

A 15 minute recess is scheduled at 3:00 p.m. with the Committee of the Whole (Closed Session) agenda items being dealt with after the break at 3:15 p.m.

Committee of the Whole to reconvene at 7:00 p.m. to consider Item 13.

ADDITIONS TO THE AGENDA

Please note there may be further items added to this agenda – contact the Legislative Services Department at (905) 895-5193 for the most up-to-date listing.

DECLARATIONS OF INTEREST

DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

CONSENT ITEMS

**1. COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
REQUESTS FOR PROCLAMATION**

- a) Correspondence received January 15, 2013 from Epilepsy Awareness requesting March 26, 2013 be proclaimed “Purple Day” in the Town of Newmarket.

Recommendations:

1. **THAT the Town of Newmarket proclaim March 26, 2013 as ‘Purple Day’;**
2. **AND THAT the proclamation be advertised in the Town Page advertisement and on the Town’s website www.newmarket.ca**

- b) Correspondence dated January 7, 2013 from Yash Kapur, Branch Council Chair, Canadian Red Cross Society requesting March 2013 be proclaimed “Red Cross Month” in the Town of Newmarket.

Recommendations:

1. **THAT the Town of Newmarket proclaim March 2013 as ‘Red Cross Month’;**

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

2. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
NEWMARKET PUBLIC LIBRARY BOARD MINUTES**

Newmarket Public Library Board Minutes of November 28 and December 19, 2012.

The Newmarket Public Library Board recommends:

THAT the Newmarket Public Library Board Minutes of November 28 and December 19, 2012 be received.

3. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES**

Heritage Newmarket Advisory Committee Minutes of January 8, 2013.

The Heritage Newmarket Advisory Committee recommends:

THAT the Heritage Newmarket Advisory Committee Minutes of January 8, 2013 be received.

4. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
ENVIRONMENTAL ADVISORY COMMITTEE MINUTES**

Environmental Advisory Committee Minutes of January 9, 2013.

The Environmental Advisory Committee recommends:

THAT the Environmental Advisory Committee Minutes of January 9, 2013 be received.

5. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-03
SPORTS HALL OF FAME APPOINTEE**

Corporate Services Report – Legislative Services 2013-03 regarding the Sports Hall of Fame Appointee.

(Report to be distributed with addendum agenda)

6. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-03
OLD TOWN HALL CONSTRUCTION BUDGET CONTROL TASK FORCE – TERMS OF REFERENCE**

Development and Infrastructure Services Report – ES 2013-03 dated January 16, 2013 regarding Old Town Hall Construction Budget Control Task Force – Terms of Reference.

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

THAT Development & Infrastructure Services Commission – Engineering Services Report 2013-03 dated January 16, 2013, be received and the following recommendations be adopted:

1. **THAT the Terms of Reference (Attachment A) for the Old Town Hall Construction Budget Control Task Force be approved;**
 2. **AND THAT Council appoint Two (2) Members of Council to serve on the Old Town Hall Construction Budget Control Task Force in addition to the Mayor.**
7. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2012-87
TRAFFIC OPERATIONS REVIEW – SAWMILL VALLEY DR. & SAVAGE RD**

Development and Infrastructure Services Report – ES 2012-87 dated January 15, 2013 regarding Traffic Operations.

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

THAT Development and Infrastructure Services Report – ES2012-87, dated January 15, 2013 regarding Traffic Operations Review – Sawmill Valley Drive and Savage Road, be received and the following recommendations be adopted:

1. **THAT York Region be forwarded a copy of this report and requested to review the Yonge Street/Savage Road/Sawmill Valley Drive intersection for improved east/west signal timings;**
 2. **AND THAT VIVANext be forwarded a copy of this report to ensure that the planned signal timings for the rapid transit corridor take into account the east/west traffic operations at the above intersection;**
 3. **AND THAT York Region be requested to implement the recommendations noted in the IBI Group traffic safety report, dated November 2012.**
8. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT – ES 2013-05
PROPOSED LAKE TO LAKE CYCLING ROUTE AND WALKING TRAIL**

Development and Infrastructure Services Report – Engineering Services 2013-05 dated January 23, 2013 regarding the Proposed Lake to Lake Cycling Route and Walking Trail.

(Report to be distributed with addendum agenda)

**9. COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-02
2012 ACCESSIBILITY PLAN/UPDATE ON MULTI-YEAR PLAN**

Corporate Services Report – Legislative Services 2013-02 dated January 24, 2013 regarding the 2012 Accessibility Plan and Update on Multi-Year Plan.

The Director of Legislative Services/Town Clerk, the Deputy Town Clerk and the Commissioner of Corporate Services recommend:

THAT Corporate Services Report – Legislative Services 2013-02 dated January 24, 2013 regarding the 2012 Accessibility Plan and Update on 2012-2017 Multi-Year Accessibility Plan be received and the following recommendation be adopted:

THAT Council adopt the Town of Newmarket 2012 Accessibility Plan, as recommended by the Newmarket Accessibility Advisory Committee.

**10. COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
CORPORATE SERVICES REPORT – LEGAL SERVICES 2013-02
CORRESPONDENCE FROM RESIDENTS REQUESTING A GLENWAY RESIDENT
DEFENCE FUND**

Report:

Corporate Services Report – Legal Services 2013-02 dated January 24, 2013 regarding correspondence from residents requesting a defence fund.

The Director of Legal Services/Municipal Solicitor and the Commissioner of Corporate Services recommend:

THAT Corporate Services (Legal Services) Report 2013-02 dated January 24, 2013 regarding Correspondence from Residents Gordon Blowes, Brenda Sartor, Vicken Khounganian, Richard and Paula Sainthill, Jeff Brown, Rob Winlow, Kathryn Smith and Rita Bondi, requesting a Glenway Resident Defence Fund be received and the following recommendations be adopted:

- 1. THAT the correspondence from Gordon Blowes, Brenda Sartor, Vicken Khounganian, Richard and Paula Sainthill, Jeff Brown, Rob Winlow, Kathryn Smith and Rita Bondi regarding a request that the Town approve an initial fund of \$100,000.00 for residents to be represented at the OMB and to appeal an unfavorable OMB ruling (development on any part of the Glenway golf course) with the Ontario Courts be received;**
- 2. AND THAT Council take no action on the request by the above-noted residents to provide defence funding for a potential appeal to the OMB.**

Correspondence:

Various items of correspondence received from residents: Gordon Blowes,, Brenda Sartor, Vicken Khounganian, Richard and Paula Sainthill, Jeff Brown, Rob Winlow, Kathryn Smith and Rita Bondi regarding a Glenway Resident Defence Fund.

Recommendation:

THAT the items of correspondence from Gordon Blowes, Brenda Sartor, Vicken Khounganian, Richard and Paula Sainthill, Jeff Brown, Rob Winlow, Kathryn Smith and Rita Bondi regarding a Glenway Resident Defence Fund be received.

**11. COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
MOTION
APPEAL COSTS – GROWTH PLAN CONFORMITY EXERCISES**

Motion from Councillor Di Muccio regarding Appeal Costs – Growth Plan Conformity Exercises.

A resolution for Newmarket Council to endorse the Resolution of the Regional Municipality of Halton entitled 'Request to the Province to cover all appeal costs to the Ontario Municipal Board for Growth Plan Conformity Exercises'.

(Note: Additional Information dated December 20, 2012 attached)

(Note: Notice of Motion by Councillor Di Muccio provided at Committee of the Whole meeting of January 14, 2013)

**12. COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
LIST OF OUTSTANDING MATTERS**

List of outstanding matters.

Recommendation:

THAT the list of outstanding matters be received.

PRESENTATIONS

DEPUTATIONS

CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

ACTION ITEMS

REPORTS BY REGIONAL REPRESENTATIVES

NEW BUSINESS

RESOLUTION TO CONVENE INTO A CLOSED SESSION:

THAT Committee of the Whole resolve into a closed session for the purpose of discussing:

- a) The security of property of the municipality or local board;
- b) Personal matters about an identifiable individual, including municipal employees or local board employees;
- c) A proposed or pending acquisition or disposition of land by the municipality or local board;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;
- f) Advice that is subject to solicitor/client privilege including communications necessary for that purpose; and
- g) A matter in respect of a council, board committee or other body may hold a closed meeting under another Act.

CLOSED SESSION

The Closed Session Agenda and Reports will be circulated under separate cover (Goldenrod) on Thursday, January 31, 2013.

CONSENT ITEMS - 7:00 P.M.

13. **COMMITTEE OF THE WHOLE – FEBRUARY 4, 2013 – ITEM
JOINT CORPORATE SERVICES (LEGAL) AND DEVELOPMENT AND
INFRASTRUCTURE SERVICES REPORT – PLANNING AND BUILDING SERVICES
2013-07 – APPLICATION FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF
SUBDIVISION – 17645 YONGE STREET – DWIGHT SLESSOR HOLDINGS LIMITED
PART LOT 96, CONCESSION 1, EAST SIDE OF YONGE STREET**

Deputation:

Ms. Anna O'Rourke to address the Committee regarding Slessor Square.

Report:

Community Services/Planning and Building Services and Legal Report - Planning - 2013-07, dated February 4, 2013 regarding Application for Zoning By-law Amendment and Draft Plan of Subdivision – Dwight Slessor Holdings Limited.

(Report to be distributed no later than the addendum agenda)

ADJOURNMENT

1a) 1.1

m03 1.001

Proclamation.

Proclamation



CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
JAN 15 2013		
Linda		

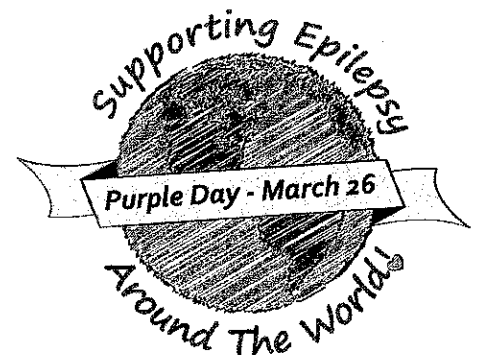
Epilepsy awareness month.

Whereas: March 26th is a Purple Day. It is a global effort dedicated to promoting epilepsy awareness in countries around the world, and

Whereas: Epilepsy is one of the most common neurological conditions, estimated to affect over 50 million people worldwide and over 300,000 thousand people in Canada, and

Whereas: One in ten persons will have at least one seizure during his or her lifetime, and

Whereas: March is Epilepsy awareness month, Purple Day will be celebrated on March 26th annually to increase understanding, reduce stigma and improve the quality of life for people with epilepsy throughout the country and globally.



1 b) 1.1

m031.001

January 7, 2013

The Town of Newmarket
 Mayor Tony Van Bynen
 395 Mulock Drive, P.O. Box 328
 Newmarket, ON, L3Y 4X7

COMMUNITY SERVICES			MAYOR'S OFFICE		
INCOMING MAIL	REFD TO	COPY TO	INCOMING MAIL	REFERRED TO	COPIED TO
JAN 17 2013			COUNCIL		
			CAO		
			JAN 16 2013		
			COMMISSIONER		
			DEPARTMENT		
			CLERKS	✓	
			CONCERNS		

Dear Mayor Tony Van Bynen,

When a community is in crisis, responding to the immediate needs of people takes top priority. This response effort can quickly deplete a community's human and financial resources.

Over the years, the Canadian Red Cross has responded to a number of disasters not only in York Region but across Canada. Thanks to the generosity of Canadians, the Red Cross has been able to respond to disasters small and large in Newmarket as well as other areas in Canada. The Canadian Red Cross also educates individuals and communities on emergency preparedness, first aid and CPR, babysitting skills, humanitarian issues and the prevention of abuse and violence for youth.

March is Red Cross Month and each year, the Canadian Red Cross runs a public awareness campaign to increase public awareness and gain support for our programs and services.

I would like to request your support through an official proclamation recognizing March as Red Cross Month. I have enclosed the 2013 template proclamation recognizing March as Red Cross Month for your review. You may contact Maryam Mangal Rahman, Community Services Assistant, Administration with any questions you may have.

We would also like to request that the Town of Newmarket make this proclamation in conjunction with a flag raising ceremony. If you require a new Red Cross flag to be flown for the month of March on a Town of Newmarket flag post please contact Maryam. If you would like a Red Cross Representative to attend this flag-raising ceremony please contact Maryam to arrange this.

Thank you in advance for your support. Maryam can be reached at 905-830-9565 or 1-800-361-9448 ext. 222 and would be pleased to provide you with more information concerning the Red Cross and March is Red Cross Month.

Sincerely,



Yash Kapur
 Branch Council Chair

1 b) 1.2

March is Red Cross Month 2013

Proclamation

Whereas, the Canadian Red Cross Society has been engaged in preventing and alleviating human suffering across Canada and around the world, and

Whereas, the Canadian Red Cross Society has helped thousands of Canadians through its Disaster Relief and Community Services, including our own citizens of the **Town of Newmarket**, and

Whereas, the Canadian Red Cross Society is a reflection of the Canadian spirit of generosity, caring and selflessness,

Therefore, I, **Mayor Tony Van Bynen of the Town of Newmarket** hereby proclaim March 2013 as Red Cross Month here in the **Town of Newmarket**. I also urge all residents of the **Town of Newmarket** to support the Canadian Red Cross Society and our community by regularly volunteering their time or by financially supporting Red Cross programs, across the world and across the street.

In witness whereof, I have herewith set my hand and caused the great seal of the **Town of Newmarket** to be affixed.



2.1

Newmarket Public Library Board
Regular Board Meeting
Wednesday, November 28, 2012
Newmarket Public Library Board Room

Present:
Wendy Van Straten – Chair
Tom Vegh – Vice Chair
Michael Castro
Wes Playter (*arrived at 5:20 pm*)
Joan Stonehocker (*arrived at 5:05 pm*)
John Taylor (*left at 6:00 pm*)

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

Regrets: Tom Hempen

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

1. ADOPTION OF AGENDA ITEMS:

- i) Adoption of Regular Agenda
- ii) Adoption of Consent Agenda items

The Chair asked if there were any additions to the agenda. The Consent Agenda was amended to include item 7 i) Monthly Bank Transfer, which will now be a regular item under the Consent Agenda.

Motion 12.11.179

**MOVED BY JOHN TAYLOR
SECONDED BY MICHAEL CASTRO**

THAT Agendas i) to ii) be adopted as amended.

CARRIED

2. DECLARATIONS

None were declared.

3. CONSENT AGENDA ITEMS:

- i) Adoption of the Regular Board Meeting Minutes of Wednesday, October 24, 2012
- ii) Monthly Operational Highlights for October
- iii) Library Statistical Data
- iv) Revitalization Update
- v) Correspondence from Michael Chan, Minister, Ontario Ministry of Tourism, Culture and Sport
- vi) Correspondence from Office of the Mayor, Town of Whitchurch-Stouffville
- vii) Monthly Bank Transfer

Motion 12.11.180

MOVED BY TOM VEGH
 SECONDED BY JOHN TAYLOR

THAT Consent Agenda Items i) to vii) be received as presented

CARRIED

4. CLOSED SESSION

There were no Closed Session items.

5. STRATEGIC PLAN

Library Board members reviewed the draft Strategic Plan and advised of changes that they would like made to the draft.

6. CORRESPONDENCE

- i) Request from Georgina Public Libraries

Correspondence has been received from Georgina Public Libraries requesting that the Newmarket Public Library consider entering into a reciprocal borrowing agreement.

Motion 12.11.181

MOVED BY JOAN STONEHOCKER
 SECONDED BY WES PLAYER

THAT that the Newmarket Public Library enter into a reciprocal borrowing agreement with Georgina Public Libraries subject to review after two years.

CARRIED

7. REPORTS

- i) Newmarket Public Library-Town of Newmarket (NPL-TON) Joint Task Force
 - a) Verbal Update

There was no verbal update as the NPL-TON Joint Task meeting schedule for Tuesday, November 28th was cancelled.

8. BUSINESS ARISING

- i) Family Day – February 18, 2013

The Board gave consideration regarding opening the Library on Family Day in 2013 in coordination with the Town of Newmarket events for this day.

Motion 12.11.182

MOVED BY TOM VEGH
SECONDED BY MICHAEL CASTRO

THAT the Library Board approve that the Library open on Family Day, Monday, February 18, 2013 contingent on the ability of having enough staff and in coordination of events with the Town of Newmarket on Family Day.

CARRIED

ii) Action List

The Board reviewed and updated the Action List.

9. NEW BUSINESS

i) Ontario Library Association (OLA) Superconference 2013

2013 OLA Superconference calendars were distributed to Library Board members. Board members were advised of the opportunity to attend the conference and asked to advise if they are interested in attending by Friday, December 14th.

10. DATE(S) OF FUTURE MEETINGS

The next regular Library Board meeting will be Wednesday, December 19, 2012 at 5:00 pm in the Library Board.

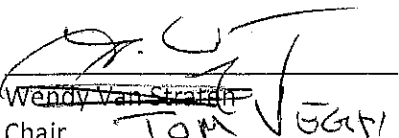
11. ADJOURNMENT

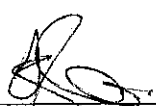
Motion 12.11.183

MOVED BY TOM VEGH
SECONDED BY WES PLAYTER

THAT there being no further business the meeting adjourned at 6:30 p.m.

