



Town of Newmarket **AGENDA**

COMMITTEE OF THE WHOLE

Monday, March 20, 2017 at 1:30 PM
Council Chambers

Agenda compiled Thursday, March 16, 2017 11:38 AM

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

Deputations

Consent Items

1. Community Services - Economic Development Report 2017-02 dated March 1, 2017 regarding Downtown Patios Pilot Project. **PAGE 1**

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

a) THAT Community Services - Economic Development Report 2017-02 dated March 1, 2017 regarding Downtown Patios Pilot Project be received and the following recommendation be adopted:

i) THAT patios participating in the Downtown Patios program be permitted to remain open until 11:00 p.m. throughout the patio season.

2. Corporate Services Report - Legislative Services 2017-05 dated March 8, 2017 regarding Power of Entry By-law. **PAGE 5**

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

a) THAT Corporate Services Report - Legislative Services 2017-05 dated March 8, 2017 regarding Power of Entry By-law be received and the following recommendation be adopted:

i) THAT the Power of Entry By-law (Attached as Appendix 'A') be brought forward to the March 27, 2017 Council meeting for approval.

3. Development and Infrastructure Services Report- Engineering Services 2017-09 dated February 23, 2017 regarding Parking By-law Update- Name Changes for Downtown Parking Lots. **PAGE 11**

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

a) THAT Development and Infrastructure Services Report – ES 2017-09 dated February 23, 2017 entitled “Parking Bylaw Update - Name Change for Downtown Parking Lots” be received and the following recommendations be adopted:

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

- a. Parking Lot ‘P1’ name be replaced with ‘Riverwalk East’
- b. Parking Lot ‘P3’ name be replaced with ‘Commons North’
- c. Parking Lot ‘P5’ name be replaced with ‘Old Town Hall’
- d. Parking Lot ‘P6’ name be replaced with ‘Library’
- e. Parking Lot ‘P7’ name be replaced with ‘Riverwalk West’
- f. Parking Lot ‘L’ name be replaced with ‘Fairy Lake #1’
- g. Add Parking Lot ‘Fairy Lake #2, Fairy Lake #3 and Fairy Lake #4’

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

iii) AND THAT the necessary signage be installed to indicate the parking lot names.

4. Development and Infrastructure Services (Planning) Report 2017-07 dated March 20, 2017 regarding the San Michael Homes/Hollingsworth Arena Properties. **PAGE 14**

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

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2017-07 dated March 20, 2017 regarding the San Michael Homes/ Hollingsworth Arena properties be received and the following recommendations be adopted:

i) THAT the Town of Newmarket not enter into a Letter of Intent with San Michael Homes regarding the purchase and development of the Hollingsworth Arena property;

ii) AND THAT staff be directed to take no further action on this matter at this time.

5. Development and Infrastructure Services Report- Planning and Building Services 2017-08 dated March 20, 2017 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision - 16200 and 16250 Yonge Street. **PAGE 18**

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

a) THAT Development and Infrastructure Services/Planning and Building Services Report 2017-08 dated March 20, 2017 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, as submitted by Shining Hill Estates Collection Inc. for lands being composed of Part of Lot 87, Concession 1, WYS be referred to a public meeting;

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

iii) AND THAT Mr. Lincoln Lo, Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham L3R 6B3 be notified of this action.

**6. Development and Infrastructure Services Report - Planning and Building Services 2017-09 dated March 20, 2017 regarding Demolition of a Structure on a property designated under the Ontario Heritage Act (16860 Leslie Street - John Bogart House).
PAGE 26**

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

a) THAT Development & Infrastructure Services - Planning & Building Services Report 2017-09 dated March 20, 2017 regarding the demolition of the garage structure at 16860 Leslie Street, being located on a property designated under the Ontario Heritage Act, be received and the following recommendations be adopted:

i) THAT Council consent to the submitted demolition permit request subject to the following recommendation:

ii) THAT the owner be required to prepare and submit a Heritage Conservation Plan for the John Bogart house at 16860 Leslie Street, addressing the existing condition, immediate remedial work necessary, long term restoration work necessary, preliminary building relocation plan along with a work schedule within 90 days of this recommendation;

iii) AND THAT Mr. Gilles Bisnaire, Leslie Street (FGN) Inc., 5332 Hwy. 7, VAUGHAN ON be advised of this decision.

7. Development and Infrastructure Services Report - Public Works Services 2017-13 dated March 6, 2017 regarding 2016 Newmarket Water Distribution System Annual Water Quality Summary Report. PAGE 31

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

THAT Development and Infrastructure Services Report - Public Works Services 2017-13 dated March 6, 2017 regarding 2016 Newmarket Water Distribution System Annual Water Quality Summary Report be received and the following recommendations be adopted:

i) THAT the 2016 Newmarket Water Distribution System Annual Water Quality Summary Report for the period of January 1, 2016 to December 31, 2016 be received for information;

ii) AND THAT the information in the Annual Water Quality Summary report be available for public viewing on the Town's website at <http://www.newmarket.ca/LivingHere/Documents/2016WQSummaryReportFinal.pdf> and at the Customer Service counter at 395 Mulock Drive and the Operations Centre at 1275 Maple Hill Court.

8. Corporate Services Report- Financial Services 2017-13 dated March 3, 2017 regarding 2016 Preliminary Fourth Quarter Report- Operating and Investment Summary. **PAGE 43**

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

a) THAT Corporate Services Report- Financial Services 2017-13 dated March 3, 2017 regarding 2016 Preliminary Fourth Quarter Report- Operating and Investment Summary be received and the following recommendation be adopted:

i) THAT the reserve transfers totaling \$235,000 listed below be approved.

9. Central York Fire Services - Joint Council Committee Minutes of January 10, 2017. **PAGE 51**

The Central York Fire Services - Joint Council Committee recommends:

a) THAT the Central York Fire Services - Joint Council Committee Minutes of January 10, 2017 be received.

10. Newmarket Public Library Board Minutes of January 18, 2017. **PAGE 55**

The Newmarket Public Library Board recommends:

a) THAT the Newmarket Public Library Board Minutes of January 18, 2017 be received.

11. Heritage Newmarket Advisory Committee Minutes of December 6, 2017. **PAGE 58**

The Heritage Newmarket Advisory Committee recommends:

a) THAT the Heritage Newmarket Advisory Committee Minutes of December 6, 2017 be received.

12. Main Street District Business Improvement Area Board of Management Minutes of January 17, 2017. **PAGE 64**

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

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of January 17, 2017 be received.

13. Site Plan Review Committee Minutes of March 6, 2017. **PAGE 70**

Recommendation:

a) THAT the Site Plan Review Committee Minutes of March 6, 2017 be received.

- 14.** Item 1 of the Site Plan Review Committee Minutes of March 6, 2017 regarding Application for Site Plan Approval - 470 Crossland Gate - Ward 7. **PAGE 71**

The Site Plan Review Committee recommends:

a) THAT the Application for Site Plan Approval to permit the construction of 140 townhouse dwelling units within 22 buildings be approved in principle and referred to staff for processing, subject to the following:

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

ii) AND THAT Joanne Barnett, Marianneville Developments Limited, 3-26 Lesmill Road, Toronto, ON M3B 2T5 be notified of this decision;

iii) AND THAT Kerigan Kelly, Groundswell Urban Planners Inc., 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this decision.

- 15.** Correspondence dated February 15, 2017 from Ms. Andrea McKechnie, Support Committee, Queen's York Rangers 2799 Army Cadet Corps. requesting permission for Tagging Fundraising - September 14 to September 17, 2017. **PAGE 77**

Recommendations:

a) THAT the correspondence dated February 15, 2017 from Ms. Andrea McKechnie be received and the following recommendation be adopted:

i) THAT permission be granted for Tagging Fundraising from Thursday September 14 to Sunday September 17, 2017.

- 16.** Correspondence dated March 2, 2017 from Ms. Kalyani Vimalasan, Walk for Values Steering Committee requesting proclamation of April 24, 2017 as 'Human Values Day'. **PAGE 78**

Recommendations:

a) THAT the correspondence from Ms. Kalyani Vimalasan, Walk for Values Steering Committee be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim April 24, 2017 as 'Human Values Day';

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

- 17.** Correspondence dated February 17, 2017 from Mr. Christopher Raynor, Regional Clerk, Regional Municipality of York regarding Bill 65 - Safer School Zone Act, 2016. **PAGE 85**

Recommendation:

a) THAT the correspondence from Mr. Christopher Raynor, Regional Clerk be received and the following resolution be received and endorsed.

WHEREAS the Legislature introduced Bill 65 - Safer School Zones Act, 2016 (Bill 65) on November 15, 2016 to repeal the existing photo radar provisions of the Highway Traffic Act (HTA) and replace them with provision for automated speed enforcement;

AND WHEREAS Bill 65 would allow municipalities, by bylaw, to implement and operate automated speed enforcement in community safety zones and school zones on roads under their jurisdiction;

AND WHEREAS municipalities would be responsible for the implementation and operational costs of automated speed enforcement on roads under their jurisdiction;

AND WHEREAS the bylaws designating community safety zones and school zones or implementing the automated speed enforcement would be enacted under the HTA and would create HTA offences;

AND WHEREAS HTA offences are administered through the Provincial Offences Act courts and any HTA fine revenue collected through the POA courts would be retained by the POA court program not the local municipality;

AND WHEREAS the Municipal Act, 2001 authorizes municipalities to implement an administrative monetary penalty system for parking and licensing bylaws, and Bill 68 Modernizing Ontario's Municipal Legislation Act, 2016 proposes to expand authority for administrative monetary penalties to other municipal bylaws;

AND WHEREAS penalties for offences arising out of enforcement through technology such as automated speed enforcement and red light cameras can be administered effectively and efficiently through an administrative monetary penalty system;

AND WHEREAS POA Court administration have been calling on the government to allow other technology-based offences including red light cameras to be administered through administrative penalties;

AND WHEREAS s. 21.1 of the Highway Traffic Act if proclaimed would allow for a regulation to be made authorizing enforcement of prescribed offences through administrative monetary penalties rather than the POA courts;

BE IT RESOLVED THAT Council requests the Minister of Transportation in conjunction with the Lieutenant Governor in Council to make a regulation pursuant to s. 21.1 of the Highway Traffic Act, that would allow for offences created by automated speed enforcement and red light cameras to be administered through the administrative monetary penalties and for the Attorney General to support the necessary changes to allow technology based enforcement of offences to be administered through administrative monetary penalties.

18. List of Outstanding Matters. PAGE 92

Recommendation:

a) THAT the list of Outstanding Matters be received.

Action Items

- 19.** CAO/Finance/Human Resources Report 2017-03 dated March 6, 2017 regarding Council Remuneration and Tax Status. **PAGE 97**

The Chief Administrative Officer, the Director of Human Resources and the Director of Financial Services recommend:

a) THAT CAO/Finance/Human Resources Report 2017-03 dated March 6, 2017 regarding Council Remuneration and Tax Status be received and that one of the recommendations noted below be adopted:

i) Option # 1 - THAT Council maintain the 1/3 tax free status relative to Council remuneration, or

ii) Option # 2 - THAT Council repeal Resolution R7-2002 thereby removing the 1/3 tax free status effective January 1, 2018.

Reports by Regional Representatives

Notices of Motion

Motions

Closed Session (if required)

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

- 20.** Legal Services (Closed Session) Report 2017-06 dated March 20, 2017 regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality as per Section 239 (2) (e) of the Municipal Act, 2001. (Ward 5)

- 21.** A proposed disposition of land by the Town of Newmarket as per Section 239 (2) (c) of the Municipal Act, 2001. (Ward 3) (Verbal update from CAO and Solicitor, if required)

New Business

Public Hearing Matters

Addendum (Additions and Corrections)

- 22.** Item # 3 being Development and Infrastructure Services Report- Engineering Services 2017-09 dated February 23, 2017 regarding Parking By-law Update- Name Changes for Downtown Parking Lots - **WITHDRAWN**.

- 23.** The Water/Wastewater Operator to address the Committee with a PowerPoint presentation regarding Drinking Water System Update. (Related to Item 7). **PAGE 108**

24. Ms. Nancy Fish to address the Committee regarding Item 17, being the Bill 65 Safer School Zone Act. **PAGE 120**

25. Corporate Services Report- Financial Services 2017-12 dated March 20, 2017 regarding the 2018 Budget Process and Target. **PAGE 121**

Recommendations:

a) THAT Corporate Services Report-Financial Services – 2017-12 dated March 16, 2017 regarding the Approach for the 2018 Budget Process and Target be received and the following recommendations be adopted:

i) THAT the proposed budget schedule with a budget adoption date of December 4, be approved;

b) AND THAT Council provide feedback and comments on the proposed budget target setting methodology for consideration at Committee of the Whole on May 8;

c) AND THAT staff be directed to:

i) Finalize a Public Engagement Plan for the 2018 budget;

ii) Create a Budget Policy which includes target setting.

Adjournment

Community Services - Economic Development Report 2017-02

TO: Committee of the Whole
DATE: March 01, 2017
SUBJECT: Downtown Patios
ORIGIN: Community Services – Economic Development

RECOMMENDATIONS

THAT Community Services - Economic Development Report 2017-02 dated March 01, 2017 regarding Downtown Patios Pilot Project be received and the following recommendation be adopted:

- 1. THAT patios participating in the Downtown Patios program be permitted to remain open until 11:00 PM throughout the patio season.**

COMMENTS

Executive Summary


The purpose of this report is to inform Council of the results of the ongoing Downtown Patios program on Main Street South and seek approval for an extension of operating hours. Council approved a pilot project of two patios occupying up to four on-street parking spaces for the summer of 2015. Following positive public feedback, Council authorized the program to continue on a permanent seasonal basis and authorized the use of two additional on-street parking spaces. In the 2016 season, four patios (three on Main Street, one on Botsford Street) were permitted under the program using a total of six on-street parking spaces.

Feedback continues to indicate that the downtown patios have been a success. Surveys of patio patrons conducted in its initial year were nearly universally positive. The surveys indicated the patios are drawing more visitors to downtown, that visitors see the patios as an improvement to downtown, and that patio visitors strongly tend to visit other downtown businesses during their visit.

The operating hours of these patios have been limited to closing earlier than outdoor serving areas located elsewhere in the Town of Newmarket due to initial concerns of noise affecting nearby residences. Two years of seasonal patio operation has not borne out increased noise complaints, and staff recommends that patios be permitted to remain open later while providing Bylaw Services the authority to limit operating hours if significant noise concerns arise.

Background

Four patios have been permitted under the program. In 2016, these were located at Made in Mexico, Unika, Little Brew Hops, and Hungry Brew Hops.



As a part of the 2015 pilot project Council limited the hours of operation of the patios to 10:00 PM, while elsewhere in Newmarket outdoor serving areas are permitted to remain open until 1:00 AM. At the same time, these patios must respect the Town's Noise By-Law requirements between the hours of 11:00 PM to 1:00 AM. In 2016, Council allowed the downtown patios to remain open until 11:00 PM on Saturdays and Sundays in the months of July and August on a trial basis.

By-law Services confirms that there have been no increases in noise complaints or significant concerns related to the operation of the downtown patios. Feedback from participating businesses operating the patios indicates that the ability to use the patios to the same hours as other businesses in Town would be a benefit.

Extended hours may further increase the use of patios to extend the duration of visitor's time in downtown Newmarket, and support the ongoing efforts to attract residents and tourists to Newmarket's downtown recreational and cultural events and facilities.

The recommended 11:00 PM extension also provides a level of equity and fairness within the downtown area. Existing restaurants with patios facing Riverwalk Commons as well as a new restaurant under construction on Timothy Street benefit from Town-wide regulations—i.e., 1:00 AM closing while subject to the 11:00 PM Noise By-law.

Benefits

A number of benefits have been recognized through the Downtown Patios project so far.

1. **Extended hours of operation:** The participating restaurants were required to be open seven days each week, which has led to increased activity in the downtown outside of traditional peak hours, including Mondays on which they were previously closed.
2. **Improved visual attractiveness:** Staff have received feedback from residents and visitors that the design of the patios has enhanced the appearance of the downtown, indicating the success of the established design standards.
3. **Increased visitor activity:** While absolute numbers of visitors to the downtown are not available, the 2015 survey of patio visitors indicated a significant proportion of visitors came to downtown Newmarket due to the patios, and patio businesses indicated increased visitor numbers.
4. **Attraction of new customers for other businesses:** The same survey indicated a large proportion of visitors were also visiting other businesses downtown, indicating that the patios attracted customers that would not otherwise have visited the other businesses.
5. **Increased sales.** Participating business owners attributed increased sales to the patios, both on days they were not previously open, as well as overall throughout the week.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Official Plan

The Official Plan supports the principles behind permitting and encouraging outdoor restaurant patio space. For instance, section 12.2.3 of the Official Plan underlines the need for pedestrian amenities as a way to ensure comfort outdoors, stating: "Designing for pedestrian amenities should be informed by the

following: [...] Comfortable outdoor gathering places, particularly in work and entertainment centres, can be created by designing for human scale and providing shelter and shade.” Similarly, 12.2.4 relates to the importance of usable common areas, saying: “Common areas such as plazas, parks, recreation areas and other outdoor spaces, create ‘breathing room’ – areas for rest and relaxation in our urban environment.” Outdoor seating, both public (in the form of benches along sidewalks) and private (in the form of restaurant and café patios) are an important part of this outdoor comfort.

Community Improvement Plan

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

Community Strategic Plan Alignment:

Well-Balanced

- Arts, culture, entertainment and heritage preservation.
- Meeting the needs of all life-cycle stages

Well-equipped & managed

- Fiscal responsibility
- Service excellence
- Small town feel with big city amenities

Well-planned and connected

- Long term strategy matched with a short term action plan
- Revitalization of neighbourhoods starting with the downtown area

Well-respected

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

CONSULTATION

As has been reported, a survey was completed in 2015 by customers on the patios, which received 859 responses. While the surveys only capture customers who choose to visit the patios, the surveys provide valuable information on the patio patrons and their impact on the downtown. Figures from the survey patio visitors are presented below.

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

- 4 in 10 patio patrons are visitors to Newmarket

The Newmarket Main Street District BIA Board was also consulted on the extended patio hours, where this initiative was supported via resolution.

HUMAN RESOURCE CONSIDERATIONS

None.

BUDGET IMPACT

Operating and Capital Budgets (Current and Future)

Staff have established a lease rate for patios that is structured to cover the administration and operations costs of the Downtown Patios program. No budget impact is anticipated as a result of this report.

CONTACT

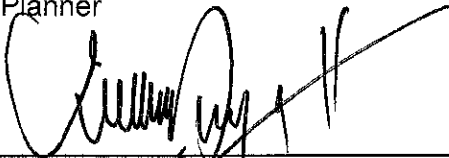
For more information on this report, contact: Ted Horton, Planner, at 905-953-5321, ext 2458;
thorton@newmarket.ca



Ted Horton
Planner



Chris Kallio
Economic Development Officer



Ian McDougall
Commissioner, Community Services



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March 8, 2017

CORPORATE SERVICES – LEGISLATIVE SERVICES REPORT 2017-05

TO: Committee of the Whole

SUBJECT: Power of Entry By-law

ORIGIN: Legislative Services

RECOMMENDATIONS

a) **THAT Corporate Services – Legislative Services Report 2017-05 dated March 8, 2017 regarding Power of Entry By-law be received and the following recommendation be adopted:**

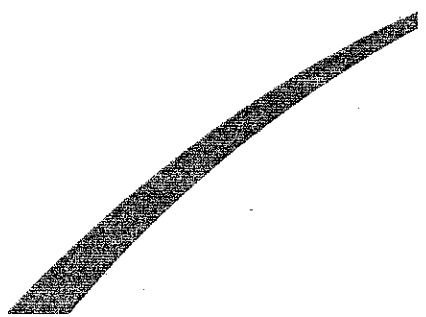
i) **THAT the Power of Entry By-law (Attached as Appendix 'A') be brought forward to the March 27, 2017 Council meeting for approval.**

COMMENTS

The purpose of this report is to consider the enactment of a "stand alone" by-law, as authorized by the Municipal Act, 2001, S.O.2001.c25 to provide the municipality with the powers of entry on land at any reasonable time for the purpose of carrying out an inspection.

The Municipal Act, 2001, provides a framework within which municipalities may enact by-laws permitting their officials to enter upon property for the purposes of inspection, without the consent of the owner/occupant and without a warrant. The statutory right of entry provisions and the municipality's by-law constitute a regulatory administrative power of entry designed to enable municipal officials to monitor and inspect premises for compliance with municipal by-laws, licensing requirements standards, directions and orders.

Without a power of entry by-law, municipalities must obtain a Court Order or Search Warrant in order to enter on land for the purpose of carrying out inspections if the owner/occupier(s) consent cannot be obtained. In order to streamline the entry and inspection process and eliminate added workload to the Court system, municipalities throughout Ontario have passed Power of Entry By-laws or have written similar provisions into each of their respective by-laws.



A review of Town enacted by-laws have revealed that a number of by-laws including the Pool Enclosure, Fence, Standing Water and most licensing by-laws do not have or are missing power of entry provisions. However, staff has been able to complete inspections through property owner/occupant consent, or by entering on the complainant's property to complete inspections. Through discussions with representatives of the Courts this process would also facilitate relieving resource burdens to do unnecessary Search Warrants and Court Orders.

As a result, staff is recommending that the proposed Power of Entry By-law attached as Appendix 'A' be enacted. This proposed by-law would apply to all by-laws passed under authority of the Municipal Act, 2001 or any preceding Municipal Act.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

Municipal staff consulted with the Town Prosecutor, as well as investigated and researched several other municipal examples and best practices.

HUMAN RESOURCE CONSIDERATIONS

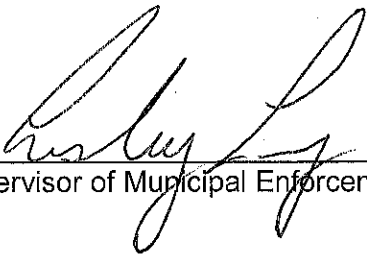
Not applicable to this report.

BUDGET IMPACT

Not applicable to this report.

CONTACT

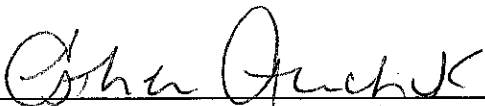
For more information on this report, please contact Lesley Long, Supervisor of By-laws at llong@newmarket.ca or at 905 953-5300, ext. 2222.



Supervisor of Municipal Enforcement



Director of Legislative Services / Town Clerk



Commissioner of Corporate Services



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2017-15

A BY-LAW TO PROVIDE FOR POWERS OF ENTRY ON TO LAND FOR THE PURPOSE OF CARRYING OUT INSPECTIONS.

WHEREAS S. 436 (1) of the Municipal Act, 2001, S.O. 2001.c. 25 as amended (the 'Act') provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection;

AND WHEREAS S. 435, 437 and 438 of the Act set out additional powers and restrictions in regards to the power of entry;

AND WHEREAS Section 426 of the Act prohibits any person from hindering or obstructing, or attempting to hinder or obstruct, any person exercising a power to performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS the Town of Newmarket wishes to pass a By-law allowing for the entry on to land for the purpose of carrying out an inspection to ensure that its By-laws, directions, orders and conditions of a licence are being complied with;

AND WHEREAS this by-law applies to any Town of Newmarket by-laws without power of entry provisions passed pursuant to the Act;

AND WHEREAS the Council of the Town of Newmarket deems it advisable to pass such a by-law;

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

1.0 **DEFINITIONS**

- 'COUNCIL' the elected municipal officials of the Town of Newmarket;
- 'LAND' includes buildings, structures and dwellings;
- 'MUNICIPAL ACT' means the Municipal Act, 2001, S.O. 2001, c. 25, or any preceding Municipal Act;
- 'OFFICER' means municipal law enforcement officer, a police officer or other person appointed by by-law to enforce the provisions of a by-law or any other individual designated by the Town to enforce this By-law;
- 'OCCUPIER' means a person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property;
- TOWN means the Corporation of the Town of Newmarket

2.0 **APPLICATION**

- 2.1 This by-law applies to all by-laws passed under the authority of the Municipal Act.

3.0 **ENTRY AND INSPECTION**

- 3.1 No person shall hinder or obstruct or attempt to hinder or obstruct, any Officer who is exercising a power or performing a duty under this By-law.
- 3.2 An Officer may at any time, enter onto land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a) a by-law of the municipality passed under the Municipal Act;
- b) a direction or order of the municipality made under the Municipal Act or made under a by-law of the municipality passed pursuant to the Municipal Act;
- c) a condition of a licence issued under a by-law of the municipality passed under the Municipal Act;
- d) an order made under Section 431 of the Municipal Act

3.3 For the purpose of an inspection, an Officer may:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- c) require information from any person concerning a matter related to the inspection;
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection

3.4 A sample taken under Section 3.3 (d) shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.

3.5 If a sample is taken under Section 3.3 (d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.

3.6 A receipt shall be provided for any document or thing removed under Section 3.2 (b) and the document or thing shall be promptly returned after copies or extracts are made.

3.7 Copies of or extracts from documents and things removed under Section 3.0 and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

4.0 **CONDITIONS GOVERNING POWER OF ENTRY**

4.1 Unless otherwise provided in the Municipal Act, in an order under Section 438 of the Municipal Act, or in a warrant under Section 439 of the Municipal Act, the following conditions apply to a power of entry under the by-law:

- a) The Officer must on request display or produce proper identification
- b) The Officer may be accompanied by a person under his or her direction; and
- c) The municipality shall restore the land to its original condition insofar as is practicable and shall provide compensation for any damages caused by the entry or by anything done on the land except where the entry is under Section 446 of the Municipal Act, or is under Part XI of the Municipal Act, if under that Part, the Treasurer registers a notice of vesting, in the name of the municipality, in respect of the land.

5.0 **RESTRICTIONS REGARDING DWELLINGS**

5.1 Despite any provision of this by-law, a person exercising a power of entry shall not enter or remain in any room or place actually being used as a dwelling unless:

- a) The consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the Municipal Act, a warrant issued under Section 439 of the Municipal Act or a warrant under Section 386.3 of the Municipal Act;
- b) An order under Section 438 of the Municipal Act is obtained;
- c) A warrant issued under Section 439 of the Municipal Act is obtained;
- d) A warrant issued under Section 386.3 of the Municipal Act is obtained;
- e) The delay necessary to obtain an order under Section 438 of the Municipal Act, to obtain a warrant under Section 439 of the Municipal Act or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or
- f) The municipality has given the occupier of land notice of its intention to enter as required under Section 435 (2) of the Municipal Act and the entry is authorized under Section 79, 80 or 446 of the Municipal Act.

6.0 **INSPECTION PURSANT TO ORDER**

6.1 An Officer may enter on lands for the purpose of carrying out an inspection pursuant to an order that is issued under Section 438 of the Municipal Act.

6.2 An Officer may apply for an order under Section 438 of the Municipal Act if:

- a) An inspection is desired to determine whether or not the following are being complied with:
 - i. A by-law of the Town as passed under the Municipal Act;
 - ii. A direction or order of the Town made under the Municipal Act or made under a by-law of the Town passed under the Municipal Act;
 - iii. A condition of a licence issued under a by-law of the Town passed under the Municipal Act;
 - iv. An order made under Section 431 of the Municipal Act;
- b) The inspection is reasonably necessary; and
- c) The Town has been prevented or is likely to be prevented from doing anything set out in Section 3.1 or 3.2 of this By-law.

6.3 An order under Section 6.0 shall expire on the date stated in the order or 30 days after the order is issued, whichever is earlier.

