

## **Additions & Corrections to the Agenda (Items 31 to 37)**

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

## **Declarations of Pecuniary Interest**

## **Presentations & Recognitions**

## **Deputations**

1. Mr. Steve Foglia to address the Committee highlighting the Accessibility Advisory Committee's term accomplishments.
2. Ms. Bessie Vlasis to address the Committee regarding 'Bully Free Community Alliance' and request the Town acknowledges October 10, 2014 as 'Mental Health Day' and November 16 to 22, 2014 as 'Bully Awareness Week' in the Town of Newmarket. p. 1

### **Recommendations:**

a) THAT the deputation by Ms. Bessie Vlasis regarding 'Bully Free Community Alliance' be received;

i) AND THAT the Town of Newmarket proclaim October 10, 2014 as 'Mental Health Day' and November 16 to 22, 2014 as 'Bully Awareness Week' in the Town of Newmarket;

ii) AND THAT the proclamations be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

## **Consent Items (Items # 3 to 25, 26 to 28, 32, 33)**

3. Correspondence dated August 14, 2014 from Ms. Ana Nair, Founder/President ABSG requesting that October 17, 2014 be recognized as Blue Shirt Day - Stop Bullying Day in the Town of Newmarket. p. 2

### **Recommendations:**

a) THAT the correspondence dated August 14, 2014 from Ms. Ana Nair requesting that October 17, 2014 be recognized as Blue Shirt Day - Stop Bullying Day in the Town of Newmarket be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim Friday October 17, 2014 as 'Blue Shirt Day - Stop Bullying Day' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

4. Correspondence dated July 29, 2014 from Pandit Roopnauth Sharma, President, Ontario Multifaith Council requesting October 13 to 19, 2014 be proclaimed 'Spiritual and Religious Awareness Week' in the Town of Newmarket. p. 3

Recommendations:

a) THAT the correspondence from Pandi Roopnauth Sharma, Presient, Ontario Multifaith Council be received and the following recommendations be adopted:

i) THAT October 13 to 19, 2014 be proclaimed 'Spiritual and Religious Awareness Week' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the website [www.newmarket.ca](http://www.newmarket.ca)

5. Correspondence dated August 20, 2014 from Mr. Fred Hahn, President, CUPE Ontario Division requesting that Wednesday, October 29, 2014 be proclaimed 'Child Care Worker and Early Childhood Educator Appreciation Day' in the Town of Newmarket. p. 5

Recommendations:

a) THAT the correspondence from Mr. Fred Hahn, President, CUPE Ontario Division be received and the following recommendations be adopted:

i) THAT Wednesday, October 29, 2014 be proclaimed 'Child Care Worker and Early Childhood Educator Appreciation Day' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)



6. Correspondence dated August 29, 2014 from Ms. Jo-Anne St. Godard, Executive Director, Recycling Council of Ontario requesting that October 20 to 26, 2014 be proclaimed 'Waste Reduction Week' in the Town of Newmarket. p. 6

Recommendations:

a) THAT the correspondence from Ms. Jo-Anne St. Godard, Executive Director, Recycling Council of Ontario be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 20 to 26, 2014 as 'Waste Reduction Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

7. Correspondence dated September 9, 2014 from Fire Chief Ian Laing requesting that October 5 to 11, 2014 be proclaimed 'Fire Prevention Week' in the Town of Newmarket. p. 8

Recommendations:

a) THAT the correspondence from Fire Chief Ian Laing be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 5 to 11, 2014 as 'Fire Prevention Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

8. Correspondence dated September 10, 2014 from Mr. George Habib, President and CEO, Ontario Lung Association requesting that November, 2014 be proclaimed 'Lung Month' in the Town of Newmarket. p. 9

Recommendations:

a) THAT the correspondence dated September 10, 2014 from Mr. George Habib be received and the following recommendations be adopted:

i) THAT November, 2014 be proclaimed 'Lung Month' in the Town of Newmarket;

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

9. Street Naming Committee Minutes of July 28, 2014. p. 11

The Street Naming Committee recommends:

a) THAT the Street Naming Committee Minutes of July 28, 2014 be received.

10. Accessibility Advisory Committee Minutes of June 19, 2014. p. 14

The Accessibility Advisory Committee recommends:

a) THAT the Accessibility Advisory Committee Minutes of June 19, 2014 be received.

11. Appointment Committee Minutes of August 26, 2014. p. 17

The Appointment Committee recommends:

a) THAT the Appointment Committee Minutes of August 26, 2014 be received.