CARRIED


Wendy Van Straten
Chair


Todd Kyle, CEO
Secretary/Treasurer



Newmarket Public Library Board
Regular Board Meeting
Wednesday, December 19, 2012
Newmarket Public Library Board Room

2.4

Present: Tom Vegh – Vice Chair
Wes Playter
Joan Stonehocker
John Taylor

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

Guest: Lynn Georgeff, Director of Human Resources,
Town of Newmarket (left at 5:18 pm)

Regrets: Wendy Van Straten – Chair
Michael Castro
Tom Hempen

In the absence of the Chair the Vice Chair called the meeting to order at 5:10 p.m.

1. ADOPTION OF AGENDA ITEMS:

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

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

Motion 12.12.184

**MOVED BY JOHN TAYLOR
SECONDED BY WES PLAYTER**

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

CARRIED

2. DECLARATIONS

None were declared.

3. CLOSED SESSION

Motion 12.12.185

**MOVED BY JOAN STONEHOCKER
SECONDED BY JOHN TAYLOR**

THAT the Library Board move in to a Closed Session at 5:11 pm for the purpose of discussing labour relation matters.

CARRIED

Motion 12.12.186

MOVED BY WES PLAYER

SECONDED BY JOAN STONEHOCKER

THAT the Library Board move out of the Closed Session at 5:20 pm.

CARRIED

4. CONSENT AGENDA ITEMS:

- i) Adoption of the Regular Board Meeting Minutes of Wednesday, November 28, 2012
- ii) Monthly Operational Highlights for November
- iii) Library Statistical Data
- iv) Monthly Bank Transfer
- v) Correspondence from Natasha K. Brenders, Director General, Infrastructure Operations, Federal Economic Development Agency of Southern Ontario

Motion 12.12.187

MOVED BY JOHN TAYOR

SECONDED BY JOAN STONEHOCKER

THAT Consent Agenda Items i) to v) be received as presented.

CARRIED

5. POLICIES

- i) Policy Reviews Memorandum

The Library Board reviewed the revisions to the following policies and adopted the following motions:

i. Childcare Expenses Policy

Motion 12.12.188

MOVED BY JOHN TAYOR

SECONDED BY WES PLAYER

THAT the Board rescind the Library Board Childcare Expense Policy

CARRIED

ii. Community Information Policy

The Board recommended changes to number six of the guidelines.

Motion 12.12.189

**MOVED BY JOHN TAYOR
SECONDED BY JOAN STONEHOCKER**

THAT the Board approve the Community Information Policy as amended to replace the policies titled Bulletin Board, Community Information and Health Services, and Community Access to Consumer Health (CATCH)

CARRIED

iii. Sponsorship and Advertising Policy

Motion 12.12.190

**MOVED BY JOHN TAYOR
SECONDED BY WES PLAYTER**

THAT the Board approve the Sponsorship and Advertising Policy as presented to replace the Sponsorship policy

CARRIED

iv. Fees for Advertising in Library Publications

The Library Board reviewed the proposed fees for advertising in designated areas of the library and recommended changes.

Motion 12.12.191

**MOVED BY JOHN TAYOR
SECONDED BY JOAN STONEHOCKER**

THAT the Library Board recommends the fees proposed are doubled for both room rental advertising and general advertising

CARRIED

v. Membership Policy

Motion 12.12.192

**MOVED BY JOHN TAYOR
SECONDED BY JOAN STONEHOCKER**

THAT the Library Board approve the revised Membership Policy as presented

CARRIED

vi. Donations Policy

Approval of the Donations Policy was deferred until the next regularly scheduled Board meeting for clarification regarding the issuing of receipts by a registered Charity.

vii. Disposal of Library Materials Policy

Motion 12.12.193

**MOVED BY JOHN TAYOR
SECONDED BY WES PLAYTER**

THAT the Library Board approve the Policy on Disposal and Donations of Library Materials as presented to replace the Policy on Disposal of Library Materials

CARRIED

6. REPORTS

i) Strategic Capacity Building Fund

The CEO advised of the projected operating surplus for 2012 and proposed that the Library place the surplus into a Future Commitments Reserve for the purpose of implementation of the Strategic Plan.

Motion 12.12.194

**MOVED BY JOAN STONEHOCKER
SECONDED BY WES PLAYTER**

THAT the Library Board approve the creation of a Strategic Plan Implementation Reserve from the 2012 Operating surplus

CARRIED

7. BUSINESS ARISING

i) Strategic Plan

The Strategic Plan is currently being reviewed for spelling and grammatical changes and will be brought back to the Library Board at the next regularly scheduled Board meeting.

ii) Family Day – February 18, 2013

The CEO advised the Board that the Town of Newmarket has no events planned for Family Day, February 18, 2013. The Library opening on Family Day was contingent on the Town of Newmarket holding events. The Library is participating in the Winterfest, on Saturday, February 2, 2013.

Motion 12.12.195

**MOVED BY JOHN TAYLOR
SECONDED BY JOAN STONEHOCKER**

THAT the Library Board directs staff not to open on Family Day, February 18, 2013 and that a report be prepared by Library staff on options for opening on Family day, by November 2013.

CARRIED

iii) Action List

The Board reviewed and updated the Action List.

8. NEW BUSINESS

There was no new business.

9. DATE(S) OF FUTURE MEETINGS

The next regular Library Board meeting will be Wednesday, January 16, 2013 at 5:00 pm in the Library Board room.

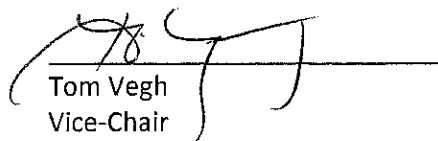
10. ADJOURNMENT

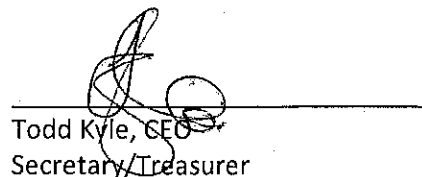
Motion 12.12.196

**MOVED BY JOHN TAYLOR
SECONDED BY WES PLAYTER**

THAT there being no further business the meeting adjourned at 6:20 p.m.

CARRIED


Tom Vegh
Vice-Chair


Todd Kyle, CEO
Secretary/Treasurer

Wednesday, January 8, 2013 at 7:00 p.m.
Mulock Room, 395 Mulock Drive

The regular meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, January 8, 2013 at 7:00 p.m. in the Mulock Room at 395 Mulock Drive, Newmarket.

Members

Present:

R. Caister
N. Friend
S. Fuller
A. Hart
M. Watts
B. Locke
Councillor Hempen

Staff:

B. Mendonca, Administrative Assistant, Legislative Services

The meeting was called to order at 7:10 p.m.

Athol Hart in the Chair.

APPROVAL OF PREVIOUS MINUTES

1. **HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – JANUARY 8, 2013**
ITEM 1 – HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES

Moved by Ross Caister
Seconded by Norm Friend

THAT the Heritage Newmarket Advisory Committee Minutes of December 11, 2012 be approved.

CARRIED

CORRESPONDENCE

2. **HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – JANUARY 8, 2013**
ITEM 2 – CORRESPONDENCE ITEMS

- a) An e-mail was presented from Bert Duclos, Heritage Outreach Consultant, Culture Services Unit, Ministry of Tourism, Culture and Sport regarding a new Energy Efficiency regulation that was released December 17, 2012. This regulation includes provisions for heritage replacement windows in heritage buildings. The new regulation comes into effect January 1, 2013.

Moved by Ross Caister
Seconded by Tom Hempen

THAT the Chair of the Heritage Newmarket Advisory Committee contact the Heritage Outreach Consultant for clarification of this regulation as it will affect the Bonshaw House.

CARRIED

- b) Application for Consent, 353 Ontario Street. This location is listed on the inventory list. Sandra Fuller, Ross Caister, Athol Hart and Malcolm will visit the site and make an assessment of the heritage value of the house.

Moved by Ross Caister

Seconded by Sandra Fuller

THAT the Chair of the Heritage Newmarket Advisory Committee attend the Committee of Adjustment meeting on January 16, 2013 to appeal the Committee of Adjustment's ruling if warranted.

CARRIED

Moved by Tom Hempen

Seconded by Sandra Fuller

AND THAT, in future, the Committee of Adjustment inform the Heritage Newmarket Advisory Committee in a timely manner of such issues.

CARRIED

- c) A copy of the Draft procedure by-law was received as information and will be discussed at the next Heritage Newmarket Advisory Committee meeting on February 5, 2013.
- d) Application for draft plan of condominium, 1250 Journey's End Circle was received as information.
- e) Ministry of Citizenship and Immigration, nominations for the Ontario Medal for Young Volunteers was received as information.
- f) Notice of passing of by-law to adopt the Official Plan amendment number 9 was received as information.
- g) Notice of passing of zoning by-law for 17310 Leslie Street was received as information.

**3. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – JANUARY 8, 2013
ITEM 3– HOT LIST/FINANCIAL REPORT**

- a) Hot List

The Chair will contact the Senior Planner – Community Planning regarding the report for the Bonshaw property going to Committee of the Whole on February 4, 2013.

b) Treasurer

The interim Treasurer reported that there are outstanding charges for 2012. The Heritage Newmarket Advisory Committee is requesting that money from 2012 be carried over to 2013. The Interim Treasurer will discuss this with the Director of Financial Services. If any issues arise, the Chair will discuss with the Manager of Culture, Marketing and Special Events.

The Chair advised the Heritage Newmarket Advisory Committee that the Heritage office at the Museum will be equipped with two new computers and will be maintained and upgraded by the Town of Newmarket Information Technology department. The computers will be linked into the Town of Newmarket's computer system.

4. **HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – JANUARY 8, 2013**
ITEM 4 – PLAQUES

a) Site Plaques

Moved by Sandra Fuller
Seconded by Ross Caister

THAT the wording for the three pending plaques will be circulated to members of the Heritage Newmarket Advisory Committee via e-mail for their consideration.

CARRIED

Ross Caister and Sandra Fuller will follow up with Condo Lofts regarding a plaque for the old Office Specialty building. Malcolm Watts will conduct research regarding the Dixon Pencil Company and Kane Woodenware and report back to the Heritage Newmarket Advisory Committee at a future meeting. Norm Friend will research the Fairgrounds to include the Palace and the race track.

b) Residence plaques

The Chair will bring a plaque to the next meeting to discuss the painting of the wording on the plaque.

5. **HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – JANUARY 8, 2013**
ITEM 5 – INVENTORY SUB-COMMITTEE

The evaluation process wording that was presented to Council by the Heritage Newmarket Advisory Committee was taken directly from the *Heritage Act*. The Heritage Newmarket Advisory Committee is waiting the approval of the evaluation process by Council.

6. **HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – JANUARY 8, 2013**
ITEM 7 – REPORTS OF COMMITTEE MEMBERS

a) Historical Society

Nothing to report.

b) Museum

Nothing to report.

c) A.R.C.H.

Two members of the Heritage Newmarket Advisory Committee are permitted to sit on this Committee.

**Moved by Ross Caister
Seconded by Billie Locke**

THAT Malcolm Watts be appointed to sit on the A.R.C.H. Committee.

CARRIED

d) Street Naming Committee

Nothing to report.

**7. HERITAGE NEWMARKET ADVISORY COMMITTEE MINUTES – JANUARY 8, 2013
ITEM 8 – NEW BUSINESS**

- a) The schedule of meetings for 2013 was presented.
- b) Sandra Fuller was interim acting Treasurer for the Heritage Newmarket Advisory Committee. Sandra Fuller and Norm Friend were nominated to act as permanent Treasurer.

**Moved by Ross Caister
Seconded by Billie Locke**

THAT Sandra Fuller become the permanent Treasurer for the Heritage Newmarket Advisory Committee.

CARRIED

- c) The election of a Chair and/or Co-chair for 2013 for the Heritage Newmarket Advisory Committee.

**Moved by Ross Caister
Seconded by Norm Friend**

THAT this item be deferred to the February 5, 2013 meeting.

CARRIED

**Moved by Ross Caister
Seconded by Billie Locke**

That members of the Heritage Newmarket Advisory Committee are requested to send regrets to the Administrative Assistant by 4:00 p.m. the day of the meeting.

CARRIED

- d) The suggestion was made to the Heritage Newmarket Advisory Committee to use a badge for identification when members are visiting sites. A date and time will be set up for members to have their pictures taken at a future date.
- e) A membership renewal was received from Community Heritage Ontario.

**Moved by Ross Caister
Seconded by Norm Friend**

**THAT the 2013 annual membership to Community Heritage Ontario be renewed.
CARRIED**

Moved by Ross Caister

THAT the meeting adjourn.

CARRIED

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

Date

Athol Hart - Co-Chair



Town of Newmarket **MINUTES**

4.1

ENVIRONMENTAL ADVISORY COMMITTEE

Wednesday, January 9, 2013
at 6:30 p.m.
Cane Room, 395 Mulock Drive

A meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, January 9, 2013 at 6:30 p.m. in the Cane Room at 395 Mulock Drive.

Present: John Birchall
Philip Breault
Wes Guldemon
Dayna Laxton
Joanna Parsons
Geoff Shore
Brandon Simon

Absent: Doug Jagger
Councillor Twinney

Staff: B. Jones, Director of Public Works Services
L. Moor, Council/Committee Coordinator

Guest: Courtney Daniels, Program Manager, IWMS, Solid Waste Management
Environmental Services, Regional Municipality of York

The meeting was called to order at 6:32 p.m.

Brandon Simon in the Chair.

ADDITIONS TO THE AGENDA

None.

DECLARATIONS OF INTEREST

None.

1. NEWMARKET EAC MINUTES – JANUARY 9, 2013 – ITEM 1 **APPROVAL OF MINUTES**

Environmental Advisory Committee Minutes of December 5, 2012.

Moved by Geoff Shore
Seconded by John Birchall

THAT the Environmental Advisory Committee Minutes of December 5, 2012 be approved.

CARRIED

2. **NEWMARKET EAC MINUTES – JANUARY 9, 2013 – ITEM 2
CORRESPONDENCE**

Items of correspondence previously distributed by e-mail.

Moved by Phil Breault
Seconded by John Birchall

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

CARRIED

3. **NEWMARKET EAC MINUTES – JANUARY 9, 2013 – ITEM 3
PRESENTATION – INTEGRATED WASTE MANAGEMENT MASTER PLAN**

The Director of Public Works Services introduced Ms. Courtney Daniels from the Environmental Services division of the Region of York.

Ms. Courtney Daniels, Program Manager, IWMS, Solid Waste Management Environmental Services, Regional Municipality of York addressed the Committee with a PowerPoint presentation regarding the Region's Integrated Waste Management Master Plan.

Committee members provided their comments regarding the Integrated Waste Management Master Plan to Ms. Daniels. She advised she would provide an executive summary from Phase 1 of the plan to the Committee members.

4. **NEWMARKET EAC MINUTES – JANUARY 9, 2013 – ITEM 4
FOLLOW-UP ITEMS**

- a) John Birchall provided a verbal update regarding the spring garage sale and advised that the discussion would take place at the February meeting when the Recreation Programmer – Community and Special Events could attend and clarify some matters relating to the feasibility of partnering with the Town.
- b) The Director of Public Works Services provided a verbal update regarding the reduction in garbage bag limits initiative and waiving of fees for toilet disposal. He advised that effective January 1, 2013, the fees for toilet disposal have been waived; however the reduction in garbage bag limits was a matter that was not wholly supported by Council and the limits will remain the same for the 2013 year.

c) Board and Committee Feedback.

Discussion ensued regarding the draft procedure by-law and feedback of the contents of the draft by-law requested by the Deputy Clerk to all Town Boards and Committees. The comments from the Committee members are as follows:

- Document too complex; should be simplified
- Would like to see a smaller summary document
- What is the value to the volunteer Committee members of reading such a large document
- Would like to see more plain language
- Statutes and decrees
- Don't require a lengthy document suggesting behavior/decorum in meetings

d) Discussion – 2013 Priorities.

The following 2013 Committee priorities were brought forward for consideration.

- Community Gardens
- Ian Gray Environmental Award criteria revamp
- Urban Centres Secondary Plan involvement
- Tree cover
- Continuation of E-waste event
- Continuation of Spring Garage Sale
- Meet with all Members of Council informally twice per year for feedback
- Green Series workshops in a reduced capacity and held at Town initiated community events
- Improvement of Facebook page
- Questionnaire/Survey via social media – “What do we want our community to be environmentally?”

**5. NEWMARKET EAC MINUTES – JANUARY 9, 2013 – ITEM 5
NEW BUSINESS**

- a) Dayna Laxton and Joanna Parsons provided a verbal update regarding the Regional EAC meeting which they attended at the Vaughan Civic Centre. They advised there was a tour of the entire building which was constructed under LEED (Leadership in Energy and Environmental Design) principles. Dayna advised that the attendees held a roundtable discussion about what their Committee's had accomplished in 2012.
- b) The Director of Public Works Services provided an update regarding a report on the Committee of the Whole agenda scheduled for January 14, 2013 regarding the Emerald Ash Borer Long Term Management Plan. He advised that one of the recommendations in the report is seeking fundraising efforts support from the Environmental Advisory Committee.

