectural design.*
- ii) Entrances to all low rise residential units should open directly to the street with the main entrance and living level generally located not more than 1.5 metres above adjacent grade.*
 - These policies should be revised to allow entrances to both public streets, private streets and pedestrian mews' with priority given to the public street.

7.3.5.2 Towers

- ii) The maximum gross floor area of the floor plate of the tower portion of a tall building proposed for residential purposes shall generally not exceed 750 square metres, excluding balconies. Larger floor plates may only be permitted where the urban design and other policies of this Plan can be met to the Town's satisfaction.*
 - We note that some developers now prefer an 850 square metre floor plate, therefore recognizing the need for variation in the tower floor plate is appropriate.
- iii) If a development includes more than one tall building, the tower portion of the tall buildings shall have a minimum separation distance of 30 metres, measured from the exterior wall or exterior edge of balconies, whichever is greater. This same separation distance standard shall apply to towers on adjacent properties.*
 - Similar to the tower floor plate policy above allowing for some variation, we note that some municipalities accept a separation distance of 20-25 metres. We request that the policy be revised to allow for a reduction in the tower spacing depending upon site characteristics and tower placement.

Davis Drive Widening Policies

There are several applicable policies including those outlined below that relate to the widening of Davis Drive for long term urban design and utility burial requirements. Specifically the policies noted below and all the policies of Section 13.3.4, of which some are noted below.

2.4 York Region Official Plan

(final paragraph)

In accordance with the above provisions of the ROP (policy 5.4.14; 7.5.5 and 7.5.6), the Town is identifying a further increase to the boulevard rights-of-way on both sides of planned ROW's of both Yonge Street and Davis Drive to accommodate the undergrounding of hydro and associated utilities as addressed through the Town's Feasibility Study-Undergrounding Overhead Wires (Lehman and Associates, DPM Energy and George Todd - January 2013).

7.3.6 Streetscapes and Boulevards

iv) An approximate 10 metre boulevard will be maintained along both sides of Yonge Street and Davis Drive. This boulevard will accommodate a pedestrian path, cycling facilities and landscaping as well as the planned undergrounding of the hydro lines, as conceptually illustrated in Appendix A.

13.3.4 Energy and Underground Utilities

- iv) In order to accommodate the future undergrounding of the overhead hydro lines and associated utilities on both sides of Yonge Street and Davis Drive, the Town will require up to an additional five metres of boulevard width as a parallel right of way adjacent to the Regional right-of-way. Such lands will be dedicated to the Town at the time of development or redevelopment, in accordance with Policy 14.2.4. Where development is phased, the dedication shall occur at the first phase of development.*
- v) The final determination of the width of the dedication will be subject to a detailed analysis conducted by the proponent, in consultation with the Town, Newmarket Tay Hydro Distribution Ltd. and York Region. The dedication may be less than five metres if the detailed analysis demonstrates that less dedication is sufficient to accommodate the future undergrounding of hydro and associated utilities across the frontage of the property.*
- vi) Where land is dedicated to the Town for the future undergrounding of hydro, above and below ground development may be subject to zero setback, subject to meeting applicable setbacks standards required by the applicable utilities, the Town or the Region, such as required setbacks from gas allowances for shoring structures.*
 - YRRTC has ongoing experience in the construction of Davis Drive. The physical difficulties of burying the hydro lines are not well accommodated by the recently constructed retaining walls, sloping topography, and existing setbacks of a number of sites including the Union Hotel and Southlake Hospital. Therefore, YRRTC is strongly opposed to any additional taking beyond the requirements of York Region's Official Plan.
 - The width of the Davis Drive right-of-way has been fixed by the BRT requirements. The Town of Newmarket Official Plan needs to be consistent with the York Region Official Plan and York Region's requirements. No further widening is being contemplated for Regional purposes.
 - Appendix A as currently illustrated, does not illustrate what the proposed policies are describing for Davis Drive. Appendix A shows a conceptual cross-section for Davis Drive of between 46 and 50 metres. This includes the York Region Official Plan r.o.w requirements of up to 40 or 43 metres. However, the proposed policies require an additional town dedication of 5.0 metres on either side of Davis Drive. This would create a cross section of between 50 and 53 metres. The additional 5.0 metres on either side of Davis Drive are not illustrated.
 - Appendix A illustrates a 3.0 metre setback on one side of Davis Drive and a zero setback on the other. Furthermore, the policy above suggests that a zero setback can only occur where the proposed hydro taking occurs. However, the policies state that the hydro taking will occur along all of Davis Drive. It should be the policy of the Secondary

Plan to strive for a zero setback or reduce setbacks along the entire length of Davis Drive and not only where the hydro taking occurs.

- The policies as proposed note that further study is required to determine if the 5.0 metres is required. This suggests a disproportionate requirement that impacts owners differently across Davis Drive. Such a policy will discourage development as current and future property owners will not have the assurance of the amount of developable area for a subject property. In addition, any additional right-of-way takings need to be based on equal right-of-way requirements on either side of the centreline which may not be the case on a site by site basis. We request that the proposed policy be removed.
- Any additional land takings from Davis Drive in excess of the Region's BRT infrastructure needs will have a detrimental impact on the building envelopes for proposed development. The proposed angular plane policies will further impact the development feasibility of already shallow lots along Davis Drive. Therefore, we recommend removing all policies regarding the undergrounding of utilities and additional right-of-way corridor takings along Davis Drive.

7.3.9 Shadow and Sky Views

iii) Applications for development in the Urban Centres will require a shadow impact study in accordance with Official Plan Policy 4.4.3 that demonstrates that the proposed development allows for a minimum of 50% of daily sunlight (measured from 1.5 hours after sunrise and 1.5 hours before sunset) onto public spaces identified above, including public sidewalks, during the summer solstice (June 21).