6.4 An order under Section 6.0 may be executed only between 6 a.m. and 9 p.m. unless the order provides otherwise.

6.5 In case of an order authorizing an inspection of a room or place actually being used as a dwelling, the occupier must be given notice concerning when the inspection will be carried out.

6.6 An order under Section 6.0 may be issued on application without notice.

7.0 **INSPECTION FEE**

- 7.1 An inspection fee, as stated in the Fees and Charges By-law, may be imposed when an Officer conducts an inspection in which there is a failure to remedy a by-law violation by the date of compliance set out in a written notice or order or when an Officer conducts an inspection where there is a repeat by-law violation.

8.0 **PENALTY**

- 8.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in Provincial Offences Act, R.S.O., 1990, c. P33.
- 8.2 Upon conviction, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 8.3 Where a person fails to do a matter or thing as directed or required by an Officer or other person pursuant to this by-law or other Town of Newmarket by-law or the Act the matter or thing may be done by the Municipality at the person's expense which associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.

9.0 **SEVERABILITY**

- 9.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

10.0 **SHORT TITLE**

- 10.1 This By-law may be referred to as the 'Power of Entry By-law.'

ENACTED THIS 27TH DAY OF MARCH, 2017.

Tony Van Bynen, Mayor

Lisa Lyons, Town Clerk

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

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February 23, 2017

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
ENGINEERING SERVICES 2017 - 09**

TO: Committee of the Whole

SUBJECT: Parking Bylaw Update - Name Changes for Downtown Parking Lots

ORIGIN: Director, Engineering Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – ES 2017-09 dated February 23, 2017 entitled “Parking Bylaw Update - Name Change for Downtown Parking Lots” be received and the following recommendations be adopted:

- 1. THAT Schedule II (Municipal Parking Lots) of the Parking By-law 1993-62, as amended, be further amended by adding the following:**
 - a. Parking Lot ‘P1’ name be replaced with ‘Riverwalk East’
 - b. Parking Lot ‘P3’ name be replaced with ‘Commons North’
 - c. Parking Lot ‘P5’ name be replaced with ‘Old Town Hall’
 - d. Parking Lot ‘P6’ name be replaced with ‘Library’
 - e. Parking Lot ‘P7’ name be replaced with ‘Riverwalk West’
 - f. Parking Lot ‘L’ name be replaced with ‘Fairy Lake #1’
 - g. Add Parking Lot ‘Fairy Lake #2, Fairy Lake #3 and Fairy Lake #4’
- 2. AND THAT the necessary By-law be prepared and submitted to Council for approval;**
- 3. AND THAT the necessary signage be installed to indicate the parking lot names.**

COMMENTS

On November 11, 2016, the Director of Engineering circulated an Information Report entitled “ES 2016-52 - Renaming of Town Parking Lots” to the Mayor and Council of the Town of Newmarket. The report advised Council of the Community Centre Lands (CCL) committee’s decision to change the names of the various downtown parking lots to better reflect their geographical location, instead of continuing with the existing alphanumeric system (e.g.: P1, P3, P6a, etc.). This was based on several recommendations made in reports from the Town’s parking consultant, B.A. Group, as well as by the CCL’s Parking Sub-Committee, which was mandated to study downtown parking and recommend/implement improvements. The main reasons for the name changes are to make it easier for residents and visitors to locate parking lots and to facilitate the implementation of a logical wayfinding system.

To select the new names, the CCL Parking Sub-Committee developed a list of suggestions based on streets and/or facilities adjacent to each parking lot's location. The list was presented to the CCL for discussion. After some refinement, the CCL agreed on the final list of new names.

As always, any member of Council could have requested that the Information Report regarding the name changes that was circulated on November 11, 2016 be placed on a Committee of the Whole agenda for discussion. No member of Council made any such request and therefore, the new name list is considered to be approved by Council. The new names are shown in the map contained in Appendix A. It should be noted that there are no parking restriction changes associated with the name change.

PUBLIC CONSULTATION

No public consultation was undertaken in the preparation of this bylaw. Consultation with local stakeholders was undertaken through the Community Centre Lands Parking Sub-Committee, which is open to the public and has been attended by members of the BIA.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

HUMAN RESOURCE CONSIDERATIONS

No impact on current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

No impact on the Operating Budget.


Capital Budget


There will be an impact of approximately \$500.00 per signed parking lot for an approximate total of \$6,000.00. It should be noted that some parking lots may need several signs. Specific signage and beacons will be considered by Newmarket's Innovation Team.


CONTACT

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

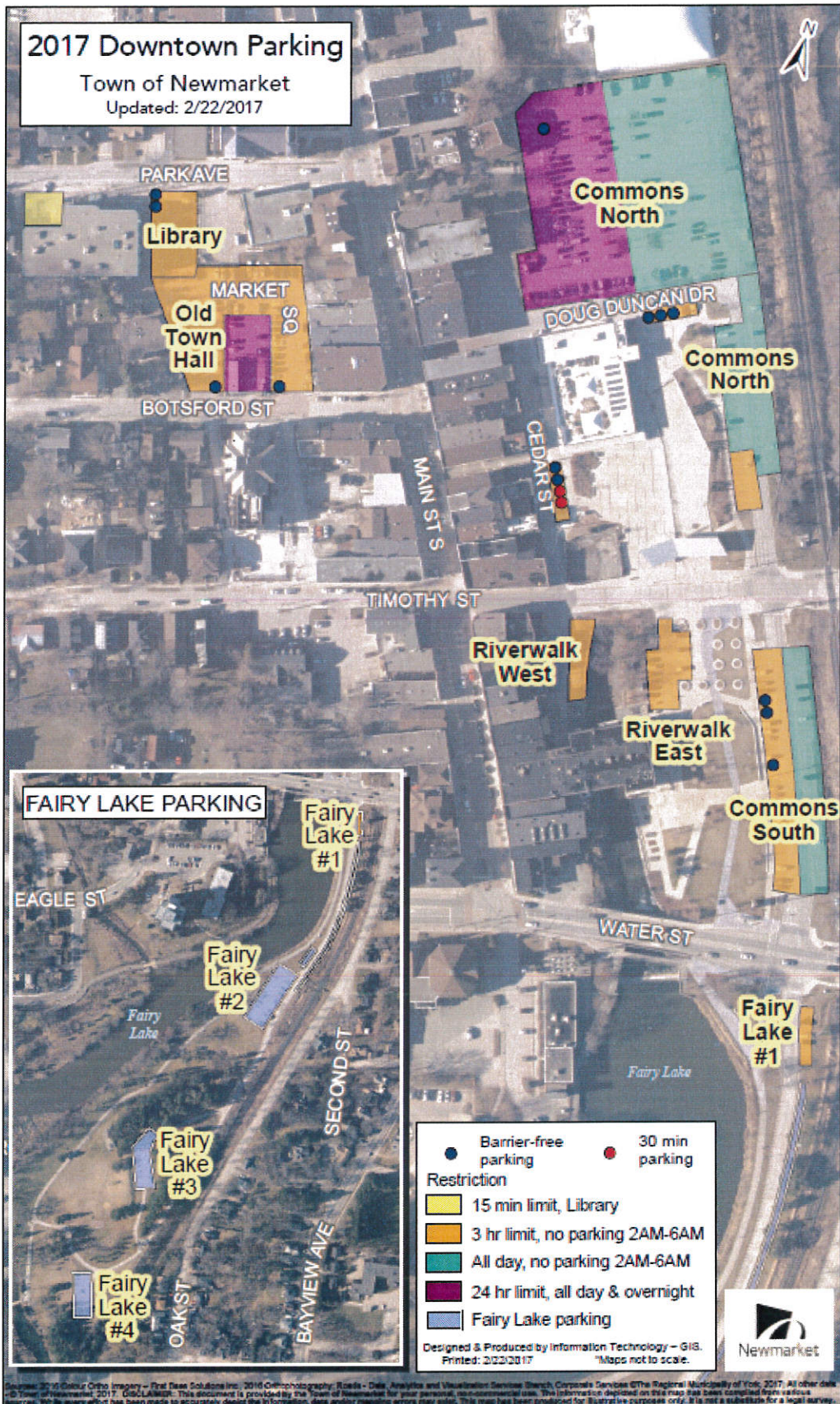
Prepared by:


M. Kryzanowski, M.C.I.P., R.P.P.
Manager, Transportation Services


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


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

APPENDIX A



March 20, 2017

**DEVELOPMENT & INFRASTRUCTURE SERVICES (PLANNING & BUILDING SERVICES)
REPORT 2017-07**

TO: Committee of the Whole

SUBJECT: San Michael Homes/Hollingsworth Arena (693 Davis Drive, 713 Davis Drive, and 35 Patterson Street)

ORIGIN: Development & Infrastructure Services

RECOMMENDATIONS

THAT Development & Infrastructure Services (Planning & Building Services) Report 2017-07 dated March 20, 2017 regarding the San Michael Homes/Hollingsworth Arena properties be received and the following recommendations be adopted:


- 1. THAT the Town of Newmarket not enter into a Letter of Intent with San Michael Homes regarding the purchase and development of the Hollingsworth Arena property.**
- 2. AND THAT staff be directed to take no further action on this matter at this time.**

COMMENTS

Background

In 2014, the Town's Hollingsworth Arena property was added to the Secondary Plan area in an effort to create a larger development block if developed together with the properties fronting Davis Drive. The properties are designated Mixed Use and allow for heights ranging from 2-6 stories in the northern portion of the property (generally the Hollingsworth Arena property) and 4-12 stories (15 with bonusing) along the Davis Drive frontage. The Secondary Plan also contemplates an urban park or other green space in this area, with a priority commercial designation fronting Davis Drive.

Over the past few years San Michael Homes has presented various development concepts to Council for the combined properties that would implement the Secondary Plan, help with the revitalization of the urban centres, and provide a significant urban park as part of the development.



Staff and its consultant have been working diligently to carry out Council's direction related to the San Michael proposal.

In Council's most recent deliberations regarding the San Michael proposal, the potential sale of land, and options for the replacement of the Hollingsworth Arena, the following recommendations were approved:

Council, October 26, 2015

"THAT staff initiate a public process addressing a replacement arena and proposed disposition of land at Hollingsworth Arena."

"THAT Staff continue negotiations with San Michael Developments according to conditions set out by Council and execute a conditional Letter of Intent with the proponent to the satisfaction of Legal Services, with respect to the development of the Hollingsworth Arena site at 35 Patterson Street in conjunction with the properties at 693 Davis Drive and 713 Davis Drive on the basis of a sale of the Town property."

"THAT staff be directed to proceed with public consultation on a detailed concept plan provided by the developer and that finalization of the Letter of Intent be subject to this process."

"THAT the sale of the Hollingsworth Arena site be conditional on Council's declaration of the property as surplus to municipal needs and staff being directed to follow the Town's land disposition process."

Council, June 7, 2016

"THAT the Public Information Centre on the potential replacement of Hollingsworth Arena be scheduled after a Public Information Centre is held showing detailed concept plans of the San Michael proposal."

Based on the above direction, there were four actions that were to occur:

1. Community consultation on the San Michael proposal (i.e. detailed concept plan)
2. Execute a conditional Letter of Intent with San Michael
3. Hold a Public Information Centre (PIC) on the replacement of the arena (after the Public Information Centre on the San Michael development concept)
4. Public consultation with respect to the disposition of the subject lands.

A developer-led PIC outlining the development concept was held in June 2016, and staff and its consultant have been working with San Michael to complete the Letter of Intent, which would have set out the terms and conditions under which the properties would be redeveloped.

Staff was also prepared to outline for Council a process to declare the Hollingsworth Arena property as surplus to the Town's needs, and a PIC related to the replacement of the arena at the RTC could be scheduled at any time.

Staff has completed its due diligence and recommends that the Town not proceed with executing the Letter of Intent or completing the property transaction with San Michael Homes at this time.

The proposed development of the three properties as contemplated by SanMichael Homes is a good example of how the Secondary Plan can be implemented when development is planned in a comprehensive manner, as opposed to development on individual parcels, including implementing the internal road/lane network and the development of a significant community amenity, being the proposed urban square.

Notwithstanding the above, and best efforts to negotiate a Letter of Intent acceptable to both parties, staff and the external consultant have now completed its due diligence as it relates to the potential redevelopment of these lands. From both a financial and construction perspective, and based on this work, staff does not recommend moving forward with a redevelopment plan for the subject properties with San Michael at this time. Details of the Letter of Intent, as well as the results of staff's due diligence related to this proposal, can be made available to Council in the Closed Session component of Committee of the Whole scheduled for March 20, 2017, at Committee's discretion.

The Hollingsworth Arena property remains a potential development property in accordance with the Secondary Plan.

While staff's preference remains to see the properties develop in a comprehensive manner, in the event San Michael moves forward with a development application only on the Davis Drive properties, this does not necessarily prevent the Hollingsworth Arena property from developing in the future in accordance with the provisions of the Secondary Plan. As noted, the property is designated Mixed Use and allows for heights ranging from 2-6 stories. Staff will report back to future Committee meetings relative to this Town property and arena.

The work carried out to-date can be used in the future in the event other opportunities present themselves.

While significant time and effort has been spent from all parties related to these properties, staff believes that the work it has carried out and the knowledge gained throughout the process (particularly in developing the Letter of Intent) is transferable and can be used in future development opportunities involving Town-owned land.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report supports the following branch of the Town's Strategic Plan:

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

HUMAN RESOURCE CONSIDERATIONS

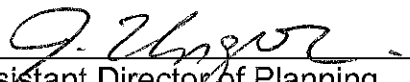
Not applicable to this Information Report.

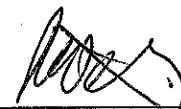
BUDGET IMPACT

Budget impact will be addressed as part of any future reports dealing with the Hollingsworth Arena property.

CONTACT

For more information on this report, contact P. Noehammer, Commissioner of Development & Infrastructure Services (pnoehammer@newmarket.ca) or at 905-895-5193.


Assistant Director of Planning


Director of Planning & Building Services


Commissioner of Development &
Infrastructure Services


Chief Administrative Officer



PLANNING AND BUILDING SERVICES

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March 20, 2017

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2017-08

TO: Committee of the Whole

SUBJECT: **Application for Official Plan Amendment, Zoning Bylaw Amendment and Draft Plan of Subdivision 19TN 2016 001
16200 and 16250 Yonge Street
West side of Yonge Street, South of Mulock Drive
Planning File: D9 NP 1613, D12 1613 & D14 1613
Shining Hill Estates Collections Inc.**

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning and Building Services Report 2017-08 dated March 20, 2017 regarding Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendation(s) be adopted:

- 1) THAT the Application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, as submitted by Shining Hill Estates Collection Inc. for lands being composed of Part of Lot 87, Concession 1, WYS be referred to a public meeting.
- 2) AND THAT following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required.
- 3) AND THAT Lincoln Lo, Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham L3R 6B3 be notified of this action.

COMMENTS

Location and Surrounding Land Uses

The Subject Lands located on the west side of Yonge Street, south of Mulock Drive. (See Location Map attached)

Surrounding land uses

North - single detached and semi detached dwellings

East - single detached and semi detached dwellings/Nokiidaa/|Tom Taylor Trail (east side of Yonge Street)

South - a single residential dwelling/Open Space/Natural Heritage

West - Open Space/Natural Heritage/Agricultural Uses

Proposal

An application for draft plan approval, Official Plan amendment and zoning by-law amendment has been submitted for the 13.77 hectare subject lands by Shining Hill Estates Collections Inc. (Shining Hill) to amend the existing Emerging Residential and Natural Heritage designations in the Official Plan, rezone from the Transitional (T), Environmental Protection Open Space (OS-EP) and Private Open Space (OS-1) zones to the Residential Detached Dwelling (R1), Residential Semi Detached Dwelling (R2), Residential Multiple Dwellings (R4-Townhome) and Open Space (OS) zone. This is to permit a draft plan of subdivision consisting of 12 single detached dwelling lots, 10 semi detached dwelling lots, 162 Townhouse dwelling lots and open space lands for storm water management and environmental sustainability and restoration.

The site is proposed to be accessed by way of Yonge Street and the extension of the existing local road system to the north (Isaac Phillips Way and Kalinda Road) which has been accommodated through the northerly subdivision approvals.

It is important to highlight that this proposal contemplates the re-designation of lands within the natural heritage system (woodlot) to Emerging Residential. The developer has proposed compensation for the woodlot removal that demonstrates a net gain in woodland area by a factor of two. The proposed restoration areas within the draft plan area intended to reduce fragmentation in forested areas, increase linkages with other surrounding forested communities and introduce native planting stock to the restoration areas, including a block currently zoned for stack townhouse dwellings. The Region of York and the Town relies on the Lake Simcoe Region Conservation Authority (LSRCA) to review and provide comment on natural heritage matters. Comments from the LSRCA are provided further in this report.

Preliminary Review

The Planning Justification report submitted with the application notes that this plan is intended to represent the first phase of a larger residential development as the applicant owns an additional 109 Hectares of land on the northwest quadrant of Yonge Street and St. John's Side Road crossing the municipal boundary between Newmarket and Aurora. However, no applications have been received for the larger parcel of land, much of which in Newmarket is under the Town Oak Ridges Moraine policies. This report before Council will discuss the submitted applications for development. The attached location map details the subject lands as well as other lands owned by the applicant.

Provincial Policy Statement

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

The proposed draft plan of subdivision is generally consistent with the PPS by providing a mix of housing types within the settlement area of the Town of Newmarket that has been identified in the Official Plan for residential development.

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



Official Plan Considerations

The subject property is designated Emerging Residential, Parks and Open Space and Natural Heritage System on Schedule "A" Land Use Plan in the 2006 Official Plan. The Emerging Residential permitted uses include single, semi-detached dwellings and town homes provided they are appropriately justified through the supporting studies and reports. The Official Plan also indicates that where new housing is proposed adjacent to existing homes, the new dwellings should generally have a physical character similar to the existing neighbourhood in terms of density, lot sizes, building heights and setbacks.

The proposed development is generally compatible with the surrounding uses being single and semi-detached dwellings to the immediate north; Open Space and Natural Heritage to the west, a major arterial road to the east (Yonge Street) and Natural Heritage and a single family dwelling to the south.

The proposal to re-designate a woodlot within the plan from Natural Heritage (woodlot) to Emerging Residential has been reviewed by the LSRCA who have provided no objection to the proposal. The LSRCA have recommended the remaining areas, outside of the development lands, be designated Natural Heritage and zoned Environmental Protection-Open Space allowing for trails, walkways and boardwalks.

To support the above, the developer would be required to provide a replanting program at a ratio of 2:1 and must clearly demonstrate the net gain benefits to the Natural Heritage System. To appropriately assess the proposal, the LSRCA have requested a number of refinements to the submitted Environmental Impact Assessment that will be required prior to any development approval.

Zoning Bylaw Consideration

The Subject Property is currently zoned Transitional (TR); Environmental Protection Open Space (OS-EP; OS-EP-85); Open Space (OS-1) and Residential Stacked Townhouse Dwelling (R4-S-85) permitting a maximum of 85 stacked townhomes on the parcel located at 16200 Yonge Street. The R4 zone also includes the holding provision. The majority of the site is within the Transitional zone.

The Applicant wishes to rezone the Subject Property to Residential Detached Dwellings (R1-F-X1; R1-F-X2), Residential Semi-Detached Dwellings (R2-H-X) and Residential Multiple Dwellings (Townhome)(R4-X) to permit the proposed redevelopment of the site. The applicant has also requested additional relief from the performance standards that will continue to be reviewed as we proceed through the process. Lands outside of the developable areas will be rezoned to Open Space (OS-1) and Environmental Protection Open Space (OS-EP).

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

- "3. In considering an amendment to the Zoning By-Law, Council shall be satisfied that:
- a. the proposed change is in conformity with this Plan;
 - b. the proposed use is compatible with adjacent uses, and where necessary, buffering is provided to ensure visual separation and compatibility between uses;
 - c. potential nuisance effects upon adjacent uses are mitigated;
 - d. adequate municipal services are available;
 - e. the size of the lot is appropriate for the proposed use;
 - f. the site has adequate road access and the boundary roads can accommodate the traffic generated;
 - g. the on-site parking, loading and circulation facilities are adequate; and,
 - h. public notice has been given in accordance with the *Planning Act*."

As this development proposal does not have servicing allocation, the Holding (H) provisions of the Planning Act will be required in the event the property is rezoned.

Parkland

No parkland dedication is proposed for this development. A park to the north of the site exists within an appropriate walking distance through the use of the Active Transportation Network therefore Parkland Dedication shall be provided in the form of cash-in-lieu

Roads and Traffic

Yonge Street is a Regional Road under the jurisdiction of the Region of York. The Region of York have provided comments in regards to transportation planning, however, have no objection to the requested Official Plan Amendment.

Engineering Services have questioned the rational for Street A, accessing the site from Yonge Street, being designed to a collector road width given the moderate traffic volumes it is projected to experience. They note that if the intention is for this road to function as a collector in the future, the lot configuration of the subdivision should be revised to minimize the number of driveways on this road.

Some modifications to the sidewalk locations are being requested to assist in pedestrian inter-connectivity and connections. A sidewalk is also required along Yonge Street along the frontage of this plan.

Active Transportation

ES have reviewed the Town Active transportation network and have provided the following comments related to trail connections:

The Town's Active Transportation Network describes a need for a continuous connection from the multipurpose paved trail network to the North of the site (connecting to the Armstrong Family Park, Joe Persechini Drive, Saw Mill Valley Drive, etc.) to the Nokiidaa Bike Trail / Tom Taylor Trail on the East side of Yonge street. This connection would require a paved multipurpose trail along Street A, along the proposed Storm Water Management Block and an asphalt connection on the adjacent site. A connection shall be required to connect the trail to the South East corner of the site to Yonge Street and the Potential Future Pedestrian Underpass. The Underpass will provide a connection to the existing Tom Taylor Trail in the open space lands East of Yonge Street to expand the Active Transportation network. As an interim to urbanization and future trail crossings a pedestrian crossing signal shall be required at Yonge Street and Street A to provide a safe connection to the trail network on the east side of Yonge Street. There is also a requirement for a pedestrian connection to Savage Road similar to that on the East side of Yonge Street.

Sanitary Sewage

Adequate capacity is available in the trunk sewer to accommodate sanitary flows from this development.

Water Distribution

A number of comments have been provided by Engineering Services that will require addressing as it relates to the water distribution analysis.

Storm Drainage

ES have provided a number of comments on the stormwater management design that will have to be addressed prior to approval of these applications. There are two significant areas of concern:

- i. An underground storage tank is being proposed rather than a traditional stormwater management pond. We have concerns with respect to the long term maintenance of the tank. The tank should be replaced by a pond.
- ii. Two major storm capture locations are proposed at low points in the roads. The overall grading design is to be reviewed/revised to direct the major storm flows overland to the storm outlets.

Grading

With regard to site grading, preliminary grading design proposes to discharge drainage from the northerly lots in this subdivision into the existing neighbouring lots. This is not acceptable. Drainage from this proposed development should be contained and should not impact existing lots.

Phase One Environmental Site Assessment

ES have reviewed the Phase One Environmental Site Assessment and find it to be acceptable. The report recommends that a Phase Two ESA be carried out.

Servicing Allocation

Servicing allocation has not been granted for this proposed draft plan of subdivision.

Departmental and Agency Comments

Engineering Services have provided comments on the submitted reports outlined above.

Agency Comments

Lake Simcoe Region Conservation Authority – have no objection to the proposal, however, have a number of comments to be addressed in a further submission prior to development approval. Comments related to the proposal to remove a woodlot within the Natural Heritage designation can be found under the Official Plan section of this report. The LSRCA further note that the technical engineering and Hydrogeological review is ongoing and comments will be provided at a future date.

The Town has also received general comments from various agencies/utilities that will be addressed throughout the planning process as necessary.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

Living Well: protecting and enhancing environmentally sensitive features

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

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

COMMUNITY CONSULTATION POLICY

The recommendations of this report refer the applications to the statutory public meeting as required by the Planning Act.

While the public meeting has not been scheduled, comments from the neighbouring land owner to the south have been submitted. Concerns relate to : privacy and security, the future disposition of the natural heritage lands in the vicinity of their property, potential to redevelop their property and how it might fit with this proposal. These questions and concerns will continue to be reviewed through the process.