- c) John Birchall advised that the cheques are ready for delivery to the two area schools who received the Ian Gray Environmental Award; however, distribution of the cheques constitutes an "extra-curricular" activity and due to the school's labour actions concerning such activity, the cheques will not be sent or delivered at this time.

The next scheduled meeting date is February 6, 2013 beginning at 6:30 p.m. with Doug Jagger as Meeting Chair.

Moved by Dayna Laxton
Seconded by Joanna Parsons

THAT the meeting adjourn.

CARRIED

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

Date

Brandon Simon, Meeting Chair

January 16, 2013

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2013-03**

TO: Committee of the Whole

SUBJECT: Old Town Hall Construction Budget Control Task Force – Terms of Reference

ORIGIN: Director, Engineering Services

RECOMMENDATION

THAT Development & Infrastructure Services Commission – Engineering Services Report 2013-03 dated January 16, 2013, be received and the following recommendations be adopted:

- 1. THAT the Terms of Reference (Attachment A) for the OTH Construction Budget Control Task Force be approved;**
- 2. AND THAT Council appoint Two (2) Members of Council to serve on the OTH Construction Budget Control Task Force in addition to the Mayor.**

PURPOSE

The purpose of this report is for Town Council to approve the Terms of Reference (Attachment A) for the Old Town Hall Construction Budget Control Task Force and appoint Two (2) Members of Council to serve on the OTH Construction Budget Control Task Force in addition to the Mayor.

BACKGROUND

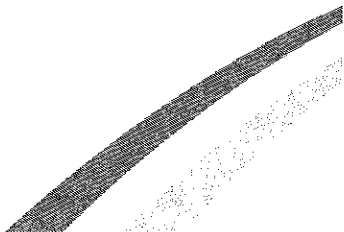
As per the Town's Terms of Reference and Roles and Mandates for Council Committees, the Old Town Hall Construction Budget Control Task Force will be formed to monitor and examine all financial and budgetary aspects of the Old Town Hall during its construction phase and the spending of the project contingency.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Living Well

- Emphasis on Active lifestyles and recreation opportunities

Well Balanced

- Arts, culture, entertainment and heritage preservation
 - Recreation facilities and services
 - Events that help shape identity and contribute to community spirit
- 

6.2

HUMAN RESOURCE CONSIDERATIONS

There is no impact to current staffing levels.

BUDGET IMPACT

Operating Budget (Current and Future)

There is no impact to the Operating Budget.

Capital Budget

There is no impact on the Capital Budget.

CONTACT

For more information on this report, please contact Jim G. Koutroubis at 905-895-5193 extension 2501; jkoutroubis@newmarket.ca.

Prepared by:



Jim G. Koutroubis, B.Eng., P.Eng.
Director, Engineering Services



Rob Prentice,
Commissioner, Development and Infrastructure Services

APPENDIX A

TERMS OF REFERENCE, ROLES AND MANDATES FOR COUNCIL COMMITTEES

Old Town Hall Construction Budget Control Task Force

The Old Town Hall Construction Budget Control Task Force

The Old Town Hall Construction Budget Control Task Force has been created to monitor and examine all financial and budgetary aspects of the Old Town Hall during its construction phase and the spending of the project contingency.

Governance

The governance plan for the Old Town Hall Construction Budget Control Task Force is as follows:

Role	Responsibilities	Assignment
Sponsor	<ul style="list-style-type: none"> Responsible for making decisions regarding the final design and components included in the project. Responsible for the allocation of the budget and resources for the project 	Council
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 Task Force. 	Director of Engineering Services
Voting Members of the Task Force	<ul style="list-style-type: none"> Responsible for approving Change Orders over \$20,000 and reviewing all Change Orders under \$20,000 Responsible for monitoring budget status Responsible for approving any alteration in the budget Voting on Recommendations to be submitted for approval of Council. 	Mayor Van Bynen Two Members of Council appointed by Council Chief Administrative Officer Commissioner of Development and Infrastructure Services Commissioner of Community Services

Role	Responsibilities	Assignment
Staff Resources	<ul style="list-style-type: none"> Assist in providing information to the Task Force on a proactive basis Provide budget status reports in accordance with the schedule established by the Task Force Prepare reports on Change Orders and any expenditures from the contingency or change orders for consideration of the Task Force Provide other reports to the Task Force as requested 	Project Manager Business Performance Coordinator Lead Architect Director of Recreation & Culture Manager of Capital Projects Treasurer
Communication and Reporting Relationships	<ul style="list-style-type: none"> Communicate the views and recommendations of the Task Force to Council as required 	Commissioner of Development and Infrastructure Services

Term

The Task Force will be appointed until the completion of construction subject to extensions as approved by Council.

Work Plan

The Development and Infrastructure Services Commission shall be responsible for establishing a work plan in consultation with the Task Force Members. Staff appointed shall set up such meetings and conduct research as may be necessary to complete their responsibilities within the mandate. The Task Force will establish its operating procedures as one of its first tasks.

Support Services

Engineering Services will provide support services to the Task Force. In addition, the project architect and project manager will provide information as requested by the Task Force.

Program Budget

No budget is necessary.

Meetings

The Task Force shall conduct such meetings as are deemed necessary by the members to complete their objectives. It is anticipated that regular meetings will be required approximately every month. It will also be necessary for the Task Force to convene on short notice to review potential changes to the work requiring immediate attention.

**ENGINEERING SERVICES****Town of Newmarket**

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7.1

January 15, 2013

DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT ES2012-87

TO: Committee of the Whole

SUBJECT: Traffic Operations Review – Sawmill Valley Drive and Savage Road
File No.: T08 T.30 Savage, Sawmill Valley

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES2012-87, dated January 15, 2013 regarding Traffic Operations Review – Sawmill Valley Drive and Savage Road, be received and the following recommendation(s) be adopted:

- 1. THAT York Region be forwarded a copy of this report and requested to review the Yonge Street/Savage Road/Sawmill Valley Drive intersection for improved east/west signal timings;**
- 2. AND THAT VIVANext be forwarded a copy of this report to ensure that the planned signal timings for the rapid transit corridor take into account the east/west traffic operations at the above intersection;**
- 3. AND THAT York Region be requested to implement the recommendations noted in the IBI Group traffic safety report, dated November 2012.**

BACKGROUND

At the regular meeting on Monday, May 28, 2012, Town Council adopted recommendations under New Business as follows:

THAT a traffic safety audit be conducted for the area of Savage Road and Sawmill Valley Drive and a report be brought back in September/October 2012.

The area requested is dominated by the Yonge Street/Savage Road/Sawmill Valley Drive intersection which is under the jurisdiction of York Region. Town Staff have requested that the Region's safety audit include the area immediately west of the intersection to include the driveways of the proposed Belinda's Place development. York Region submitted a final report in late November 2012. Engineering staff have reviewed and provided the following comments:

7.2

COMMENTS

For the purposes of the review, the area will be divided up into two areas: Sawmill Valley Drive from Yonge Street to Joe Persechini Drive (York Region review), and Savage Road from immediately east of Yonge Street to Shanahan Boulevard.

Sawmill Valley Drive – Yonge Street to Joe Persechini Drive

As part of this review, the Yonge/Savage/Sawmill Valley intersection is the governing traffic signal for the area. As well, the development application for Belinda's Place indicates driveways on Sawmill Valley Drive that were in close proximity to Yonge Street. The Town has experienced similar traffic issues with the commercial property driveway on the south side of Savage Road, immediately east of Yonge Street, and wished a second opinion to ensure that the same problems will not be repeated. The Town requested York Region to provide a safety audit of intersection and road segment west of the intersection.

York Region contracted the IBI Group to undertake the safety audit of this road section, and recommend the following:

Immediately - 2013

- Increase the maximum split time of the EB left-turn protected phase;
- Increase northbound and southbound all-red phases;
- Assess long-distance detection and vehicle extensions;
- Convert NB and SB protected/permissive left-turn phases to fully-protected left-turns;
- Investigate shifting the proposed RO (right-out) driveway for Belinda's Place to the west, if it is determined that moving the driveway is not feasible, then the Region may have to grant an exception before it can be constructed.

When Yonge Street is Reconstructed - VIVANext

- Update signal timing plans and consider implementing the following:
 - Optimizing (reducing) the cycle length; and
 - Operating a two-stage crossing of Yonge Street.

Long-term

- Monitor collision activity at the reconstructed Yonge Street at Sawmill Valley Drive/Savage Road intersection, and, if right-angle collision issues persist, install red-light cameras; and
- Monitor operations and safety related to the driveways at Belinda's Place. If a related safety issue is identified, potential mitigation could include turning movement prohibitions and/or scheduling shift changes and deliveries at Belinda's Place to occur outside of peak periods to reduce potential for interactions with queues on Sawmill Valley Drive.

All of the recommendations in the report are directly related to York Region signal timing or monitoring of the road operations at the intersection.

Savage Road – Immediately East of Yonge Street to Shanahan Boulevard

Savage Road is a minor residential collector road and has been assumed by the Town since the early 1990's. This short road section encompasses the intersection lane groups for the intersection at Yonge Street, and two commercial driveways – one opposite Shanahan Boulevard and one on the south side between Yonge Street and Shanahan Boulevard. Over the last 10 years, Savage Road has undergone many speed reviews (2003 to 2008 inclusive), a school operational review in 2003 (Armitage Public School), all-way stop review at Jelley Avenue (2002), Shanahan Boulevard (2002) and Kensit Avenue/Ballard Crescent (2004 and 2012). The most significant change to the road occurred in 2003 when durable pavement markings were added between Yonge Street to the east of Shanahan Boulevard (north) in an attempt to reduce collisions by providing better right of way control and direction.

Within the last three years, there were three (3) collisions at the Savage/Shanahan north intersection. Two (2) involved someone entering Savage Road from Shanahan Boulevard or the commercial driveway and failing to yield to vehicles on Savage Road, and the third was someone turning wide onto Shanahan and clipping a car. It should be noted that the three years prior to the re-stripping of the area in 2003, there were six (6) collisions, so the durable pavement marking mitigation measure reduced collisions by 50%.

The Savage/Shanahan north intersection has been part of the monitoring program since the installation of the new pavement marking in 2003. As noted above, the collisions have been reduced but it has been noted that the intersection, and road section to Yonge Street, have high volumes particularly accessing the commercial driveway on the north side. To further assist in monitoring, York Region staff used the camera trailer to film the road section from Shanahan Boulevard to Yonge Street. Upon review of the lengthy film sets, intersection operates reasonably well with noted surges during afternoon rush hour, weekends and school times, but there is very little congestion which usually clears upon the next green cycle at the Yonge/Savage intersection. There were some instance of 'right-of-way' confusion as who has the right-of-way, but these sorted themselves out quickly. As a side note, this usually occurred when vehicles failed to signal their intentions particularly from the commercial driveway and Shanahan Boulevard. Also, it was observed that a fair number of cars drive straight through the intersection that come from the Sawmill Valley community, and a number of cars that are turning left onto Savage Road from southbound Yonge Street to access the commercial driveway. Based on the configuration and access to the commercial plaza, anyone travelling from the west, north or east would need to access this driveway, and conversely, anyone going back south would also need to use this access point. This issue cannot be solved by restricting access since this would push the problem further east along Savage Road to the second access to the commercial plaza. During the 2003 review that lead to the pavement marking, Town staff and York Region staff examined several solutions including access restrictions, closure of Shanahan Boulevard, all-way stop control and even traffic lights. All solutions would solve some issues, but create others, and in some cases, reduce safe traffic conditions. Therefore, the existing solution (pavement markings) in 2003 is recommended to be maintained.

The key to this section of road is the operations of the Yonge/Savage/Sawmill Valley intersection. Based on the Region's assessment of the intersection, the eastbound and westbound movements are at a level of service (LOS) of D or E which is notably worse than the northbound and southbound movements on Yonge Street. The better the intersection clears the queuing vehicles, the better the road segment would operate. As well, in the future with the Yonge Street VIVANext construction, the stopping location will be moved at least 6 metres further east to accommodate the width of the busway, and thereby reducing the available storage lengths for vehicles.

7.4

Similar to the Region's timeframes, it is recommended that:

Immediately - 2013

- York Region review and increase the east/west signal timing to reduce the east/west queuing lengths

When Yonge Street is Reconstructed - VIVANext

- Update signal timing plans and consider optimizing (reducing) the cycle length to ensure that the east/west LOS are appropriate and that the queue lengths do not impact the traffic operations at Shanahan Boulevard.

Long-term

- Create a new full-moves roadway onto Yonge Street between Savage Road and Mulock Drive which is one of the proposed solutions through the Secondary Plan work. This would be created as a public road system to facilitate future re-development and increase densities.

PUBLIC CONSULTATION

No public consultation was undertaken for the preparation of this report. The Ward Councillor had indicated that residents from these streets had traffic safety related concerns.

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 roadway improvements and signal timing adjustments may improve the traffic flow in the community and promote safe and efficient operations on the street.

HUMAN RESOURCE CONSIDERATIONS

No impact to current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

There would be no costs associated with the Operating budget.

7.5

Capital Budget

There would be no costs associated with the Capital budget.

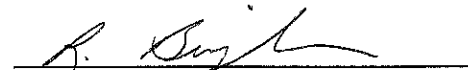
CONTACT

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

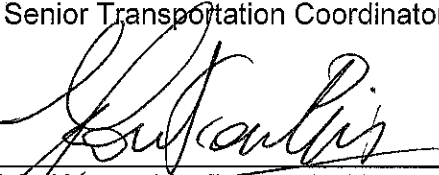
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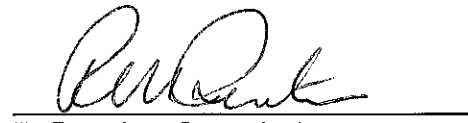
M. Kryzanowski, M.C.I.P., R.P.P.
Senior Transportation Coordinator



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



J.G. Koutoubis, B.Eng., P. Eng.
Director, Engineering Services



R. Prentice, Commissioner,
Development and Infrastructure Services

7.6





CORPORATE SERVICES – LEGISLATIVE SERVICES – CLERK'S
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9.1

January 24, 2013

CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2013-02

TO: Committee of the Whole

SUBJECT: 2012 Accessibility Plan and
Update on 2013-2017 Multi-Year Accessibility Plan

ORIGIN: Lisa Lyons, Deputy Town Clerk

RECOMMENDATION

THAT Corporate Services Report – Legislative Services 2013–02 dated January 24, 2013 regarding the 2012 Accessibility Plan and Update on 2012-2017 Multi-Year Accessibility Plan be received and the following recommendation be adopted:

- 1. THAT Council adopt the Town of Newmarket 2012 Accessibility Plan, as recommended by the Newmarket Accessibility Advisory Committee.**

PURPOSE

The purpose of this report is to present the Town of Newmarket 2012 Accessibility Plan (attached as Appendix I) for Council's approval, and to provide an update regarding the development of a 2013-2017 Multi-Year Accessibility Plan.

BACKGROUND

The Ontarian's with Disabilities Act, 2001 (ODA) includes the specific requirement for developing an accessibility plan each year. The annual accessibility plan must show what the Town has done so far and will do in the future to identify, remove and prevent barriers to persons with disabilities in its by-laws, policies, practices, programs, facilities and services. The ODA also requires that the Accessibility Plan be developed in consultation with persons with disabilities and made available to the public.

The Town of Newmarket Accessibility Advisory Committee met on December 4, 2012 and approved the proposed Town of Newmarket 2012 Accessibility Plan and requested that it be forwarded to Council for adoption. (Please see attached Extract as Appendix II)

9.2**COMMENTS**

In 2005 the Province proclaimed the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*. The goal of the AODA is to identify, prevent and remove barriers to make Ontario accessible by 2025. The Town of Newmarket has been complying with the Customer Service Standard since January 1, 2010. The Integrated Accessibility Standards were released in June of 2011 and established accessibility standards for information and communications, employment and transportation. Recently it has been amended to include design of public spaces standards (accessibility standards for the built environment).

As a requirement of the AODA, the Town must establish a multi-year plan. An accessibility plan describes the actions the town will take to meet the requirements, prevent and remove barriers, and when it will do so. The plan essentially creates a road map for the Town and actions the Town's commitment to accessibility.

The Town's multi-year accessibility plan when developed shall be a living document. Town staff are required to provide an annual status update on the progress of measures taken to implement the plan, provide a report to the province every two years, and review and update the plan every five years. The annual status update also meets the requirements under the ODA. The AODA will eventually replace the ODA, however, until the Province repeals the ODA, the Town will continue to comply with both Acts simultaneously.

Staff have been focused on ensuring compliance with the AODA requirements and remain committed to providing for accessibility across the corporation.

Next Steps:

- Create multi-year accessibility plan in an accessible format;
- Consult with staff, the Newmarket Accessibility Advisory Committee and the public;
- Present multi-year accessibility plan to Council in early spring and post on town website; and
- Implement requirements of multi-year accessibility plan town wide in 2013.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

Consultation has taken place with staff and the Newmarket Accessibility Advisory Committee in the development of the 2012 Accessibility Plan. Additionally, staff, the Newmarket Accessibility Advisory Committee and the public will be consulted during the development of the 2013-2017 Multi-Year Accessibility Plan.

HUMAN RESOURCE CONSIDERATIONS

There are no Human Resources considerations related to this report.