12. Main Street District Business Improvement Area Board of Management Minutes of May 20, June 17 and July 15, 2014. p. 20

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 May 20, June 17 and July 15, 2014 be received.

13. Environmental Advisory Committee Minutes of May 7 and June 4, 2014. p. 31

The Environmental Advisory Committee recommends:

a) THAT the Environmental Advisory Committee Minutes of May 7 and June 4, 2014 be received.

14. Item 1 of the Environmental Advisory Committee Minutes of May 7, 2014 regarding York Region Food Charter. p. 42

The Operational Leadership Team recommends:

THAT the following be referred to staff:

The Newmarket Environmental Advisory Committee recommends to Council:

WHEREAS York Region's food system is vital to our community's health, economic development, environmental sustainability, education and social justice;

AND WHEREAS the Town of Newmarket understands the food system is a complex system with interconnected and interrelated priorities, and is committed to strengthening the food system through coordinated actions for food-related programming;

THEREFORE BE IT RESOLVED that the Newmarket Environmental Advisory Committee recommend that the Town of Newmarket endorse the York Region Food Charter;

AND THAT the Town adopt the policies and principles contained within the Food Charter into the Town's Official Plan.

15. Item 8 of the Environmental Advisory Committee Minutes of May 7, 2014 p. 43 regarding demolition of sales pavilions.

The Operational Leadership Team recommends:

THAT the following be referred to staff:

a) The Environmental Advisory Committee recommends to Council:

i) THAT the Planning and Development Department, Building Services division review demolition permits for sales pavilions and encourage developers to donate materials to community organizations.

16. Item 12 of the Environmental Advisory Committee Minutes of June 4, 2014 p. 44 regarding NEAC Follow-Up.

The Operational Leadership Team recommends:

a) THAT the following recommendation be referred to the Committees/Boards Review process.

a) The Newmarket Environmental Advisory Committee recommends to Council:

i) THAT the Newmarket Environmental Advisory Committee request a Council Workshop in December, 2014 or January, 2015 to discuss recommendations and priorities for the Environmental Advisory Committee 2014-2018 term.

17. Development and Infrastructure Services Report - Planning and Building Services 2014-40 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application - 212 Davis Drive. p. 45

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 - Planning Report 2014-40 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application D14-NP-14-04 be received and the following recommendations be adopted:

i) THAT Council support the Zoning By-law amendment in accordance with the Zoning By-law and applicable Holding provisions as recommended in Appendix A - Recommended Zoning By-law;

ii) AND THAT the applicant be advised that a Reference Plan is required to be submitted to the Town prior to Site Plan Approval, which identifies as a minimum, the land to be conveyed to the Town for the future Minor Collector across the southerly limit of 212 Davis Drive; all easements including the easement for the future burying of hydro and related infrastructure (a minimum of a 3 m wide easement and space for the burying of switch gear to replace the current dip pole on the frontage of the property), easements for servicing including: water, waste water and storm water.;

iii) AND THAT Council direct staff and legal counsel to continue to work with the proponent, the commenting agencies toward the resolution of any outstanding issue as identified in this report prior to the finalization of Site Plan Approval;

iv) AND THAT Council direct staff and legal counsel as part of Site Plan process, to enter into a Site Plan Agreement addressing applicable outstanding issues generally as outlined, but not limited to, those identified in Appendix B;

v) AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, On L4B 3K1 and Daniel Berholz, Green and Rose Developments Inc. 156 Duncan Mills Road, Unit 12, Toronto, ON, M3B 3N2 be notified of this action.

18. Development and Infrastructure Services Report - Planning and Building Services 2014-41 dated September 11, 2014 regarding an Application for Zoning By-law Amendment and Draft Plan of Subdivision - Sundial Homes (Davis) Limited. p. 82

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 2014-41 dated September 11, 2014 regarding an Application for Zoning By-law Amendment and Draft Plan of Subdivision be received and the following recommendations be adopted:

i) THAT approval be given to Draft Plan of Subdivision 19TN-2013-003, subject to the schedule of conditions set out in Appendix 'A' attached to and forming part of this report;

ii) AND THAT staff be directed to prepare the necessary zoning by-law amendment;

iii) AND THAT the approval for Draft Plan of Subdivision 19TN-2013-003 shall only be issued upon the execution of a 'No Pre-Sales Agreement' by the owner of the said Draft Plan with the Town of Newmarket;

iv) AND THAT servicing allocation be granted in the amount of 665 population to a maximum of 250 dwelling units;

v) AND THAT Chris Matson, Matson, McConnell Ltd., 2430A Bloor Street West, Toronto, ON M6S 1P9 be notified of this action.