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

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

Capital Budget

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

CONTACT

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

Attachments

- 1 - Location Map
- 2 - Proposed draft plan of subdivision



Commissioner Development and Infrastructure
Services

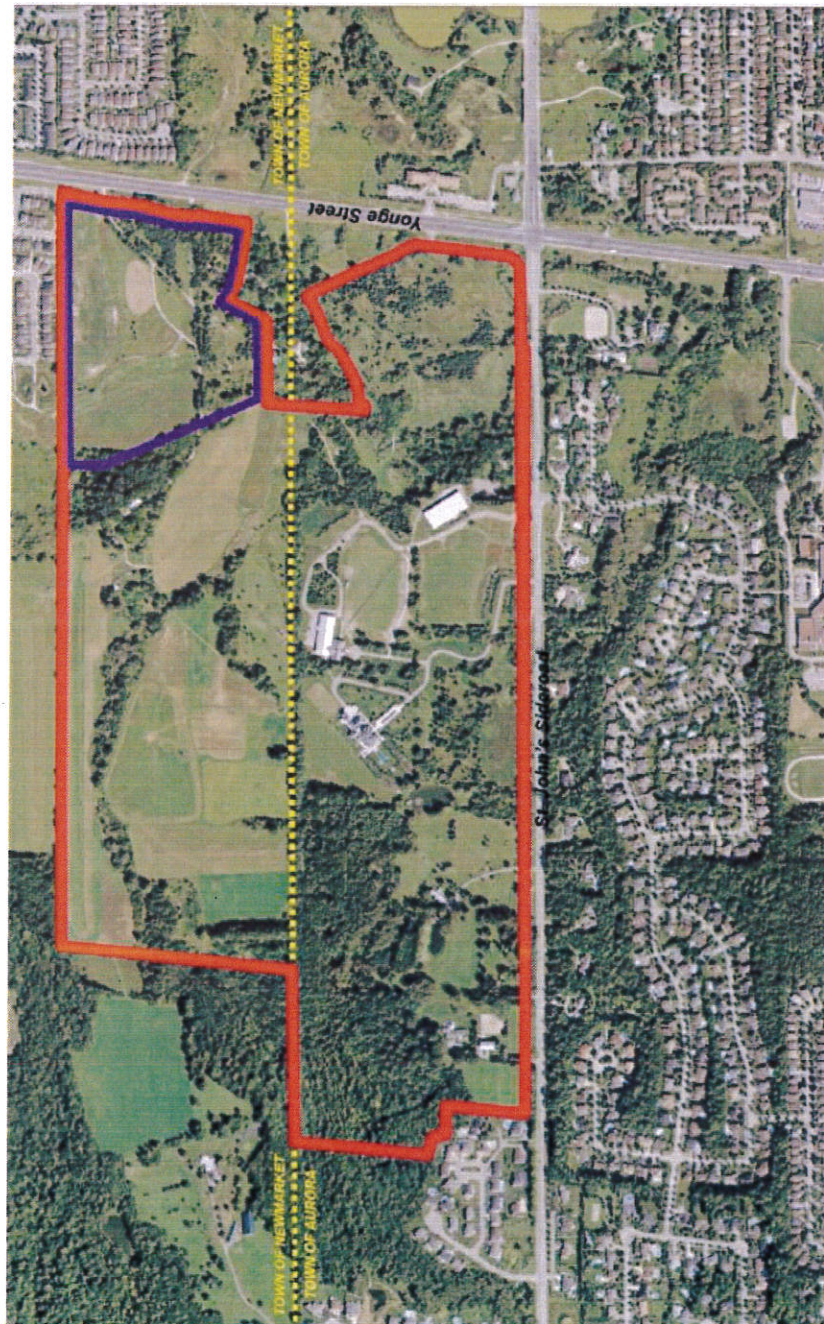





Director of Planning and Building Services



Senior Planner – Community Planning

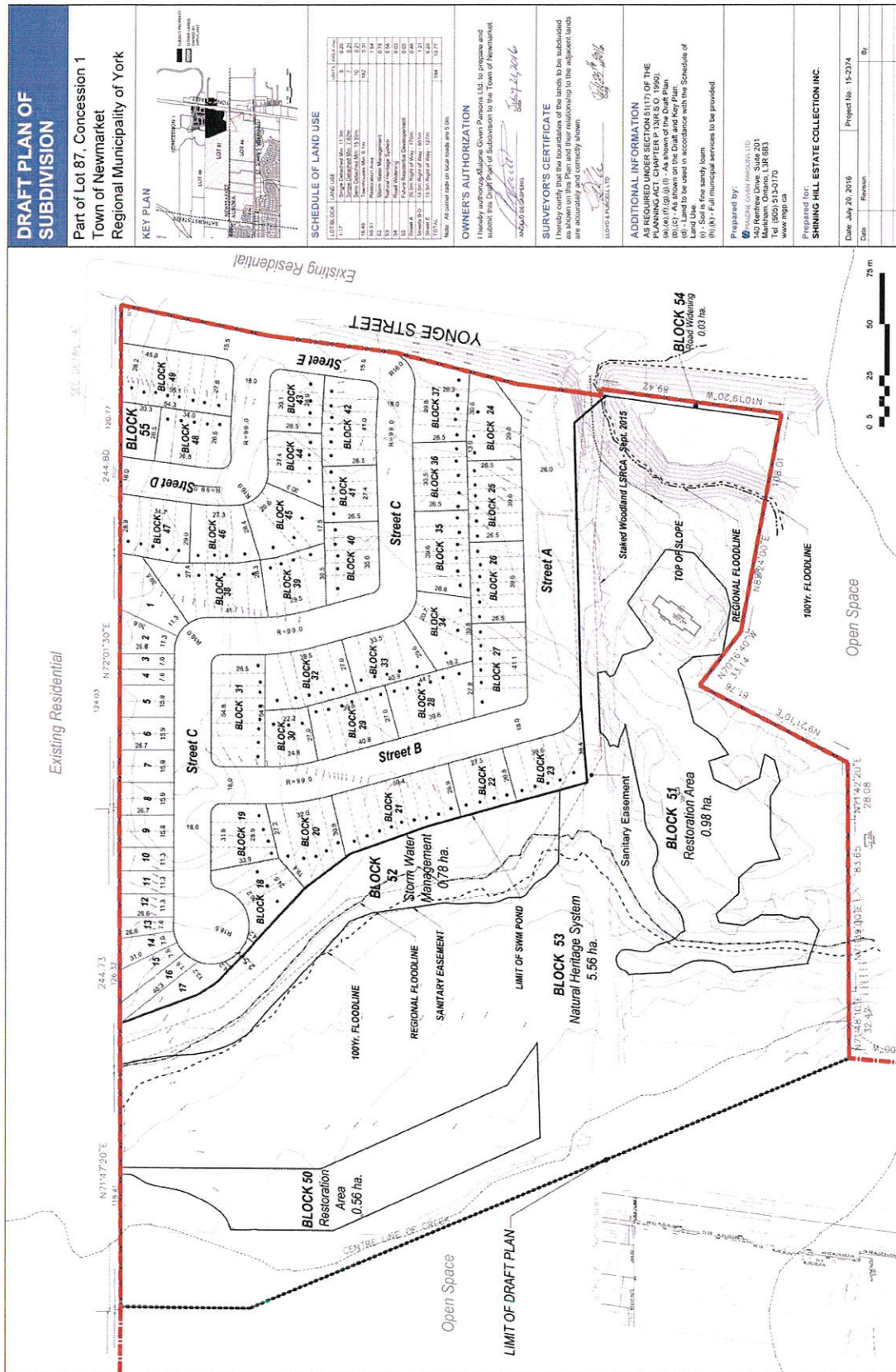
Location Map
16200 and 16250 Yonge Street
West side of Yonge Street, South of Mulock Drive



-  Subject Site
-  Dunin Estate
-  Municipal Boundary

Source: Google Earth







Newmarket

March 20, 2017

DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2017-09

TO: Committee of the Whole

SUBJECT: Demolition of a Structure on a designated property
16860 Leslie Street (John Bogart House)

ORIGIN: Committee of the Whole

RECOMMENDATIONS

THAT Development & Infrastructure Services /Planning & Building Services Report 2017-09 dated March 20, 2017 regarding the demolition of the garage structure at 16860 Leslie Street, being located on a property designated under the Ontario Heritage Act, be received and the following recommendations be adopted:

1. THAT Council consent to the submitted demolition permit request subject to the following recommendation;
2. THAT the owner be required to prepare and submit a Heritage Conservation Plan for the John Bogart house at 16860 Leslie Street, addressing the existing condition, immediate remedial work necessary, long term restoration work necessary, preliminary building relocation plan along with a work schedule within 90 days;
3. AND THAT Gilles Bisnare, Leslie Street (FGN) Inc., 5332 Hwy 7, VAUGHAN ON L4L 1T3 be advised of this decision;

Background

Staff were made aware on January 27, 2017 that the garage adjacent to the John Bogart House had been demolished. Planning staff attended the site to confirm the demolition. Once confirmed, building staff were notified and the owner was contacted to inform of the infraction under the Ontario Heritage Act. The Building Department confirmed a demolition permit would be necessary and contacted the Owner.

A demolition request was submitted on behalf of the Owner on January 30, 2017.

COMMENTS

Under the Ontario Heritage Act, the demolition of any structure located on a property designated under the Act requires a demolition permit to be considered by Council. As the subject property has heritage designation, Council, after consulting the Heritage Newmarket Advisory Committee, can refuse the permit, allow the permit or allow the permit with conditions. Council are required to make this decision within 90

days of the submission of the demolition permit, the last day being April 30, 2017. A non decision is deemed to be consent for the permit. The owner of a property can appeal the decision of council to the Ontario Municipal Board. As the removal of the garage was done without a heritage permit, the Town can also choose to lay a charge on the Owner which would proceed through the court system.

This property is designated under the Ontario Heritage Act by By-law number 1987-40 for historic and architectural reasons. The Ontario Heritage Act extends protection for the heritage attributes of a particular property through the statement of significance listed in the designating by-law. The subject garage structure is not considered a heritage attribute for the property as it is not listed in the designation by-law as being significant.

The statement of significance for the property reads as follows:

The John Bogart House is significant for historical and architectural reasons. IT was constructed in 1811 for John Bogart, a Quaker pioneer from Pennsylvania, who operated a saw mill and grist mill on the creek near the house. It is one of the earliest dwellings extant in the Newmarket area and is an example of the second dwelling constructed by pioneers having been preceded by a log structure. This two storey frame dwelling, clad in narrow clapboard, rests on a stone rubble foundation. The four bay façade has an offset, single leaf, six panelled front door. Although most windows have been re-sashed with sashes of two panes over two, an early window in the tail wing is twelve panes over eight. The shallow pitched gable roof is oriented with the gable ends on the sides of the house. Gables and eaves project slightly. Below the plain fascia and soffits of the roof is a plain frieze. A single chimney remains at the peak of the south gable end of the roof. A one storey tail wing, constructed of red brick, projects to the rear or west of the building. This simple, vernacular dwelling constructed only nine years after the area was settled, is one of the few reminders that Bogarttown was a significant centre in the early nineteenth century.

The purpose of heritage designation is to publicly acknowledge a property's value to a community and to ensure the conservation of these important places for the benefit and enjoyment of present and future generations.

As noted above, under the Ontario Heritage Act, council must consider the advice of the Heritage Advisory Committee prior to making a decision on a request to demolish a structure on a property designated under the Act.

At their meeting on February 14, 2017 the Heritage Newmarket Advisory Committee recommended:

- i) THAT charges be laid under the Ontario Heritage Act and a financial penalty be applied to be allocated to the Heritage fund account;
- ii) AND THAT staff report back on the available penalties and fines under the Ontario Heritage Act.

If Council decide to lay a charge under the Ontario Heritage Act, the Town By-law Enforcement office would gather the necessary evidence and prepare an Information and charges are laid. A summons is then served on the defendant to compel them to appear in court.

As council are aware, the owner of these lands has submitted planning applications (OPA, ZBA, DPS) for this property along with the former cemetery lands to the north for a residential development. The owner has indicated through their development submissions that the main portion of the Bogart House (not including the brick addition to the rear and the single car garage) would be restored and moved to an alternate location on the property, while keeping it prominently addressing Leslie Street. The intent would be to retain the house as a dwelling unit within the plan.

A statutory public meeting has been held for the planning applications and staff are awaiting a re-submission addressing comments to date. Once received and reviewed, staff will bring forward a further report on the submitted planning applications for Council's consideration.

As the garage has not been included in the redevelopment plans for the lands and the designation by-law does not include the garage as a heritage attribute, staff are recommending that Council not proceed with laying a charge on the owner. However, acknowledging the owner has proceeded without the necessary approvals and to ensure the heritage attributes of the main building as identified by the designation by-law are appropriately conserved, it is staff's position that council should consent to the demolition permit subject to the owner preparing and submitting a Heritage Conservation Plan for the John Bogart house at 16860 Leslie Street, addressing the existing condition, immediate remedial work necessary, long term restoration work necessary, preliminary building relocation plan along with a work schedule within 90 days of approval of this recommendation.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The recommendations of this report assist the Town in meeting its vision of being:

Well Balanced by ensuring Newmarket's rich built history is acknowledged and preserved through designation and/or documentation.

Well Respected by encouraging cooperation and collaboration while being tradition based and forward looking.

HUMAN RESOURCE CONSIDERATIONS

Not applicable to this report.

BUDGET IMPACT

Operating Budget (Current and Future)

In the event Council decides to lay a charge relating to the removal of the garage structure, cost associated with prosecuting the file would be applicable.

Capital Budget

The recommendations contained in this report will have no direct impact on the Capital Budget.

CONTACT -

For more information on this report, contact Dave Ruggle, B.A.A., MCIP, RPP at 905-953-5300, Extension 2454 or via email at druggle@newmarket.ca.



Commissioner, Development &
Infrastructure Services

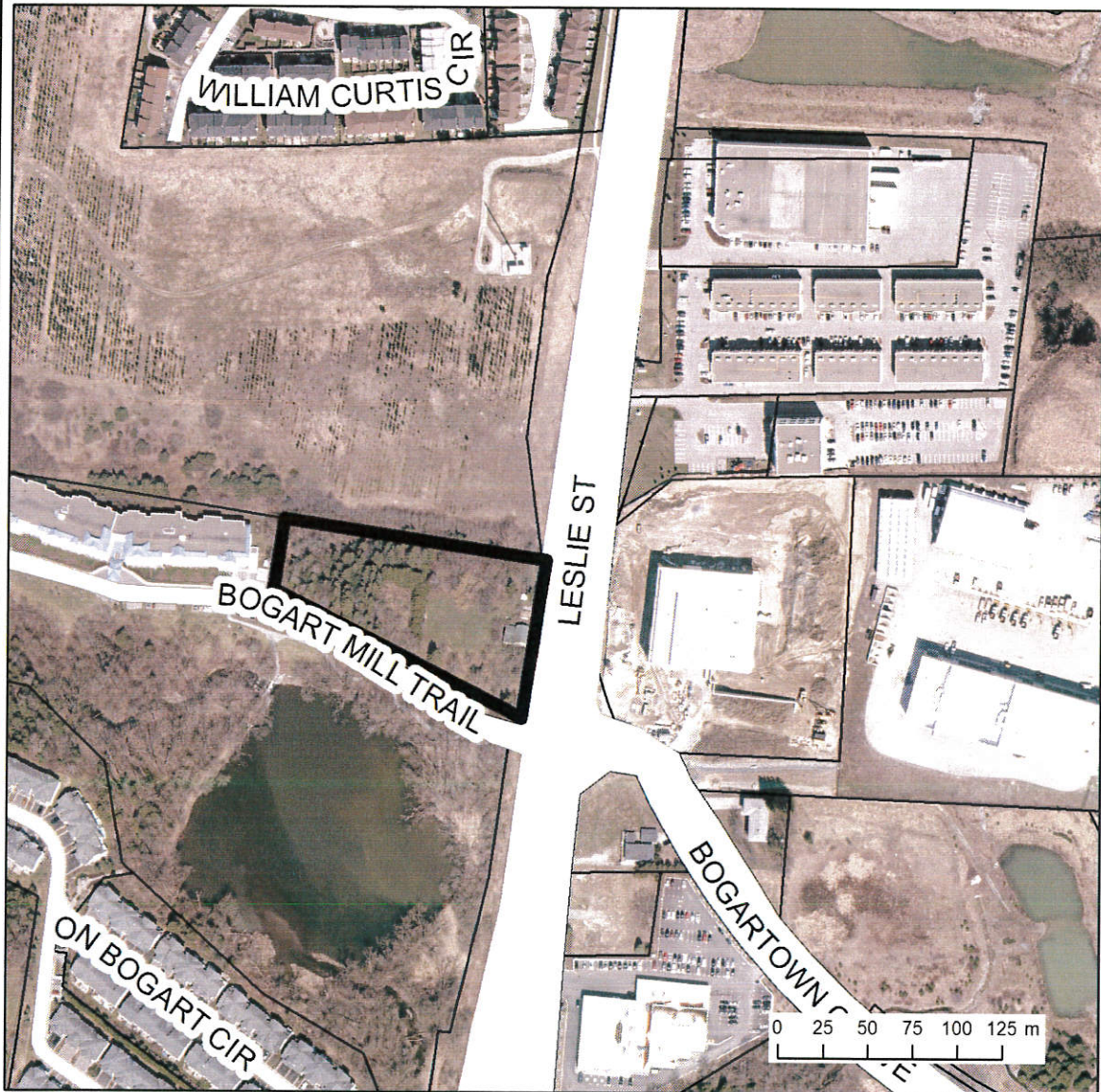


Director of Planning & Building Services



Senior Planner – Community Planning

LOCATION MAP
16860 Leslie Street
West Side of Leslie Street
North of Mulock Drive



 Subject Lands

TOWN OF NEWMARKET PLANNING DEPARTMENT

Designed & Produced by Information Technology - GIS Printed: March, 2017. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015 Zoning - Town of Newmarket, 2015. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

T:\01 Services\Planning\Development Policy-General\location map for complete application.mxd



DEVELOPMENT & INFRASTRUCTURE SERVICES – PUBLIC WORKS SERVICES
 TOWN OF NEWMARKET
 395 Mulock Drive www.newmarket.ca
 P.O. Box 328 info@newmarket.ca
 Newmarket, ON L3Y 4X7 905.895.5193

March 6, 2017

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT
 PUBLIC WORKS SERVICES 2017-13**

TO: Committee of the Whole

SUBJECT: 2016 Newmarket Water Distribution System Annual Water Quality Summary Report

ORIGIN: Director, Public Works Services

RECOMMENDATIONS

THAT the Development & Infrastructure Services – Public Works Services – Report PWS 2017-13 dated March 6, 2017 regarding the 2016 Newmarket Water Distribution System Annual Water Quality Summary Report be received and the following recommendations(s), be adopted:

- 1. THAT the 2016 Newmarket Water Distribution System Annual Water Quality Summary Report for the period of January 1st, 2016 to December 31st, 2016 be received for information;**
- 2. AND THAT the information in the Annual Water Quality Summary report be available for public viewing on the Town's website at http://www.newmarket.ca/LivingHere/Documents/2016%20Annual%20WQ%20Summary%20Report_ad%20FINAL_1%20Mar%202017.pdf, and at the Customer Service counter at 395 Mulock Drive and the Operations Centre at 1275 Maple Hill Court.**

COMMENTS

Annual Report

The 2016 Newmarket Water Distribution System (WDS) Annual Water Quality Summary Report is required under Ontario's Drinking Water Systems Regulation 170/03 (O. Reg. 170/03), made under the *Safe Drinking Water Act, 2002* (SDWA) which requires that the owner of a municipal drinking water system prepare an annual report on the operation of the system and the quality of its water. This report shall contain an overview of water distribution system, water quality sampling, system operations and maintenance, replacement/repairs, obligations under Schedule

22 of Ontario Regulation ("O. Reg.") 170/03, and the Monthly Water Flows/Daily Consumptions for the Newmarket WDS. For 2016, this report has been prepared by the Compliance Coordinator – Water/Wastewater for the Newmarket WDS, and was posted on our Municipal website on February 28th, 2017.

Schedule 22 of O. Reg. 170/03 also requires that a report be prepared and submitted to the members of Council by March 31st of the following year, for each reporting year.

The report contains the water quality reports for the dates between January 1st, 2016 and December 31st, 2016. In 2016, Public Works Services' provincially certified Water Operators collected 1,316 microbiological samples and 18 samples for lead for submission to the York Durham Regional Environmental Laboratory for analysis. Operators also field tested 4,740 chloramine (disinfectant) residuals in the field.

From January 1st, 2016 to December 31st, 2016, the Town of Newmarket reported 119 Adverse Water Quality Incidents (AWQI's) in the Newmarket WDS. Of these:

- 111 were due to adverse (low) combined chlorine residual
- 1 were for sodium above regulated levels (x4 locations)
- 7 were for Total Coliform

Corrective actions were initiated for all AWQIs as per mandated requirements under O. Reg. 170/03, and resolved without incident.

In all cases, the drinking water supplied to the public was confirmed safe.

The 2016 Annual Water Quality Summary Report (Table 6: 2016 Adverse Water Quality Incidents, pg. 27): outlines all of the AWQI's reported for 2016, the corrective actions taken by operators and the corresponding re-sampling results.

Water Quality Challenges

Beginning in the fall of 2009, the Newmarket Water Distribution System has been experiencing escalating water quality challenges in regards to maintaining disinfectant (chloramine) residual. As a result, many ambitious initiatives have been undertaken in addition to routine, regulated activities. These include (but are not limited to):

- Free Chlorine Conversions (2012/2013, 2015)
- Enhanced sampling programmes
- Retained the services of several industry experts/professional organizations to assist by undertaking such projects as: analysis of water quality trends/scenarios, water distribution system modelling, and system optimization studies
- Contracted Corix Water Services to assist with conventional watermain flushing, hydrant inspections/repairs, uni-directional flushing, and swabbing

- We also continue to work very closely with the Local Medical Officer of Health (MOH), the Ministry of the Environment and Climate Change (MOECC), the Region of York, consultants, and Local Area Municipalities (LAMs) in trying to develop both short and long term strategies to address our water quality challenges and optimize system operations.

2016 Watermain Cleaning

In late 2015, York Region engaged Confluence Engineering Group LLC to complete a peer review of the work undertaken to date to assess distribution system practices and provide recommendations to manage residual loss in the distribution system. Confluence Engineering is a leading expert in North America on best practices for optimal distribution system water quality.

Confluence concluded that the key variables that are affecting distribution system water quality in the Town of Newmarket are source water chemical stability, pipe conditions, and water age.

A comprehensive work plan commenced in April 2016 based on recommendations from the Confluence Engineering report.

Confluence recommended a comprehensive strategy with five main objectives to mitigate adverse chloramine residual incidents in the Town of Newmarket drinking water system (as cited on pages 17/18). One of the key objectives identified was to clean the entire central pressure zone district of the Newmarket Distribution System to remove accumulated iron and biofilm, while significantly reducing or eliminating the loading of iron and manganese from wells.

Watermain cleaning is an industry best practice activity that refers to planned and scheduled maintenance on a WDS.

There was much planning involved in this programme. Some of the key undertakings included:

- Development of an extensive communication plan, including:
 - Public education via information videos, newspaper ads, frequent website and social media updates
 - Enhanced communications internally (i.e. customer service & communications strategies)
 - Door hangers delivered to all customers and businesses in swabbing areas
 - Daily updates sent to Senior Management and key stakeholders
- Leveraging GIS technology to develop and document swabbing plans and data analysis
- Implementation of a diagnostic sampling plan (above and beyond regulatory sampling requirements) to determine effectiveness of swabbing program
- Enhanced data collection and analysis for evidence-based decision making

- Continued collaboration with York Region to develop an integrated, optimized operational strategy for the system

Laboratory results of the water samples collected and analyzed in 2016 shows that The Town of Newmarket and its operators have provided safe drinking water to its residents.

The Annual Water Quality Summary Report also highlights major expenses incurred to install, repair, or replace required equipment/infrastructure on the Newmarket WDS in 2016.

The Town maintained the drinking water system in a fit state of repair in 2016 and followed best industry practices during the repair, inspection, and maintenance of the system.

DWQMS

The MOECC mandates the implementation of an Operational Plan under the Drinking Water Quality Management Standard (DWQMS) for all Drinking Water Systems (DWS) in the Province of Ontario. The Operational Plan serves to provide an understanding of the DWS, the responsibilities of the owner and operator (operating authority) of the water system, and a commitment to the provision of safe drinking water, which in turn allows us to plan, implement, check, and continually improve our system.

Newmarket's Operational Plan was created internally and exceeds minimum requirements laid out by the MOECC. In 2016, it was audited both internally and externally, and re-accredited by SAI Global (third party auditors) under the requirements of the SDWA.

Newmarket's Operational Plan is available to view upon request from the Town of Newmarket Operations Centre at 1275 Maple Hill Court.

The Drinking Water Quality Management Standard (DWQMS) requires that the relevant aspects of the Standard and its effectiveness be communicated by Top Management to the Owner (Mayor and Council, and CAO) of the drinking water system, along with the results of the Management Review (*attached to this report) no later than the 31st of March each year.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The Community Strategic Plan for the Town of Newmarket articulates the goals of:

- Living well... focusing on health, safety and the environment to promote activity and enrich lives;
- Well-equipped and managed...implement policy and processes that reflect sound and accountable governance for fiscal responsibility, service excellence, and management of assets and services to meet operational demands

CONSULTATION

Consultation is not required for this report.

HUMAN RESOURCE CONSIDERATIONS


None required for this report.


BUDGET IMPACT (CURRENT AND FUTURE)

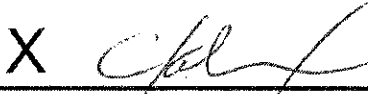
The utility rate portion of the operating and capital budget provides the funding required for the regulatory requirements under the SDWA.

CONTACT

For more information on this report, contact; Bill Wilson, Manager of Water/Wastewater, at 905-953-5300, ext. 2553 or email at bwilson@newmarket.ca.

X  AS PER.
Prepared by: Alison Day
Compliance Coordinator-Water/Wastewater

X 
Reviewed by: Bill Wilson
Manager of Water/Wastewater Operations

X 
Approved by: Christopher Kalimootoo, B.A., P.Eng., MPA, PMP
Director, Public Works Services

X 
Approved by: Peter Noehammer
Commissioner, Development & Infrastructure Services

PUBLIC WORKS SERVICES DWQMS – 2016 Management Review Meeting Summary

12 January 2017

10:30-13:30

Newmarket Operations Centre – 1275 Maple Hill Court
Operations Meeting Room

Present: Alison Day (Chair - AD), Bill Wilson (BW), Chris Kalimootoo (CK), Jeff Ellis (JE), Pauline Pierce (Minutes – PP)

Meeting commenced at 11:10 am
Chris Kalimootoo left meeting at 12:45 pm

1. Welcome
2. PowerPoint Presentation: "2016 DWQMS Management Review" - Review and discussion of the following items:
 - Incidents of Regulatory Non-Compliance
 - 1 adverse residual not immediately reported (collected and tested by external contractor) General feeling amongst those present today is that it will not be sent to MOECC Investigations and Enforcement. It will be most likely be cited as a non-compliance. Discussion followed about how to address this issue and to ensure it does not happen again. CK stated that liquidated damages need to be included in the next contract if it is not in the current contract.
 - Initial paperwork (notification) for an adverse called in by the lab on a weekend not sent in within the mandated 24hrs. Phone calls were all made (to MOECC Spills Action Centre and local medical officer of health), and corrective actions were taken. As soon as it was discovered that initial paperwork had not yet been sent in it was.
 - March 2017 – short by 6 bacteriological samples. As cited in MOECC Inspection report:

On March 7/8, 2016, 35 samples were collected for submission and analysis to the York Durham (YD) Laboratory. The last sample documented on March 8th was collected at 10:15. On Thursday March 9, at 16:43, Newmarket was notified by the YD Lab via email that they had just received these samples, and that they had all expired. As the lab closes at 17:00, there was insufficient time to resample and submit the same day. Samples were re-collected 11 March 2016 and delivered directly to the YD Lab for analysis. On March 29/30, 2016, a similar situation occurred. The last samples collected on March 30 were at 08:30. The Town of Newmarket received notification via email from the YD Lab on March 31 at 14:20 that the samples had been received but were expired. Again, there was insufficient time to collect the same day, so samples were collected as soon as possible on April 1, 2016.

In March of 2016, York Region collected and submitted for analysis 20 microbiological samples in the Newmarket distribution system at storage facilities and pumping stations that they operate. This would bring the total number of samples collected in the Newmarket Water Distribution system for the month of March in 2016 to 101.
 - All 3 of the above items have been cited in the MOECC Inspection report (2x non-compliances, 1 best practice recommendation)

- Incidents of Adverse Drinking Water Quality (AWQIs)
 - 119 AWQI's in 2016
 - 111 were due to adverse (low) combined chlorine residual
 - 1 for sodium above regulated levels (x4 locations)
 - 7 for Total Coliform
- Deviations from Critical Control Point (CCP) Limits and Response Actions
 - Water main breaks – there were a number of water main breaks in the same section by Gorham (eastern pressure district). BW advised we are looking at replacement lining as a corrective action. Several were a result of a change in Regional equipment operations that resulted in a brief pressure spike in the eastern pressure district. BW advised that it was operator error on the Region's end and we are awaiting a report from them. The new acting manager at YR is to provide the report. Bill W. stated that we are charging back to the Region for the water main repairs.
 - CK - there needs to be a communication protocol in place to notify JE on events such as this that could directly affect our system. BW advised that there is already a communication protocol in place. CK stated that any valving that may affect our pressures should be called in from the Region.
 - CK advised that there are large shifts in personnel going on at the Region.
- The Effectiveness of the Risk Assessment Process
 - CK enquired what comes out of risk assessment full review. AD explained that the Risk Assessment team creates the document from scratch. AD annually updates the procedures and table. Every three years is a full review by the Risk Assessment Team.
 - CK asked if there is anything in the risk assessment review that may need communications with the EOC. AD will communicate with Fire Department (Claude Duval) as req'd to advise that the Water/Waste Water department is doing a risk assessment and a particular risk has potential to trigger an EOC for information purposes. CK informed staff that the fire chief is now Regional EOC.
- Internal and Third Party Audit Results
 - External Audit resulted in:
 - 0 non conformities
 - 5 "Opportunities for Improvement" (OFIs)
 - One of the OFIs was in regards to document change requests being reviewed and approved by upper management a significant amount of time after they were proposed. AD advised that she was going through the operational plan and doing a full review; many involved only general formatting and some change requests were not signed for a time period.