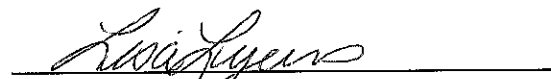
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BUDGET IMPACT

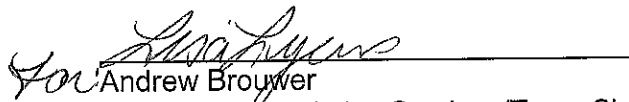
Costs to implement requirements of the AODA will be addressed by the various departments through the development of the multi-year accessibility plan.

CONTACT

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



Lisa Lyons
Deputy Town Clerk



Andrew Brouwer
Director of Legislative Services/Town Clerk



Anita Moore
Commissioner of Corporate Services

2012 ACCESSIBILITY PLAN

Approved by Council on XXX 2012

INDEPENDENCE AND OPPORTUNITY

The people of Ontario support the right of every person with a disability to live as independently as possible, to enjoy equal opportunity and to participate fully in every aspect of life in our province.

We believe that the dignity and worth of all Ontarians should be respected and valued.

We have a responsibility to ensure that persons with disabilities share the same rights, freedoms and obligations as every Ontarian. This is a responsibility that rests with every government, every region, every institution, every association, every sector and every person in Ontario.

Achieving this vision makes good sense for us all. Persons with disabilities make significant contributions to the well-being of their neighbours, communities and province. And we all benefit when we maximize the potential that lies within every person.

To this end the Government of Ontario pledges to work in partnership with Ontarians to build on what we have already achieved together. We will move steadily towards a province in which no new barriers to persons with disabilities are created and existing ones are removed.

The Council of the Town of Newmarket fully support and endorse the Provincial Vision of Independence and Opportunity. The Town is committed to its continuing role of planning and developing ways to improve accessibility and mobility for its residents to its premises, facilities and services.

Council would like to extend thanks to the Accessibility Advisory Committee for their valuable input and assistance in the development of this Plan.

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SECTION 1: INTRODUCTION

Persons with disabilities represent a significant and growing part of our population. According to Statistics Canada, just over 2 million Ontarians have disabilities – about 16% of the population. In Newmarket, this would represent over 13,000 residents.

Disability tends to increase with age. In Ontario, over 47% of people over the age of 65 have a disability. In two decades it is estimated that 20% of the population will have a disability. Persons with disabilities, as well as seniors, regularly face barriers that prevent them from working, traveling in and enjoying their communities. Enhancing the ability of persons with disabilities to live independently and contribute to the community will have positive effects on future prosperity in Newmarket.

As a requirement of the *Ontarians with Disabilities Act, 2001 (ODA)*, all municipalities are to establish an Accessibility Advisory Committee and also prepare an annual accessibility plan.

The Terms of Reference for the Town of Newmarket's Accessibility Advisory Committee (AAC) was approved by Council in 2003 and members were appointed for the Committee's first term (2003-2006). Members were appointed to the AAC's third term (2010-2014) on February 14, 2011.

The purpose of the Town of Newmarket's Accessibility Advisory Committee (AAC), as stated in its Terms of Reference, is to encourage and facilitate accessibility for all persons with disabilities in the Town of Newmarket by:

- Teaching the public about accessibility so that they may be more sensitive to the need for accessibility;
- Advising Council about accessibility and enjoyment of facilities and services.

The members of the Town of Newmarket's Accessibility Advisory Committee, as appointed by Council for the 2010/2014 term, are:

Naeem Bacchus
Diane Bladec-Willett
Laura Charpentier
Steve Foglia (Chair)
Ursula Rehdner
Wendi Williams-Gordon
Councillor Twinney

Council representative:

Recognizing, preventing and removing barriers within the Town of Newmarket is a key priority as persons with disabilities are entitled to the same rights, responsibilities and services as those without disabilities.

The Accessibility Advisory Committee was instrumental in having a sidewalk installed at the main entrance of Southlake Residential Care Village which continues along the north side of the building to create better access to the side entrances to the offices upstairs. Further, as a result of the AAC's request, curb cuts were installed to create access from the main hospital parking lot to the side entrances of Southlake Residential Care Village.

This is the Town of Newmarket's ninth annual Accessibility Plan. This Plan continues to provide for persons with disabilities through the identification, removal and prevention of barriers within Town facilities and in the Town's provision of goods and services. It includes actions the Town has taken and will take in 2012 to remove barriers that have been identified. This Plan is in effect for the period of January 1, 2012 to December 31, 2012. The Accessibility Advisory Committee members have reviewed, provided comments and endorsed the Town's 2012 Accessibility Plan.

SECTION 2: SUMMARY

The *Ontarians with Disabilities Act, 2001 (ODA)* was enacted to improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation in the life of the province. The legal obligations under the *ODA* remain in force until such times as the *Act* is repealed.

The purpose of the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* is to benefit all Ontarians by developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities by 2025. Standards are to be developed in five areas: provision of goods and services; transportation; information and communication; employment; and the built environment.

The first standard under the *AODA* to become law is the Accessibility Standards for Customer Service (*Ontario Regulation 429/07*). This regulation establishes accessibility standards for customer service and governs how all public sector organizations and every other person or organization shall provide their goods or services to persons with disabilities.

The Accessibility Advisory Committee is to:

- assist Council in improving opportunities for persons with disabilities by encouraging and promoting the provisions contained within the ODA and the AODA;
- advise Council of the requirements and implementation of accessibility standards under the above mentioned Acts;
- provide advice on its yearly Accessibility Plan. The yearly Accessibility Plan will work on identifying, removing and preventing barriers to persons with disabilities.

The Accessibility Advisory Committee reviewed and provided comments with respect to the Town's Corporate Policy (CORP.2-01) on Accessible Customer Service Standards. The Committee also participated in the development of the training program, and was consulted and commented on the process for receiving and responding to feedback, and the notice of temporary disruption, as provided in *Ontario Regulation 429/07*.

All Town Departments review, on an ongoing basis, internal policies, procedures and practices to ensure compliance with the Accessibility Standards for Customer Service (*Ontario Regulation 429/07*) core principles of dignity, independence, integration and equal opportunity, as well as align these policies, procedures and practices with the Corporate Policy on Accessible Customer Service Standards.

In accordance with the Accessibility Standards for Customer Service (O.Reg. 429/07) the Town has ensured compliance in the following areas:

- Policies and procedures on providing goods or services to persons with disabilities;
- Communication with persons with disabilities in a manner that takes into account their disability;
- Policies relating to persons with disabilities using assistive devices, service animals and support persons to access services;
- Training for staff and every person who deals with members of the public or other third parties on behalf of the Town;
- Customer feedback regarding the provision of customer service to persons with disabilities;
- Notice of service disruptions when facilities or services that persons with disabilities rely on are temporarily disrupted;
- Documents required by the Customer Service Standard are available upon request and provided in a format that takes a person's disability into account.

The Town of Newmarket's Corporate Policy on Accessible Customer Service Standards was approved by Council on June 22, 2009 and is available for viewing on the Town's website www.newmarket.ca. The Town's 2010 Compliance Report with respect to the Accessibility Standards for Customer Service was filed, as required under the AODA, on February 11, 2010.

On June 3, 2011, the Integrated Accessibility Standards, Ontario Regulation 191/11, which relates to the removal of barriers in three areas: transportation; employment; and information and communication was filed. It applies to public, private and not-for-profit businesses and organizations that provide goods, services or facilities either directly to the public or to other businesses or organizations. The Town continues to develop written documents required under O.Reg.191/11 to ensure compliance is met according to the schedule provided in the Regulation.

The final standard, the Built Environment Standard, is currently in the process of becoming law. It will help remove barriers in buildings and outdoor spaces for persons with disabilities. The standard will only apply to new construction and extensive renovation.

SECTION 3: MUNICIPAL BACKGROUND

3.1 Municipality

This is the 2012 Accessibility Plan of the Town of Newmarket, 395 Mulock Drive, P.O. Box 328 (Station Main) Newmarket, ON L3Y 4X7.

3.2 Key Contact

For further information or comments regarding this plan, please contact the Town's Deputy Clerk as follows:

Phone: Lisa Lyons, Deputy Clerk at (905) 953-5300, extension 2203 (toll free 1-877-550-5575)

Email: llyons@newmarket.ca

Mail: Deputy Clerk
Town of Newmarket
395 Mulock Drive
PO Box 328, Station Main
Newmarket, ON L3Y 4X7

Fax: 905-953-5100

Copies of this plan are available from the Legislative Services Department as well as on the Town's website www.newmarket.ca. On request, the plan is available on computer disc, audiotape or in large print.

3.3 Population

The Town of Newmarket's population is approximately 85,000.

3.4 Municipal Highlights

Newmarket's Vision:

A community *well* beyond the ordinary. Shaping our future and realizing our vision of a Town that is '*well* beyond the ordinary' means pursuing five key strategic directions to ensure that Newmarket is:

- Living *Well*

and is

- *Well* Balanced
- *Well* Equipped and Managed
- *Well* Planned and Connected
- *Well* Respected

Aim:

The aim of the Accessibility Plan is to describe measures that the Town of Newmarket took during previous years and will take during 2012 to identify, remove and prevent barriers to the citizens, staff, customers and other members of the community when accessing its facilities and services.

Summary:

This is the Town's 2012 plan prepared in consultation with the Staff Working Group and the Accessibility Advisory Committee (AAC) of the Town of Newmarket.

The Town has committed to:

- the continual improvement of access to its premises, facilities and services for persons with disabilities;
- the participation of persons with disabilities in the development and review of its annual accessibility plans; and
- the provision of quality services to all members of the community with disabilities.

NOTE: The timing for addressing the barriers, as indicated in the Plan may be phased in over a number of months depending on the resources and unscheduled demands of the various commissions.

SECTION 4: OTHER ORGANIZATIONS & AGENCIES PARTICIPATING IN THIS PLAN

4.1 Organization-Agency

Newmarket Public Library.

4.2 Address

The library's address is 438 Park Avenue, Newmarket ON L3Y 1W1

4.3 Description

Mission Statement:

Inspiring Growth

Vision Statement:

Inspiring growth and connecting our community in a dynamic and welcoming environment.

Background:

The Town of Newmarket Public Library was established by by-law as a free public library in 1904. In accordance with the *Public Libraries Act*, the library is currently managed by a board of seven (7) directors. Council appointed all board members as follows:

- Three (3) Council representatives
- Four (4) residents of the municipality

As part of its first plan, the Town invited the Newmarket Public Library to participate in the Town's plan. An accessibility audit was conducted in conjunction with the AAC and Library staff and barriers were identified. All items which are practicable and within budget will have been completed by the end of 2012. The Library Board approved the Accessibility Standards for Customer Service Policy as required by the regulation within the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*. Related training programs and procedures have been developed and implemented. The Library has familiarized itself with its obligations under the new Integrated Accessibility Standards (Ontario Regulation 191/11) and is on track to incorporate those into its operations as and when required.

SECTION 5: CONSULTATION ACTIVITIES

In preparation of a municipal accessibility plan, each municipality is required to consult with persons with disabilities or use their Accessibility Advisory Committee for advice and recommendations.

5.1 Target Group

The Town of Newmarket has consulted with its Accessibility Advisory Committee on the formulation of the Plan.

Over the past few years, the Accessibility Advisory Committee has actively taken part in networking with other municipal committees through meetings where ideas and best practices have been shared with others.

SECTION 6: STAFF WORKING GROUP

6.1 Staff Working Group

The Staff Working Group consists of:

Working Group Member	Title	Contact Telephone & email
Rob Prentice (staff lead)	Commissioner of Community Services	rprentice@newmarket.ca 905-953-5300, ext. 2201
Lisa Lyons	Deputy Clerk	llyons@newmarket.ca 905-953-5300, ext. 2203
Linda Traviss	Senior Planner - Development	ltraviss@newmarket.ca 905-953-5300, ext. 2457
Harry Vanwensem	Manager of Facility Services	hvanwensem@newmarket.ca 905-953-5300, ext. 2571
Dave Potter	Chief Building Official	dpotter@newmarket.ca 905-953-5300, ext. 2402
Janice Bondi	Council/Committee Coordinator	jbondi@newmarket.ca 905-953-5300, ext 2207

The Staff Working Group will, in consultation with other staff as necessary,:

- conduct a review to identify barriers to persons with disabilities in all facilities, regulations, policies, programs, practices and services offered by the Town;
- list, through an inventory, facilities, regulations, policies, programs, practices and services that cause or may cause barriers to persons with disabilities;
- identify barriers that will be removed or prevented in the coming year;
- describe how these barriers will be removed or prevented in the coming year;
- prepare a report on these activities, and after consultation with the Accessibility Advisory Committee and approval by Council, make the plan available to the public;
- meet as required to review progress. Where necessary, the Working Group will advise and consult with staff, through personal contacts or e-mail.

SECTION 7: INITIATIVES TO IDENTIFY, REMOVE AND PREVENT BARRIERS IN THE ORGANIZATION

7.1 History of Completed Initiatives

Initiatives have taken place in the Town of Newmarket to identify, remove and prevent barriers to persons with disabilities. These completed initiatives include:

Barriers Identified – Completed

Note: Many areas that have been addressed, as noted below, may be further enhanced through the implementation of the Integrated Accessibility Standard (Ontario Regulation 191/11) and the Built Environment Standard which is currently being developed and in the process to becoming law.

Item	Action
Main Street reconstruction	Council requested that the Main Street reconstruction project plan incorporate accessibility initiatives.
Municipal Office audit	Conducted audit of the Municipal Offices with the Accessibility Advisory Committee; barriers identified were removed as budget permitted; consulted with AAC regarding accessibility issues during renovations.
Inaccessible swimming facilities	Provided accessible swimming facilities at the Ray Twinney Recreation Complex – ramp installed to facilitate wheelchair access into pool.
Entrance doors at some facilities were not accessible	Installed automatic door openers at the following facilities: <ul style="list-style-type: none"> ○ Ray Twinney Recreation Complex ○ Community Centre ○ Seniors' Meeting Place ○ Hollingsworth Arena ○ Museum
Arena at Ray Twinney Recreation Complex inaccessible	Installed accessibility ramping and seating area.

Playgrounds are not fully accessible	Assisted in the development of the All Our Kids Playpark (an all inclusive playground).
Unavailability of accessible swimming programs	The Town offers lessons to meet the swimming requirements of individuals with special needs through one-on-one instruction.
Town website is not accessible to those who are visually impaired	<p>Investigated technology to ensure accessible website content; make necessary changes to web when possible.</p> <p>In 2009, AAC pre-tested and provided staff with comments regarding the Town's new website which is W3C compliant.</p> <p>In 2011, BrowseAloud installed. It assists those who find it difficult to read text online, i.e. those with literacy difficulties, dyslexia, mild visual impairment & English as a second language.</p> <p><i>(Note: This item may be further addressed through the Integrated Accessibility Standards (O.Reg. 191/11))</i></p> <p>Upgrades to the BrowseAloud software and increased visibility of icon on website took place in January 2012.</p>
Hiring policies	HR attended an AAC meeting and policies were reviewed around employment accommodation; hiring practices, etc.
The doors of the main washrooms in the Municipal Offices may be difficult to open by a person with physical disabilities	Installed automatic doors.
The doors of the restrooms at the Ray Twinney Recreation Complex may be difficult to open by a person with physical disabilities	Automatic door openers installed outside washroom in hallway leading from Main Lobby to Rink 2 at the Ray Twinney Recreation Complex as well as to the on deck washroom and multi-purpose room.
Distance between accessible parking spaces and front door	Accessible parking spaces constructed closer to the front entrance of the Municipal Offices.
Findings of the Municipal Offices Audit (Appendix A to Year 1 plan)	Staff investigated and addressed, wherever feasible, the barriers identified.