19. Corporate Services Report - Legislative Services 2014-05 dated September 8, 2014 regarding Canadian Coalition of Municipalities Against Racism and Discrimination (CCMARD) Action Plan. p. 121

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

a) THAT Corporate Services Report - Legislative Services 2014-05 dated September 8, 2014 regarding 'Canadian Coalition of Municipalities Against Racism and Discrimination Action Plan' be received and the following recommendations be adopted:

i) THAT Council endorse the Town of Newmarket CCMARD (Canadian Coalition of Municipalities Against Racism and Discrimination) Action Plan (attached as Appendix A);

ii) AND THAT staff forward the endorsed CCMARD Action Plan to the Canadian Commission for UNESCO in support of the Ten Common Commitments.

20. Corporate Services Report - Legislative Services 2014-18 dated September 9, 2014 regarding vivaNext D1 Project Request for Exemption from the Noise By-law. p. 142

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

a) THAT Corporate Services Report - Legislative Services 2014-18 dated September 9, 2014 regarding vivaNext D1 Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:

i) THAT the request from Kiewit EllisDon for a noise exemption to perform necessary works for the vivaNext D1 project between the hours of 10:00 p.m. to 7:00 a.m. from December 25, 2014 to December 25, 2015 be approved;

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

21. Corporate Services Report - Legislative Services 2014-19 dated September 9, 2014 regarding Implementation Considerations, Relief from Sign Permit Fees, Davis Drive and Yonge Street. p. 146

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

a) THAT Corporate Services Report - Legislative Services 2014-19 dated September 9, 2014 regarding Implementation Consideration, Relief From Sign Permit Fees, Davis Drive and Yonge Street be received.

22. Corporate Services Report - Legislative Services 2014-20 dated September 8, 2014 regarding the 2014 Status Update - 2013-2017 Multi-Year Accessibility Plan. p. 151

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

a) THAT Corporate Services Report - Legislative Services 2014-20 dated September 8, 2014 regarding the 2014 Status Update - 2013-2017 Multi-Year Accessibility Plan be received;

i) AND THAT the 2014 Status Update - 2013-2017 Multi-Year Accessibility Plan, attached as Appendix 'A' be approved.

23. Development and Infrastructure Services Report - Engineering Services 2014-57 p. 167 dated September 9, 2014 regarding Request for Final Acceptance and Assumption of Underground and Aboveground Works - Garden Homes Residential Subdivision.

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

a) THAT Development and Infrastructure Services Report – ES 2014-57 dated September 9, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

i) THAT the request for final acceptance and assumption of the Garden Homes Residential Subdivision excluding the Stormwater Management Facility and the Mulock Drive sidewalk – as shown on the attached map be finally accepted and assumed by the Town;

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

24. Development and Infrastructure Services Report - Engineering Services 2014-58 p. 170 dated September 5, 2014 regarding Request for Final Acceptance and Assumption of Underground and Aboveground Works - Valleyview Residential Subdivision, Phases 2 and 2A.

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

a) THAT Development and Infrastructure Services Report – ES 2014-58 dated September 5, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendations be adopted:

i) THAT the request for final acceptance and assumption of the Valleyview Residential Subdivision – Phases 2&2A as shown on the attached map, be finally accepted and assumed by the Town;

ii) AND THAT Mr. George Hofstedter of Lindvest Properties (Valleyview) Ltd., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffer & Associates Ltd. be notified of these recommendations.

25. List of Outstanding Matters. p. 173

Recommendation:

- a) THAT the list of Outstanding Matters be received.

## **Action Items**

### **Correspondence & Petitions**

26. Correspondence dated August 20, 2014 from Mr. Bryan Allen regarding Train Whistles. p. 177

Recommendation:

- a) THAT the correspondence dated August 20, 2014 from Mr. Bryan Allen regarding Train Whistles be received.

27. Correspondence dated July 30, 2014 from Ms. Carolyn Lance, Council Services Coordinator, Town of Georgina addressed to Prime Minister Stephen Harper regarding legislation to restrict the use of Neonicotinoid Pesticides in Ontario and requesting support of a resolution requesting a moratorium be declared surrounding the use of Neonicotinoid crop treatments and the inclusion of planting of bee and butterfly friendly spaces on appropriate Town property in the 2015 budget. p. 178

The Operational Leadership Team recommends:

- a) THAT the correspondence dated July 30, 2014 from Ms. Carolyn Lance, Council Services Coordinator, Town of Georgina regarding the use of Neonicotinoid Pesticides be received.