- AD ensures now that document change requests are reviewed and approved as they are completed (maximum of 1 week turn around).
- CK stated that it should be considered to match up the Major and Minor non-conformances as listed in the audit and discontinue forms. AD advised that this has been completed. CAR and OFI forms are different now.
- Internal Audit Results (4th August 2016):
 - 4 minor non-conformances
 - 1 minor non-conformance
 - 9 OFI's
- CK commented that one of the OFI's was how to access documents requires further training. AD responded that all the forms are in DATS café.
- Review of infrastructure minutes – BW has already completed this. BW copies AD on any of the minutes on the infrastructure especially when it comes to rehabilitation etc.
- Suppliers – CK advised that Gord S. in procurement has list of suppliers and we have a list of suppliers in QMS and need to make sure they match.
- AD stated that an OFI which James Pang suggested was to cut suppliers to include only essential suppliers who we use in emergencies. Chris K. disagreed and advised that we should have a whole list and identify list as primary secondary and tertiary. In an emergency we use secondary or tertiary list. It is important that PWS and procurement have the same list.
- Discussion followed about list of suppliers. Alison D. stated that we have to use contracted suppliers first before using any other contractors. (Action item Alison D.)
- This years' External Audit was conducted by SAI Global (Auditor – James Pang) as a surveillance audit (offsite) on the 12th of January, 2016. There were zero non-identified during this audit.
- Results of Emergency Response Testing
 - No designated emergency response training session this year. All staff have participated in emergency spill response, adverse water quality reporting training however.
 - CK advised that after the process for this year is complete we could select topic for next year; need to plan ahead and chose a topic someone can organize. CK expressed concern in regards to not hitting twelve months.
 - BW stated we need to have it every twelve months and it would probably be a good thing to do February or March each year; when things are a little slower. CK suggested that probably March is the best month to have it.

- Operational Performances

- AD advised that Blair S. was working on WQ project.
- Chris K. enquired if we discuss the success of this.
- Bill W. – 2016 initiatives and 2017 plan successes were discussed. Since we lost Kristy B., Brett B. is stepping in as chair of the Tuesday meeting until we can come up with a plan and see where we are heading. We had our first meeting and there will be a follow up report on what happened and the successes. We will contact Confluence and give all 2016 information and ask them to comment on 2017 and where we need to go; especially for a nitrification plan.
- Chris K. enquired if we need to get a plan from The Region for support on the new staff coming in as we do not want to lose our momentum. If we do not replace Kristy B's. position we will run into problems.
- Discussions followed about how The Region has not defined the replacement of staff.
- Chris K. advised that they need develop a plan for the positions that are at The Region. Bill W. advised that he has requested that Kristy B's. position be replaced. He further advised at the director level at the region they are not sure it is going to happen. Commissioners are happy the way things are going and they do not feel they need to be involved. Bill W. advised that he thinks it may go to the commissioner level. Chris K. stated that he thinks he can handle it and it does not need to go to the commissioners.
- Chris K. advised that the need for the group is to determine what is required. Define what requirements are out of each position and Bill W. and Chris K. need to define why we need it. Expectations of position are there and staff member knows their expectations.
- There is a temporary replacement for Kristy B. and he does not want to do it.
- Discussion followed
- Chris K. stated that the group needs to think about structure and determine what you want from that structure. Chris K. enquired what was needed and if required he will contact Roy Huetl at the Region.
- Discussion started about the need to communications to advise if the chlorine level is exceeding 3.0. Chris K. advised that residents need to know that it is being exceeded; due to the high chlorine smell. If we get into the next step we would have to send out to communications. Bill W. stated that with the cooler temperatures it will not happen right now, but may be in the spring. (Action Item Bill W.)

- Drinking Water Quality Trends
 - Alison D. stated that the successes could be the communication Brett B. sent out about the MOE is a good one.
 - WQ challenges
 - Next week Brett B. and Alison D. will call Melinda Friedman at Confluence and discuss a plan moving forward, just for the Town of Newmarket.
 - Jeff E. enquired if it would be worthwhile that we have heat maps – in initiatives (Action item Alison D.)
 - Bill W. stated that the heat maps we have with min and max go back to August during high temperatures. Does he do temperature as an overlay on the maps? Blair S. did one last week.
 - Chris K. stated that it is good to see with the high temperatures we did not have as many adverse.
 - Discussion followed regarding if the wells were turned on again.
 - Bill W. to enquire from Confluence to be prepared should they turn them back on in case anything goes wrong? (Action item Bill W.)
- Follow-up on Action Items Identified Between Reviews
 - Alison D. went through action items from previous review.
 - Auto flusher at Youth Centre. Bill W. advised that there is an auto flusher at 18100 Yonge St. There is an agreement with the owner of 514 Davis Drive will be a parking lot for the Town to use (parkland). Parks department could ask for an irrigation to be installed. Bill W. suggested for this summer is to put in an auto-flusher and we can we stop flushing of the Youth Centre. Jeff E. advised that the flushing of the Youth Centre has stopped since December, because it is occupied and we have to shut off the alarm and they need someone on fire watch, which is very inconvenient.
 - Bill W. to follow up with Parks or planning for water use for new developments.
- Changes the Could Affect the QMS
 - Lead hands need to be incorporated – Alison D. advised that this has been completed.
 - 2017 structural changes - East and West
 - WQ analyst position
 - Audits
 - Updates to regulations

- Level of Customer Satisfaction & Consumer Feedback
 - PP and BW to come up with a plan for monitoring calls.
- Resources Needed to Maintain the QMS
 - Adequate
- Provision of Adequate Human and Financial Resources
 - Adequate
 - Requesting WQ analyst and Yonge St contractor (2 year contracts)
- Results of Infrastructure Review
 - Review of infrastructure review.
 - Bill W. to copy Alison D. if there are special meetings (sub group).
 - Five year replacement Bill W. to send invite to Alison D. to sit in on the meetings. Bill W. to include Alison D. in the five year discussions and any minutes done up for them.
- Operational Plan
 - Alison D. advised that she distributed Q1 of 2017, and we are still waiting on report from James Pang. Lot of formatting changes and changes incorporated from internal/external audit. Alison D. advised that she is streamlining who has the plan. One for the Mayor and one for Council, Bill W. and Jeff E. and one available for staff.
 - Currency of Operational Plan, Content, and Updates right now it is current just waiting report from James Pang.

16. Currency of Operational Plan, Content, and Updates

- (see above)

17. List of Staff Suggestions

- No suggestions from staff.
- Alison D. advised that there were a lot of questions from staff - doing refreshers staff have had a lot more questions. Blair S. changed the document change form to include "recommended by" if staff have recommendations they can fill it out.
- Jeff E. advised that Alex B. has come up with some forms that he wants to present to staff and get feedback.

18. Recommendations of Management Review:

- Action Plan
- Responsibilities
- Deadlines

20. Additional Items

- Jeff E. asked Alison D. to send a list of mandatory meetings that he needs to attend annually.
- Bill W. stated going back to emergency training the AWQI reporting would be good. Look to 2017 and would like to see one where we have an outbreak of some sort and how we respond to it, how we valve and flush. We should have this training.

21. Next Meeting

- Scheduled for 6 December 2017



43
CORPORATE SERVICES COMMISSION
Financial Services

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

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905.895.5193 ext 2102

March 3, 2017

CORPORATE SERVICES REPORT – FINANCIAL SERVICES – 2017-13

TO: Mayor Tony Van Bynen and Members of Council

SUBJECT: 2016 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary

ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATION(S):

THAT Corporate Services Report-Financial Services – 2017-13 dated March 3, 2017 regarding 2016 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary be received and the following recommendation be adopted:

- i. **THAT the reserve transfers totaling \$235,000 listed below be approved.**

COMMENTS:

Purpose:

The purpose of this report is to advise Council on the preliminary fourth quarter results for 2016, including the investment summary and the capital budget, as well as to obtain Council approval for allocations of the surplus to reserves.

Budget Impact:

After making reserve and reserve fund transfers and other provisions which have been authorized by budget, policy or delegated authority, there is an estimated operating surplus of \$238,000. This report recommends that \$235,000 of the surplus be transferred to reserves consisting of \$35,000 for Corporate Consulting, \$100,000 for the Election and \$100,000 for Legal. After the recommended reserve transfers and subject to the results of the audit, the revised Operating Surplus of \$3,000 would be transferred to the Efficiency/Enhancement Reserve in accordance with policy.

Summary:

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

RECOMMENDED RESERVE TRANSFERS	
RESERVES	RECOMMENDED TRANSFER
Reserves for Operational Contingencies and Cyclical Expenses	
Election	\$ 100,000
Legal Reserve	100,000
Corporate Consulting	35,000
TOTAL	\$235,000

Reserves for Operational Contingencies and Cyclical Expenses

The Election Reserve is funded every year from operations for the municipal election, which takes place every 4 years. In 2016, there was a by-election which drew on funds from this reserve. As a consequence, additional funds are required to reach a projected balance of \$348,000 in 2018. This amount should be sufficient to cover the cost of the election as it is currently managed and does not include any provision for changes that are being contemplated.

Ensuring adequate funding for legal fees associated with various litigation matters, as well as real estate matters, is prudent. The current reserve, with a balance of \$237,000 before transfers, should be enhanced. This area will be identified as a driver for the 2018 budget.

Various consulting studies are being contemplated and it is recommended that additional funding be set aside to assist with these projects.

PROJECTED 2016 TAX-SUPPORTED OPERATING RESULTS

2016 was a challenging year, with regular meetings to discuss managing the budget and gapping. The end result is a success - prior to making any transfers to reserves, a projected surplus of \$238,000. This represents less than 0.5% of the budget. The favorable variance is largely the result of lower wages and benefits (gapping) where the target was exceeded by approximately \$150,000.

After making the transfers described above, there would remain an amount of approximately \$3,000 which would be transferred to the Efficiency/Enhancement Reserve as per the Town's policy.

Included in the above results are:

1. Transfers to Reserves

- (i) A transfer to the Insurance Reserve of \$60,000 - the savings on premiums will fund a provision for growing claim costs;
- (ii) A transfer of \$66,000 to the Winter Control Reserve as an operational contingency – to provide for future weather fluctuations;
- (iii) A transfer to the Waste Management Reserve of \$187,338 to help offset higher costs of the new contract;
- (iv) A transfer of \$101,076 for Economic Development which will be available for future re-investment.

2. Transfers from Reserves

- (i) \$68,187 from the Election Reserve to cover unbudgeted costs associated with the by-election;
- (ii) \$43,000 from the Sale of Property Reserve Fund to net expenses associated with a potential land sale with the proceeds;
- (iii) A transfer of \$48,000 from the Wages and Benefits Reserve to support our attraction and retention strategy;
- (iv) \$48,000 from the Human Resources Reserve to help cover some higher consulting costs; these were funds previously allocated for HR consulting.

3. Carryover requests totaling \$64,495 to assist with 2016 budget initiatives not completed during the year;**4. An additional provision of \$77,000 to cover potential uncollectible accounts in Legislative Services, Engineering Services and Recreation.****Central York Fire Services (CYFS)**

Lower than budgeted expenses, due mainly to a delay in the implementation of the wellness program, combined with lower dispatch and callback costs in Central York Fire Services (CYFS), is expected to result in an operating surplus of approximately \$360,000. This surplus will be transferred to the CYFS Reserve Fund in accordance with JCC's recommendation in Report 2015-46 that established a target for the Reserve Fund based on the most volatile expenditure items plus an amount for contingencies. The surplus will assist in achieving the target level (\$780,000 for 2016). \$60,000 of the surplus transferred to the Reserve Fund has been allocated for the startup of the wellness program in 2017. The results were presented to the Joint Council Committee (JCC) on February 7, 2017.

Newmarket Public Library

The Newmarket Public Library is forecasting a surplus in the range of \$125,000 which will be transferred to the Library General Reserve pending a review and Library Board recommendation on its use. Financial Services Report 2015-51 recommended a target level for the Library's General Reserve to assist in future years for planned, as well as unforeseen, events or projects.

Investments*Active investments*

The Investment Summary for the twelve months ended December 31, 2016 (attached) provides the details of all investments held during the year.

None of our investments are subject to any variance between initial cost and market value.

The average weighted yield was 3.69% compared to a weighted average benchmark of 2.06% for the twelve month period. We earned incremental income of \$417,522, \$175,000 of which was transferred to the Tax-Supported Operating Fund, as approved by Council in the 2016 budget. The remaining \$242,522 was allocated proportionally to the Reserve Funds.

At the end of the fourth quarter, the investment portfolio included:

- \$10,506,399 (18.9%) in non-traditional investments;
- \$45,000,000 (81.0%) GIC's with major banks;
- \$42,640 (0.1%) loan to an external party

In the opinion of the Treasurer, all investments made were in line with the investment policies, strategies and goals adopted by the Town.

Passive Investments

\$618,357 in interest was earned on our bank accounts. Currently we are receiving a better interest rate from the bank on our bank balance than what we can earn on a short-term financial instrument.

Capital Carry-overs

The 2016 capital expenditures budget totaled \$65,510,824 (see attached). Actual expenditures were \$18,451,097, including approved but non-budgeted amounts of \$1,328,822 for Old Town Hall. A total amount of \$29,731,109 is to be carried over into 2017 and a further \$11,733,224 is to be carried forward to 2018. The allocation to future years is a step towards multi-year capital budgeting.

Carry-overs are the transfer of the unspent portion of capital budgets, to the following year. As such, the expenditures and financing already have Council approval. The budget amounts carried over are combined with the "new" budget amounts and are reported on the financial statements.

Major carryover projects include:

- Road, bridge and sidewalk projects - \$9,462,805;
- Water and sanitary sewer projects, including water meter replacement program - \$9,780,642;
- Property acquisition along the Holland River - \$3,063,255;
- Parks projects, including Artificial Turf Sports Field - \$3,106,454;
- Fire Station 4-5 Design and Construction - \$3,810,000;
- Replacement of Fire Trucks - \$1,295,731;

The carryovers will be subject to further more extensive review, as the Town moves to a multi-year capital budgeting approach. Formal criteria will be developed for the carry-over of capital budgets. The final report is anticipated to be issued in May.

CONTACT

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



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



Esther Armchuk, LL.B.
Commissioner, Corporate Services

DS/vl
Attachments:

- a) Investment Summary for the Twelve Months Ended December 31, 2016 (1pg.)
- b) 2016 Fourth Quarter Capital Expenditures and Carryovers (1 pg.)
- c) 2016 Fourth Quarter Operating Results (1 pg.)

Description	Principal Amount		Starting Date	Term	January 1 to December 31, 2016			
	2016-01-01	2016-12-31			Interest Rate	Return on Investment	Benchmark Return	Incremental Income
CIBC - GIC	\$5,000,000	\$0	2015-11-02	1 year	1.50%	\$62,877	\$39,822	\$23,055
National Bank - GIC		\$5,000,000	2016-11-02	1 year	1.60%	\$12,932	\$7,678	\$5,253
CIBC - GIC	\$40,000,000	\$0	2015-09-16	180 days	1.25%	\$101,370	\$77,041	\$24,329
CIBC - GIC	\$40,000,000 expired on Sep .12		2016-03-14	182 days	1.41%	\$281,227	\$189,479	\$91,748
CIBC - GIC	\$0	\$40,000,000	2016-09-12	365 days	1.45%	\$174,795	\$114,521	\$60,274
Loan - Newmarket Soccer Club Development Charges and Planning Fees	\$51,616	\$42,640	2011-09-30	10 years	4.00%	\$1,905	\$452	\$1,453
Internal Loan - Solar Panels (2013, Various Facilities)	\$242,624	\$232,239	2013-12-01	20 years	3.00%	\$7,137	\$2,260	\$4,877
Internal Loan - RJT Solar Panels (2014)	\$616,283	\$591,844	2015-01-01	20 years	3.00%	\$18,154	\$5,749	\$12,405
Internal Loan - Magna Solar Panels (2015)	\$1,487,890	\$1,431,001	2016-01-01	20 years	2.70%	\$39,472	\$13,888	\$25,584
Internal Loan - Honeywell Phase 2 Energy Retrofit Project	\$8,122,218	\$8,251,315	2013-12-10	20 years	3.00%	\$246,651	\$78,106	\$168,545
Total	\$55,520,631	\$55,549,039				\$946,519	\$528,997	\$417,522
				Incremental investment income included in 2016 Operating Budget, to be transferred to the Tax-Supported Operating Fund in 2016 per the Investment Strategy				\$175,000
				Incremental investment income allocated to reserve funds in 2016 per the Investment Strategy				\$242,522

Town of Newmarket

2016 Fourth Quarter

CAPITAL EXPENDITURES AND CARRYOVERS

Commission / Department / Area	2016 Actual	2016 Budget	Variance	Cancel / Offset	Carryover to 2017	Carryover to 2018
<u>General Government</u>						
	626,392	4,595,931	3,969,539	268,455	637,829	3,063,255
Total	626,392	4,595,931	3,969,539	268,455	637,829	3,063,255
<u>Corporate Services</u>						
Information Technology	576,454	2,681,188	2,104,734	-	1,830,144	274,590
Legislative Services	773	11,544	10,771	-	10,771	-
Total	577,227	2,692,732	2,115,505	-	1,840,915	274,590
<u>Community Services</u>						
Recreation & Culture Services	194,696	1,027,012	832,316	494,561	337,755	-
Total	194,696	1,027,012	832,316	494,561	337,755	-
<u>Development & Infrastructure Services</u>						
Planning & Building	430,431	1,396,768	966,337	48,049	918,288	-
Roads	8,157,967	20,271,663	12,113,696	2,650,891	7,062,805	2,400,000
Water	514,022	10,236,186	9,722,164	265,422	9,456,742	-
Wastewater	20,949	786,039	765,090	441,190	175,000	148,900
Facilities	1,787,401	1,946,392	158,991	(1,182,428)	1,522,219	-
Parks	657,980	4,417,971	3,759,991	653,537	3,106,454	-
Trails	1,119,651	3,384,170	2,264,519	347,037	1,917,482	-
Other	499,781	2,050,809	1,551,028	198,399	1,352,629	-
Total	13,188,182	44,489,998	31,301,816	3,422,097	25,511,619	2,548,900
<u>Library Services</u>						
	98,395	1,263,086	1,164,691	180,800	527,412	456,479
Total	98,395	1,263,086	1,164,691	180,800	527,412	456,479
<u>Central York Fire Services</u>						
	3,766,205	11,442,065	7,675,860	1,410,281	875,579	5,390,000
Total	3,766,205	11,442,065	7,675,860	1,410,281	875,579	5,390,000
GRAND TOTAL	18,451,097	65,510,824	47,059,727	5,776,194	29,731,109	11,733,224

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Town of Newmarket
2016 Fourth Quarter
OPERATING RESULTS

Departments	Year-to-Date (December 31, 2016)			Full Year
	ACTUAL	BUDGET	VARIANCE	Budget
	\$	\$	\$	\$
Members of Council				
Revenues	-	-	-	-
Expenditures	1,226,089	1,292,911	66,822	1,292,911
Net surplus/(deficit)	(1,226,089)	(1,292,911)	66,822	(1,292,911)
C.A.O. - Office				
Revenues	91,984	65,000	26,984	65,000
Expenditures	2,496,804	2,800,282	303,478	2,800,282
Net surplus/(deficit)	(2,404,820)	(2,735,282)	330,462	(2,735,282)
Corporate Services				
Revenues	1,729,943	1,486,224	243,719	1,486,224
Expenditures	10,912,251	10,738,560	(173,691)	10,738,560
Net surplus/(deficit)	(9,182,308)	(9,252,336)	70,029	(9,252,336)
Central York Fire Services				
Revenues	308,836	295,530	13,306	295,530
Expenditures	13,644,968	13,623,761	(21,207)	13,623,761
Net surplus/(deficit)	(13,336,133)	(13,328,231)	(7,902)	(13,328,231)
Community Services				
Revenues	6,628,378	6,354,266	274,112	6,354,266
Expenditures	9,787,467	9,319,345	(468,122)	9,319,345
Net surplus/(deficit)	(3,159,088)	(2,965,079)	(194,009)	(2,965,079)
Development & Infra. Services				
Revenues	8,298,245	8,852,633	(554,388)	8,852,633
Expenditures	33,966,709	35,723,179	1,756,469	35,723,179
Net surplus/(deficit)	(25,668,465)	(26,870,546)	1,202,081	(26,870,546)
Library Services				
Revenues	328,332	328,659	(327)	328,659
Expenditures	3,353,784	3,354,111	327	3,354,111
Net surplus/(deficit)	(3,025,452)	(3,025,452)	-	(3,025,452)
General Government				
Revenues	4,610,660	4,526,200	84,460	4,526,200
Expenditures	3,991,208	2,875,366	(1,115,842)	2,875,366
Net surplus/(deficit)	619,452	1,650,834	(1,031,382)	1,650,834
Debt Servicing				
Revenues	3,247,962	3,251,058	(3,096)	3,251,058
Expenditures	4,237,477	4,237,477	(0)	4,237,477
Net surplus/(deficit)	(989,515)	(986,419)	(3,096)	(986,419)
Property Taxes				
Revenues	56,406,601	56,836,223	(429,622)	56,836,223
Expenditures	-	-	-	-
Net surplus/(deficit)	56,406,601	56,836,223	(429,622)	56,836,223
Allocations				
Revenues	-	-	-	-
Expenditures	(1,968,799)	(1,969,199)	(400)	(1,969,199)
Net surplus/(deficit)	1,968,799	1,969,199	(400)	1,969,199
GRAND-TOTAL				
Revenues	81,650,941	81,995,793	(344,852)	81,995,793
Expenditures	81,647,959	81,995,793	347,835	81,995,793
Net surplus/(deficit)	2,982	-	2,982	-



Town of Aurora, Holland Room
1 Municipal Way, Aurora, ON

1
of
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Approval of Minutes

1. Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of November 29, 2016.

Moved by: Councillor Mrakas
 Seconded by: Councillor Bisanz

- a) THAT the Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of November 29, 2016 be approved.

Carried

Items

2. Fire Services Report 2017-01 dated December 21, 2016 regarding Emergency Services Agreements - Town of Whitchurch-Stouffville; Township of King.

Moved by: Councillor Bisanz
 Seconded by: Councillor Thompson

- a) THAT Fire Services Report 2017-01 dated December 21, 2016 regarding Emergency Services Agreements - Town of Whitchurch-Stouffville; Township of King be received for information purposes.

Carried

(The Chief Administrative Officer, Newmarket advised that JCC would be informed as soon East Gwillimbury Council approves their reciprocal emergency services agreement)

3. Fire Services Report 2016-05 dated November 14, 2016 regarding Medical Oversight of CYFS Medical Program.

Moved by: Councillor Mrakas
 Seconded by: Councillor Thompson

- a) THAT the Joint Council Committee (JCC) approve securing medical oversight from a physician for the CYFS medical response program;

- i) AND THAT JCC authorize an increase in level of service that would allow CYFS to follow a symptom relief drugs protocol.

Carried

New Business

a) The Town Clerk outlined the provisions of the Consolidated Fire Services Agreement with respect to the election of a Chair and Vice-Chair.

The floor was opened for nominations of Chair of the CYFS – Joint Council Committee for 2017/2018.

Moved by: Councillor Thompson
Seconded by: Councillor Mrakas

THAT Councillor Twinney, Town of Newmarket, be appointed as Chair of the CYFS – Joint Council Committee for 2017/2018.

Carried

The floor was opened for nominations for Vice-Chair of the CYFS – Joint Council Committee for 2017/2018.

Moved by: Councillor Mrakas
Seconded by: Councillor Twinney

THAT Councillor Thompson, Town of Aurora be appointed as Vice-Chair of the CYFS – Joint Council Committee for 2017/2018.

Carried

b) The Chief Administrative Officer, Newmarket advised that a status update of the feasibility of fire services consolidation with Richmond Hill would be provided at the February, 2017 meeting of Central York Fire Services – Joint Council Committee.

c) The Chief Administrative Officer, Aurora provided a verbal status update about the construction of Station 4-5 and advised that the Director of Parks and Recreation (Mr. Al Downey) is the project lead and a report will be forthcoming to Aurora Council regarding a competitive process in relation to the construction of Station 4-5.

Moved by: Councillor Thompson
Seconded by: Councillor Bisanz

THAT the matter of process related to the sole source of the station design of Station 4-5 be reconsidered.

Carried by 2/3 majority

Moved by: Councillor Thompson
Seconded by: Councillor Mrakas

THAT Central York Fire Services – Joint Council Committee provide direction to undertake a competitive process with respect to the construction of Station 4-5.

Carried

d) A suggestion was made to confirm details of both Towns fire/burning by-laws with By-law Enforcement staff.

Closed Session

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

Adjournment

Moved by: Councillor Mrakas
Seconded by: Councillor Bisanz

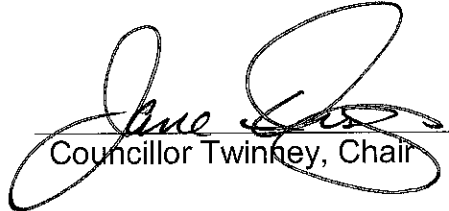
THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:46 a.m.

Date

February 7, 2016


Councillor Twinney, Chair



Newmarket Public Library Board
Regular Board Meeting
Wednesday, January 18, 2017
Newmarket Public Library Board Room

Present: Joan Stonehocker, Chair
Tara Brown, Vice Chair
Kelly Broome (arrived at 5:50 pm)
Darcy McNeill
Venkatesh Rajaraman
Tom Vegh

Regrets: Jane Twinney

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

The Library Board Chair called the meeting to order at 5:35 pm

Adoption of Agenda Items

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

The Chair asked if there were any additions to the agenda. One item was added under Business Arising.

Motion 17.01.176

Moved by Venkatesh Rajaraman

Seconded by Darcy McNeill

That Agenda items 1) to 3) be adopted as amended.

Carried

Declarations

None were declared.

Consent Agenda Items:

4. Adoption of the Regular Board Meeting Minutes for Wednesday, December 14, 2016
5. Strategic Operations Report for December, 2016
6. Library Statistical Data for December
7. Monthly Bank Transfer

Motion 17.01.177
Moved by Tara Brown
Seconded by Tom Vegh

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

Carried

Closed Session

8. There were no Closed Session items.

Reports

9. 2016 Business Success Plan Report

The CEO reviewed the 2016 Business Success Plan Report with the Library Board.

Motion 17.01.178

Moved by Tom Vegh

Seconded by Venkatesh Rajaramen

That the Library Board receive the 2016 Business Plan Success Report as presented.

Carried

Business Arising

10. 2013-2016 Strategic Plan Review

The Library Board in reviewing the current Strategic Plan, agreed to build on the current plan in place and create a new action plan. The Board would like to meet with Town of Newmarket Senior Staff to discuss the Town of Newmarket's priorities in order to ensure the Library's Strategic goals align with the Town of Newmarket's.

11. Strategic Technology Committee

A revised draft Terms of Reference for a Strategic Technology Subcommittee was reviewed by the Library Board.

Motion 17.01.179

Moved by Tara Brown

Seconded by Tom Vegh

That the Library Board approved the Strategic Technology Committee Terms of reference as presented.

Carried

12. Library Board Action List

The Library Board reviewed the Action List.

13. Leadership by Design e-Learning

a) Demonstrating Value Video

It was decided not to view this video.

b) Knowledge Gap Analysis

Library Board members will complete the Knowledge Gap Analysis for the next regularly scheduled Board meeting. Results from the Analysis will be reviewed at this meeting.

14. Library Efficiencies Review

The Library Board was asked to reconsider participating in an efficiency review conjointly with the Town of Newmarket. (September 7, 2016. Library Board meeting, motion 16.09.143).

Motion 17.01.180

Moved by Darcy McNeil

Seconded by Venkatesh Rajaraman

That the Board authorize the C.E.O. to participate in the commissioning of a study conjointly with the Town of Newmarket as described in the report with a view to operating a new and or joint library facility;

And that the Board authorize in principle the expenditure of up to \$25,000 as the Library's 50% share of the related costs, to be transferred from the Operating Reserve as needed at the end of the fiscal year.