Council meetings may not be accessible to deaf/deafened/hard of hearing	Investigated technological options; assistive listening devices now available in the Council Chambers. The Council Chambers has signage on the door indicating accessible features.
Customer Service Centre	<p>The physical needs and the ability for staff to provide services in an accessible manner were taken into account in the design of the Customer Service Centre.</p> <p><i>(Note: Staff received training regarding the provision of goods and services under O.Reg.429/07)</i></p>
Snow removal and accessible parking spaces	<p>A brochure and ad campaign were developed promoting business owners/ local businesses to remove snow in accessible parking spaces in a timely manner for use each winter season.</p> <p>Resolution R1-2008 lobbied Ontario Government and Ontario Municipalities regarding fines for misuse of accessible parking.</p>
Purchasing policies	<p>The Town's purchasing policies were reviewed to ensure that services purchased/contracted meet the Town's accessible standards; By-law 2005-96.</p> <p><i>(Note: Purchasing contracts/practices compliant with the provisions of goods and services under O.Reg.429/07 and to comply with O.Reg. 191/11)</i></p>
Sidewalk policy	AAC commented on accessibility issues and Corporate Policy PWES.1-01 adopted by Council in 2005
Telecommunications system	<p>Staff determined that Town's telecommunications system supports TTY/TDD; initiative would be subject to budget.</p> <p><i>(Note: TTYs installed at the Ray Twinney Complex and Magna Centre in April 2009)</i></p>
Taxi cab industry and sensitivity issues	<p>The publication 'A Way with Words and Images – Supporting Persons with Disabilities' is distributed to all taxi drivers.</p> <p><i>(Note: Customer Service Standard, O.Reg.429/07, and Integrated Accessibility Standards, O.Reg. 191/11, further impacts the Taxi cab industry. Also see Item 7.3)</i></p>

Magna Centre	AAC provided input into the design of the new recreation complex; conducted an audit of the "built" facility in 2007.
Operations Centre	AAC provided input into the design of the new Operations Centre.
Workplace accessibility	Operations Centre completed in 2010 and is fully workplace accessible
Site Plans reviewed by the Site Plan Review Committee may not be designed with accessibility in mind	Checklist has been developed and is in use; enhancement has been provided via delivery of relevant applications to designated members of the AAC for review and comment.
Potential for lack of sensitivity when encountering persons with disabilities	<p>Diversity and sensitivity training provided to all Town staff and Council members.</p> <p><i>(Note: Training about the provision of the Town's goods or services to persons with disabilities provided to all Town Staff & Council members in 2009 as per O.Reg 429/07. Every person who deals with members of the public or other third parties on behalf of the Town also receives training)</i></p>
Developers/builders may not be aware of accessibility issues	<p>Investigated Accessibility Guidelines documents for new construction; continued lobbying for Universal Design Standards.</p> <p><i>(Note: Standards will work through Building Code & UDS and be further impacted by proposed Built Environment Standard)</i></p>
Potential lack of knowledge of accessibility issues	<p>Audit Tool circulated to staff for in-depth review & evaluation. (will occur every term of Council)</p> <p><i>(Note: Audit Tool used as part of the process for implementing the Accessibility Standards for Customer Service, O.Reg.429/07)</i></p>
Town-owned facilities may not be accessible	AAC conducted audits of Town facilities; numerous buildings have been audited; actions, based upon AAC recommendations, have occurred or will occur as budget permits

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Self-serve gas stations may present challenges to the physically disabled	Endorsed & supported resolution for full service gas stations; created a list of full service stations for posting to Town website which is to be updated as needed. <i>(Note: See Section 7.3 for further information on this item)</i>
Storage of snow in Accessible Parking spaces	Parking by-law & relevant legislation. By-laws provides regular status updates; Committee/Town sends notices to businesses regarding the timely clearing of snow from accessible parking spaces.
Concerns regarding reduction of fines for illegally parking in accessible parking spaces	Resolution R1-2008 lobbied Ontario Government & Ontario Municipalities regarding fines for misuse of accessible parking.
Various areas of inaccessibility in Town buildings/ facilities	Developed priority list of areas of non-compliance in municipal buildings.
Need to educate public on accessibility matters	Developed a "tips" program to provide information & education on accessibility issues
Misuse of stalls in public washrooms	The AAC developed 'accessible stall' signage for use in Town facilities & forwarded to all AACs in GTA; also posted on AMCTO and Town websites.
Need to determine from public any accessibility issues they have encountered	Public survey developed by AAC & provided at 2009, 2010 & 2011 Home Shows; also posted on Town website.
Community Urban Space Project (Downtown revitalization) potential accessibility issues	AAC reviewed design plans & provided staff with input.
Council Chambers accessibility	Contrast strip installed on nosing of steps in Council Chambers to assist those with vision impairments to identify step edge
Public unaware of Town programs for those with special needs	Adapted programs & programs for those with special needs advertised in the Town's Recreation & Culture Guides

Voting tabulators used during municipal election	Leased vote tabulators that incorporate accessible voting features for the 2010 Municipal Election. <i>(Note: See Section 7.2 for further information on this item)</i>
No formal process for notifying public of temporary disruptions	Under Ont. Reg. 429/07, a process for notifying the public of temporary disruptions has been established
To have accessible computer work station at Library	Accessible workstation equipped with assistive hardware and software made available to the public in 2011. Staff training and documentation also completed. AAC Members met with Library CEO to ensure new computer station was fully accessible.
To address accessible needs determined from 2005 audit of Library	The following items identified in the audit have now been addressed: <ul style="list-style-type: none"> • Automatic doors installed on public washrooms • Several supporting columns surrounded by lounge and other furniture to provide a buffer for people with visual disabilities • Tall computer tables to be replaced with smaller unobtrusive units by the end of 2012 • Portable stools now kept out of the way to avoid tripping • Strobe light alarms installed to alert deaf patrons and staff to emergencies • Textured strips installed at tops of stairs so that they can be detected by blind persons using canes • Library has acquired a voice-enabled scanner as part of accessible workstation.
No formal process for the public to provide feedback relating to the Town's provision of its goods and services	Under Ont. Reg. 429/07, a customer service feedback process has been established & comment card is available at facility kiosks & on the Town's website.
Parking Policy on Main Street to allow greater flexibility for persons displaying an accessibility permit	After 6 month pilot project, By-law Enforcement staff to show leniency to individuals displaying accessibility permits with respect to the two hour parking limitation. As recommended by our AAC.
Concerns expressed by AAC regarding transit on Davis Dr.	AAC requested information regarding the vivaNext project on Davis Dr. Representatives from York Region Rapid Transit attended an AAC meeting regarding the vivaNext project & the AAC provided comments back.

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Tom Taylor Trail signage	AAC provided staff with input regarding signage for walkways/paths along the Tom Taylor Trail.
Need to provide adjustable adult change tables in recreation facilities	Battery operated, adjustable adult change tables installed in the Ray Twinney Recreation Complex & the Magna Centre.
Entrance barrier to family change room	Automatic doors installed in family change room at Ray Twinney Recreation Complex
To advocate, educate & create awareness of accessibility issues to the general public	<p>On June 2, 2011, during NAAW, the Town jointly hosted, with the Region and other municipalities within the Region, an AAC educational forum.</p> <p>Staff, in consultation with AAC & Sir Wm. Mulock S.S., helped promote awareness & develop knowledge within school environment through various activities during NAAW.</p> <p>An art exhibit featuring local artists with disabilities was displayed at the Municipal Offices.</p> <p>Sledge Hockey Challenge held at Magna Centre as well as an Information Fair & demonstration evening at the Magna Centre.</p> <p>Ongoing. On May 29, 2012 during NAAW the AAC in conjunction with the Town hosted, at the Magna Centre, 'An Evening of Awareness' that included festivities such as a wheelchair dance demo, music and sledge hockey and wheelchair basketball games. Service provider booths, guest artists and performers were also in attendance. Attendance significantly surpassed the 2011 event. As well, an art exhibit featuring local artists was displayed at the Municipal Offices</p>
To provide greater accessibility to west entrance at Seniors' Meeting Place	Automatic doors installed
To provide greater accessibility to pool change rooms, gymnasium and Forhan Rink at Magna Centre	Automatic doors installed

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To provide more accessibility at the Magna Centre kiosk	Kiosk renovation took place which included wheelchair accessible counters
To provide accessible trails	<p>Accessible trails constructed at the Stickwood Walker Farm and the Dave Kerwin Trail has an accessible 'loop'</p> <p>An accessible trail is under construction from Walpole Cr. to the Magna Centre and to Mulock Dr.</p> <p>An additional trail underpass at Davis Drive on the east side of the Holland River has been approved and is under construction.</p>
Accessible outdoor washrooms in Fairy Lake Park area	Project has been initiated to approve a design for outdoor washrooms to be installed in various Town parks.
To establish a suitable rate of accessible parking spots, particularly at medical/ social services buildings	The Town's new comprehensive Zoning By-law (2010-40) establishes rates for accessible parking, which now includes additional designated spaces particularly for medical offices, clinics & outpatient services facilities
Possibility of being trapped between two back doors at Ray Twinney Complex	To eliminate the possibility of being trapped, an accessible button installed between the two back doors at the Ray Twinney Complex
Workplace Emergency Response Information (required under O.Reg. 191/11)	Workplace Emergency Response Information procedure is in place for employees who have made the Town aware that they have a disability and require the need for accommodation due to their disability in the event of a workplace emergency.
Informing Employees of Supports (required under O.Reg. 191/11)	All employees are advised of policies used to support employees with disabilities as well as whenever there is a change to existing policies
Return to Work Process (required under O.Reg. 191/11)	There is a Return to Work Policy and Program in place that outlines the process for employees who have been absent from work due to a disability who may require accommodations in order to return to work.
Recruitment, Assessment or Selection Process (required under O.Reg. 191/11)	<p>Upon request, job applicants are accommodated in the recruitment process. As a result of our new applicant tracking software, the following statement is made when applications are submitted:</p> <p><i>"If you have special needs that require some form of accommodation during the recruitment processes please let us know in advance by contacting us at hr@newmarket.ca"</i></p>

Duties of Municipalities, Taxicabs (required under O.Reg. 191/11	Owners and Operators of Taxicabs are prohibited from charging a higher fare of an additional fee for persons with disabilities or from charging a fee for the storage of mobility aids or mobility assistive devices as per By-law 2008-55
Duties of Municipalities, Taxicabs (required under O.Reg. 191/11	By-law 2008-55 requires owners and operators of taxicabs to place vehicle registration & identification information on the rear bumper of the taxicab.
Duties of Municipalities, Taxicabs (required under O.Reg. 191/11	Taxi plates and side decals are in an accessible format. Vehicle registration information is also in an accessible format.
Cross trawling of sidewalks along the expansion joints causes a bouncing effect when travelling on sidewalk With wheelchair, stroller or walker	Planning Dept. approved the AAC's recommendation to remove the cross trawling which will be applied to all new sidewalks as well as any that are in need of repair.
Need to install indicators at curb cuts.	Planning Dept. approved the AAC's recommendation to install Tactile Walking Surface indicators at all curb cuts.
Lack of accessible washrooms in Fairy Lake park area	Completed in 2011 in the Community Centre Renovations

7.2 History of Ongoing Initiatives

The following table outlines ongoing initiatives.

Barriers Identified – Ongoing (carried over from previous year)

Barrier	Description	Status
<i>(description of the barrier)</i>	<i>(a brief description of barrier identified)</i>	<i>(i.e., planned, underway, complete)</i>
Many forms and records are only available in print <i>(Informational, technological and communicational barriers)</i>	Make forms available on the web, via compact disc, or in audio or other electronic format	Ongoing. <i>(Note: This item is dealt with under the AODA's Accessibility Standards for Customer Service – O.Reg. 429/07 - & will be further addressed through the Integrated Accessibility Standards – O.Reg. 191/11))</i>
Advocate, educate and create awareness of accessibility issues in all areas of Town businesses <i>(Educational and informational barriers)</i>	Support good corporate citizenship & be an advocate for accessibility issues by developing various educational material for posting on AAC website and/or Town Page; making local businesses and institutions aware of accessibility issues	Ongoing. Material (i.e. a 'good corporate citizen' letter; information sheet; relevant website listing; & monthly accessibility 'tips') & Accessible Customer Service Standards related documents posted on AAC website and/or Town Page & updated where necessary. Tips list as well as AAC Information & Resource Sheet provided at annual Home Show & available at Customer Service Centre kiosk.
Lack of adapted programs for persons with disabilities <i>(Physical and attitudinal barriers)</i>	Investigate programming options (ie. Yoga, pilates, fitness)	Ongoing. Recreation & Culture continue to investigate & develop (adapted) activities & programs for those of all ages with special needs

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Access limitations to Town facilities for those with disabilities <i>(Physical barrier)</i>	Review usability of Town facilities	Ongoing. Specific items addressed by AAC & attention to outstanding matters is ongoing
Old Town Hall not accessible <i>(Physical barrier)</i>	Renovations to take place to improve accessibility to the second floor and the washrooms	Underway. 2011 Design being finalized Drawings/plans were reviewed and approved by members of the AAC prior to construction
Special Event activities may not be accessible <i>(Physical barrier)</i>	Develop a "necessity" checklist for Town sponsored Special Events	Underway. Checklist for indoor & outdoor events developed & refined by AAC & staff and will be placed on future AAC agenda for finalizing.
Public's lack of knowledge of accessible facilities <i>(Educational and informational barriers)</i>	Develop an inventory of accessible municipal features and facilities	Underway. Public Works Services investigating accessible list; accessibility features indicated on various Town maps
Lack of inclusion of persons with disabilities at Emergency Preparedness Exercises <i>(Informational barrier)</i>	AAC requested involvement in emergency exercises	The Fire Chief indicated the AAC's expertise would be helpful when an actual community emergency exercise takes place.
Lack of 'profiling'/press coverage in newspaper articles/local T.V. <i>(Informational, communicational and educational barriers)</i>	AAC members to work with Communications Dept. to promote awareness	Ongoing.
Full Fees for participating in Town recreation programs <i>(Service barrier)</i>	AAC requested consideration of reduced fees for persons with disabilities	Ongoing. Staff to develop a revised grant program that includes a financial assistance aspect for individuals with disabilities; to be included in

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		<p>budget deliberations. Council approved an initial 25% discount and will address its benefits again at a later date. (Note: revised fee schedule adopted effective January 1, 2013)</p>
<p>Accessibility at municipal elections (Physical barrier)</p>	<p>Investigate methods for having accessible election polls.</p>	<p>Ongoing.</p> <p>(Note: In the 2010 Municipal election, staff audited each voting location to ensure physical access inside and outside. Extra accessible parking spaces were designated, as required. Customer Service reps were available at the doors of each voting location to offer assistance, if required. Persons with disabilities were considered when determining signage location, size & lettering. An Accessible Voting Ballot Marker Device available for voters with visual impairment on Advance Voting Days. Training sessions for election staff included an accessibility component. Accessible voting features advertised on Town's website & on voter notification cards) Video developed describing/ showing the voting process to further assist & inform the public regarding the voting process. Report provided to Council outlining steps taken to provide accessibility during the election.</p>
<p>Advocate, educate and create awareness of accessibility issues to the general public (Educational barrier)</p>	<p>AAC requested Council endorsement of proclamation to recognize National Access Awareness Week (NAAW)</p>	<p>Ongoing. Council approves proclamation each year of National Access Awareness Week.</p>

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Advocate, educate and create awareness of accessibility issues to the general public <i>(Educational barrier)</i>	Recognize National Access Awareness Week through activities and events	Ongoing. Annually, during NAAW, the AAC coordinates activities in conjunction with the Town to provide an educational forum
Improve accessibility and prevent injury to staff at workstation <i>(Physical barrier)</i>	Have workstations assessed for ergonomic needs of each staff member	Ongoing. Each staff member provided with ergonomic workstation, including lighting, desk, chair, (low e) computer monitor, etc. Staff computers equipped with windows XP (new computers with Windows 7) which offer various accessibility options. In May 2011, each work area re-evaluated with staff by ergonomic expert.
Fire safety for the deaf/deafened/hard of hearing <i>(Physical and educational barriers)</i>	Promote fire safety education and ensure (strobe) smoke detectors (or other form of alerting those who are deaf/deafened/hard of hearing) are installed	Ongoing. <i>(Note: CYFS received Champions of Accessibility award from Canadian Hearing Society (CHS) for making significant strides in improving life for the deaf/deafened/hard of hearing in York Region. Inspector Joyce DiClemente was recognized for her work in promoting fire safety education for the deaf/deafened/hard of hearing)</i>
Limited access to Town documents <i>(Educational and informational barriers)</i>	A requirement under O.Reg. 429/07 to assist persons with disabilities in accessing public information	Ongoing. Printed materials are now provided in alternative formats upon request.
Limited access to public meetings <i>(Physical, educational and informational barriers)</i>	A requirement under O.Reg. 429/07 that persons with disabilities be given equal opportunity to use and benefit from the Town's goods and services	Ongoing. Public meeting notices provide that accessibility assistance is available, if required. <i>(Note: The Town works with the Canadian Hearing Society in the provision of Sign Language interpreters at public meetings, upon request)</i>

Limited programs for persons with disabilities of all ages	Recreation and Culture Department receives requests for various programs for those with disabilities	Ongoing. The Recreation and Culture Department expands on the programs it offers to persons with disabilities of all ages on an ongoing basis and when sufficient participation is evident.
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7.3 Summary of Initiatives/Targets Identified for 2012

Targets, to implement corrective measures, have been established to identify specific actions/activities. Targets and actions will be organized by department/committee in the context of the resources available to address the barriers.

Where reasonable, numerous barriers and the corrective measures have been grouped together into one action. The barriers identified are to be addressed by the specific actions. In each case, the departmental lead/committee has been identified. The target is the anticipated timeline for the action. A target may not necessarily occur within a specific plan year. Some actions may be phased in over a number of months or years depending on the resources and priorities of the Town.

The following chart is a summary of the initiatives identified for the 2012 plan year.

Summary of Barriers to be Addressed/Removed

Barrier	Action	Resources	Target
Physical barrier	Develop checklist regarding transit issues and pedestrian walkways for proper access to stores when road reconstruction projects are undertaken	Director of Engineering Services	2010, 2011, 2012
Attitudinal and physical barriers	Develop a checklist for business owners; present a business case for accessibility	AAC members	2010, 2011, 2012
Physical barrier at gas stations in Newmarket	Since rebranding of Suncor, Petro Canada stations in Newmarket have eliminated full service unless they are contacted in advance. Further investigation and potential	Accessibility Advisory Committee and support staff	2011, 2012

	action required in this matter.		
Physical barriers at facilities	Accessibility upgrades budgeted for in all facilities in 2011 – to include wheel-chair accessible counters at RTRC kiosk & pool kiosk; automatic doors on RTC pool deck washroom; accessible Forhan Rink doors & gymnasium doors at Magna Centre; some park washrooms to be equipped with accessible push buttons.	Public Works Services	2011/2012 (accessible kiosk counter at and one park washroom to be RTC to be completed by year end)

SECTION 8: MEASURING AND MONITORING

8.1 Measuring and Monitoring

The following chart indicates ways of measuring and monitoring the success of the barrier identification and addressing barrier initiatives.