28. Petition from Mr. Ian Johnston regarding construction of a splash pad in Ward 6. p. 180

The Operational Leadership Team recommends:

- a) THAT the petition from Mr. Ian Johnston regarding construction of a splash pad in Ward 6 be referred to staff.

## **Reports by Regional Representatives**

### **Notices of Motion**



## **Motions**

29. Councillor Sponga - THAT a staff report be prepared to review GO Train operations including east-west road connections, grade separations, speed within the downtown core, frequency of whistles at the train intersection located at Water Street, Timothy Street and Davis Drive and the implementation of a regulated Signaled Pedestrian Crossing at Water Street, Doug Duncan Drive and Fairy Lake. p. 213

## **New Business**

### **Closed Session (if required)**

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

1. Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-21 regarding a proposed disposition of land by the municipality in Ward 3.
2. Office of the Chief Administrative Officer and Corporate Services (Legal Services) Joint Closed Session Report 2014-23 regarding a potential acquisition of land by the municipality in Ward 5.
3. Corporate Services - (Legal Services) Closed Session Report 2014-24 dated September 16, 2014 regarding litigation before the Ontario Municipal Board. (536 and 550 Mulock Court)

## **Public Hearing Matters**

30. Public Meeting Notice and Related Council Extract - Development and Infrastructure Services Report - Planning and Building Services 2014-33 dated July 21, 2014 regarding Application for Zoning By-law Amendment - 1738357 Ontario Ltd., 345-351 Davis Drive. p. 214

## **Addendum (Additions and Corrections)**

31. Councillor Twinney - Motion: p. 232

THAT the Ontario Government consider the appropriate legislative amendments to the Municipal Act, 2001 to permit telephone or video conference participation by appointed members of municipal accessibility advisory committees required by the Accessibility for Ontarians with Disabilities Act, 2005;

AND THAT this resolution be circulated to the Hon. Kathleen Wynne, Premier of Ontario; Hon. Brad Duguid, Minister of Economic Development, Employment and Infrastructure; Hon. Ted McMeekin, Minister of Municipal Affairs and Housing; Mr. Chris Ballard, MPP; municipalities in York Region, Durham Region, Halton Region, City of Toronto and the Association of Municipalities of Ontario.

32. Correspondence dated September 15, 2014 from Ms. Lynn Bird, President, Rotary Club of Newmarket requesting that October 24, 2014 be proclaimed 'World Polio Day' in the Town of Newmarket. p. 233

### **Recommendations:**

a) THAT the correspondence from Ms. Lynn Bird, President, Rotary Club be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 24, 2014 as 'World Polio Day';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

33. Correspondence dated September 15, 2014 from Ms. Mary Bayliss, RRT, Canadian Society of Respiratory Therapists requesting that October 26 to November 1, 2014 be proclaimed 'Respiratory Therapists Week' in the Town of Newmarket. p. 234

### **Recommendations:**

a) THAT the correspondence from Ms. Mary Bayliss, RRT be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim October 26 to November 1, 2014 as 'Respiratory Therapists Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website [www.newmarket.ca](http://www.newmarket.ca)

34. Correspondence dated September 15, 2014 from Ms. Sara Brockman, Development Planner, Lake Simcoe Region Conservation Authority regarding Public Meeting - Development and Infrastructure Services Report - Planning and Building Services 2014-33 dated July 21, 2014 regarding Application for Zoning By-law Amendment - 1738357 Ontario Ltd., 345-351 Davis Drive. (Related to Item 30) p. 235
35. Deputation: Mr. Daniel Berholz, Green & Rose Developments Inc. to address the Committee regarding Development and Infrastructure Services Report - Planning and Building Services 2014-40 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application - 212 Davis Drive. (Related to Item 17) p. 241
36. Development and Infrastructure Services - Planning and Building Services Planning Report 2014-42 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application D14-NP-14-04 Addendum Report (Related to Item 17) (Note: Recommendation v) added) p. 242