- The detailed requirements of a shadow impact study are not clearly stated in either the Secondary Plan or the Town of Newmarket Official Plan. Policies should be updated to clarify shadow impacts for sites adjacent to both a public space or square and a sidewalk, including sites on corner lots. Policy needs to state whether each specific component (i.e. sidewalk, public space) needs to allow 50% daily sunlight for the same period.

7.3.10 Landmarks and Public Views

i) The Town will identify significant views and landmark buildings, including views to heritage buildings that will be considered in the review of any development proposal, to ensure that the view corridors leading to them remain legible.

- The policy as currently proposed leaves the determination of a significant view and landmark buildings to a subsequent determination. These views and landmark buildings need to be identified in advance. If they limit the ability for a development site to meet the objectives of the Secondary Plan for development, then this should be addressed in the Secondary Plan. Furthermore, there is no definition as to what is a significant view or landmark building.

8.3.2 Street Network

iv) New public streets identified on Schedule 5 shall generally be conveyed to the Town by way of plan of subdivision in accordance with Policy 14.2.4, or in some cases may be acquired by the

Town, and the cost of acquisition recovered through cost sharing agreements with benefitting landowners.

- Where public streets are not dedicated during an application process, the Town can acquire them through negotiation or expropriation. However, the policy does not define the benefitting landowner, which could be an abutting owner or another landowner not directly related to the street acquisition. If the acquisition is growth-related, the acquisition should be included in the Town's Development Charge By-law. This would spread the cost to all benefitting owners through the formal Development Charge process.

8.3.4 Private Roads/Lands

iii) Private roads/lanes will be designed with minimum mid-block rights-of-way of approximately 16 metres.

- 16 metres is excessive for a private street width and is close to the width of a public street. A typical width for a two-way private street or lane is 6 – 8 metres depending on the inclusion of a sidewalk.

Schedule 6: Parks, Open Space & Natural Heritage

There are several policies related to the proposed future parks in the area and the relationship to permitted uses. Furthermore, YRRTC has concerns regarding the proposed park at 432 Davis Drive and on lands east of 330-336 Davis Drive for the reasons outlined below, as they relate to these lands specifically and areas identified for parks in general.

6.3.8 Character Area - Davis Drive (Huron Way)

vi) Development between Niagara Street easterly to the easterly end of the Keith Bridge will respect the heritage character of this area as the gateway to the historic downtown. Specifically, development at the southeast and southwest corners of Davis Drive and Main Street will recognize this location as the gateway to the historic downtown, including massing, height and design that appropriately transitions to the planned built form and design for Main Street.

- Per the policy above, the proposed park at 432 Davis Drive, located at the southeast corner of Main Street and Davis Drive directly conflicts with the policy requesting massing and height that transition to the planned built form along Main Street. It is not clear as to which Secondary Plan policy should take precedence. It is our view that development should take priority at this intersection per the policy above and that the park be relocated.
- Section 8.1.d of the Town of Newmarket Official Plan states the objective of the Parks and Open Space Policies to:

Provide connectivity between both passive and active recreational areas or other natural features, where possible;

- This site is isolated (disconnected) from other proposed public spaces, particularly when at the northwest corner of Main Street and Davis Drive the park could be connected to the floodplain system and Natural Heritage System as outlined in The Town of Newmarket Official Plan Schedule B – Natural Heritage System.

10.3.1.1 Parkland Acquisition

- i) *The Town intends to bring the neighbourhood parks and open space system identified in Schedule 6 into the public parks and open space system during the planning horizon of this Plan. In the interim, legally existing uses on these lands are recognized and may continue.*
- Schedule 6 and other schedules in the Official Plan designate a public park on the individual properties. Per the above policy, that means these lands are designated for parks or existing uses only. However, 10.3.1.iv notes that the size and location of parks are conceptual and may be modified without amendment to the Secondary Plan. However, should a park move, it is not clear what the underlying designation or FSI would be for the park locations as currently illustrated. We recommend that the parks designation should be an overlay and that the other schedules in the plan be modified to reflect the underlying designation should a park be relocated.

10.3.1.1.vi Parkland Dedication

- iii) *In addition to parkland dedication in accordance with Town's Parkland Dedication By-law, the Town may implement a number of other conveyance strategies in order to meet or exceed the parkland target in Policy 10.3.1(ii) including, but not limited to:*
- a) land exchanges;*
 - b) securement of first right of refusal on strategic properties;*
 - c) purchase or lease of land;*
 - d) reuse of municipal land or surplus land of public agencies; and*
 - e) land donations.*
- We recommend rewording Policy d) above as follows: "surplus land of public agencies acquired by the Town for parkland purposes".
- vii) *Lands within the Floodplain and Hazard Lands, lands identified as natural heritage, and lands utilized for stormwater management facilities (above- or below-ground) will not be accepted as part of parkland dedication or counted towards the achievement of the parkland targets in Policy 10.3.1(ii).*
- We note that Table 3 of the Secondary Plan includes some floodplain lands in the parklands calculation. Furthermore, we note that Schedule 6 identifies parkland within the floodplain area. Therefore, the policy above requires clarification as to how these lands are considered in relation to this policy.

14.2.4 Conveyance of Lands

- ii) *To secure the related public infrastructure improvements and community facilities required, all new development in the Urban Centres that requires the conveyance of land for public purposes such as: streets, boulevards, parks, boulevard space for the future undergrounding of hydro, pedestrian mews and/or other public facilities, as part of its initial development applications process, generally shall proceed by way of a plan of subdivision...*

The majority of development in the Urban Centres will proceed not by way of subdivision, but by way of Site Plan Control given that these are smaller infill sites. The proposed policy should be revised to reflect the fact that plans of subdivision will generally only be used on larger parcels.