Summary of Measuring and Monitoring the Success of the Barrier Identification and Addressing Barrier Initiatives

Action	Resources	Target
Review and monitor barrier initiatives	Staff Working Group	Ongoing
Report to Accessibility Advisory Committee on findings	Staff Working Group	Ongoing at regular AAC meetings
Report to Council	Accessibility Advisory Committee and Staff Working Group	Updates regularly provided to Council via copies of all Accessibility Advisory Committee meeting minutes
Review and monitor progress of ongoing initiatives	Staff as assigned	Ongoing through regular discussion with the Committee

GLOSSARY OF TERMS

Barrier

Anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy, procedure or a practice ("obstacle").

Disability

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b) a condition of mental impairment or a developmental disability,
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d) a mental disorder, or
- e) an injury or disability for which benefits were claimed or received under the Insurance plan established under the *Workplace Safety and Insurance Act*, 1997. ("handicap").

Types of disability and functional limitations

A person's disability may make it physically or cognitively hard to perform everyday tasks such as operating a keyboard, reading a sign, differentiating colours, distinguishing sounds, climbing stairs, grasping small items, remembering words, or doing arithmetic. Consider the functional limitations associated with twelve different kinds of disability and the effects of these limitations on an individual's ability to perform everyday tasks.

1. Physical

Physical disabilities include minor difficulties moving or coordinating a part of the body, muscle weakness, tremors, and in extreme cases, paralysis in one or more parts of the body. Physical disabilities can be congenital, such as Muscular Dystrophy; or acquired, such as tendonitis. Physical disabilities affect an individual's ability to perform manual tasks, such as hold a pen, grip and turn a key, type on a keyboard, click a mouse button, and twist a doorknob; control the speed of one's movements; coordinate one's movements; move rapidly; experience balance and orientation; move one's arms or legs fully, e.g., climb stairs; move around independently, e.g., walk any distance, easily get into or out of a car, stand for an extended period; reach, pull, push or manipulate objects; have strength or endurance.

2. Hearing

Hearing loss include problems distinguishing certain frequencies, sounds or words, ringing in the ears and total (profound) deafness.

A person who is deaf, deafened or hard of hearing may be unable to use a public telephone, understand speech in noisy environments, or pronounce words clearly enough to be understood by strangers.

3. Speech

Speech disability is a partial or total loss of the ability to speak. Typical voice disorders include problems with pronunciation; pitch and loudness; hoarseness or breathiness; stuttering or slurring.

A person with a severe speech disability sometimes uses manual or electronic communication devices. Individuals who have never heard may have speech that is hard to understand.

4. Vision

Vision disabilities range from slightly reduced visual acuity to total blindness.

A person with reduced visual acuity may have trouble reading street signs, recognizing faces, or judging distances. He/she might find it difficult to maneuver, especially in an unfamiliar place. He/she may have a very narrow field of vision, be unable to differentiate colours, have difficulties navigating or seeing at night, or require bright lights to read. Most people who are legally blind have some vision.

5. Deaf-blind

Deaf-blindness is a combination of hearing and vision loss. It results in significant difficulties accessing information and performing activities of daily living.

Deaf-blind disabilities interfere with communication, learning, orientation and mobility. Individuals who are deaf-blind communicate using various sign language systems, Braille, standard PCs equipped with Braille displays, telephone devices for the deaf-blind and communication boards. They navigate with the aid of white canes, service animals, and electronic navigation devices.

A person who is deaf-blind may rely on the services of an intervener. Interveners relay and facilitate auditory and visual information and act as sighted guides. Interveners are skilled in the communication systems used by people who are deaf-blind, including sign language and Braille.

6. Smell

Smell disability is the inability to sense, or a hypersensitivity to, odours and smells.

A person with a smelling disability may have allergies to certain odours, scents or chemicals or may be unable to identify dangerous gases, smoke, fumes and spoiled food.

7. Taste

Taste disability limits the ability to experience the four primary taste sensations: sweetness, bitterness, saltiness and sourness.

A person with a taste disability may be unable to identify ingredients in food, spoiled food, or noxious substances.

8. Touch

Touch disability alters the ability to sense surfaces and their texture or quality, including temperature, vibration and pressure. Touching sensations may be heightened, limited, absent (numbness), or may cause pain or burning.

A person with a touch disability may be unable to detect (or be insensitive to) heat, cold or changing temperatures. Alternatively, a person with a touch disability may be hypersensitive to sound, physical vibrations, or heated surfaces or air.

9. Intellectual

An intellectual disability affects an individual's ability to think and reason. The disability may be caused by genetic factors (e.g., Downs Syndrome), exposure to environmental toxins (as in Fetal Alcohol Syndrome), brain trauma and psychiatric conditions.

A person with an intellectual disability may have difficulty with:

- Language: understanding and using spoken or written information;
- Concepts: understanding cause and effect;
- Perception: taking in and responding to sensory information;
- Memory: retrieving and recognizing information from short- or long-term memory;
- Recognizing problems, problem solving and reasoning.

10. Mental health

There are three main kinds of mental health disabilities:

- Anxiety: a state of heightened nervousness or fear related to stress;
- Mood: sadness or depression;
- Behavioural: being disorganized; making false statements or inappropriate comments; telling distorted or exaggerated stories.

A person with a mental health disability may seem edgy or irritated; act aggressively; exhibit blunt behaviour; be perceived as being pushy or abrupt; start laughing or get angry for no apparent reason.

11. Learning

Learning disabilities are disorders that affect verbal and non-verbal information acquisition, retention, understanding, processing, organization and use.

A person with a learning disability has average or above-average intelligence, but takes in information, retains it, and expresses knowledge in different ways. Learning disabilities affect reading comprehension and speed; spelling; the mechanics of writing; manual dexterity; math computation; problem solving; processing speed; the ability to organize space and manage time; and orientation and wayfinding.

12. Other

Disabilities result from other conditions, accidents, illnesses, and diseases, including ALS (Lou Gehrig disease), asthma, diabetes, cancer, HIV/AIDS, environmental sensitivities, seizure disorders, heart disease, stroke, and joint replacement.

Appendix II

8. **ACCESSIBILITY ADVISORY COMMITTEE MINUTES – DECEMBER 4, 2012**
ITEM 8 – 2012 ACCESSIBILITY PLAN

Item 8 of the Accessibility Advisory Committee Minutes of December 4, 2012 regarding the 2012 Accessibility Plan.

Moved by Councillor Twinney
Seconded by Diane Bladec-Willett

The Accessibility Advisory Committee recommends to Council:

THAT the Accessibility Advisory Committee endorses the 2012 Accessibility Plan as presented and forward same to Council for approval.

CARRIED



Esther Armchuk-Ball, B.A. (Hons.), LL.B.

Director, Legal Services/Municipal Solicitor

Town of Newmarket

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

earmchuk-ball@newmarket.ca

tel.: 905-953-5300, Ext. 2432

10.1

January 24, 2013

CORPORATE SERVICES (LEGAL SERVICES) REPORT 2013-02

TO: Committee of the Whole

SUBJECT: Correspondence from Residents Gordon Blowes, Brenda Sartor, Vicken Khounganian, Richard and Paula Sainthill, Jeff Brown, Rob Winlow, Kathryn Smith and Rita Bondi, requesting a Glenway Resident Defence Fund

ORIGIN: Director, Legal Services/Municipal Solicitor and Director, Legislative Services

RECOMMENDATIONS

THAT Corporate Services (Legal Services) Report 2013-02 dated January 24, 2013 regarding Correspondence from Residents Gordon Blowes, Brenda Sartor, Vicken Khounganian, Richard and Paula Sainthill, Jeff Brown, Rob Winlow, Kathryn Smith and Rita Bondi, requesting a Glenway Resident Defence Fund be received and the following recommendations be adopted:

- 1. THAT the correspondence from Gordon Blowes, Brenda Sartor, Vicken Khounganian, Richard and Paula Sainthill, Jeff Brown, Rob Winlow, Kathryn Smith and Rita Bondi regarding a request that the Town approve an initial fund of \$100,000.00 for residents to be represented at the OMB and to appeal an unfavorable OMB ruling (development on any part of the Glenway golf course) with the Ontario Courts be received;**
- 2. AND THAT Council take no action on the request by the above-noted residents to provide defence funding for a potential appeal to the OMB.**

COMMENTS

Council may recall that through the recommendations in Community Services/Planning & Building Services Report 2012-51 dated October 18, 2012, Council directed that the Glenway applications for Official Plan amendment, Zoning by-law amendment and Plan of Subdivision proceed to a statutory meeting. That meeting was held on Monday, January 7, 2013 at the Newmarket Theatre. The meeting was attended by over 600 residents, many of whom provided submissions or presentations to Council. Additional written submissions from residents regarding the Glenway applications have been received by the Town. Council directed that following the statutory public meeting, issues identified through preliminary review together with comments from the public, Committee and those received through agency and departmental circulation be addressed in a comprehensive planning report to Committee of the Whole. The Planning department has advised that there is still a tremendous amount of information that needs to be submitted, reviewed and addressed to the satisfaction of the Town's external consultant before the consultant will be in a position to prepare the comprehensive planning report.

At this point, there has not been an appeal of the Glenway applications to the Ontario Municipal Board. Under the *Planning Act*, Council will be receiving and considering a comprehensive report that addresses the planning merits of the Glenway development proposals. Council will then determine if it wishes to

approve the proposal, deny the proposal, approve the proposal in part with or without conditions, or make some other decision.

As with every planning application, Council's legal obligation is to follow the process set out in the *Planning Act*, review the planning merits of the development proposals and make a decision once all the required information has been compiled and considered. The decision regarding whether the Town will proceed to an OMB hearing and to what extent it will participate or support resident participation cannot be addressed until such time as the Town establishes its' position on the planning merits of the applications.

Staff have reviewed the requests by the above mentioned residents for Town funding to support their opposition at the OMB to any development on the Glenway lands. The requests are all substantially the same. Staff's opinion is that the requests are premature as Council has not yet taken any position on the development applications. The residents have been advised of staff's response to their request for defence funding.

The public will have further opportunities for input either through written submissions or through further oral presentations prior to Council's decision, and this matter can be brought forward for consideration following Council's decision.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report supports the *Well Equipped* and *Well Managed* objectives of the Town's strategic plan in the area of efficient management of development in the Town.

CONSULTATION

Consultation occurred with Planning and SLT.

HUMAN RESOURCE CONSIDERATIONS

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

BUDGET IMPACT

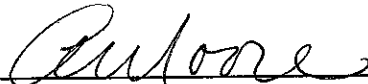
There is no budget impact as a result of the recommendations in this report.

CONTACT

For more information on this report, please contact: Esther Armchuk-Ball, Director, Legal Services/Municipal Solicitor at Ext. 2432.



Esther Armchuk-Ball, B.A. (Hons.), LL.B.
Director, Legal Services/Municipal Solicitor



Anita Moore
Commissioner, Corporate Services

From: GORDON BLOWES [mailto:]

Sent: Friday, January 11, 2013 10:41 AM

To: Brouwer, Andrew

Cc: contact@glenwaycommunitygroup.com

Subject: Fw: Written Submission - Glenway Golf Course - Development Application - Resident Defence Funding

10.3

Please ensure my written submission correspondence be specifically included in an upcoming agenda packaged for Council, Committee of the Whole and other committees involved in the Glenway development application.

I recommend a "Glenway resident defence fund" be established to defend the by-laws and Official Plan of Newmarket challenged by the application to develop the open space of the Glenway golf course property. This defence fund will be provided by the Town of Newmarket and approved by Town Council immediately. The initial fund should be \$100,000.00 which equates to the funding approved by Council for the consultant to work with the Town staff and developer to process the application.

This fund will be directed by the Glenway community to ensure representation at an OMB hearing and more importantly for appeal to the Ontario Courts to challenge the Glenway development application.

This could be considered emergency funding to protect the by-laws and Official Plan which protect the green space in the Glenway community. If needed, a referendum could be called to determine if the approximate 1,000 homes in Glenway will support \$10.00 from their annual property tax bills to be allocated to the defence fund to protect their community.

Town Council has publicly supported the defence of the by -laws and Official Plan; it is important that money be put behind this issue. Transparency is imperative to ensure this fund is used in the best interest of the Glenway community which can be accomplished by transferring this fund to the community via a community group(s) with appropriate controls and oversight by the Town of Newmarket budget and expenditure oversight procedures.

Gordon Blowes

10.4

From: Brouwer, Andrew
Sent: January 15, 2013 4:50 PM
To: Moor, Linda; Lyons, Lisa; Niezen, Sarah
Subject: FW: Written Submission - Glenway Golf Course - Development Application - Resident Defence Funding

For record & Feb 4 CoW agenda correspondence.

From: Brenda Sartor
Sent: Tuesday, January 15, 2013 3:37 PM
To: Brouwer, Andrew
Subject: Written Submission - Glenway Golf Course - Development Application - Resident Defence Funding

Please ensure my written submission correspondence be specifically included in an upcoming agenda packaged for Council, Committee of the Whole and other committees involved in the Glenway development application.

I recommend a "Glenway resident defence fund" be established to defend the by-laws and Official Plan of Newmarket challenged by the application to develop the open space of the Glenway golf course property. This defence fund will be provided by the Town of Newmarket and approved by Town Council immediately. The initial fund should be \$100,000.00 which equates to the funding approved by Council for the consultant to work with the Town staff and developer to process the application.

This fund will be directed by the Glenway community to ensure representation at an OMB hearing and more importantly for appeal to the Ontario Courts to challenge the Glenway development application.

This could be considered emergency funding to protect the by-laws and Official Plan which protect the green space in the Glenway community. If needed, a referendum could be called to determine if the approximate 1,000 homes in Glenway will support \$10.00 from their annual property tax bills to be allocated to the defence fund to protect their community.

Town Council has publicly supported the defence of the by-laws and Official Plan; it is important that money be put behind this issue. Transparency is imperative to ensure this fund is used in the best interest of the Glenway community which can be accomplished by transferring this fund to the community via a community group(s) with appropriate controls and oversight by the Town of Newmarket budget and expenditure oversight procedures.

Brenda Sartor

10.5

From: Brouwer, Andrew
Sent: January 11, 2013 4:11 PM
To: Niezen, Sarah; Moor, Linda
Subject: FW: Written Submission - Glenway Golf Course - Development Application - Resident Defence Funding

FYI/record/Feb 4 CoW

From: Vicken K
Sent: Friday, January 11, 2013 4:12 PM
To: contact@glenwaycommunitygroup.com; Brouwer, Andrew
Subject: RE: Written Submission - Glenway Golf Course - Development Application - Resident Defence Funding

Hi,

Please ensure my written submission correspondence be specifically included in an upcoming agenda packaged for Council, Committee of the Whole and other committees involved in the Glenway development application.

I recommend and fully support a "Glenway resident defence fund" be established to defend the by-laws and Official Plan of Newmarket challenged by the application to develop the open space of the Glenway golf course property. This defence fund will be provided by the Town of Newmarket and approved by Town Council immediately. The initial fund should be \$100,000.00 which equates to the funding approved by Council for the consultant to work with the Town staff and developer to process the application.

This fund will be directed by the Glenway community to ensure representation at an OMB hearing and more importantly for appeal to the Ontario Courts to challenge the Glenway development application.

This could be considered emergency funding to protect the by-laws and Official Plan which protect the green space in the Glenway community. If needed, a referendum could be called to determine if the approximate 1,000 homes in Glenway will support \$100.00 from their annual property tax bills to be allocated to the defence fund to protect their community. Town Council has publicly supported the defence of the by-laws and Official Plan; it is important that money be put behind this issue. Transparency is imperative to ensure this fund is used in the best interest of the Glenway community which can be accomplished by transferring this fund to the community via a community group(s) with appropriate controls and oversight by the Town of Newmarket budget and expenditure oversight procedures.

Vicken Khounganian
120 Glenway Circle
Newmarket, Ontario L3Y 7S2

10.6

From: Brouwer, Andrew
Sent: January 11, 2013 1:56 PM
To: Moor, Linda; Niezen, Sarah; Lyons, Lisa
Subject: FW: Glenway Development

From: Rick Sainthill
Sent: Friday, January 11, 2013 12:50 PM
To: Brouwer, Andrew
Cc: contact@glenwaycommunitygroup.com
Subject: FW: Glenway Development

From: Rick Sainthill
Sent: January-11-13 12:46 PM
To: abrouwer@newmarket.ca
Cc: 'contact@glenwaycommunitygroup.com'
Subject: Glenway Development

Town Of Newmarket

Please ensure my written submission correspondence be specifically included in an upcoming agenda packaged for Council, Committee of the Whole and other committees involved in the Glenway development application.

I recommend a 'Glenway resident defence fund' be established to defend the by-laws and Official Plan of Newmarket challenged by the application to develop the open space of the Glenway golf course property. This defence fund will be provided by the Town of Newmarket and approved by Town Council immediately. The initial fund should be \$100,000.00 which equates to the funding approved by Council for the consultant to work with the Town staff and developer to process the application.