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 - Planning Report 2014-42 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application D14-NP-14-04 be received and the following recommendations be adopted:

i) THAT Council support the Zoning By-law Amendment in accordance with the Zoning By-law and Holding provisions as recommended in Revised Appendix A - Recommended Zoning By-law;

ii) AND THAT the applicant be advised that a Reference Plan is required to be submitted to the Town prior to Site Plan Approval, which identifies as a minimum, the land to be conveyed to the Town for future Minor Collector across the southerly limit of 212 Davis Drive; all easements including the easement for the future burying of hydro and related infrastructure (a minimum of a 3 m wide easement along the Davis Drive frontage and space for the future burying of switch gear to replace the current dip pole on the frontage of the property), easements for servicing including, e.g. water, waste water and storm water;

iii) AND THAT Council direct staff and legal counsel to continue to work with the proponent, the commenting agencies toward the resolution of any outstanding issue as identified in Planning Report 2014-40 prior to the lifting to the "Holding" provisions and finalization of Site Plan Approval;

iv) AND THAT Council direct staff and legal counsel, as part of Site Plan process, to enter into a Site Plan Agreement addressing applicable outstanding issues generally as outlined, but not limited to, those identified in Appendix B;

v) AND THAT servicing allocation be granted to this development from the Urban Centres assignment in the amount of 439 people (225 apartment units);

vi) AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 and Daniel Berholz, Green and Rose Developments Inc., 156 Duncan Mills Road, Unit 12, Toronto, ON M3B 3N2 be notified of this action.

37. PowerPoint Presentation by Mr. Andrew Ferancik, MCIP, RPP Senior Associate, Walker, Nott, Dragicevic Associates Limited related to Development and Infrastructure Services Report - Planning and Building Services 2014-33 dated July 21, 2014 regarding Application for Zoning By-law Amendment - 1738357 Ontario Ltd.; 345-351 Davis Drive. (Related to Item 30) p. 258

## **Adjournment**



## TOWN OF NEWMARKET

**Clerks Department**  
clerks@newmarket.ca

### ***Request for Deputation***

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

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

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

PLEASE PRINT

Council / Committee date: COMMITTEE OF THE WHOLE SEPT 22, 2014

Agenda Item # \_\_\_\_\_ Subject: \_\_\_\_\_

Name: BESSIE VLASIS

**Address:**

\_\_\_\_\_  
Street Address

NEWMARKET ON \_\_\_\_\_  
Town/City Postal Code

Phone: Home: \_\_\_\_\_ Business: \_\_\_\_\_

Fax #: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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

BULLY FREE COMMUNITY ALLIANCE

**Brief summary of the issue or purpose of your deputation:**

REQUEST TOWN OF NEWMARKET ACKNOWLEDGES MENTAL HEALTH  
DAY OCT 10, 2014 AND LIGHT UP PURPLE AND ACKNOWLEDGE  
BULLY AWARENESS WEEK NOV 16-22, 2014

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

395 Mulock Drive, P.O. Box 328, STN MAIN NEWMARKET, ON L3Y 4X7  
Tel: 905-895-5193 Fax: 905-953-5100

VISIT OUR WEB SITE AT: [www.newmarket.ca](http://www.newmarket.ca)

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**From:** Workplace Bully  
**Sent:** August-14-14 7:11 PM  
**To:** Moor, Linda  
**Subject:** Fwd: FW: Scanned image from MX-2600N  
**Attachments:** PUR\_MX3110N@newmarket.ca\_20120926\_090441.pdf

Hi Linda:

**STOP BULLYING DAY - BLUE SHIRT DAY - FRIDAY, OCTOBER 17TH, 2014**

This year Stop Bullying Day - Blue Shirt Day is on Friday, October 17th, 2014. For the last few years Newmarket joined us to raise awareness to stop bullying at work. Richmond Hill, Markham and Toronto is raising the Blue Flag and encouraged everyone to wear Blue shirt to observe this day.

Bullying can result in severe mental pain. Here is CBC documentary.

[https://www.youtube.com/watch?v=P6PsgAqES2s&list=UUKjU3KzdbJE1EFcHVqXC3\\_g](https://www.youtube.com/watch?v=P6PsgAqES2s&list=UUKjU3KzdbJE1EFcHVqXC3_g)

[www.freewebs.com/bullyandyou](http://www.freewebs.com/bullyandyou)

Thank you for your support.