Carried

New Business

There was no new business.

Date(s) of Future Meetings

15. The next regular Library Board meeting is rescheduled to February 15, 2017 at 5:30 in the Library Board room.

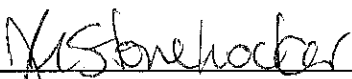
Adjournment**Motion 16.12.175**

Moved by Tom Vegh

Seconded by Kelly Broome

That there being no further business meeting adjourned at 6:45 pm.

Carried


Joan Stonehocker
Chair


Todd Kyle, CEO
Secretary/Treasurer

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, December 6, 2016 in the Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Councillor Hempen (7:02 to 8:51 p.m.)
Athol Hart, Chair
Billie Locke
Joan Seddon
Malcolm Watts

Absent: Soni Felix Raj
Rohit Singh

Staff Present: C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:02 p.m.

A. Hart in the Chair.

Additions & Corrections to Agenda

None.

Declarations of Interest

None.

Approval of Minutes

1. Heritage Newmarket Advisory Committee Minutes of November 1, 2016.

Moved by: Billie Locke
Seconded by: Malcolm Watts

THAT the Heritage Newmarket Advisory Committee Minutes of November 1, 2016 be approved, as amended.

Carried

Presentations/Deputations

None.

Correspondence

2. Memorandum from the Alternate Secretary-Treasurer, Committee of Adjustment dated November 22, 2016 regarding deferral of Applications for Consent and Minor Variance - 353 Ontario Street and 0 Ontario Street.
3. Memorandum from the Alternate Secretary-Treasurer, Committee of Adjustment dated November 22, 2016 regarding deferral of Applications for Consent and Minor Variance - 770 Gorham Street.

Moved by: Joan Seddon

Seconded by: Councillor Hempen

THAT the memorandum from the Alternate Secretary-Treasurer, Committee of Adjustment dated November 22, 2016 regarding deferral of Applications for Consent and Minor Variance - 353 Ontario Street and 0 Ontario Street and memorandum from the Alternate Secretary-Treasurer, Committee of Adjustment dated November 22, 2016 regarding deferral of Applications for Consent and Minor Variance - 770 Gorham Street be received.

Carried

Items

4. Designated Property Maintenance and Concerns
 - a) Main Street Clock Inc.

The Chair advised that the Main Street Clock Inc. development proposal was denied by Council at their meeting on December 5, 2016 meeting. Discussion ensued regarding the need for remediation for the Clock Tower property and the requirement for a letter to be written by the Senior Planner – Community Planning to the Forrest Group immediately, reminding them of their obligations to repair and protect the building in order to prevent any further deterioration.

Moved by: Billie Locke
 Seconded by: Joan Seddon

THAT a letter be sent to the Forrest Group, owners of the Main Street Clock Inc. property requesting immediate repair of the building to protect it from further deterioration.

Carried

Councillor Hempen did not take part in the discussion or voting of the foregoing matter.

b) Bogart House

Councillor Hempen advised that he attended a site visit at Bogart House with Members of Council, staff, media and the property owner and provided a summary of observations related to the condition of the exterior of the house. He further advised that the property owner has committed to sealing the windows and repairing the fence to prevent further access to the house. Staff have requested that a heritage architect prepare a report summarizing means of preserving and repairing the interior and exterior of the home at the property owner's expense. Discussion ensued regarding the final location of the home and requirements for immediate remediation.

Moved by: Councillor Hempen
 Seconded by: Malcolm Watts

a) THAT the property owner be provided notice of the following deficiencies and remediation requirements under the Ontario Heritage Act:

- i) Upper level and basement windows requires repair, replacement and/or sealing;
- ii) Replacement of the two downspouts that are missing in order to drain water away from the home;
- iii) Hole in the perimeter fence to be repaired;
- iv) Wooden cladding to be secured and any holes to be repaired;
- v) Eavestroughs to be cleaned;

b) AND THAT further comments from the Heritage Newmarket Advisory Committee will be brought forward upon receipt of a Heritage Architectural Assessment;

c) AND THAT the Heritage Newmarket Advisory Committee be circulated any correspondence that has been sent to the property owner with respect to the condition of the property.

Carried

c) Union Hotel

Moved by: Councillor Hempen

Seconded by: Billie Locke

THAT a representative from Metrolinx or York Region Rapid Transit be requested to provide a presentation and update on plans for the Union Hotel at the January, 2016 Heritage Newmarket Advisory Committee meeting.

Carried

d) Christian Baptist Church

Discussion ensued regarding mechanisms by which the Committee can ensure that repairs are made to the church tower, including options available through the By-laws department.

e) Designation Requests

The Chair advised that the three designation requests moved forward at Council.

5. Plaques

a) Site plaques

No further update to provide.

b) Residence plaques

M. Watts advised of outstanding items that have been assigned to other Committee members for completion.

6. Discussion regarding amendments to the Walking Tour of the Historical District Brochure.

Discussion of this item was deferred to the January, 2017 meeting.

7. Reports of Committee Members

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

The Chair advised that ARCH is willing to assume the gazebo restoration and installation project as a Canada 150 initiative. Discussion ensued regarding the status of the budget for the restoration project.

- b) Elman W. Campbell Museum Board

B. Locke advised that she has provided information from the Committee about the Museum sign and further advised that Mr. Ross Caister will be contacting sign companies to discuss appropriate treatment and will meet with the Chair to discuss options.

- c) Lower Main Street South Heritage Conservation District Advisory Group

No update to provide.

- d) Newmarket Historical Society Board of Directors

No update was provided.

New Business

- a) The Chair advised that he was able to find a historic photo of the balcony at 214 Main Street to forward on to the property owners.
- b) The Council/Committee Coordinator advised of her upcoming departure from the Town and future support plans in the interim until a replacement is hired.

Adjournment

Moved by: Joan Seddon
Seconded by: Billie Locke

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:01 p.m.

Feb. 14/17
Date

A. Hart
A. Hart, Chair



Town of Newmarket **MINUTES**

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MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT

Tuesday, January 17, 2017 at 7:30 PM
Community Centre Hall # 2
200 Doug Duncan Drive

The meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday, January 17, 2017 in Hall # 2 of the Community Centre - 200 Doug Duncan Drive, Newmarket.

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

Absent: Siegfried Wall

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

The meeting was called to order at 7:30 p.m.

G. Wilson in the Chair.

Additions/Corrections to Agenda

None.

Declarations of Pecuniary Interest

None.

Presentations

None.

Deputations

None.

Approval of Minutes

1. Main Street District Business Improvement Area Board of Management Minutes of November 15, 2016.

Moved by: Councillor Kwapis
Seconded by: Elizabeth Buslovich

THAT the Main Street District Business Improvement Area Board of Management Minutes of November 15, 2016 be approved.

Carried

Items

2. Riverwalk Art and Lighting Project.

The Economic Development Officer provided a verbal update regarding a proposed public art and lighting initiative to be installed under the Water Street bridge and along the Holland River shoreline near the Water Street bridge in an effort to create a public art installation using projected light displays.

O. Paiva expressed concerns with respect to potential light pollution to neighbouring businesses and residential tenants.

The Economic Development Officer suggested that Members attend the demonstration display scheduled with the provider and further discussion could take place after that.

Moved by: Jackie Playter
Seconded by: Rory Rodrigo

THAT the verbal update by the Economic Development Officer regarding the proposed public art and lighting initiative be received.

Carried

3. Marketing Sub-committee Report

The Chair distributed copies of the Marketing Sub-committee Minutes of November 22, 2016.

Moved by: Peter Mertens
Seconded by: Elizabeth Buslovich

THAT the Marketing Sub-committee Minutes of November 22, 2016 be received.

Carried

4. Street Events Update

Carmina Pereira provided a verbal update about the next scheduled street event being 'Easter Celebrations'. She advised that proposed dates for the remainder of the 2017 street events will be determined at the next Marketing Sub-committee meeting.

The Chair advised that he met with Town representatives regarding a proposed event for July 22, 23, 2017 being a series of short theatrical productions at various stage locations across Town. He advised that he would provide more information once it becomes available.

Moved by: Elizabeth Buslovich
Seconded by: Rory Rodrigo

THAT an amount of \$2500.00 be approved for Easter celebration expenses and an additional \$500.00 be allocated for advertising of the Easter festivity.

Carried

5. Financial Update

The Economic Development Officer advised of no financial update at this time as the fiscal year has just begun and the 2016 year end documents are not yet available.

6. Ratification of Actions of E-mail Consensus for additional funding of Prior Approved Budget Items (Radio Advertisement increase and Purchase of Recognition Plaques)

Moved by: Peter Mertens
 Seconded by: Jackie Playter

THAT an amount of \$330.00 be confirmed for additional expense as was agreed to by e-mail consensus for payment of the extra radio advertisement promotions during the holiday season.

Carried

Moved by: Jackie Playter
 Seconded by: Olga Paiva

THAT an amount of \$50.00 be confirmed for additional expense as was agreed to by e-mail consensus for payment of two extra recognition plaques.

Carried

The Chair advised that he would send an e-mail to the area merchants to obtain feedback about the radio advertising and if such proved favourable to their businesses.

The Chair further advised that a future agenda item for discussion could be development of a policy related to recognition processes.

Discussion ensued regarding the feasibility of new business owners attending Main Street District Business Improvement Area Board of Management meetings to introduce themselves and provide information about their enterprise. Further discussion ensued regarding the feasibility of monthly newsletter production.

7. Newmarket Downtown Development Committee Update

The Economic Development Officer advised that the next scheduled Newmarket Downtown Development Committee meeting is February 1, 2017 and he would provide more information at next month's Main Street District Business Improvement Area Board of Management meeting about the applications to date.

Moved by: Olga Paiva
 Seconded by: Councillor Kwapis

THAT the verbal update by the Economic Development Officer regarding the Newmarket Downtown Development Committee be received.

Carried

8. Photograph Licensing Fees Discussion

The Chair advised that he recently purchased four photographs for use on the Main Street District Business Improvement Area Board of Management website. He further advised he would contact the website designer in an effort to settle the account for the six photographs that have been used on the BIA website since its inception.

A suggestion was made to have visitors to Main Street submit photographs of various attended events with the intention of using same on the Main Street District Business Improvement Area website.

Discussion ensued regarding the outstanding invoice to the website designer and the current host domain. The Chair advised he would investigate the host domain being used currently and this matter would be deferred to a future meeting once more information has been obtained.

Councillor Kwapis advised that he provided a Notice of Motion at the last Committee of the Whole meeting requesting staff review options, best practices and by-laws that are used by towns and cities to prevent and/or manage unsightly vacant storefronts in areas of special interest such as Main Street and report back within 120 days.

Closed Session

The Chair advised there was no requirement for a closed session.

New Business

a) Olga Paiva queried the Economic Development Officer regarding the status of the Ontario Business Improvement Area membership dues.

A suggestion was made to discuss the upcoming Ontario Business Improvement Area conference at the February, 2017 Main Street District Business Improvement Area Board of Management meeting.

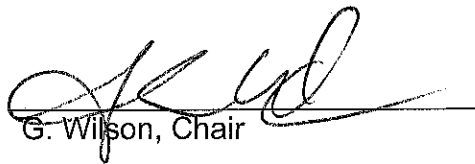
Adjournment

Moved by: Jackie Playter
Seconded by: Councillor Kwapis
THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:03 p.m.

Feb 21, 2017
Date


G. Wilson, Chair

The meeting of Site Plan Review Committee was held on Monday, March 6, 2017 at 2:00 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members

Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Bisanz
Councillor Broome
Councillor Hempen
Councillor Kerwin
Councillor Kwapis
Councillor Twinney
Councillor Vegh

Staff: Bob Shelton, Chief Administrative Officer
Peter Noehammer, Commissioner, Development & Infrastructure Services
Rick Nethery, Director, Planning & Building Services
Meghan White, Planner
Linda Traviss, Senior Planner – Development

Accessibility

Advisory

Committee: Richard Wilson

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

Mayor Van Bynen in the Chair.

**1. APPLICATION FOR SITE PLAN APPROVAL
470 CROSSLAND GATE (BLOCK 160) – WARD 7
(SOUTH SIDE OF DAVIS DRIVE, EAST OF CROSSLAND GATE)
OUR FILE NO.: D14-NP16-18
MARIANNEVILLE DEVELOPMENTS LIMITED**

Application for Site Plan Approval to permit the construction of 140 townhouse dwelling units within 22 buildings on the subject lands.

Joanne Barnett of Marianneville Developments Limited and Richard Vink of VA3 Design were present to address the Committee.

The Site Plan Review Committee recommends:

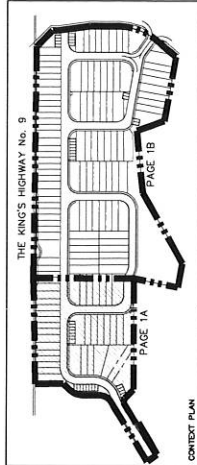
- 1. That the Application for Site Plan Approval to permit the construction of 140 townhouse dwelling units within 22 buildings be approved in principle and referred to staff for processing, subject to the following:**
 - a. THAT the preliminary review comments be addressed to the satisfaction of Town Staff.**
- 2. AND THAT Joanne Barnett, Marianneville Developments Limited, 3-26 Lesmill Road, TORONTO, ON M3B 2T5 , be notified of this decision;**
- 3. AND THAT Kerigan Kelly, Groundswell Urban Planners Inc., 30 West Beaver Creek Road, Unit 109, RICHMOND HILL, ON L4B 3K1, be notified of this decision.**

The meeting adjourned at approximately 2:35 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on March 27, 2017.

Mar 7/17
Dated


Director, Planning & Building Services

	72
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100% OF REPRESENTATIVE PERSONAL INCOME OF ALL PERSONS IN THE HOUSEHOLD REPORTEDLY RECEIVING MEDICAL ASSISTANCE		84.1% (124) TOTAL (10 AREA) 76.3 (142) 84.1 (124) 3.8 (6)	100% OF REPRESENTATIVE PERSONAL INCOME OF ALL PERSONS IN THE HOUSEHOLD REPORTEDLY RECEIVING MEDICAL ASSISTANCE
ZONING : URBAN SUBURBAN RURAL	URBAN SUBURBAN RURAL TOTAL 100% OF REPRESENTATIVE PERSONAL INCOME OF ALL PERSONS IN THE HOUSEHOLD REPORTEDLY RECEIVING MEDICAL ASSISTANCE	100% OF REPRESENTATIVE PERSONAL INCOME OF ALL PERSONS IN THE HOUSEHOLD REPORTEDLY RECEIVING MEDICAL ASSISTANCE	100% OF REPRESENTATIVE PERSONAL INCOME OF ALL PERSONS IN THE HOUSEHOLD REPORTEDLY RECEIVING MEDICAL ASSISTANCE

2024	Phone Service
North York, Ontario M2N 1G5	
tel	(416) 435-2220
fax	(416) 435-2822
e-mail	simon@simon.com
Contact	Richard Wink & Associates
2025	Phone Service
North York, Ontario M2N 1G5	
tel	(416) 435-2220
fax	(416) 435-2822
e-mail	simon@simon.com
Contact	Richard Wink & Associates



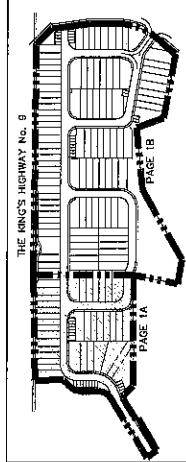
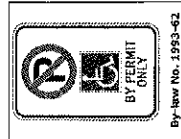
INDIVIDUAL STATE FOR STANDARD TOWN HOMES									
BUILDING 10 (6.00m TOWNS)									
Unit	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Area	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Volume	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Weight	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Temperature	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Pressure	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Humidity	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Speed	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Acceleration	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Displacement	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Velocity	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Force	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Energy	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Power	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
Frequency	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9
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Frequency	10.1	10.2	10.3	10.4	10.5	10.6			

1. **APPLICATION FOR SITE PLAN APPROVAL
470 CROSSLAND GATE (BLOCK 160) – WARD 7
(SOUTH SIDE OF DAVIS DRIVE, EAST OF CROSSLAND GATE)
OUR FILE NO.: D14-NP16-18
MARIANNEVILLE DEVELOPMENTS LIMITED**
-

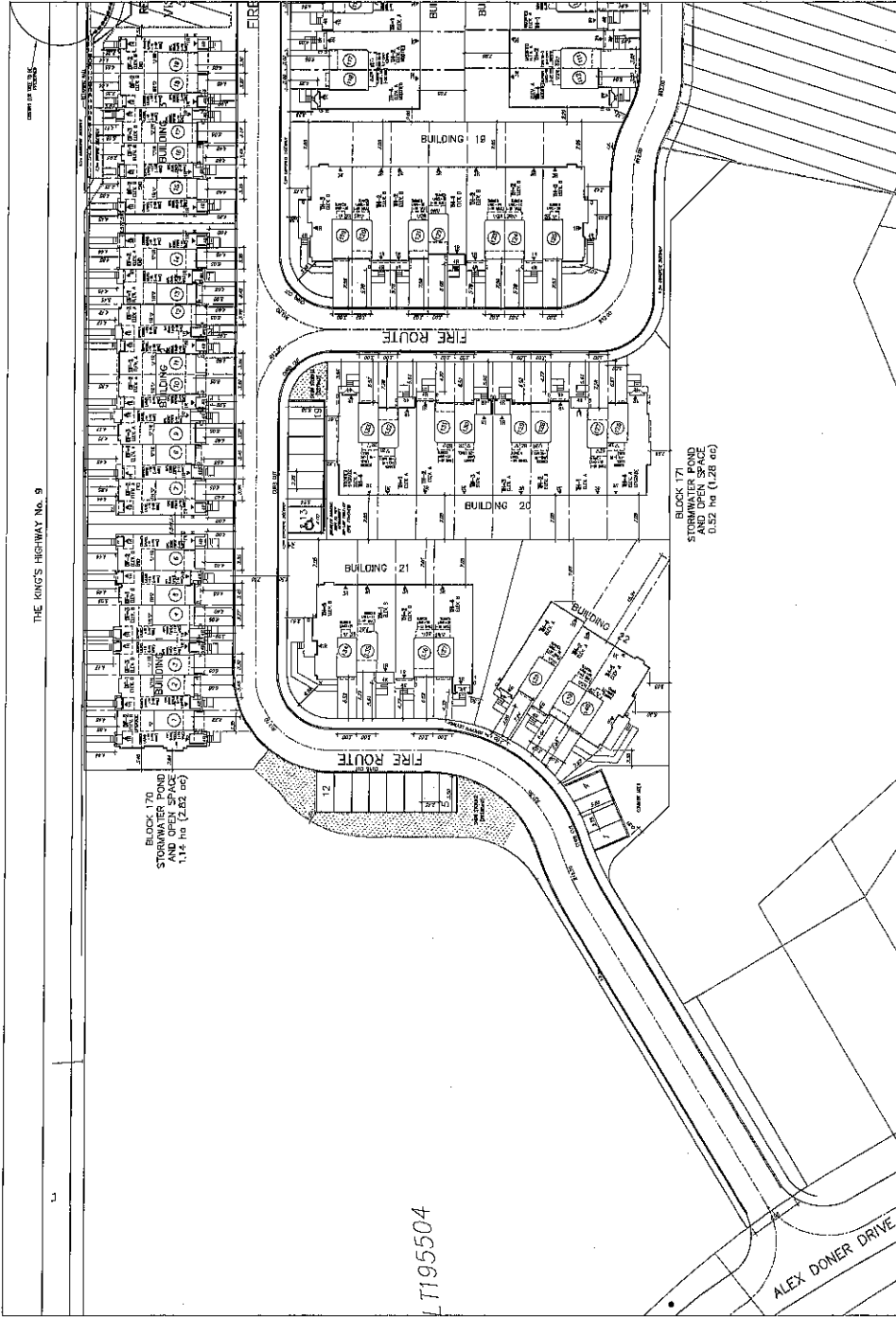
Application for Site Plan Approval to permit the construction of 140 townhouse dwelling units within 22 buildings on the subject lands.

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3. **AND THAT Kerigan Kelly, Groundswell Urban Planners Inc., 30 West Beaver Creek Road, Unit 109, RICHMOND HILL, ON L4B 3K1 be notified of this decision.**

[illegible][illegible][illegible]

CONTEXT PLAN

[illegible][illegible]

INDIVIDUAL STATE FOR SEAT LANE TOWN, JONES														
BUILDING 1 (5.50M DE TOWNS)					BUILDING 2 (5.50M DE TOWNS)					BUILDING 3 (5.50M DE TOWNS)				
House #	House Name	House Type	House Age	House Size	House #	House Name	House Type	House Age	House Size	House #	House Name	House Type	House Age	House Size
1	101	101	101	101	1	101	101	101	101	1	101	101	101	101
2	102	102	102	102	2	102	102	102	102	2	102	102	102	102
3	103	103	103	103	3	103	103	103	103	3	103	103	103	103
4	104	104	104	104	4	104	104	104	104	4	104	104	104	104
5	105	105	105	105	5	105	105	105	105	5	105	105	105	105
6	106	106	106	106	6	106	106	106	106	6	106	106	106	106
7	107	107	107	107	7	107	107	107	107	7	107	107	107	107
8	108	108	108	108	8	108	108	108	108	8	108	108	108	108
9	109	109	109	109	9	109	109	109	109	9	109	109	109	109
10	110	110	110	110	10	110	110	110	110	10	110	110	110	110
11	111	111	111	111	11	111	111	111	111	11	111	111	111	111
12	112	112	112	112	12	112	112	112	112	12	112	112	112	112
13	113	113	113	113	13	113	113	113	113	13	113	113	113	113
14	114	114	114	114	14	114	114	114	114	14	114	114	114	114
15	115	115	115	115	15	115	115	115	115	15	115	115	115	115
16	116	116	116	116	16	116	116	116	116	16	116	116	116	116
17	117	117	117	117	17	117	117	117	117	17	117	117	117	117
18	118	118	118	118	18	118	118	118	118	18	118	118	118	118
19	119	119	119	119	19	119	119	119	119	19	119	119	119	119
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By-law No. 1993-62

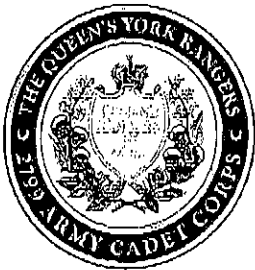
U.S. AIR FORCE
WRIGHT-PATTERSON AIR FORCE BASE
WPAFB, OHIO 45433-6100

Source: *Author's calculations*.

1

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4



**Queen's York Rangers
2799 Army Cadet Corps**

#6-14845 Yonge Street, Box 363

Aurora, Ontario • L4G 6H8

T 905-726-8600 • F 905-726-8660

2799army@cadets.gc.ca • www.rangers2799.com

VIA FACSIMILE
(905) 953-5100

February 15th, 2017

Town of Newmarket
395 Mulock Drive
PO Box 328
Newmarket, ON
L3Y 4X7

LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
FEB 15 2017		

Attn: Ms. Lisa Lyons, Director of Legislative Services

Dear Ms. Lyons,

**RE: PERMISSION FOR TAGGING FUNDRAISING IN 2017,
QUEEN'S YORK RANGERS 2799 ARMY CADET CORPS**

It would be greatly appreciated by the Cadets and Officers of the Queen's York Rangers Army Cadet Corps that we be permitted to conduct tagging in the Town of Newmarket on **Thursday, September 14th to Sunday, September 17th, 2017.**

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

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

Please confirm your consent in writing to the above address at your earliest convenience.

If you have any questions or concerns, I can be reached at 647-227-9161.

Thank you for your support and consideration.

Yours truly,

Andrea McKechnie

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

Good Morning Mayor Van Bynen,

On behalf of the Walk For Values Steering Committee, we would like to request your support in this Walk and the proclamation of "HUMAN VALUES DAY" on April 24 2017. The purpose of the Walk for Values is to raise awareness of the Human Values of Truth, Love, Peace, Non-violence, and Right Conduct. The Walk for Values is not a "fund" raiser, rather we ask participants to take a pledge to transform themselves and the community by practicing the human values. We hope that the Walk for Values will help build "Communities of Character", which in turn will promote the unity of the nation. Canada is a great country and we are proud of its multiculturalism and the rich values we hold.

This is the 15th year of the Walk for Values, which is significant as we will also be celebrating Canada's 150th year. The Walk for Values started in 2003 when street violence took place in the notorious Malvern area of Toronto. Your support for this Walk and the proclamation of "HUMAN VALUES DAY" on April 24, 2017 will bring greater awareness about the human values that shape our lives and the future of our children. We hope this will spread the message of living in harmony, caring for each other and our environment, in every city in Canada and around the world.

We have attached with this email the following documents for your records:

- 1) A write up about the Walk for Values and how it is spreading the Values and helping us to be better citizens of this great country
- 2) Prime Minister's message from last year's event
- 3) Ontario Premier's message from last year's event
- 4) Cities that issued Proclamations in the past

Also if you have any suggestions in bringing the transformation and it will be very much appreciated. Through a separate invitation we will send to you the calendar of the Walk for Values to be held in 9 Cities across Canada.

Kind regards.

Sincerely,

Kalyani Vimalasan
WALK FOR VALUES

Good Afternoon Mayor Bynen

On behalf of the Steering Committee and the large number of community volunteers at the Walk for Values, we like to express our deep gratitude to raise awareness to practice Human Values and to building the "Communities of Character". Canada is a great country and we are proud of its multiculturalism and the rich values we hold.

This is the **15th year** while we celebrate **Canada's 150 years** that we again take an important step walking together at the **Walk for Values 2017**, not for "fund" raising but taking a pledge to transform self and the community by practicing values. The Walk for Values started in 2003 when street violence took place in Malvern area of Toronto. Your support for this Walk and the proclamation of "**HUMAN VALUES DAY**" on **April 24, 2017** will bring greater awareness about human values that shape our lives and the future of our children. Please be rest assured, we will continue to work diligently to spread your message of living in harmony, caring for each other and our environment, in every city in Canada and around the world.

We have attached with this mail the following documents for your records:

- 1) A write up about the Walk for Values and how it is spreading the Values and helping us to be better citizens of this great country
- 2) Prime Minister's message from last year's event
- 3) Ontario Premier's message from last year's event
- 4) City's that issued Proclamations in the past

With your dynamic leadership, you have paved the path to a new wave of thinking, inspiring all of us to act lovingly, to do what's right for the city and the nation.

We look forward to your support in proclaiming **April 24, 2017** as the "**Human Values Day**".

Also if you have any suggestions in bringing the transformation and it will be very much appreciated. Through a separate invitation we will send to you the calendar of the Walk for Values to be held in 9 Cities across Canada.

Kind regards.

Sincerely,

Ron Naidoo | rnaidoo@walkforvalues.com | phone 416 258 3708
www.walkforvalues.com | Facebook | Twitter | Instagram |





PRIME MINISTER • PREMIER MINISTRE

June 19, 2016

Dear Friends:

I am delighted to extend my warmest greetings to everyone taking part in the 14th annual Walk for Values in Toronto.

What started as a community initiative in Malvern in 2003 has grown to an annual event in cities across Canada and around the world. Today, Canadians of all ages and from all backgrounds have taken a pledge to practice a basic human value that will enrich their personal lives and help make the world a better place. As they do so, they will have a wonderful opportunity to reflect on our blessings as a nation and on the values we hold dear: peace, freedom, respect, compassion and diversity.