This fund will be directed by the Glenway community to ensure representation at an OMB hearing and more importantly for appeal to the Ontario Courts to challenge the Glenway development application.

This could be considered emergency funding to protect the by-laws and Official Plan which protect the green space in the Glenway community. If needed, a referendum could be called to determine if the approximate 1,000 homes in Glenway will support \$10.00 from their annual property tax bills to be allocated to the defence fund to protect their community.

Town Council has publicly supported the defence of the by-laws and Official Plan; it is important that money be put behind this issue. Transparency is imperative to ensure this fund is used in the best interest of the Glenway community which can be accomplished by transferring this fund to the community via a community group(s) with appropriate controls and oversight by the Town of Newmarket budget and expenditure oversight procedures.

Richard & Paula Sainthill

10.7

From: Brouwer, Andrew
Sent: January 21, 2013 4:48 PM
To: Bondi, Janice
Subject: FW: Written Submission - Glenway Golf Course - Development Application - Resident Rights to Defense Funding

From: Glenway Community Group [<mailto:contact@glenwaycommunitygroup.com>]
Sent: Tuesday, January 08, 2013 10:20 AM
To: Brouwer, Andrew
Cc: attorneygeneral@ontario.ca
Subject: Written Submission - Glenway Golf Course - Development Application - Resident Rights to Defense Funding

Town Clerk
Town of Newmarket

Please ensure this submission is distributed to Town Council, Committee of the Whole and the appropriate committee(s) involved in the Glenway Development Application expenditure approval.

Recommendation:

The Town of Newmarket approve an initial fund of \$100,000.00 for residents to be represented at the OMB and to appeal an unfavorable OMB ruling (development of any part of the Glenway golf course) with the Ontario Courts. It is imperative that this fund be directed by the resident community groups in a transparent way and be solely used to protect the green space from development as intended in our by-laws and Official Plan.

This is an opportunity to ensure a transparent representation is provided to the residents of Glenway and Newmarket.

Background:

There should be a level playing field when it comes to the rights of property owners in Newmarket and Ontario. Developers have the right to make a development application to change the by-laws and Official Plan governing the property they own while tax payers pay for the processing/challenge of these requests. If the OMB continues to be permitted to override by-laws and Official Plans then The Planning Act should provide for compensation and a cost recovery for defense by area residents when a developer requests to significantly change by-laws and Official Plans. Unreasonable and significant changes to by-laws and Official Plans costs Municipalities millions of dollars annually which become the burden of Ontario residents. Residents should have reasonable and affordable access to the Ontario Courts to appeal OMB rulings that do not consider compensation and rights of property owners effected by by-law and Official Plan changes. To avoid potential corruption and influence within Municipalities there should be more rights and controls for residents. Referendums should be used to establishment property use by-laws and Official Plans.

The by-laws, Official Plan, original intent and continued intent of the Glenway golf course property was to remain as open space. It is imperative that the Town of Newmarket takes the appropriate steps and in a transparent manner to ensure this property remains in its intended state.

The Town of Newmarket rejected the request for public oversight (as permitted in the Planning Act) of the Glenway development application file.

10.8

The Town made the highly unusual decision to hire an outside consultant to manage the Glenway development application file and without the transparency requested for this application. The expenditures to date appear to be approximately \$100,000.00 and the objective of this approved funding is unclear. It is possible that this consultant and staff will be supportive of the development application and the Town Council will lose staff and expert support and possible grounds for appeal at the OMB. This makes the importance of a resident OMB appeal important to defend the by-laws and Official Plan on behalf of Town Council and residents.

Given the lack of requested transparency, it is appropriate to request for The Town of Newmarket to approve a budget for the residents of Glenway to be independently represented at the OMB and to appeal an unfavorable OMB ruling to the Ontario courts. The Town has a responsibility to plan appropriately to support the by-laws and Official Plan, and this should have been considered when the outside consultant was hired for this file. The legal and expert representation of the residents of Glenway is equally important to the success of protecting this property and warrants the Town of Newmarket's financial support beyond the public commitments.

One logical decision by Town Council would be to support the residents financially with money residents have paid in taxes. There are approximately 400 homes backing onto the golf course and in excess of 1,000 homes in Glenway with tax assessments in excess of \$6,000.00 per year per home. The tax revenue from Glenway should be in excess of \$6 million per year. The residents should not be expected to fund the protection of this property beyond the tax assessments paid each year. With tax assessment by the Town of Newmarket comes the responsibility to manage the development and protection of by-laws & Official Plan in a transparent way. It is critical that the Town of Newmarket assume the financial responsibilities and not force the residents to fund the protection of this property over and above property taxes paid.

The Town of Newmarket has the opportunity to do the right thing for the residents in these very difficult circumstances.

Regards,

Jeff Brown
On behalf of Glenway Community Group

Sent: Friday, January 11, 2013 12:14 PM

To: Brouwer, Andrew

Subject: Written Submission - Glenway Golf Course - Development Application - Resident Defence Funding

10.9

Please ensure my written submission correspondence be specifically included in an upcoming agenda packaged for Council, Committee of the Whole and other committees involved in the Glenway development application.

I recommend a "Glenway resident defence fund" be established to defend the by-laws and Official Plan of Newmarket challenged by the application to develop the open space of the Glenway golf course property. This defence fund will be provided by the Town of Newmarket and approved by Town Council immediately. The initial fund should be \$100,000.00 which equates to the funding approved by Council for the consultant to work with the Town staff and developer to process the application.

This fund will be directed by the Glenway community to ensure representation at an OMB hearing and more importantly for appeal to the Ontario Courts to challenge the Glenway development application.

This could be considered emergency funding to protect the by-laws and Official Plan which protect the green space in the Glenway community. If needed, a referendum could be called to determine if the approximate 1,000 homes in Glenway will support \$10.00 from their annual property tax bills to be allocated to the defence fund to protect their community.

Town Council has publicly supported the defence of the by -laws and Official Plan; it is important that money be put behind this issue. Transparency is imperative to ensure this fund is used in the best interest of the Glenway community which can be accomplished by transferring this fund to the community via a community group(s) with appropriate controls and oversight by the Town of Newmarket budget and expenditure oversight procedures.

Robert Winlow

Kathryn E. Smith

January 13, 2013

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

Dear Mr. Mayor and all Members of Council,

I attended the meeting at the Newmarket Theatre on January 7, 2013. Thank you all for holding the meeting in a venue large enough to accommodate most of the people who wished to attend. Thank you, Mr. Mayor, for chairing the meeting in such a professional manner and for maintaining a respectful and decorous atmosphere despite the strong emotions of the crowd.

I also oppose the development proposal put forward by Marianneville Developments Limited and wish to add my voice to the chorus that is urging Council to do everything in its power to halt this development.

Yours truly,



Kathryn Smith

10.10

INCOMING MAIL		COPIED TO
COUNCIL		✓
CAO		
JAN 17 2013		
COMMISSIONER		
DEPARTMENT		✓ Planning
CLERKS		✓
CONCERNS		

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
JAN 17 2013		

10.11

From: Brouwer, Andrew
Sent: January 22, 2013 9:30 AM
To: Moor, Linda; Niezen, Sarah
Subject: FW: Residence Defence Fund, Submission of, to include in upcoming agenda for Council, Committ of the Whole et al. RE: Glenway Development Application

For file and Feb 4 CoW.

From: Rita Bondi
Sent: Monday, January 21, 2013 10:24 PM
To: Brouwer, Andrew; Emanuel, Chris; contact@glenwaycommunitygroup.com
Subject: Residence Defence Fund, Submission of, to include in upcoming agenda for Council, Committ of the Whole et al. RE: Glenway Development Application

To: 'abrouwer@newmarket.ca'

Cc: contact@glenwaycommunitygroup.com

Please ensure my written submission correspondence be specifically included in an upcoming agenda packaged for Council, Committee of the Whole and other committees involved in the Glenway development application.

I recommend a 'Glenway Resident Defence Fund' be established to defend the by-laws and Official Plan of Newmarket challenged by the application to develop the open space of the Glenway golf course property and surrounding 'Glenway' area outlined in the opposed development. This defence fund will be provided by the Town of Newmarket and approved by Town Council immediately. The initial fund should be \$100,000.00 which equates to the funding approved by Council for the consultant to work with the Town staff and developer to process the application.

This fund will be directed by the Glenway community to ensure representation at an OMB hearing and more importantly for appeal to the Ontario Courts to challenge the Glenway development application.

This could be considered emergency funding to protect the by-laws and Official Plan which protect the green space in the Glenway community. If needed, a referendum could be called to determine if the approximate 1,000 homes in Glenway will support \$10.00 from their annual property tax bills to be allocated to the Defence Fund to protect their community.

Town Council has publicly supported the defence of the by-laws and Official Plan; it is important that money be put behind this issue. Transparency is imperative to ensure this fund is used in the best interest of the Glenway community which can be accomplished by transferring this fund to the community with appropriate controls and oversight by the Town of Newmarket budget and expenditure oversight procedures.

Name: Rita Bondi

A Resolution for Newmarket Council to Endorse the Resolution of the Regional Municipality of Halton entitled: 'Request to the Province to Cover All Appeal Costs to the Ontario Municipal Board for Growth Plan Conformity Exercises'

WHEREAS the Regional Municipality of Halton formerly requested the Town of Newmarket to endorse the Resolution adopted by its council on July 14, 2010; and

WHEREAS a copy of the Regional Municipality of Halton's resolution is appended to this resolution;

BE IT RESOLVED that the Council of the Town of Newmarket endorses the Regional Municipality of Halton resolution entitled: 'Request to the Province to Cover All Appeal Costs to the Ontario Municipal Board for Growth Plan Conformity Exercises';

AND THAT a copy of this resolution to be delivered to the Clerk of the Regional Municipality of Halton;

AND THAT a copy of this resolution to be delivered to the Clerk of the Regional Municipality of York;

AND THAT a copy of this resolution to be delivered to the Member of Provincial Parliament for Newmarket Aurora Frank Klees



December 20, 2012

The Honourable Dalton McGuinty
Premier of Ontario
The Government of Ontario
Room 281, Main Legislative Building, Queen's Park
Toronto ON M7A 1A1

Legislative and Planning Services
Office of the Regional Clerk
1151 Bronte Road
Oakville ON L6M 3L1
Email: RegionalClerk@halton.ca

VIA EMAIL

Dear Premier McGuinty:

Please be advised that at its meeting held Wednesday, December 12, 2012, the Council of the Regional Municipality of Halton adopted the following resolution:

RESOLUTION: OMB Costs – Provincial Growth Plan

WHEREAS the Region was required by the Province to bring Halton's Official Plan into conformity with the Provincial Growth Plan, as mandated by the Places to Grow Act;

AND WHEREAS the Region approved Regional Plan Amendment No. 37 on June 3, 2009 and approved Regional Plan Amendment No. 38 on December 16, 2009 as required by the Province under the Places to Grow Act, thereby fulfilling the requirement to achieve conformity with the Provincial Growth Plan, at significant cost to the Region;

AND WHEREAS the Province approved Regional Plan Amendment No. 37 on November 25, 2009 and approved Regional Official Plan Amendment No. 38 on November 24, 2011;

AND WHEREAS the Region passed a Resolution on July 7, 2010 requesting the Province to take responsibility for any Ontario Municipal Board hearings relating to the aforesaid approvals and to assume responsibility for all costs incurred by the Region to defend the Growth Plan conformity exercise;

AND WHEREAS the Region has received a total of 41 appeals to Regional Official Plan Amendment Nos. 37 and 38 and must now defend the Official Plan and the Growth Plan conformity exercise undertaken by the Region at an Ontario Municipal Board hearing;

AND WHEREAS the hearing to resolve these appeals is scheduled to commence on September 23, 2013, for a period of 19 weeks and will require the participation of various legal, planning and other expert witnesses, the cost of which to Halton's taxpayers will be several million dollars;

AND WHEREAS it continues to be the Region's firm position that because it is the Province through legislation that has mandated municipalities to achieve conformity with the Growth Plan, as set out in the Places to Grow Act, municipalities should not be required to assume the costs of defending their respective Growth Plan conformity exercises on an appeal to the Ontario Municipal Board.

The Regional Municipality of Halton

NOW THEREFOR BE IT RESOLVED:

1. THAT Regional Council reaffirms its resolution of July 7, 2010, attached as Appendix "1" hereto.
2. THAT this Resolution be forwarded to the Premier and the Minister of Municipal Affairs and Housing, Halton's MPPs and all party leaders in Ontario for their consideration and action.
3. THAT this resolution be forwarded to the City of Burlington and the Towns of Oakville, Milton and Halton Hills, to all other Regional and Local Municipalities within the Greater Golden Horseshoe area affected by the Provincial Growth Plan and to the Association of Municipalities of Ontario, for their consideration and endorsement.
4. THAT this Resolution be forwarded to all other recipients of Regional Council's original resolution of July 7, 2010, for their information and action.

As per the above resolution, please accept this correspondence for your information and consideration.

Sincerely,



Gary Carr
Regional Chair

c. **Minister of Municipal Affairs and Housing**
The Honourable Dwight Duncan
7 Queen's Park Crescent, 7th floor
Toronto ON M7A 1Y7
financecommunications.fin@ontario.ca

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Tim Huddack, Leader of the Official Opposition
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Ms. Suzanne Jones, Town Clerk
 Town of Halton Hills
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 Halton Hills ON L7G 5G2
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Mr. Troy McHarg, Town Clerk
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townclerk@milton.ca

Ms. Cathie Best, Town Clerk
 Town of Oakville
 1225 Trafalgar Rd
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Regional and Local Municipalities within the Greater Golden Horseshoe

City of Barrie, Dawn McAlpine, dmcalpine@barrie.ca
 City of Brampton, Peter Fay, peter.fay@brampton.ca
 City of Brantford, Darryl J. Lee, dlee@brantford.ca
 City of Cambridge, Alex Mitchell, mitchella@cambridge.ca
 City of Guelph, Lois A. Giles, clerks@guelph.ca
 City of Hamilton, Rose Caterini, clerk@hamilton.ca
 City of Kawartha Lakes, Judy Currins, jcurrins@city.kawarthalakes.on.ca
 City of Kitchener, Randy Gosse, randy.gosse@kitchener.ca
 City of Mississauga, Crystal Greer, crystal.greer@mississauga.ca
 City of Niagara Falls, Dean Iorfida, diorfida@niagarafalls.ca
 City of Orillia, Gayle Jackson, gjackson@orillia.ca
 City of Oshawa, Sandra Kranc, skranc@oshawa.ca
 City of Peterborough, John Kennedy, jkennedy@peterborough.ca
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 City of Port Colborne, Ashley Grigg, ashleygrigg@portcolborne.ca
 City of St. Catharines, Dan Carnegie, dcarnegie@stcatharines.ca
 City of Thorold, Susan M. Daniels, clerk@thorold.com
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 City of Vaughan, Jeffrey A. Abrams, jeffrey.abrams@vaughan.ca
 City of Waterloo, Susan Greatrix, susan.greatrix@waterloo.ca
 City of Welland, Christine Mintoff, clerk@welland.ca
 County of Brant, Jayne Carman, jayne.carman@brant.ca
 County of Dufferin, Pam Hillock, phillock@dufferincounty.on.ca
 County of Northumberland, Diane Cane, caned@northumberlandcounty.ca
 County of Peterborough, Sally Saunders, ssaunders@county.peterborough.on.ca
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 County of Wellington, Scott Wilson, scottw@wellington.ca
 Haldimand County, Janis Lankester, eeichenbaum@haldimandcounty.on.ca
 Municipality of Brighton, Gayle Frost, gfrost@brighton.ca
 Municipality of Clarington, Patti L. Barrie, pbarrie@clarington.net
 Municipality of Port Hope, Sue Dawe, sdawe@porthope.ca