Ana Nair  
Founder/President  
ABSG

----- Forwarded message -----

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Date: 26 September 2012 09:20  
Subject: FW:  
To: "



## Ontario Multifaith Council

July 29, 2014

**Re: Proclamation for Spiritual & Religious Care Awareness Week  
October 13 - 19, 2014**

The Ontario Multifaith Council (OMC) is a registered, non-profit, charitable organization representing a wide-range of faith groups in the province of Ontario. The OMC is comprised of representatives from 30 faith groups with 185 Regional Multifaith Committee members throughout Ontario who give support to our vision and mandate.

OMC is dedicated to the promotion and facilitation of equal access to adequate and appropriate spiritual care and religious accommodation for persons in government operated/funded institutions and organizations, in context with the Ontario Human Rights Code.

OMC initiates and organizes an annual celebration of Spiritual and Religious Care Awareness Week (SRCAW) which provides an opportunity to recognize the value and dedication of Spiritual and Religious Service Providers of all faiths who work in specialized settings such as, hospitals, long-term care facilities, mental health centres and correctional facilities.

We are asking that consideration be given for SRCAW to be proclaimed throughout Canada during the week of October 13 - 19 this year. This year's theme is "*Deepening Understanding of Religious Diversity*". Spiritual and Religious Care is supported through the Human Rights Code not only in the province of Ontario but also throughout the mosaic of Canada. Regardless of age, race, social or political standing, whether interfaith or multifaith, the celebration of SRCAW gives support to those who provide and receive Spiritual and Religious care.

It is our hope that your response to our request will be positive. We would be most pleased to provide any additional information that is required to enable you to process our request.

Sincerely,

Pandit Roopnauth Sharma  
President

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
AUG 21 2014		

**Ontario Multifaith Council**

207 - 3570 Victoria Park Avenue, Toronto, Ontario M2H 3S2  
Tel: 416-422-1490 Email: omcsrc@omc.ca Website: www.omc.ca





## ONTARIO MULTIFAITH COUNCIL

### **Spiritual and Religious Care Awareness Week** ***"Deepening Understanding of Religious Diversity"*** **October 13 - 19, 2014**

## **PROCLAMATION**

WHEREAS across the province of Ontario there is concern about the necessary and important place of spirituality in the provision of care in hospitals, long term care facilities, correctional settings, mental health centres and facilities for people with intellectual disabilities, AND

WHEREAS the need for and work of dedicated, qualified and competent spiritual and religious caregivers in society and particularly in our provincial institutions of care needs to be officially recognized and applauded, AND

WHEREAS the multicultural mosaic of Ontario demands diversity in the provision of spiritual and religious care and the protection of religious rights, this unique provincial phenomenon, having been recognized and provided for by the Ontario Multifaith Council, AND

WHEREAS throughout the province there will be a celebration of SPIRITUAL AND RELIGIOUS CARE AWARENESS WEEK during October 13 - 19, 2014.

THEREFORE be it resolved that the (name of municipality, e.g. City of Cornwall) join with other like-minded political jurisdictions in the Province of Ontario (or the name of the OMC region) and declare the week of October 13 - 19, 2014 as Spiritual and Religious Care Awareness Week and to support all local observances pertaining thereto.





August 20, 2014

80 Commerce Valley Drive, East., Suite 1  
Markham, ON L3T 0B2  
Phone: 905-739-9739 • Fax: 905-739-9740  
Web: cupe.on.ca E-mail: cupeont@web.net

To Ontario mayors and councils,

We are writing to ask that you and your council endorse a day of recognition for the many people who work providing care to children in your community. This year will mark the 14<sup>th</sup> anniversary of our awareness day which recognizes the education, skills, commitment and dedication of Early Childhood Educators (ECE) and child care staff.

The Ontario Coalition for Better Child Care (OCBCC), the Canadian Union of Public Employees (CUPE) and other labour partners representing child care and ECE workers across Ontario are asking that Wednesday, October 29, 2014, be proclaimed as **Child Care Worker & Early Childhood Educator Appreciation Day** in accordance with the attached resolution.

Many groups are recognized by way of municipal resolution. Such a day allows the community to recognize the work of various groups and to acknowledge the contributions they make in the lives of community members.

Many children, families and communities benefit from the work of child care workers and ECEs. Child care and early learning also contribute to the economic life of communities. Research shows the many economic benefits accrued from affordable, accessible high quality early learning and child care. These benefits come from the number of people employed in the child care industry and because the availability of child care allows parents to work and retrain and to contribute to the economic life of society.

Even if your council does not issue official proclamations, there are many ways for your municipality to participate in and celebrate this special day. We ask your council to sponsor public announcements, display our posters and distribute our buttons. Many municipalities also organize events and contests for the day or have councilors or the mayor participate in events hosted by child care centres within the municipality. A list of ideas and examples is attached.