I would like to commend all those walking today for their commitment to promoting unity and harmony, one step at a time. I would also like to thank the organizer, Sathya Sai School of Canada, for working together with community sponsors and volunteers to make this event such a success.

Please accept my best wishes for a memorable experience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Justin Trudeau', with a large, stylized flourish extending from the end.

The Rt. Hon. Justin P.J. Trudeau, P.C., M.P.
Prime Minister of Canada





Premier of Ontario - Première ministre de l'Ontario

June 19, 2016

A PERSONAL MESSAGE FROM THE PREMIER

On behalf of the Government of Ontario, I am delighted to extend warm greetings to everyone participating in the 14th Walk for Values.

Since its inception, the dedicated organizers of Walk for Values have inspired participants to make a conscious commitment to adopt one or more of the values of love, peace, truth, non-violence and good conduct. This event does much to raise awareness of the importance of tolerance, respect and understanding among citizens, communities and nations.

I commend everyone taking part in today's walk, as well as the organizers, sponsors and volunteers. Your participation demonstrates your commitment to making positive choices, and inspires others — of all ages and from all backgrounds — to do the same.

Please accept my sincere best wishes for a memorable and inspirational walk.

A handwritten signature in black ink, reading "Kathleen Wynne".

Kathleen Wynne
Premier



Walk for Values

A Walk for me, my family and my community!

www.walkforvalues.com



Celebrating 15 Years of Walk For Values and Honouring 150 Years of Canada

What is Walk for Values?

This is a walkathon which was started in the town of Malvern, ON., in 2003 by the Parent Council of the Sathya Sai School of Canada, a private elementary school, registered with the Ontario Ministry of Education. The school's thrust is **Education in Human Values**, where the staff, parents, students and volunteers all focus on *integrating human values* into the regular curriculum.

In 2004, this Walk became a national event being conducted annually in the cities of Ottawa, Kingston, Toronto, Saskatoon, Winnipeg, Edmonton, Calgary, and Coquitlam where representatives from Vancouver, Surrey, and Abbotsford join together with the City's Teddy Bear Parade. In 2007, it continued at Dundas Square, in downtown Toronto and in 2007, it also became *international* when it was done in Australia in 5 major cities on a national scale. Today it has spread over 4 continents in 30 major cities across the world. This is **the little Walk that grew** from just over 3000 walkers in Malvern in 2003 to over 5000 participants in 2010 at Yonge-Dundas Square, the heart of downtown Toronto, growing by the end of 2014 to an annual **international event** covering 28 major cities in 4 continents and counting! Since 2013, this Walk is being conducted from the prestigious **Nathan Phillips Square**, at Toronto City Hall.

This Walk is aimed at raising awareness of the importance of practicing **positive values** at helping in the eradication of violence, bullying, drugs, crime, disrespect and greed in our society. The uniqueness of the event is that **it is not a fundraiser**. Rather, each participant resolves to make the community richer **by pledging to practice a value of his or her choice**. In this way, it is a "walk of love" aimed at making our city, one citizen at a time, richer in our commitment to human values as a first step towards raising our social conscience.

Mission Statement

"Walk for Values" is a walk designed to raise awareness of *Human Values* and to promote individual and collective responsibility for the progress of humanity, one step at a time.

Vision Statement

A non-monetary, non-denominational event, this unique initiative, based on the five basic universal human values of Truth, Right Conduct, Peace, Love and Non-violence, is part of a global drive to seed human consciousness with timeless affirmations such as hope, kindness, patience and honesty, along with other positive values deemed integral to the sustenance and survival of mankind.

It calls for an honest self-examination from all its participants who identify areas for personal growth and pledge to practice associated values not only for self-transformation but also collectively for social, environmental and global reformation.

The Objective of the "Walk for Values"

The objective of the "Walk for Values" is to give members of the community, participating organisations and students a clearer understanding of the importance of a values-based life. Basic Human Values of truth, right conduct, peace, love and non-violence have been on the decline in our communities and our nations. We can see this in the daily reports in the newspapers, radio and TV news broadcasts. Guns, violence and drugs have infiltrated our streets, our communities and our families. By doing nothing we contribute to the increase of this decline. As responsible citizens, we simply must do something about it. This WALK is an opportunity to fulfil that responsibility in a positive way by raising the awareness of human values in our community.



Walk for Values

A Walk for me, my family and my community!

www.walkforvalues.com



Celebrating 15 Years of Walk For Values and Honouring 150 Years of Canada

The Values we walk for are Values to live by

TRUTH - honesty, integrity, optimism, excellence

RIGHT CONDUCT - courtesy, gratitude, fairplay, perseverance, determination, responsibility, sacrifice, initiative, leadership, courage, duty, ethics

PEACE - contentment, discipline, humility, patience, satisfaction, self-control, self-confidence, self-respect, understanding, modesty

LOVE - caring, compassion, reverence, forgiveness, generosity, kindness, enthusiasm, tolerance, dedication, devotion, unity

NON-VIOLENCE - gentleness, consideration, moderation, cooperation, brotherhood, equality, cultural respect, social justice

Current Locations, touching the 4 A-continentes of America, Australia, Asia and Africa:

Canada: Ottawa, Kingston, Toronto, Saskatoon, Winnipeg, Edmonton, Calgary Fort McMurray and Coquitlam.

Australia: Sydney, Melbourne, Adelaide, Canberra, Perth and Brisbane. **USA:** New York, Austin, Houston, Dallas, Raleigh, Seattle, Detroit, Ann Arbor, Chicago and Tempe. **India:** Chandigarh, Visakhapatnam New Delhi. **New Zealand:**

Auckland. **Malaysia:** Kampala. **Hong Kong:** The city of Hong Kong. **Africa:** Cape Town and Johannesburg.

Event Highlights focusing on the Tenth Anniversary, 2013

- It's not a fund raiser, but an event to promote Human Values and Character Development.
- The only major public event that supports & promotes excellence in Character in communities
- Collection of non-perishable food items - **with goal of 10 tons** - on a **National** basis for the Food Banks across Canada
- Conducting a **National Blood Donation** drive in partnership with CBS
- Collecting new and re-usable **clothing** to be distributed to the needy
- Donated **108 Children's' beds to charity** through the agency of 'Furniture Bank'
- Colorful floats, music bands and participation by other local public schools
- Motivational keynote speakers from the various community organizations
- "Go Green" was the theme for 2009 and continues as an underlying goal of all events
- Promotion of family values with fun games and prizes for children
- Leaders from the three levels of Government and other community organisations lead the parade
- Ignite Partner of Pan Am Games
- Alliance Partner for Canada 150

Respectfully submitted,

Ron Naidoo (For Walk for Values, Toronto.)



2015 Walk For Values

A walk for me, my family, and my community!

is proud to celebrate

“Walk For Values Day”

as proclaimed by the Mayors and Members of Council
in the following Canadian municipalities.



City of Edmonton
May 30th, 2015



City of Markham
May 31st, 2015



Town of Oakville
May 31st, 2015



City of Pickering
May 31st, 2015



City of Brampton
June 3rd, 2015



City of Ottawa
June 7th, 2015



City of Toronto
June 11th, 2015



City of Saskatoon
June 15-20th, 2015



City of Oshawa
June 25th, 2015



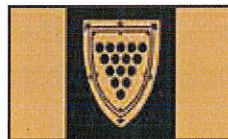
Town of Ajax
July 9th, 2015



Town of Whitchurch-Stouffville
July 16th, 2015



Cape Breton County
November 23rd, 2015



City of Cornwall
November 23rd, 2015



City of Estevan
November 23rd, 2015



Town of Gananoque
November 23rd, 2015



Town of Goderich
November 23rd, 2015



City of Nanaimo
November 23rd, 2015



Town of Parry Sound
November 23rd, 2015



Municipality of Port Hope
November 23rd, 2015



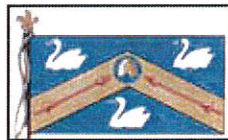
City of Prince Albert
November 23rd, 2015



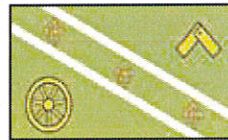
City of Quinte West
November 23rd, 2015



Town of Richmond Hill
November 23rd, 2015



City of Stratford
November 23rd, 2015



City of St. Thomas
November 23rd, 2015



City of Thunder Bay
November 23rd, 2015



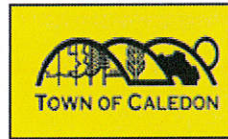
Town of Whitby
November 23rd, 2015



City of Yellowknife
November 23rd, 2015



Town of Aurora
November 26th, 2015



Town of Caledon
November 26th, 2015



City of Orillia
November 26th, 2015

www.walkforvalues.com

Values Without Borders!



Regional Clerk's Office
Corporate Services Department

February 17, 2017

Ms. Lisa Lyons
Director of Legislative Services/Town Clerk
Town of Newmarket
395 Mulock Drive, P.O. Box 328
Newmarket, ON L3Y 4X7

LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
FEB 23 2017		

Dear Ms. Lyons:

Re: Bill 65 – Safer School Zone Act, 2016

Regional Council, at its meeting held on February 16, 2017, adopted the following recommendations of Committee of the Whole regarding "Bill 65 – Safer School Zone Act, 2016":

1. Council adopt the Resolution in Attachment 1, on Bill 65, *Safer Schools Zones Act*, to advocate for amendments to allow for technology based enforcement of offences to be administered through an administrative monetary penalty system.
2. The Regional Clerk circulate this report to the Clerks of the local municipalities *seeking similar resolutions supporting the Region's position*.
3. The Regional Clerk circulate this report to the Association of Municipalities of Ontario, the Ministry of Transportation and the Ministry of the Attorney General.

A copy of Clause 6 of Committee of the Whole Report No.3 is enclosed for your information.

Please contact Lisa Brooks at 1-877-464-9675 ext. 73209 if you have any questions with respect to this matter.

Sincerely,

Christopher Raynor
Regional Clerk

CR/lmb
Attachments

Clause 6 in Report No. 3 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on February 16, 2017.

6

Bill 65 - *Safer School Zone Act*, 2016

Committee of the Whole recommends adoption of the following recommendations, as amended, in the report dated January 27, 2017 from the Regional Solicitor:

1. Council adopt the Resolution in Attachment 1, on Bill 65, *Safer Schools Zones Act*, to advocate for amendments to allow for technology based enforcement of offences to be administered through an administrative monetary penalty system.
2. The Regional Clerk circulate this report to the Clerks of the local municipalities seeking similar resolutions supporting the Region's position.
3. The Regional Clerk circulate this report to the Association of Municipalities of Ontario, the Ministry of Transportation and the Ministry of the Attorney General.

Report dated January 27, 2017 from the Regional Solicitor now follows:

1. Recommendations

It is recommended that:

1. Council adopt the Resolution in Attachment 1, on Bill 65, *Safer Schools Zones Act*, to advocate for amendments to allow for technology based enforcement of offences to be administered through an administrative monetary penalty system.
2. This report be circulated by the Regional Clerk to the Clerks of the local municipalities, the Association of Municipalities of Ontario, the Ministry of Transportation and the Ministry of the Attorney General.

2. Purpose

This report advises Council of the provisions of Bill 65 *Safer School Zones Act, 2016* ("Bill 65") which would amend the *Highway Traffic Act* ("HTA") to allow for the use of technology to enforce speeding offences in community safety and school zones and the impact of these amendments on municipalities and the Provincial Offences Act ("POA") Courts. This report also recommends advocacy to allow for enforcement of such offences as well as Red Light Camera offences through administrative penalties

3. Background

On November 15, 2016 the Minister of Transportation introduced Bill 65. The intent of Bill 65 is to amend the *Highway Traffic Act* (HTA) by repealing the current photo radar provisions and enact a new automated speed enforcement system ("ASE"). Municipalities would be able to enact bylaws to allow the use of the ASE in community safety and schools zones.

4. Analysis and Implications

Bill 65 would allow municipalities to enact bylaws implementing ASE in community safety and school zones to increase safety through the efficient enforcement of speed limits

The HTA provides municipalities the authority to enact bylaws designating community safety zones and school zones. Despite being enacted by a municipality such bylaws create HTA offences which are administered through the POA Courts as they are not municipal bylaw offences.

Enforcement would follow a process similar to the Red Light Camera program in that the owner of the vehicle would be charged with the speeding infraction under the HTA and the charge would proceed through the POA court system with options for payment, guilty-pleas or a request for trial.

Under Bill 65 in its current form, the full costs of implementation and operation of ASE would be borne by the municipality, and administration and fine revenue would remain with the POA Courts

Under Bill 65 as proposed, implementation of ASE in community safety and school zones would be the responsibility of the municipality and any operational costs would be incurred by the municipality accordingly. There is no mechanism

within the existing POA framework for local municipalities to recover costs of ASE programs through HTA fine revenue. This program would not fall within the purview of York Regional Police and has no direct impact on police operations.

The Region's local municipalities receive fine revenue for bylaw offences and the Region's Court Services retains the fine revenue from HTA offences

Under the POA Court Inter-municipal Agreement, local municipalities receive fine revenue for municipal bylaw offences (Sections 433 and 434 of the *Municipal Act, 2001*). Fine revenue for HTA offences are collected and retained by Court Services to cover the costs of operating the POA Court program.

Section 102.1 of the *Municipal Act, 2001* currently authorizes municipalities to implement an administrative monetary penalty system for parking bylaws. Administrative penalties are an alternate mechanism for enforcement of bylaws. The offender is given a monetary penalty (ticket) without the right to dispute the ticket in court. There is a right to have the penalty reviewed by a Screening Officer and to further dispute that decision before a Hearing Officer. The Screening Officer and Hearing Officer are appointed by the municipality and can reduce the amount to be paid or grant additional time to pay an administrative penalty. Where a municipality has enacted a bylaw with administrative penalties, the offences under the bylaw are not POA offences and are not enforced through the POA Courts.

Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2016* includes provisions to expand the ability of municipalities to implement administrative penalties for enforcement of municipal bylaws, beyond parking and licensing, but these proposed provisions would not extend to HTA offences including ASEs.

Enforcement through AMPS would result in efficient enforcement in community safety and school zone and reduce pressure created by scheduling constraints and backlog in the POA Courts system

The Region's Court Services program, like most POA Courts, is experiencing significant backlog in scheduling trial matters within the courts. Increased court closures due to a judicial shortage are creating significant pressures on the Region's POA court program. Court Services does not have the capacity to schedule additional trial requests that would result from ASE charges.

Court Services and other POA Court programs have been advocating for legislative amendments to allow certain HTA offences, including Red Light Camera and photo radar, to be enforced exclusively through administrative

penalties. This would relieve constraints on court capacity and reserve court time for matters requiring in-person evidence by enforcement officers and witnesses.

Municipalities currently have the authority to implement administrative penalties for licensing bylaws. Technology-based offences can be enforced efficiently and effectively through administrative penalties and would provide an option for municipalities to operate ASE and recover costs.

Legislative changes are required to address the costs associated with ASE and the projected activity increase in the POA Courts

POA Courts staff have been lobbying the Ministry of Transportation to make amendments to the HTA that will allow for ASE charges to be administered under administrative penalties. The Association of Municipalities Ontario ("AMO") and POA Court program administrators have also been lobbying the Ministry of the Attorney General to support changes necessary to allow technology-based offences including Red Light Cameras and speed enforcement to be administered through administrative penalties.

Section 21.1 of the HTA was enacted to allow for the Lieutenant Governor in Council to make a regulation prescribing administrative penalties for certain offences under the HTA and the regulations. The section has not yet been proclaimed and a regulation has not been enacted.

Local municipalities are encouraged to work with other Ontario municipalities and AMO to advocate for a regulation under s 21.1 of the HTA and the proclamation of that section that will allow for administrative penalties to be used for enforcement of the ASE and Red Light Camera programs.

5. Financial Considerations

Since the Region retains fine revenue from HTA offences in its POA Courts, the Region could operate ASE on its roads and retain fine revenue resulting from ASE offences. Future reporting on implementation would address the subject of expected cost-recovery. POA fines would offset such costs. Enforcement through administrative penalties could reduce the costs of enforcement by avoiding the costs associated with the POA courts.

6. Local Municipal Impact

If local municipalities in York Region implement ASE under Bill 65 as drafted, they will incur these operational costs without any revenue to offset those costs. A collaborative approach with the local municipalities and AMO is necessary to

advocate for the tools municipalities need to enforce ASE in a cost effective manner thereby responding to the safety issues local municipalities have identified within community safety and school zones. ASE offers a practical alternative to traffic calming-achieving the same desired behaviour by penalizing offenders. It provides another tool for municipalities to consider in addressing community concerns about speeding.

7. Conclusion

The proposed ASE provisions of Bill 65 are intended to be a benefit to municipalities. However for ASE to be effective it is necessary for a regulation to be enacted and section 21.1 of the HTA to be proclaimed so that administrative penalty provisions would apply to ASE and Red Light Camera programs.

For more information on this report, please contact Lisa Brooks, Director Court Operations 1-877-464-9675 ext. 73209

The Senior Management Group has reviewed this report.

January 27, 2017

Attachments (1)

7268200

Accessible formats or communication supports are available upon request.

Attachment 1

Resolution of _____

Moved by _____

Seconded by _____

WHEREAS the Legislature introduced Bill 65 – *Safer School Zones Act, 2016* (Bill 65) on November 15, 2016 to repeal the existing photo radar provisions of the Highway Traffic Act (*HTA*) and replace them with provision for automated speed enforcement;

AND WHEREAS Bill 65 would allow municipalities, by bylaw, to implement and operate automated speed enforcement in community safety zones and school zones on roads under their jurisdiction;

AND WHEREAS municipalities would be responsible for the implementation and operational costs of automated speed enforcement on roads under their jurisdiction;

AND WHEREAS the bylaws designating community safety zones and school zones or implementing the automated speed enforcement would be enacted under the *HTA* and would create *HTA* offences;

AND WHEREAS *HTA* offences are administered through the *Provincial Offences Act* courts and any *HTA* fine revenue collected through the POA courts would be retained by the POA court program not the local municipality;

AND WHEREAS the *Municipal Act, 2001* authorizes municipalities to implement an administrative monetary penalty system for parking and licensing bylaws, and Bill 68 *Modernizing Ontario's Municipal Legislation Act, 2016* proposes to expand authority for administrative monetary penalties to other municipal bylaws;

AND WHEREAS penalties for offences arising out of enforcement through technology such as automated speed enforcement and red light cameras can be administered effectively and efficiently through an administrative monetary penalty system;

AND WHEREAS POA Court administration have been calling on the government to allow other technology-based offences including red light cameras to be administered through administrative penalties;

AND WHEREAS s. 21.1 of the *Highway Traffic Act* if proclaimed would allow for a regulation to be made authorizing enforcement of prescribed offences through administrative monetary penalties rather than the POA courts;

BE IT RESOLVED THAT Council requests the Minister of Transportation in conjunction with the Lieutenant Governor in Council to make a regulation pursuant to s. 21.1 of the *Highway Traffic Act*, that would allow for offences created by automated speed enforcement and red light cameras to be administered through the administrative monetary penalties and for the Attorney General to support the necessary changes to allow technology based enforcement of offences to be administered through administrative monetary penalties.

TOWN OF NEWMARKET

Outstanding Matters Schedule A

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
1.	Council – April 20, 2015 – Item 7 Committee of the Whole – May 9, 2016 – Item 15 – Motion – Regional Councillor Taylor	<p>THAT staff provide a report within six months related to internet voting.</p> <p>THAT Council direct staff to bring back a report within 180 days that examines the process and issues related to a ban on corporate and union donations in Newmarket Municipal Elections.</p> <p>➤ Legislative Services</p>	<p>Q2, 2016 Q3, 2016 March 27, 2017</p> <p>November, 2016 January, 2017</p>	
2.	Committee of the Whole – February 22, 2016 – Item 27 Motion – Councillor Hempen Welcome Entrance Sign	<p>THAT staff report back on the feasibility and suitable location for the installation of a community welcome entrance sign at the intersection of Longford Drive and Davis Drive;</p> <p>AND THAT staff also provide a suitable design for the welcome sign. The cost of the sign will be covered by private fundraising.</p> <p>➤ Development and Infrastructure Services</p>	<p>Q2/Q3, 2016 Q4, 2016 Q1, 2017 Q2, 2017</p>	
3.	Council – April 4, 2016 – Item 5 Joint Report Community Services - Recreation and Culture, Development and Infrastructure Services - Public Works, Engineering, Corporate Services - Finance 2016-14 dated March 31, 2016 regarding Implementation Plan - Future Facilities and Land Use.	<p>THAT Phase 2 of the Recreation Playbook Implementation Plan be approved as outlined in the report, with public consultation done as part of applicable design processes;</p> <p>AND THAT Phase 3 of the Recreation Playbook Implementation Plan be shared with the community through a public consultation process and that staff then report back;</p> <p>AND THAT future Council Workshops be done to consider specific uses and negotiation strategies on potential property acquisitions, as outlined in the report;</p> <p>AND THAT as part of the 2016 Capital Budget, the design for an outdoor basketball court at Ken Sturgeon Park be undertaken, and funding for construction be requested in the 2017 Capital Budget funded from Development Charges and Capital Reserves, in order to include this project in Phase 2 of the Recreation Playbook implementation plan.</p> <p>➤ Recreation and Culture</p>	<p>Q4, 2016 Q2, 2017</p>	

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

Bold indicates that the item will be on the upcoming agenda

Last revisions made on March 9, 2017

(Updated and including the Committee of the Whole Minutes of February 27, 2017)

Item Subject		Recommendations & Responsibility	Date to come back to Committee	Comments
4.	Council – June 7, 2016 – Item 35 Joint Office of the CAO and Commissions of Development and Infrastructure Services, Community and Corporate Services Report 2016-08 – Federal Infrastructure Funding	<p>THAT staff provide Council with a prioritized list of infrastructure projects currently not funded through Development Charges, the Asset Replacement Fund or Other Reserve Funds for implementation between 2018 to 2025 that augment existing priorities, strategies and master plans or leverage grant funding for initiatives that achieve our Corporate Vision of a 'Community Well Beyond the Ordinary'</p> <p>➤ Strategic Initiatives</p>	Q2, 2017	Awaiting next phase of funding announcements
5.	Council – June 27, 2016 – Item 34 Development and Infrastructure Services Report – ES 2016-24 regarding Savage Road/Sandford Street Traffic Review	<p>THAT Item 4 – Active Transportation Plan (bicycle lanes) on Sandford Street from Mulock Drive to Savage Road with a possible extension along Savage Road to Paul Semple Park entrance be deferred in order to provide an opportunity to work with residents to monitor and evaluate the traffic calming measures.</p> <p>➤ Engineering Services</p>	Q2, 2017	
6.	Committee of the Whole – August 29, 2016 – Item 20 – Corporate Services Report – Legislative Services 2016-17 regarding 'Potential Regulation of Driving School Instructors'	<p>THAT staff host a PIC in November, 2016 to seek Council, public and industry input on the potential regulation of driving school instructors operating in the Town of Newmarket;</p> <p>AND THAT staff continue to work with the MTO and driving school instructors operating in the Town of Newmarket to mitigate traffic and perceived safety concerns raised by residents;</p> <p>AND THAT staff bring back a report in the first quarter of 2017 regarding the potential regulation of driving school instructors operating in the Town of Newmarket.</p> <p>➤ Legislative Services</p>	April 10, 2017	<p>Public Information Centre scheduled for Tuesday, December 6, 2016 – 7:00 p.m. – Municipal Offices</p> <p>Compiling information from MPP's office and conducting road statistics</p>
7.	<p>Development and Infrastructure Services Information Report – ES 2016-41 Solar Powered Pole Mounted Radar Speed Displays – Pilot Project</p> <p>Committee of the Whole – February 27, 2017 – Item 20 – Pole Mounted Display Sign Program</p>	<p>THAT staff explore the pilot project initiated by the Town of Aurora regarding solar powered pole mounted radar speed displays;</p> <p>AND THAT staff follow up with each Ward Councillor with respect to proposed placement of existing speed display boards;</p> <p>AND THAT a further update report be brought back to a future meeting.</p> <p>THAT Development & Infrastructure Services – Engineering Services Information Report 2017-03 dated February 8, 2017 regarding the Pole Mounted Display Sign Program – Town of Aurora be received.</p>		
8.	Council – December 5, 2016 – Item 44 Development & Infrastructure Services – Planning & Building Services Report 2016-25 – 178, 180, 184, 188, 190 and 194 Main Street	<p>THAT in 120 days, staff be directed to bring back an amendment to the Heritage Conservation District Plan and By-law for consideration of Council that would outline the criteria which would need to be met by applicants in order to be considered for approval for a fourth storey set back from the street by a minimum of 15 (fifteen) feet.</p> <p>➤ Planning and Building Services</p>	April, 2017	

Item Subject		Recommendations & Responsibility	Date to come back to Committee	Comments
9.	Committee of the Whole – February 6, 2017 – Item 14 – Motion – Councillor Kwapis – Vacant Storefronts	THAT Council direct staff to review options, best practices and by-laws that are used by towns and cities to prevent and/or manage unsightly vacant storefronts in areas of special interest such as Main Street. This report to be brought back to Council within 120 days.	June, 2017	
10.	Committee of the Whole – February 27, 2017 – Deputation Accessible Washroom Trailer	THAT the presentation by Mr. Derek Bunn regarding an Accessible Washroom Trailer be received and referred to staff for consideration of the funding request and potential use at Town events. ➤ Recreation and Culture	Referred to staff to respond	
11.	Committee of the Whole – November 7, 2016 – Item 3 – Tree Preservation Committee of the Whole – February 27, 2017 – Item 19 – Development & Infrastructure Services – Planning & Building Services and Public Works Services Report 2017-05 – Tree Removal, Protection Policies and Regulations	THAT the matter of tree preservation and protection be referred to staff to report back within a 90 day time frame on the previous review of tree preservation and measures undertaken to sustain the tree canopy and available options related to the Region of York's forestry management initiative. THAT Council direct staff to update the existing Tree Preservation, Protection, Replacement and Enhancement Policy. ➤ Planning and Building Services	February 27, 2017 Q3, Q4, 2017	
12.	Committee of the Whole – February 27, 2017 – Item 23 – Motion – Councillor Bisanz	THAT staff prepare a report on options and opportunities to address residential on street and off street parking challenges. Specifically, the report should consider the impact that changing economics and demographics have on housing occupancy and ways in which the Town of Newmarket can better balance reasonable parking needs with streetscape aesthetics, active transportation objectives and effective by-laws enforcement. ➤ Planning and Building Services	TBD	

TOWN OF NEWMARKET

Outstanding Matters Schedule B

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
1.	<p>Council – December 14, 2015 – Item 35 – Joint Development and Infrastructure Services – Planning and Building Services/ES 2015-44 – Proposed Trail from Yonge Street to Rita's Avenue</p> <p>Council – January 18, 2016 – Item 35</p>	<p>THAT staff provide alternate trail options for this area at a lower cost.</p> <p>THAT Item 35 of the Council Minutes of December 14, 2015 being Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be reconsidered.</p> <p>THAT staff provide alternate trail options for this area at a lower cost, including the option of extending the trail through George Luesby Park along Clearmeadow Boulevard to Yonge Street and further connecting the trail from Flanagan Court/Rita's Avenue to the George Luesby Park Trail;</p> <p>AND THAT staff also include in the report the option of installing lighting along the George Luesby Park Trail.</p> <p>➤ Planning and Building Services</p>	<p>Timeline to be determined</p>	<p>Deferred subsequent to VivaNext construction</p>
2.	<p>Committee of the Whole – November 28, 2016 – Item 23</p> <p>Development & Infrastructure Services Report – ES 2016-54 Public Consultation and Support Plan – Transportation Services Update</p>	<p>THAT the Public Consultation and Support Plan as outlined in Appendix A be adopted for use starting January 1, 2017;</p> <p>AND THAT the Public Consultation and Support Plan be reviewed both internally and by the public throughout 2017 for improvements for 2018, if necessary.</p> <p>➤ Engineering Services</p>	<p>Q1, 2018</p>	

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
3.	Special Committee of the Whole – January 30, 2017 – Item 1	<p>THAT the matter of internet voting for the 2018 Municipal Election be referred to staff and a report be brought back within 30 days regarding another option for internet voting, with specific comparison to the Town of Ajax.</p> <p>By-law to be brought to Council meeting</p> <p>THAT staff report back on Internet Voting and Ranked Ballots in 2019 immediately following the 2018 Municipal Election.</p>	<p>March 6, 2017</p> <p>March 27, 2017</p> <p>Q1, 2019</p>	
4.	Committee of the Whole – February 27, 2017 – Item 19 – Development & Infrastructure Services – Planning & Building Services and Public Works Services Report 2017-05 – Tree Removal, Protection Policies and Regulations	<p>AND THAT Council direct staff to prepare and bring to a future meeting a by-law regulating and protecting significant trees on private property;</p> <p>AND THAT Council direct staff to prepare and bring to a future Council meeting a by-law protecting trees on municipal property.</p>	2018	



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March 6, 2017

CAO/FINANCE/HUMAN RESOURCES REPORT #2017-03

TO: Mayor Van Bynen & Members of Council

SUBJECT: Council Remuneration & Tax Status

ORIGIN: Human Resources/Financial Services

RECOMMENDATIONS

THAT CAO/Finance/Human Resources Report 2017-03 dated March 6, 2017 regarding Council Remuneration be received and that one of the recommendations noted below be adopted:

1. Option #1 - THAT Council maintain the 1/3 tax free status relative to Council remuneration, or
2. Option #2 - THAT Council repeal Resolution R7-2002 thereby removing the 1/3 tax free status effective January 1, 2018.