Municipality of Trent Hills, Margaret Montgomery, marg.montgomery@trent hills.ca
 Norfolk County, Beverley Wood, bev.wood@norfolkcounty.ca
 Regional Municipality of Durham, Patricia Madill, clerks@durham.ca
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 Regional Municipality of Peel, Kathryn Lockyear, kathryn.lockyear@peelregion.ca
 Regional Municipality of Waterloo, Kris Fletcher, fkris@region.waterloo.on.ca
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 Town of Aurora, John D. Leach, jleach@e-aurora.ca
 Town of Bradford West Gwillimbury, Glen Knox, gknox@townofbwg.com
 Town of Caledon, Karen Landry, karen.landry@caledon.ca
 Town of Cobourg, Lorraine V. Brace, lbrace@cobourg.ca
 Town of Collingwood, Sara Almas, salmas@collingwood.ca
 Town of East Gwillimbury, Kathleen Foster, kfoster@eastgwillimbury.ca
 Town of Erin, Kathryn Ironmonger, kathryn.ironmonger@erin.ca
 Town of Fort Erie, Carolyn Kett, ckett@forterie.on.ca
 Town of Georgina, Roland Chenier, rchenier@georgina.ca
 Town of Grimsby, Hazel Soady-Easton, hsoady-easton@town.grimsby.on.ca
 Town of Halton Hills, Suzanne Jones, suzannej@haltonhills.ca
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 Town of Lincoln, William Kolasa, wkolasa@lincoln.ca
 Town of Markham, Kimberley Kitteringham, kkitteringham@markham.ca
 Town of Midland, Andrea Fay, afay@midland.ca
 Town of Minto, Jane M. Steller, jane@town.minto.on.ca
 Town of Mono, Keith McNenly, keith@townofmono.com
 Town of New Tecumseth, Gayla McDonald, clerk@town.newtecumseth.on.ca
 Town of Newmarket, Anita Moore, amoore@newmarket.ca
 Town of Niagara-on-the-Lake, Holly Dowd, hdowd@notl.org
 Town of Orangeville, Cheryl Johns, cjohns@orangeville.ca
 Town of Pelham, Nancy Bozzato, NJBozzato@pelham.ca
 Town of Penetanguishene, Holly Bryce, hbryce@penetanguishene.ca
 Town of Richmond Hill, Donna McLarty, dmclarty@richmondhill.ca
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 Town of Whitchurch-Stouffville, Michele Kennedy, michele.kennedy@townofws.ca
 Township of Adjala-Tosorontio, Barb Kane, bkane@townshipaditos.on.ca
 Township of Alnwick/Haldimand, Terrence (Terry) Korotki, rvandemoosdyk@alnwickhaldimand.ca
 Township of Amaranth, Susan M. Stone, suestone@amaranth-eastgary.ca
 Township of Asphodel-Norwood, Valerie Przybilla, vprzybilla@asphodelnorwood.com
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 Township of Ramara, Janice McKinnon, jmckinnon@ramara.ca
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 Township of Severn, W. Henry Sander, hsander@townshipofsevern.com
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 Township of Tiny, Douglas Luker, dluker@tiny.ca
 Township of Uxbridge, Debbie Leroux, dleroux@town.uxbridge.on.ca
 Township of Wainfleet, Tanya Lamb, TLamb@wainfleet.ca

11.6

Township of Wellesley, Susan Duke, sduke@township.wellesley.on.ca
Township of Wellington North, Lorraine Heinbuch, lheinbuch@wellington-north.com
Township of West Lincoln, Carolyn Langley, clangley@westlincoln.ca
Township of Wilmot, Barbara McLeod, barb.mcleod@wilmot.ca
Township of Woolwich, Christine Broughton, cbroughton@woolwich.ca

L. Cheung
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* Amended/Added by Committee

** Amended/Added by Council

Adopted by Council July 14, 2010, Meeting No. 09-10

THE REGIONAL MUNICIPALITY OF HALTON

NEW BUSINESS

13. **Request to the Province to Cover all Appeal Costs to the Ontario Municipal Board
* for Growth Plan Conformity Exercises**

**

RECOMMENDATION

WHEREAS the Province of Ontario initiated and passed *The Places to Grow Act*;

AND WHEREAS pursuant to that Provincial initiative under *The Places to Grow Act*, the Province issued a Provincial Growth Plan for the Greater Toronto Area and pursuant to that Act requires municipalities at the Regional and Local levels to amend their Official Plans to bring them into conformity with that Provincial Growth Plan;

AND WHEREAS any Official Plan passed to achieve conformity with the Provincial Growth Plan must be approved by the Province;

AND WHEREAS the Province permits appeals of its approval decisions on Regional and Local Official Plans regarding conformity to be appealed to the Ontario Municipal Board despite the fact that any appeals of the Growth Plan itself are handled by way of a Hearing Officer who reports to the Province and the Province makes the final Decision;

AND WHEREAS the defence of any Regional and/or Local Official Plan to achieve conformity the Provincial Growth Plan can be a long and costly process in front of the Ontario Municipal Board;

AND WHEREAS municipalities are expected to defend their Official Plans for conformity at the Ontario Municipal Board despite the fact that the municipalities have had to pass those municipal official plans by reason of the Provincial *Places to Growth Act*;

AND WHEREAS in Halton, the Region of Halton has passed Regional Official Plan Amendments #37 and 38 as required by *The Places to Grow Act* and in the case of Regional Official Plan Amendment #37 that amendment was approved by the Province and then appealed by development interests to the Ontario Municipal Board and the same is likely to occur with Regional Official Plan Amendment #38 and with some if not all of the corresponding local official plan amendments;

AND WHEREAS even without any appeals to the Ontario Municipal Board there are significant costs for municipalities participating in the Provincially required Growth Plan conformity exercises pursuant to *The Places to Grow Act*;

AND WHEREAS such municipalities should not have the added cost of participating in OMB appeals of the various Regional and Local Official Plans produced in compliance with Provincial requirement for conformity with the Provincial Growth Plan;

AND WHEREAS the Province itself, in defending its Growth Plan and indeed other Provincial Plans such as the Greenbelt Plan has only hearing officer report exercises in response to changes and amendments sought by others to its Provincial Plans such as the Growth Plan and the Greenbelt Plan.

NOW THEREFORE BE IT RESOLVED:

1. THAT the Province of Ontario be requested to take responsibility for any Ontario Municipal Board appeal hearings related to any approvals of Regional and Local Official Plan Amendments that are passed pursuant to *The Places to Grow Act* in order to achieve conformity with that Act such that all costs related to defending a Growth Plan Conformity exercise before the Ontario Municipal Board are covered by the Province including the retention of any legal counsel, planning consultants, and other consultants and witnesses and also the time for Provincial or Regional or Local staff required as part of any defence before the Ontario Municipal Board.
2. THAT the Province of Ontario be requested to provide "intervener funding" to any municipalities affected by the appeal of any Growth Plan conformity, Official Plan amendment to the Ontario Municipal Board so as to enable the municipalities involved to defend their positions with respect to the Provincial Growth Plan conformity exercise before the Ontario Municipal Board without added cost to the Municipal Service and Delivery System and higher property taxes.
3. THAT a letter be sent by the Regional Chair along with this Resolution to the Premier of the Province of Ontario and the Minister of Municipal Affairs and Housing for their consideration and action in having the Province take the lead and the responsibility for the costs of any appeal proceedings before the Ontario Municipal Board on Growth Plan Conformity Official Plans by Regional and Local municipalities and by providing intervener funding to those municipalities who would be involved in any appeal proceedings respecting Growth Plan Conformity

Exercises.

4. THAT this Resolution be forwarded to all of the Regional and Local Municipalities within the Greater Golden Horseshoe and to the Association of Municipalities of Ontario for their support and endorsement of this Resolution.
5. THAT this Resolution be forwarded to Halton's MPPs, the Large Urban Mayors' Caucus of Ontario (LUMCO) and Greater Toronto Area (GTA) Mayors and Chairs.
6. THAT this Resolution be forwarded to all party leaders in Ontario.
7. THAT the Regional Chair write to the above-noted groups to request support for this Resolution and to the Province of Ontario to request that these costs be included in an amendment to the *Development Charges Act*.

* * * * *

COMMITTEE NOTES

MEMBERS PRESENT: T. Adams, Chair
R. Bonnette (arrived at 9:50 a.m.), J. Dennison, A. Elgar,
A. Johnston, B. Lee, J. Taylor
G. Carr, Regional Chair

STAFF PRESENT: Pat Moyle, C.A.O.
M. Meneray, M. Zamojc, R. Glenn, K. Kielt

ALSO PRESENT: R. Beaman, Thomson, Rogers

Item No. 13 – Correspondence from the Town of Halton Hills re: "Motion – Request to Province to Cover all Appeal Costs to the Ontario Municipal Board for Growth Plan Conformity Exercises" was distributed, a copy of which is included in the Information Section of the Council agenda for July 14, 2010.



TOWN OF NEWMARKET

Outstanding Matters

Reviewed by OLT
January 22, 2013

	Committee of the Whole Minutes – June 9, 2008 – Item 25 Legal & Development Services Report – Building & By-laws 2008-09 Draft Noise By-law	<ul style="list-style-type: none"> • THAT Legal and Development Services Report – Building and By-laws 2008-09 dated June 3, 2008 regarding the Draft Noise By-law be received and referred to a Strategic Directions Workshop. 	This matter to be discussed at an upcoming Council Workshop Deferred by Council on Nov 23/09 to next term of Council – will be placed on that O/S list May/June Oct/Nov 2012 Feb-2013 April 8, 2013	Information report forthcoming; then to Workshop for discussion in March/April May/June-2009 Workshop May/June-2011 Draft by-law developed, Report will address infill development protocol This will follow Sign By-law and ADU Reports
1.				Timelines to be determined Awaiting prehearing date from OMB
2.	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. 	Date to be determined	

12.1

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 January 22, 2013
 (Updated and including Committee of the Whole Minutes of January 14, 2013)

3.	Committee of the Whole Minutes – September 13, 2010 – Item 9 Community Services Information Report ES 2010-76 Bogart Pond Siltation Presentation – Background Information	<ul style="list-style-type: none"> AND THAT staff be authorized to meet with the concerned residents, the Lake Simcoe Region Conservation Authority (LSRCA), the Region of York and the Councillors representing Ward 1 and Ward 2 to review these local siltation control concerns and report back to Council in January of 2011. AND THAT staff investigate an effective siltation practice and report back. 	Date to be determined	Jan/Feb 2011 Application submitted for funding for a Feasibility Study to the Lake Simcoe Region Conservation Authority
4.	Committee of the Whole Minutes – February 27, 2012 – Item 18 Corporate Services Report – Legislative Services – By-Laws 2012-05 Sign By-Law	<ul style="list-style-type: none"> THAT Corporate Services Report – Legislative Services – By-laws 2012-05 dated February 9, 2012 regarding the Sign By-law be received and that staff bring the draft Sign By-law back to Committee of the Whole for approval upon completion of the community input process. 	April/May 2012 Sept./42 Feb/March 2013	Further Public Consultation and Outside Legal Advice required
5.	Special Committee of the Whole (Budget) Minutes – April 4, 2011 Item 2C) Community Services Report Public Works Services 2011-30 Update – Partners for Climate Protection	<ul style="list-style-type: none"> THAT the proposed strategies be referred back to the PCP Committee Working Group to provide a further report to a future Committee of the Whole meeting. 	Date to be determined Sept/ Oct/Nov Dec-2011	Report to follow after Working Group meeting PWS to provide updates Circulated to NEAC – Comments provided to Commissioner through Minutes of November 7, 2012
6.	Committee of the Whole Minutes – May 24, 2011 – Item 18 Community Services Report – PWS 2011-34 – Amendment to the Waste Collection By-law 2007-77	<ul style="list-style-type: none"> AND that staff be directed to enforce the use of certified compostable bags through education and encouragement only for a minimum period of twelve months with staff reporting back to consider options thereafter. 	May Sept./42 Nov./42	Awaiting update from Region, Information Report to be circulated

12.2

7.	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. 	<p>Jan/Feb-2012 Feb-27-2012 June-2012 Dec-10/12</p> <p>February March 2013</p>	Waiting for report from NWQ developer's group
	Committee of the Whole Minutes – February 28, 2011 – Item 7 Community Services Report – ES 2011-07 Official Plan – Schedule D – Bicycle Lane Implementation Plan	<ul style="list-style-type: none"> • 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. 	June Oct/Nov12	Part of Active Transportation Plan coordinated by Planning Dept.
8.	Committee of the Whole Minutes – June 13, 2011 – Item 15 Replacement of Stickwood/Walker Barn	<ul style="list-style-type: none"> • THAT the construction of a heritage barn on this site be the subject of consultation with the area residents with staff reporting back to Council within 120 days. 	February March/April 2013	Met with proponent; report will follow when information requested is received
9.	Committee of the Whole Minutes – September 19, 2011 – Item 3 Community Services Report – Planning & Building Services 2011-35 – 425 and 431 Davis Drive – Union Hotel/VivaNext	<p>THAT Council endorses the preservation of the historic buildings located at 425 and 431 Davis Drive, in principle, subject to cost analysis and a staff report with respect to options available;</p> <p>AND THAT this matter be referred to staff for further discussion with VivaNext and Heritage Newmarket Committee to investigate options and that the staff report come back to Committee of the Whole or Site Plan Review meeting, as appropriate.</p>	Date to be determined	Report pending receipt of site plan application
10.	Committee of the Whole (Budget) Minutes – November 21, 2011 (1:30pm) – Item 8 – Chief Administrative Officer Report 2011-16 – Budget 2012 – Council Requested Items – Graffiti Removal	<ul style="list-style-type: none"> • THAT staff report back on the effectiveness of the program upon completion of the first trial year. 	February 25, 2013	
11.	Council Minutes – November 28, 2011 – Item 60 – Community Services Report – ES 2011-82 – Commissioner – Viva Streetscape Design Comments	<ul style="list-style-type: none"> • THAT staff be directed to report back with a recommended streetscape program with capital and operating cost estimates, including options as appropriate for consideration by Council. 	April-2012 May/June Nov-12	Report to follow review by Viva Task Force

12.3

12.	Special Committee of the Whole Minutes – December 19, 2011 – Item 2 Corporate Services Report – Legislative Services – Clerk's 2011-21 – Committees and Task Forces	<ul style="list-style-type: none"> • THAT Corporate Services Report - Legislative Services – Clerk's 2011-21 dated December 15, 2011 regarding Committees and Task Forces be received and that staff report back to Committee of the Whole in February 2012 on the various options discussed. 	March 2013	
13.	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 in 2013, following input from the Inclusivity Advisory Committee; 	March 2013	
14.	Special Committee of the Whole (Closed Session) Minutes – May 7, 2012 – Item 2 – Closed Session Office of the CAO and Community Services (Planning and Building Services) Report 2012-19 – Property Matter in Ward 4 (Denne House)	<ul style="list-style-type: none"> • AND THAT staff report back to Council 	June 2012 Nov./12	May be a special meeting of Council
15.	Committee of the Whole Minutes – April 30, 2012 – Item 17 Chief Administrative Officer Report 2012-06 Council Code of Conduct Process	<ul style="list-style-type: none"> • AND THAT staff make the appropriate revisions to the Council Code of Conduct and the related by-law and report to Committee of the Whole with the revised Council Code of Conduct, the revised by-law and any applicable policy or policies. 	April/May 2013	Integrity Commissioner providing feedback on current policy, Report to follow thereafter
16.	Committee of the Whole Minutes – June 11, 2012 – Item 29 Community Services – Recreation and Culture, and Public Works Services; and Corporate Services – Legal Services; and By-Laws Joint Report 2012-38 – Parks By-Law	<ul style="list-style-type: none"> • AND THAT staff provide a comprehensive report back to Committee of the Whole 	August 2012 February March/April 2013	Consultation ongoing
17.	Committee of the Whole Minutes – May 22, 2012 – Item 29 New Business (Traffic Safety Audit)	<ul style="list-style-type: none"> • THAT a traffic safety audit be conducted for the area of Savage Road and Sawmill Valley Drive and a report be brought back in September/October 2012. 	Nov./12	Awaiting information from Region
18.	Committee of the Whole Minutes – September 17, 2012 – Item 9 Motion – Taxi Licensing	<ul style="list-style-type: none"> • THAT staff evaluate the opportunity to amend the fee for New Taxi Owner Plates to better reflect a market rate. 	February/ March 2013	Legal opinion received

12.4

19.	Committee of the Whole Minutes – October 9, 2012 – Item 14 Legislative Services Deputation – Egg Laying Hens	<ul style="list-style-type: none"> • THAT the PowerPoint presentation and the additional information regarding egg laying hens be received and referred to staff and the Newmarket Environmental Advisory Committee for comments and report back within 120 days. 	March/April 2013	
20.	Committee of the Whole Minutes – November 19, 2012 – Item 29 Corporate Services Report – Financial Services 2012-47 Best Practices for Elected Officials Expenses	<ul style="list-style-type: none"> • THAT Council in principle endorse a policy related to best practices for elected officials' expenses and staff prepare a report dealing with the following in January/February 2013: <ul style="list-style-type: none"> • Delineating between discretionary spending • Address options of eligible and ineligible expenses • Provide examples of detailed expense policies • Staff authorization of spending limits • Consideration for a reporting process 	March 2013	Workshop scheduled for February 2013
21.	Committee of the Whole Minutes – December 10, 2012 – Item 15 Community Services Report – Engineering Services 2012-91 Huron Heights Drive Safety Review Beman Drive to Elgin Street Update	<ul style="list-style-type: none"> • THAT the matter of safety review of Huron Heights Drive – Beman Drive to Elgin Street be referred to staff to address concerns raised and investigate the feasibility of another stop sign installation at the Huron Heights Drive/Wayne Drive intersection and permitting the one at the Waratah Avenue/Columbia Court intersection to remain as is; • AND THAT the matter be revisited and reported back by April/May 2013. 	April/May 2013	
22.	Committee of the Whole Minutes – January 14, 2013 – Item 17h) New Business	<ul style="list-style-type: none"> • 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. 	April 2013	

12.5

Deputation

13.1



TOWN OF NEWMARKET
Legislative Services Department
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7
www.newmarket.ca
clarks@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: Feb 4 & Feb 11-7pm

AGENDA ITEM NO. _____ SUBJECT: Slessor Square

NAME: Anna O'Bourke

ADDRESS: _____

Street Address

Newmarket

Town/City

Postal Code

PHONE: HOME: _____ BUSINESS: _____

FAX NO.: _____ E-MAIL ADDRESS: _____

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

Residents Opposed to Slessor Square

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

To address objections to current plan & comment on Planning's recommendations

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.58, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905 895-5193 Ext. 2211 Fax 905-953-5100.