This year, Child Care Worker and Early Childhood Educator Appreciation Day (October 29) is just a few days after the municipal election (October 27). Between now and then we will be asking those of you running for re-election and other candidates for election, to make investment in child care services in your community a priority issue in your campaign. Above all, we encourage you to engage in a dialogue about the benefits of affordable, high quality child care services in your community. And we invite you to express your commitment to better child care by signing the pledge at [www.idependonchildcare.ca/candidates](http://www.idependonchildcare.ca/candidates)

We would like to acknowledge those municipalities celebrating child care and ECE workers across on Ontario on October 29. Do let us know whether your municipality is participating in the recognition day. Please direct any correspondence on proclamations and/or celebration activities to the attention of Uliana Siniavskaia, by mail: CUPE, 80 Commerce Valley Drive East, Markham, Ontario, L3T 0B2 or by fax at 905-739-3999.

Thank you for your consideration.  
In solidarity,

Fred Hahn  
President, CUPE Ontario  
cc: CMSMs/DSSABs

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
<b>AUG 28 2014</b>		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		

Sheila Olan-Maclean  
President, OCBCC



Recycling  
Council of  
Ontario

SERVICES

INCOMING MAIL	REFD TO	COPY TO
SEP 04 2014		
Dear Council,		

6

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
SEP 04 2014		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		



Waste Reduction Week in Canada  
Semaine canadienne de  
réduction des déchets

Aug. 29, 2014

In an ongoing effort to educate and engage Ontarians about waste reduction, Recycling Council of Ontario is asking municipalities from across Ontario to demonstrate their commitment to waste reduction and proclaim Oct. 20 – 26, 2014 as Waste Reduction Week.

Waste Reduction Week in Canada is an environmental campaign that builds awareness around issues of sustainable and responsible consumption, encourages choice for more environmentally responsible products/services, and promotes actions that divert more waste from disposal and conserve natural resources.

Your community's commitment and participation in Waste Reduction Week in Canada communicates the importance of waste reduction, and encourages residents to contribute to environmental protection.

There are three ways for council to proclaim Waste Reduction Week.

1. Online at [www.wrwcanada.com/proclamations](http://www.wrwcanada.com/proclamations)
2. Incorporate the following into a formal municipal resolution and email your resolution/proclamation to [wrw@rco.on.ca](mailto:wrw@rco.on.ca):

*WHEREAS the generation of solid waste and the needless waste of water and energy resources are recognized as global environmental problems and,*

*WHEREAS municipal and provincial governments have an important role to play in promoting waste reduction, reuse, recycling, composting and other conservation measures and,*

*WHEREAS communities, businesses and organizations across Canada have committed to working together to raise awareness of these issues during Waste Reduction Week in Canada, and,*

*NOW KNOW YE THAT We do by these presents proclaim and declare that Oct. 20 - 26, 2014, inclusive, shall be known as Waste Reduction Week.*

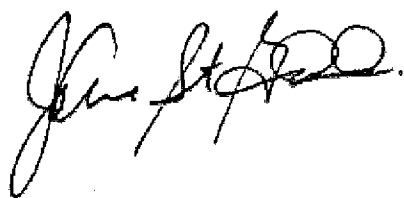
continued

3. Utilize the attached certificate and include your municipality's logo or seal on the bottom right. An electronic version of the certificate is also available at [www.rco.on.ca/rrw\\_ontario](http://www.rco.on.ca/rrw_ontario). Email your completed certificate to [rrw@rco.on.ca](mailto:rrw@rco.on.ca).

Please join municipalities across Canada by proclaiming Oct. 20 - 26, as Waste Reduction Week. Alternatively, if your community does not offer official proclamations, have your Waste Reduction Week activities and events profiled online. For more information, visit [www.wrrwcanada.com](http://www.wrrwcanada.com).

Thank you for your commitment to waste reduction.

Kind regards,



Jo-Anne St. Godard  
Executive Director  
Recycling Council of Ontario  
416.657.2797, ext. 3  
[rrw@rco.on.ca](mailto:rrw@rco.on.ca)



**IAN LAING** Fire Chief

984 Gorham Street  
Newmarket, ON  
L3Y 1L8  
905-895-9222  
[www.cyfs.ca](http://www.cyfs.ca)

September 9, 2014

Andrew Brouwer, Clerk  
Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario  
L3Y 4X7

Dear Andrew:

Re: **Council Declaration of "FIRE PREVENTION WEEK" October 5 – 11, 2014**

Each year a one week period in October is proclaimed by the Government of Canada as "Fire Prevention Week", and is used to place emphasis on the prevention of fire, and for the preparation of plans to be enacted in the event of fire.