COMMENTS

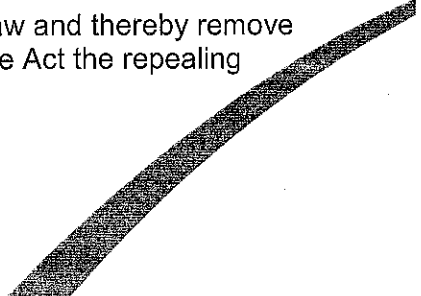
The purpose of this report is three-fold:

1. Ensure Council is informed relative to current Council remuneration practices and salary administration policies guiding employee compensation.
2. Ensure the tax free status of Council remuneration is reviewed in accordance with the Municipal Act.
3. Advise Council in accordance with policy the Town will be conducting a market review in 2017. As per the Council Policy Statement on Council Remuneration, unless otherwise directed, we will undertake a market review relative to Council remuneration at the same time.

As is done every term of Council, staff have prepared a report relative to Council remuneration to ensure Council are familiar with the current policies in place relative to remuneration as well as to ensure compliance with the Municipal Act 2001 (the Act) relative to the tax free allowance in place under Resolution R7-2002. In addition, the policies attached also provide direct insight into staff compensation.

The Act, Section 283 (7) requires that: "On or after December 1, 2003 Council shall review a by-law under sub-section (5) at a public meeting at least once during the four year period corresponding to the term of office of its members after a regular election." The tax free status was last reviewed in May 2012 under CAO/HR Report 2012-04 at which time Council supported the continuation of the tax free allowance.

It is important to remember that should a decision ever be taken to repeal the Bylaw and thereby remove the 1/3 tax free status, it cannot be revisited in future. Under Section 283 (6) of the Act the repealing ByLaw takes effect January 1 of the year after the year in which it is passed.



To ensure Council has sufficient background information to support a decision on the foregoing further background was provided recently under the March 6, 2017 Confidential Memorandum. In addition, attached please find the following documents:

- Current Council Policy Statement – Council Compensation – it should be noted that as Council opted to focus the last market review on staff positions only, there was no review done for Council in 2013. The staff review was completed and implemented in 2014 and as a result the next review is scheduled for 2017. Unless otherwise directed staff will proceed with a review of council remuneration in line with the current Council Policy Statement ensuring utilization of the same comparators as the last review to ensure continuity.
- 2 staff compensation policies that are referenced in the Council Policy Statement and ensure a fair and objective approach to both staff salary administration and Council remuneration are the:
 - Salary Administration Policy – Aligns Council review periods with that of staff market reviews.
 - Economic Adjustment Policy – Ensures an annual adjustment in line with the CPI, unless otherwise determined through delegated authority to the CAO.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report not only ensures alignment with legislation but also supports the Corporate Strategic Plan with alignment under “Well-equipped & managed” and supports the Town’s efforts relative to attraction and retention, evidenced by the commitment to a 3 year Talent Management Strategy in 2016. The referenced policies and resulting processes reflect sound and accountable governance.

CONSULTATION

The Municipal Act requires a review at a public meeting at least once during the four year period corresponding to the term of office of its members after a regular election. This meeting satisfies the public meeting requirements.

Prior to submission of this report the CAO and Director, Financial Services were consulted.

HUMAN RESOURCE CONSIDERATIONS

None at this time.


BUDGET IMPACT

A continued commitment to Resolution R7-2002 and 1/3 tax free status will have no impact on the current or future budgets in this term of Council. If R7-2002 were repealed there would be an impact on the 2018 budget. It is recognized that a change to the current arrangement would result in the requirement for greater contributions by both Council members and the organization relative to OMERS. In this instance the impact would vary by elected position.

Results of the Council remuneration market review will be brought back to Council for consideration as available.

CONTACT

For more information on this report, contact the CAO or Director, Human Resources.


Director, Human Resources
Chief Administrative Officer
Director, Financial Services



September 16, 2002

Moved by:

Seconded by:

RESOLUTION R7-2002

WHEREAS, pursuant to section 255 of the Municipal Act, R.S.O. 1990 c.M.45 one-third of the remuneration paid to members of Council and local boards is deemed to be for expenses incident to the discharge of their duties;

AND WHEREAS pursuant to section 255(2) of the Municipal Act, R.S.O. 1990 c. M45 and section 283(5) of the Municipal Act, 2001, in order to continue to remunerate members of Council and local boards on the same basis, Council is required to enact a resolution of its intention to do so before January 1, 2003;

AND WHEREAS Council wishes to continue to remunerate members of Council and local boards such that one-third of the remuneration is deemed to be for expenses incident to the discharge of their duties;

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket:

1. THAT as required by section 255(2) of the Municipal Act, R.S.O. 1990 c.M45 and section 283(5) of the Municipal Act, 2001, one-third of the remuneration for Members of Council continue to be deemed as expenses incident to the discharge of his or her duties.

Mayor Taylor



Council Policy Statement

Topic:	Council Compensation	Statement #	CO-1.03
Topic:	Compensation	Covered:	Members of Council
Section:	CAO's Office	Council Adoption Date:	February 11, 2008
Effective Date:	December 1, 2010	Revision No:	Date:

Policy Statement & Strategic Plan Linkages

The Town of Newmarket prides itself on its core values and 'being well equipped and managed'. As the Town strives to ensure fair treatment as well as fiscal accountability, this policy supports the commitment to marketplace competitiveness relative to compensation for Members of Council.

Purpose

The Town of Newmarket will act to conduct a full market assessment on the compensation package for Members of Council the 3rd year of each 4 year term of Council to affect and maintain a policy line relative to pay of 66.67th percentile of the marketplace at a minimum.

Procedures

1. Base pay for Members of Council is revised annually to reflect any economic adjustment applied to staff as at January 1 of every year or as otherwise determined.
2. A market comparison of Members of Council compensation shall be conducted in year 3 of each 4 year term of Council. The review may be referred to an external consultant or conducted by internal staff.
3. The market comparison review will be conducted with the 9 comparator municipalities identified for the purposes of staff salary review.
4. Base compensation schedules for Members of Council will be posted and maintained on the internal public drive.



Corporate Policy Manual

Sub Topic:	Salary Administration	Policy No.	HR.9-01
Topic:	Compensation	Employees Covered: All Regular Full-Time and Regular Part-Time Non-Union Employees	
Section:	Human Resources	Council Adoption Date: December 12, 2005	
Effective Date:	January 1, 2006	Revision No:	Date:
		001	September 11, 2006

Policy Statement & Strategic Plan Linkages

The Town of Newmarket recognizes that the implementation of a salary administration plan (wages) supports the Town's objective to attract, recruit and retain qualified, skilled and committed employees in line with its established vision and mission. The salary administration plan is designed to compensate employees in a manner that supports internal equity, marketplace competitiveness and is in compliance with legislative requirements, including the Pay Equity Act.

Purpose

The Town of Newmarket will act to:

- Develop, implement and maintain salary schedules (grades/classification levels)
- Conduct a full market assessment on wages/salaries every 3 years to ensure the Town maintains its policy line of the 66.67th percentile in the marketplace.
- Conduct an annual assessment of economic/annual adjustments with comparator municipalities and, if indicated by the assessment, provide for an adjustment.

Definitions

Salary Plan

The Salary Plan sets out salary schedules of remuneration for jobs with a series of pay grades. Each pay grade has a number of levels from a base wage to the maximum wage for the position. There may be several positions assigned to the same pay grade based on a variety of similarities of the positions and job evaluation rating.

Example: Grade 3

	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6
A Job Wage	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx

The salary plan includes a Regular Full-Time and Regular Part-Time Salary (based on a 35 hour work week) schedule and a Regular Full-Time Hourly (based on a 40 hour work week) schedule.

Anniversary Date

This date is used to determine when an employee moves from one level on the pay grade to the next level. Initially the hire date and anniversary date may be the same. However, an employee's anniversary date may change during the course of his/her employment with the Town for various reasons including but not limited to promotion, transfer from full time to part time and vice versa, extended unpaid leave of absence or reclassification of his/her position through the Job Evaluation System.

Hire Date

The date an employee commences employment with the Town is the hire date. It is important to note that the term "service date" and "hire date" is used interchangeably. The hire date should remain the same for the duration of continuous employment with the Town and is used when calculating group benefit entitlements as well as establishing the probation period.

Salary Progression

A newly hired employee generally commences at Level 1 of a pay grade and with satisfactory performance, progresses on their anniversary date to the next level until they reach the maximum level of the pay grade. Recruitment & Selection Policy, No. 12-01 and Salary Progression, Policy No. 9-02 outlines the circumstances under which an employee may be hired above Level 1.

Job Rate

The highest rate of pay in a pay grade, indicating the maximum pay for a position assigned to a pay grade.

Job Evaluation

All regular full time and regular part time positions require a completed position description that is used to evaluate the position applying a Job Evaluation System. This process evaluates the work of each position providing a basis for establishing the appropriate wage, placement on the salary schedule and supports the maintenance of internal equity. For additional information, consult Job Evaluation Policy, No. 9-08.

Salaries and Hourly Paid Employees

The salary schedules at the Town include salaried and hourly paid employees working 35 or 40 hours per week.

Procedures

1. New approved budgeted positions and/or revised positions must have a completed accurate position description and "Job Content Questionnaire" as outlined in Position Administration, Policy No. 9-07 and Job Evaluation, Policy No. 9-08.
2. An evaluated position will be placed on the appropriate salary schedule and pay grade, and the "Grade and Position Title Schedule" will be updated accordingly.
3. Salary schedules are revised annually to reflect the economic adjustment as outlined in Economic Adjustment, Policy No. 9-03 or as otherwise determined.
4. A complete review of the Town's salary administration plan, including salary structures, may be referred to an external consultant to ensure neutrality, internal equity and market competitiveness, as appropriate.
5. Market comparisons of salary data shall be conducted every 3 years to support salary budget recommendations for a position or for groups of positions separate and apart from the annual economic adjustment. In addition, annual adjustments over and above the approved economic adjustment will be implemented where adjustments in the designated comparator municipalities exceed the Town's annual economic adjustment.
6. Interim reviews may be conducted on various positions or group of positions, as appropriate.
7. Current salary schedules will be posted on the public drive.
8. The salary administration plan must comply with Pay Equity legislation and is subject to review and/or revision for compliance as appropriate.

RESPONSIBILITIES OF EMPLOYER

Chief Administrative Officer is responsible to:

- Recommend changes to salary schedules as identified through benchmarking surveys, market comparators and job evaluation maintenance processes for review and approval by Council.
- Recommend changes to pay schedules as proposed/recommended by Human Resources, Commissioners/Directors and external consultants, as applicable, when external market conditions impact on the current pay grade(s) such that it is difficult to attract and retain qualified employees.

Human Resources is responsible to:

- Administer the job evaluation process and support a fair and equitable application of the salary administration plan.
- Develop/maintain/revise salary schedules; post on the public drive.
- Maintain the Town's salary administration plan.
- Consult with the Chief Administrative Officer on matters affecting salary schedules, benchmarking surveys and market comparators.
- Prepare salary related reports for review and approval by the Chief Administrative Officer and Council.
- Monitor the Town's salary administration plan for compliance with Pay Equity legislation.
- Conduct a full market assessment on wages/salaries every 3 years to ensure the Town maintains its policy line relative to the marketplace.
- Conduct an annual assessment on economic/annual adjustments provided to comparator municipalities and, if indicated by the assessment, provide for an adjustment to reflect the difference.
- Work with Commissioners/Directors/Managers and employees to resolve salary related issues.
- Maintain employee listings showing pay grade, salary rate, position title, hours of work, progression step schedule and effective date, anniversary date and hire date.
- Maintain the Human Resources Information System (HRIS) related to salary plan implementation.
- Notify Payroll of changes, revised salary schedules, or any change that impacts on an employee's rate of pay.
- Retain salary related documentation, surveys and reports.

Cross-References

Note: The implementation and maintenance of the salary administration plan and its components are achieved through the application of other related salary/wage policies including:

- Policy No. 9-02 Salary Progression
- Policy No. 9-03 Economic Adjustment
- Policy No. 9-04 Promotion and Transfer
- Policy No. 9-05 Red Circle Rates
- Policy No. 9-06 Adjustment to Temporary Salary Rates
- Policy No. 9-07 Position Administration
- Policy No. 9-08 Job Evaluation



Corporate Policy Manual

Sub Topic:	Economic Adjustment	Policy No.	HR.9-03
Topic:	Compensation	Employees Covered: All Regular Full-Time and Regular Part-Time Non-Union Employees	
Section:	Human Resources	Council Adoption Date: June 25, 2007	
Effective Date:	January 1, 2006	Revision No:	Date:
		001	September 11, 2006
		002	June 18, 2007

Policy Statement & Strategic Plan Linkages

The Town of Newmarket supports the administration of compensation practices that provide competitive salaries, acknowledging that the implementation of an annual economic adjustment is a key component in attracting and retaining a skilled, committed and productive workforce. The Town of Newmarket maintains its commitment to the Town's vision and mission and accordingly, endeavours to ensure competitive wages that continue to attract and retain the best talent. In situations of unforeseen/unusual circumstances this policy is subject to review as is the normal and usual practice.

Purpose

Town of Newmarket will review the Consumer Price Index (CPI) – Toronto annually to determine the annual economic adjustment. The purpose of this policy is also to ensure that an annual assessment on economic/annual adjustments is conducted with the 9 comparator municipalities and, if necessary, provide for adjustments.

Procedures

1. Obtain data on the Toronto Consumer Price Index (CPI) annually at the end of October and apply the CPI (Toronto area) as appropriate when determining economic adjustments for the subsequent year.
2. Automatically apply economic adjustments annually which shall be effective January 1st of each year.
3. Conduct an annual assessment on economic/annual adjustments provided to 9 area municipalities utilized in the full market assessment. If necessary, provide an adjustment to reflect the difference. This adjustment shall be the average of the 9 comparator municipalities'

adjustment figures, subject to the CAO determining if there is an outlier figure(s) (an outlier figure is one that differs greatly from the others, whether high or low). The Chief Administrative Officer is specifically authorized to implement this adjustment retroactively.

RESPONSIBILITIES OF EMPLOYER

Chief Administrative Officer is responsible to:

- Implement an economic adjustment on an annual basis effective January 1 of each year or as otherwise approved.

Human Resources is responsible to:

- Conduct an annual assessment on economic/annual adjustments provided to 9 comparator municipalities and recommend any adjustments to the CAO.
- Develop revised salary schedules and circulate to payroll; make available on-line in accordance with Town practice.
- Ensure that Payroll has the required information to implement the annual economic adjustment, as appropriate, ensuring legislative compliance.
- Retain economic adjustment data and statistical analyses for future use and for consistent application of assessment criteria.

Cross-References

HR.9-1 Salary Administration
HR.9-05 Red Circle Rates

Town of Newmarket Committee of the Whole March 20, 2017

2016 Drinking
Water System
Update



Overview

- Summary of Drinking Water Quality Requirements and Results for 2016
- Enhanced Monitoring and Maintenance Programs

Providing high quality drinking water to the Town of Newmarket's customers and meeting Ontario's regulatory framework for drinking water



Meeting Annual Drinking Water Reporting Requirements

- The *Safe Drinking Water Act, 2002* requires the Section 11 and Schedule 22 reports be made available to Council and the public
- Section 11 – Water Quality
 - Water quality sampling
 - System performance results
 - Description of drinking water system
- Schedule 22 – Water Quantity
 - Licence and permit information
 - Water flow and capacity



2016 Annual Water Quality Summary Report



This report provides a summary of the performance of the Newmarket Water Distribution System (DWS 260003188) for the period from January 1, 2016 to December 31, 2016. Please note that this report has been created with the best available information at the time of publication, and that every reasonable effort has been made to ensure the accuracy of this report.

Council, owner and staff decisions play a key role in providing safe drinking water and managing risk

2016 Water Quality Results

- 99.5% of laboratory analyzed microbiological samples in 2016 complied with Ontario's regulatory requirements and confirm Newmarket's high quality drinking water continues to be safe
- All resamples met Ontario's regulatory requirements
- 91% of chlorine samples were in compliance with Ontario's regulatory requirements
- 100% of lead samples taken were in compliance with Ontario's regulatory requirements
- No boil water advisories or water restrictions





¹¹²

Adverse Water Quality Reporting and Corrective Actions

Newmarket reports all adverse water quality parameters to the Ministry of the Environment and Climate Change and York Region's Medical Officer of Health, as required by regulation.

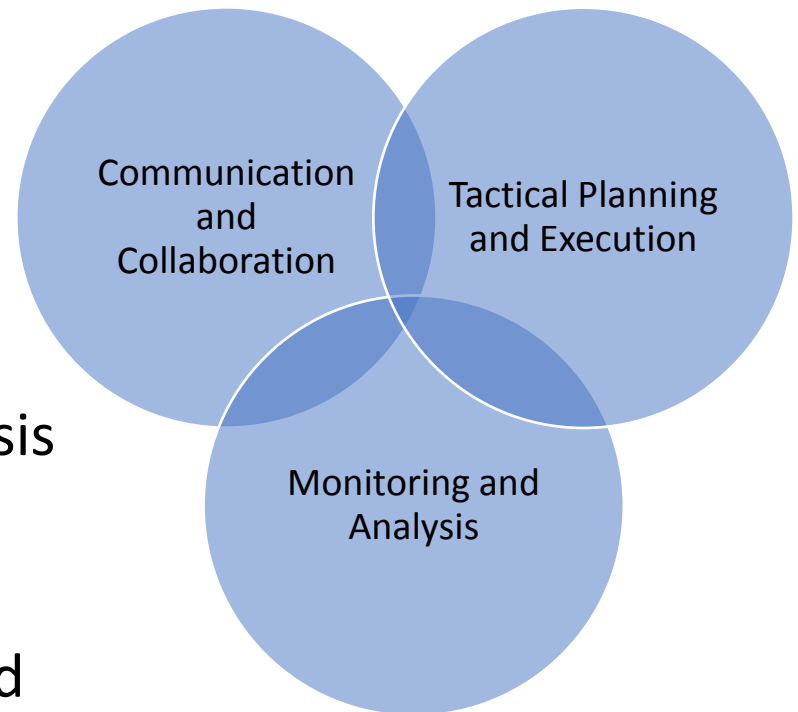
Newmarket complies with its regulatory requirements by,

- Quick operator response and communication
- Corrective actions completed by certified operators
- No additional corrective actions directed by the Medical Officer of Health for any reported event

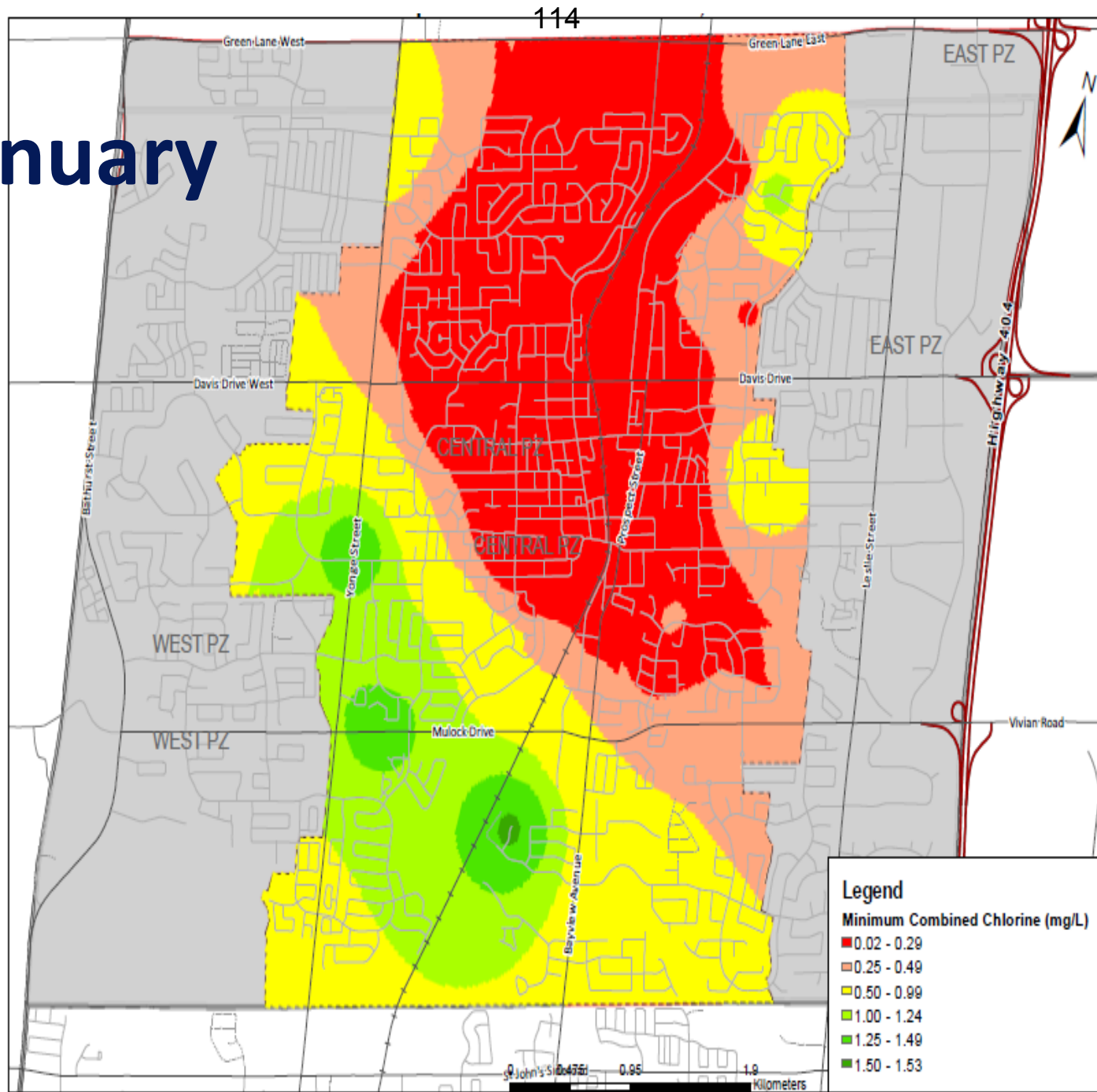
Public health and safety was never compromised during any reported adverse water quality event

Enhanced Monitoring and Maintenance Programs

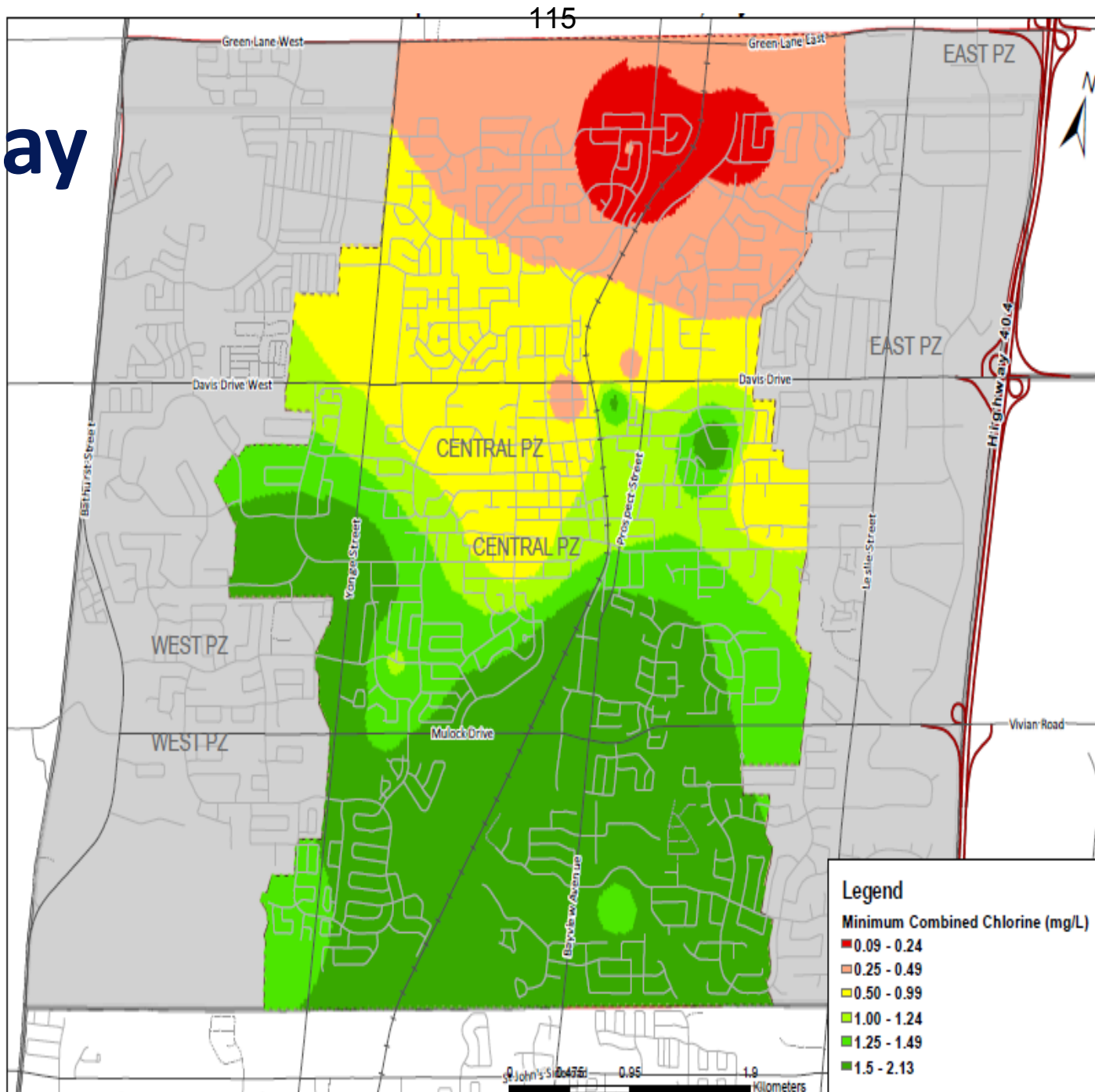
- Leveraged GIS technology to develop and document plans for program driven work
- Using industry best practices for system maintenance program development
- Implemented a diagnostic sampling plan to determine effectiveness of system maintenance programs
- Enhanced data collection and analysis for evidence based decision making
- Continue to collaborate with York Region as well as industry leading consultants to develop an integrated operational strategy for the system
- Developed a swabbing communication plan and information video for public



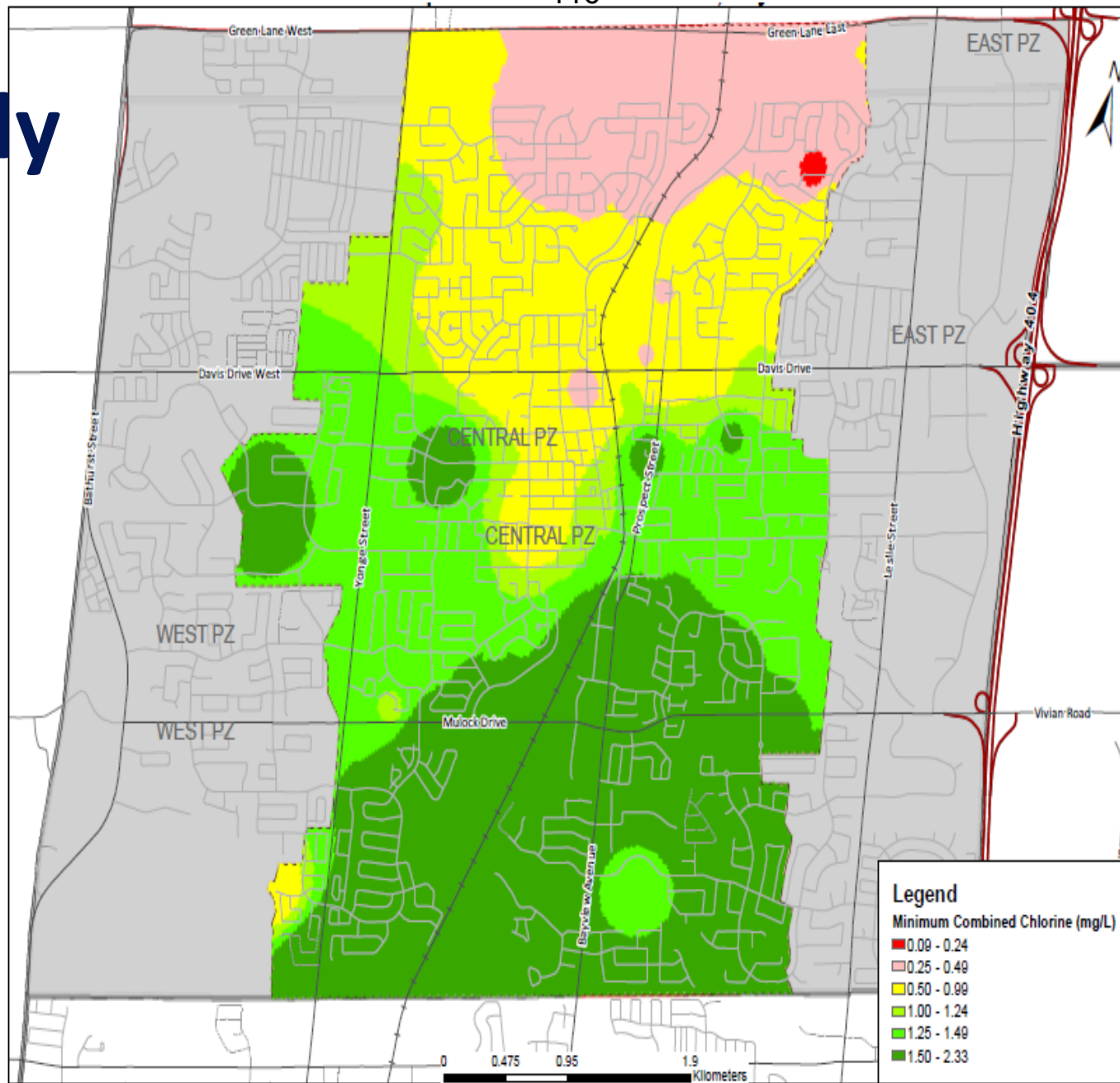
January



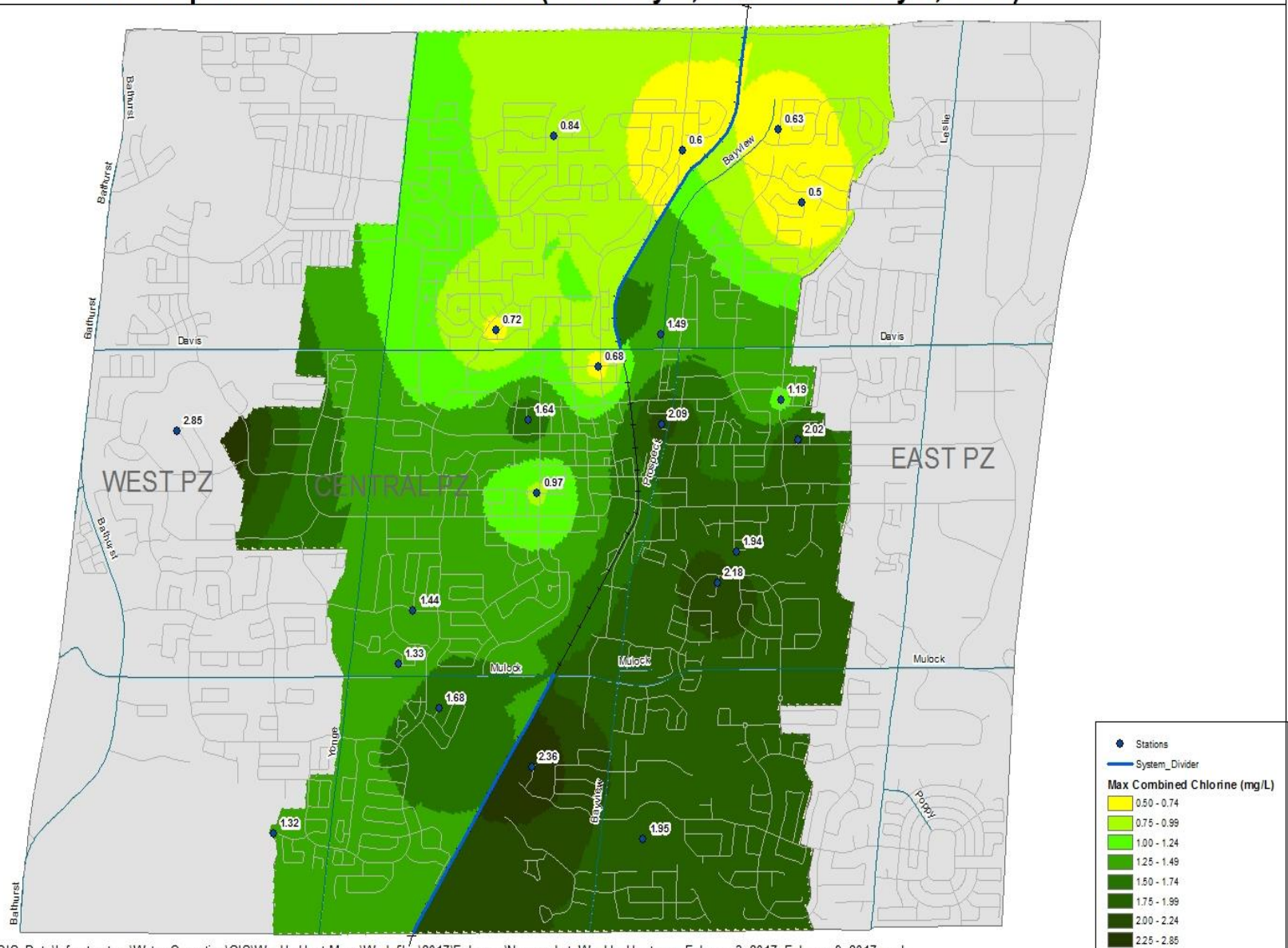
May



July



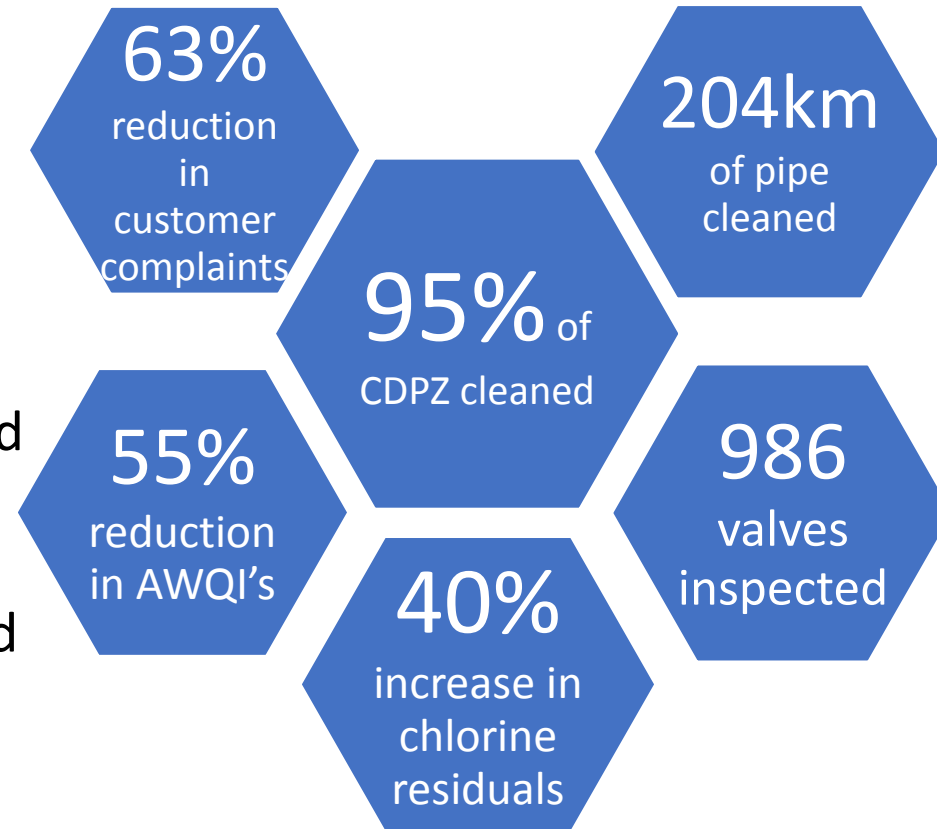
Heat Map Max Combined Chlorine (February 3, 2017 - February 9, 2017)



Document Path: G:\Newmarket_GIS_Data\Infrastructure\Water Operation\GIS\Weekly Heat Maps\Work files\2017\February\Newmarket_Weekly_Heatmap_February3_2017_February9_2017.mxd

Monitoring Performance of Maintenance Programs

- Door hangers delivered to all customers and businesses in swabbing areas
- Daily updates sent to Senior Management and key stakeholders
- 204 kilometers of pipe cleaned in CDPZ
- 986 valves checked, operated and repaired
- Over 200 hydrants checked, operated and repaired
- Customer service house calls
- 220 diagnostic samples collected and analyzed
- Water quality technical / communication meetings with York Region Operations



Thank you



Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. If filling out by hand please print clearly.

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

Name: <u>NANCY Fish</u>	
Organization / Group/ Business represented: <u>Ward 5 Traffic Committee</u>	
Address:	Postal Code: <u>L3Y 1Z2</u>
Daytime Phone No: _____	Home Phone: _____
Email: _____	Date of Meeting: <u>march 20, 2017</u>
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: <u>17</u>
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <u>Encourage Council to adopt Safer School Zones Act.</u>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

- Deputations related to items on the agenda can be accommodated up to and including the meeting day;
- Deputations related to items not on the agenda may be scheduled within sixty (60) days of receipt of this form;
- Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council;
- Deputations are limited to 5 minutes.

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

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



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March 16, 2017

CORPORATE SERVICES REPORT – FINANCIAL SERVICES – 2017-12

TO: Mayor Tony Van Bynen and Members of Council

SUBJECT: 2018 Budget Process and Target

ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATION(S):

- a) **THAT Corporate Services Report-Financial Services – 2017-12 dated March 16, 2017 regarding the 2018 Budget Process and Target be received and the following recommendations be adopted:**
 - i. That the proposed budget schedule with a budget adoption date of December 4, be approved;
- b) **AND THAT Council provide feedback and comments on the proposed budget target methodology in advance of the Committee of the Whole on May 8;**
- c) **AND THAT staff be directed to:**
 - i. Finalize a Public Engagement Plan for the 2018 budget;
 - ii. Create a Budget Policy which includes target setting.

COMMENTS:

Purpose

The purpose of this report is to secure Council's approval of the process and to initiate discussion on targets for the 2018 budget.

Summary

This report introduces a methodology for establishing targets for the 2018 budget. It is the first step towards the creation of a Budget Policy. Based on Council's feedback and comments, a recommendation will be made to the May 8 Committee of the Whole. Consideration could also be given to holding a workshop before then.

Next Steps

The Treasurer will meet one-on-one with Members of Council. The Community Engagement process will start and supplementary budget information will be provided to Council. The preliminary draft budgets will be presented on October 16, 2017 at a Special Committee of the Whole meeting. Budget approval is targeted for December 4, 2017.

BACKGROUND

The experience of past budgets facilitates continuous improvement

There were challenges encountered during the 2017 budget process. As a result, approval of the budget was re-scheduled to February 13, 2017. This year, we will attempt to return to our 'practice of early budget approvals.

Part of the 2017 budget discussion was about the creation of a Budget Policy. This policy would give guidance on budget targets and the creation and segregation of budget elements. There was not sufficient time to develop a formal policy and have early budget approval. As a result, we will move forward in the process with items that will be later recommended as part of the policy.

ANALYSIS AND OPTIONS

Early budget adoption has many advantages

- Tenders can be prepared and processed earlier in order to avoid potential cost increases that could be experienced in a later, busier, and more competitive environment
- Facilitates better coordination with adjustments to fees and charges
- Provides a full year of impact for any budget changes
- Flexibility is available to extend the process, if required

Appendix A is a proposed schedule for 2018. It is similar to the original schedule for 2017 and would see all budgets and fees & charges approved prior to the end of this calendar year.

Segmenting a large and complicated budget makes it more comprehensible and effective

The Town of Newmarket's budget for 2018 will exceed \$150 million and include nearly 200 lines of business. With this level of complexity, it is difficult to communicate and explain the budget and to set meaningful expectations. To address this, the 2018 budget will be split into the following components:

- *Capital Budget*

This budget includes the purchase and financing of Capital Assets - infrastructure, land, buildings, machinery, equipment and other items that provide long term benefits.

The Capital Budget will be further divided into groupings that align with our Asset Management Plan – essentially by function and funding source. These divisions would include: water system, wastewater system, stormwater system, roads, fire services, facilities, etc.

- *Operating Budgets*

The net cost to maintain infrastructure and provide services are included in the operating budgets. These budgets are divided by level of service, and then further by primary funding source and governance.

- *Base Budget* includes the net cost to maintain the Town's service levels for a stable population. This is net of ancillary revenues and efficiencies
 - *Rate-supported operating budgets* – water, wastewater, stormwater and building permits are all funded 100% from non-tax revenues.
 - *Tax-supported operating budgets* have property taxation as a primary funding source and are further divided according to governance:
 - *Operating budgets with separate governance* - Central York Fire Services (CYFS), the Newmarket Public Library and the Newmarket Downtown BIA all require Council's approval of their budgets, but because of their separate governance, this approval may be limited, in practice, to a review and approval of a municipal grant / budget allocation. Council may have the right to intervene more in their budgets but tends to delegate that authority by appointment to a committee or board.
 - *Town budget*, also known as the "core" budget, covers all of the other municipal services, including the internal support services. This is the part of the budget that usually gets the most attention.
 - *Extraordinary items* would normally be included in the Base Budget but are considered separately because their magnitude has the potential to distort the rest of the budget if it has to absorb them. These can be new regulatory requirements or substantial increases beyond normal inflation in the cost of goods and services. They can also be significant budget reductions. At this time the definition is subjective but it will become more precise over time.
- *Net Growth* includes the additional net cost to maintain the existing level of service for a growing community. It includes both expenses and revenues. Growth revenues are revenues earned from increases in the population. The most visible is assessment growth – incremental property taxation revenue generated from new construction. It also includes other revenues, such as water charges, to new homes. Growth-related expenses are the incremental expenses necessary to maintain service levels for a growing population.

- *Enhancements* are the cost of increases to service levels. They are documented on Decision Package forms. The rate-supported and separate governance budgets can also have enhancements.
- *Infrastructure Levy* includes changes in the annual contributions to the Asset Replacement Fund (ARF). It includes both tax-supported and rate-supported contributions. The primary focus has been on the tax-supported portion, as it has a more critical infrastructure gap.

Budget target setting provides clear direction on expectations

Since 2012, Council has set budget tax targets (maximums). In general, these targets have been achieved.

The main advantage of budget target, especially if they are set early, is that they allow budgets to be initially constructed more efficiently to meet expectations. With the financial aspect dealt with, it allows a shift of the focus to delivery of services.

During the 2017 budget deliberations, the concept of “sustainability of the taxpayer” was introduced. To maintain public confidence is another reason for target setting.

It is recommended that targets be established for all components of the budget. The overarching target for Average Household Contribution to Municipal Services was introduced with the 2017 budget and will be further developed.

The base budget should be maintained

At a budget workshop on November 14, 2016, Council was advised as to how the base budget has been shrinking over the last 5 years. Although this has been partially offset by finding efficiencies and other budget reductions, it also required some non-sustainable actions. As a result, the 2017 budget had to consider reductions in service levels to meet the original budget target.

The problem was not the targets themselves, but the fact that enhancements and extraordinary items were included in the target. It is recommended that the target be applied only to the base budget - excluding growth, enhancements and extraordinary items.

Defining the Base Budget Target

Despite continual refinements and budget efficiencies, the base budget will continue to be driven by inflationary pressures. The Consumer Price Index (CPI) is the standard measure of inflation, but it is based on a basket of goods, which is appropriate for a household, but not necessarily for all of the costs incurred by a business or a municipal government; some of their costs have different price drivers. It is recommended that we create a Newmarket-specific Municipal Price

Index (MPI). This is an approach that some of the more progressive municipalities have taken to create a benchmark.

An MPI based on a blend between the CPI and another index was considered. Many different indices were reviewed but they tended to be complex, volatile or not clearly related to our line of business. In the end, it seems that a simple straightforward approach would be to have a Newmarket MPI as CPI plus a factor to account for higher price drivers experienced by municipalities. This factor would be in the 0.25% to 0.50% range and would be clearly stated and justified on an annual basis prior to the start of the budget process.

Using a set date for the indicators, such as we do for the Economic Increase, would allow for constancy. The closer the chosen date is to the year-end, the less the potential deviation is from the actual inflation rate in the budget year. On the other hand, any indicator is just a proxy or estimate for what will happen in the following budget year and an earlier target allows for less last minute budget adjustments. March 31 (issued on or about April 21) would be a good date, as the budget process is just starting and it allows two months before the internal review starts.

The most local CPI indicator is Toronto and it should be used.

	2013	2014	2015	2016	Average
Council's approved base budget target*	2.00%	2.00%	2.50%	2.50%	2.25%
Toronto CPI from March 31 of previous year	2.20%	1.10%	2.90%	1.90%	2.03%
Newmarket MPI (CPI + 0.25%)	2.45%	1.35%	3.15%	2.15%	2.28%
Difference	(0.45%)	0.65%	(0.65%)	0.35%	(0.03%)

*The Council target for 2012 did not have a Town budget only component

As can be seen above, there is some variation in the annual targets but things balance out in the long run. Within a year there could be a significant difference between the budget target (based on March indicators) and the actual cost increases. This would be the case if inflation was to rise in the later part of the year. Costs, such as the economic increase could challenge achieving the budget target. While this risk could be managed through the use of reserves (to be discussed in more detail in the upcoming Reserves & Reserve Funds Policy), an annual review of the MPI would be undertaken to determine its continued relevance.

Wherever possible, multi-year plans should form the basis for annual budgets

The main rate-supported budgets – Water and Wastewater – have mandated 6-year financial plans. The newly created Stormwater Rate Group and Building Permits should be treated on the same basis. These financial plans, approved outside of the regular budget process, should be the foundation for the annual budget request.

Preliminary numbers have been provided for a stormwater 6-year financial plan and will need to be finalized. A multi-year plan for Building Permits would also be required.

For Council to approve the budget allocations for CYFS, the Library and the BIA, it would be useful to have them presented in the context of multi-year budget projections. CYFS and the Library have such projections. The BIA does not have one, and does not currently require a grant from the Town, but it would be good practice to have something to put their review into context.

Financial sustainability requires matching revenues with expenses

Financial sustainability entails matching costs with benefits. This means not deferring payment until tomorrow for the cost of benefits enjoyed today. (The exception would be when the cost and benefit are both phased in.)

Growth includes both expenses and revenues. Growth revenues are revenues earned from increases in the population. The most visible one is assessment growth – incremental property taxation revenue generated from new construction. It also includes other revenues, such as water charges, to new homes. The latter is harder to identify, but can be estimated.

Growth should not be used to subsidize the tax increase. This has and continues to be the practice of many municipalities. It becomes a problem when the growth slows down. Growth revenues should be used to pay for growth-related expenses.

Growth-related expenses are the incremental expenses necessary to maintain service levels for a growing population.

On the tax-supported side, growth revenues will be easy to identify. This will be more difficult for the rate-supported budgets and may require some transitioning or the use of estimates.

Financial sustainability requires lessening the infrastructure gap

Financial sustainability entails ensuring that we can afford our future capital needs (dealing with the infrastructure gap). To lessen the infrastructure gap, there will be two approaches:

1. ARF – this will be addressed further as part of the Asset Replacement Fund Policy and Strategy.

2. Capital Budget – capital expenditures should be limited to the funding available. A 10-year horizon would be appropriate as it would align with our DC background study and Asset Management Plans. Further to this reasoning, the Capital Budget would need to be subdivided appropriately.

The above analysis forms the basis for a target setting methodology

1. Tax-supported base budget increase not to exceed the rate of inflation as defined by a Newmarket-specific Municipal Price Index.
2. The Newmarket Municipal Price Index will be the Toronto Consumer Price Index as at March 31 of the preceding year, plus a factor of 0.25% to 0.50%. This would be set prior to the start of the budget process and would take into consideration economic projections.
3. Rate group budgets – water, wastewater, stormwater, building permits – will align with their 6-year financial plans.
4. Budgets with separate governance – Central York Fire Services (CYFS), the Newmarket Public Library and the Newmarket Downtown BIA – will align with their multi-year financial and strategic plans.
5. Growth revenues and expenses will be matched. Growth revenues will not be used to subsidize the tax rate. Growth expenses will be clearly identified and substantiated.
6. Infrastructure levy (increase in ARF contribution) of 1%, which is addition to the target increase for the base budget.
7. Material extraordinary items and enhancements will not be part of the base budget. They will either be an additional levy or be offset by a decrease in the infrastructure levy.
8. Capital spending is to be within the funding envelopes by category in alignment with Asset Management.

The entire methodology will be reviewed from time to time, as required. Although this approach has some calculated risks, it is believed that the long-term benefits will offset them.

The Public Engagement Plan for the 2018 budget will build on past successes

In 2016, Newmarket took a new approach to budget consultation and engagement with the creation of the *2017 Budget Game: Put Your Money Where it Matters*. Newmarket residents were given the opportunity to spend their budget bucks on one of five areas of focus for the 2017 budget as identified by Council: creating a strategy for vibrant and livable corridors along Davis

Drive and Yonge Street, ensuring safe streets, supporting community and neighbourhood projects, organization ready 2020 and revitalizing community centre lands and addressing downtown parking.

The budget game was promoted through various communication tools, including the website, Newmarket Town Page, Community and internal events, property tax bill insert, E-newsletters, internal media releases and via social media. As part of the community engagement process, a facilitated session/focus group was also hosted to garner feedback from participants on prioritizing a number of Town projects/initiatives. This helped to provide quantitative information on the groups funding recommendations and qualitative information on their rationale used in funding or not funding particular programs.

The community was very active and engaged in the budget process through the interactive game. The majority of participants put their money towards supporting neighbourhood projects. Ensuring safe streets came in second and revitalizing community centre lands and addressing downtown parking came in third. There were more than 500 participants, in person and online, doubling participation from previous years and significantly helping to shape the 2017 budget. Corporate Communications and Financial Services will continue to work together to look for new and creative ways to engage Newmarket residents in the 2018 budget process.

Next Steps

The March CPI numbers will be available on April 21. A recommendation on the 2018 budget target will be made to Committee of the Whole on May 8. Council may wish to consider having a workshop prior to that. This workshop could also include the proposals for Debt, Reserve & Reserve Fund and Asset Replacement Fund policies.

The Treasurer will meet one-on-one with Members of Council. During the May to October time period, the Community Engagement process will start and supplementary information will be provided to Council to inform the budget process.

The preliminary draft budgets will be presented on October 16, 2017 at a Special Committee of the Whole meeting. Approval of the operating and capital budgets is targeted for December 4, 2017.

Staff will formalize the new processes and procures introduced with the 2017 and 2018 budgets. These, along with a methodology for target-setting, will be included in a Budget Policy for presentation to Council prior to the summer.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

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

CONSULTATION

These recommendations are the product of lessons learned from the 2017 and previous budget experiences. They include recommendations that have been reviewed by the Strategic Leadership Team (SLT), the Operational Leadership Team (OLT) and representatives across departments from members of the Budget Committee and the Budget Sub-committee.

HUMAN RESOURCE CONSIDERATIONS

Not applicable to this report

BUDGET IMPACT

Not applicable to this report.

CONTACT

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



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



Esther Armchuk, LL.B.
Commissioner, Corporate Services

MM/vl

Attachments(s):

- a) Proposed Schedule (3 pgs.)

Proposed Schedule for the 2018 Budget



ACTIVITY	DATE	STATUS
Budget process and community engagement presented to Committee of the Whole for approval by Council	March 20	IN PROGRESS
Treasurer meets one-on-one with Members of Council	April to June	
Community Engagement Phase 1	April to September	
Supplementary information provided to inform the budget process	April to September	

continued . . .



Proposed Schedule for the 2018 Budget



Activity	Date	Status
Fees & Charges for early approval – Committee of the Whole Public Meeting	August 28	
Fees & Charges for early approval – Council approval	September 1	
Community Engagement Phase 2	September and October	
Committee of the Whole Presentation – Preliminary draft budget and Community Engagement Phase 1 results	October 16	
Draft budget information available to public and on website	October 23	



Proposed Schedule for the 2018 Budget

Activity	Date	Status
Committee of the Whole – regular meeting	November 6	
Possible Special Committee of the Whole – Capital Budget and Asset Replacement Fund	November 13	
Possible Special Committee of the Whole – Operating Budget	November 20	
Committee of the Whole regular meeting with draft budgets, remaining Fees & Charges, and Community Engagement Phase 2 results	November 27	
Council approval of the Budget and remaining Fees & Charges	December 4	