Central York Fire Services is respectfully requesting the Town of Newmarket also proclaim the week of October 5, 2014 through October 11, 2014 Fire Prevention Week, with this year's theme being:

**"Working Smoke Alarms Save Lives"**

Sincerely,

A handwritten signature in black ink, appearing to read "I. Laing".

Ian Laing  
Fire Chief

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**From:** Brouwer, Andrew  
**Sent:** September-10-14 3:00 PM  
**To:** Moor, Linda  
**Subject:** FW: Proclaiming Lung Month in November

FYI

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**From:** Bates, Tina **On Behalf Of** Mayor Van Bynen  
**Sent:** September-10-14 2:55 PM  
**To:** Brouwer, Andrew  
**Cc:** Mayor Van Bynen  
**Subject:** FW: Proclaiming Lung Month in November

Andrew,

Please see the proclamation request below. Thank you.

**Tina Bates**  
 Assistant to the Office of the Mayor  
 Town of Newmarket  
 905-953-5300, press 2, ext. 2003

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**From:** Chris Yaccato  
**Sent:** September 10, 2014 2:52 PM  
**To:** Mayor Van Bynen  
**Subject:** Proclaiming Lung Month in November

*This message has been sent on behalf of George Habib, President & CEO of the Ontario Lung Association.*

Dear Mayor Van Bynen,

Did you know that November is Lung Month?

Did you know that more than 2.4 million people in Ontario – that is one in five people in the Town of Newmarket – lives with a chronic lung disease such as asthma, chronic obstructive pulmonary disease or lung cancer, and many more are at risk?

And did you know that lung disease is the only one of the top 4 chronic diseases in Ontario that has no comprehensive plan to deal with lung health?

In November, the Ontario Lung Association and our partners will engage in a series of information and outreach initiatives designed to inform and educate all Ontarians about how to protect and care for their lungs and to advocate for a comprehensive Ontario Lung Health Action Plan.

If we don't act today to create an action plan to deal with lung disease, the impact to Ontario's economy by 2040, direct and indirect costs will grow to an astonishing \$300 billion.

**Today I am writing to invite you to join the mayors and reeves of municipalities throughout Ontario who are supporting lung health in their communities by issuing a proclamation declaring November Lung Month** in their cities and towns and to ask the Government of Ontario to create and fund an Ontario Lung Health Action Plan. *For further information about our call for an Ontario Lung Health Action Plan please visit: [www.on.lung.ca/action-plan](http://www.on.lung.ca/action-plan).*

Mayor Van Bynen, when you proclaimed Lung Month last year, you made it clear that your community is standing up for its lung health! We hope that you will consider showing your support again in 2014. We thank you for your consideration, and hope that you will demonstrate your municipality's support for the lung health of all its citizens by signing the attached proclamation of November as Lung Month for entry into the official record.

Your commitment to issue a proclamation does have a profound effect on those living and dealing with lung disease, as it recognizes and honors the many contributions and efforts being undertaken by those dealing with lung health issues.

Because when you can't breathe, nothing else matters.™

Sincerely,



George Habib  
President and CEO, Ontario Lung Association  
401-18 Wynford Drive | Toronto, ON M3C 0K8  
[g Habib@on.lung.ca](mailto:g Habib@on.lung.ca) | Tel: 416-864-9911, ext. 237

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#### *SAMPLE PROCLAMATION*

#### **LUNG MONTH**

WHEREAS, in the Town of Newmarket and throughout Ontario, one in five residents lives with lung disease; and

WHEREAS, lung disease is one of the most prevalent, deadly and costly chronic diseases; and

WHEREAS, the Town of Newmarket supports all measures designed to advance and protect the health of its citizens and of Ontarians; and

WHEREAS, to increase awareness of lung health issues and to inform Ontarians about the importance of their lung health, the Ontario Lung Association has designated the month of November *Lung Month*,

NOW, THEREFORE, I, Tony Van Bynen, Mayor of the Town of Newmarket,

DO HEREBY PROCLAIM November, 2014 as

**"LUNG MONTH"**



# Town of Newmarket MINUTES

## STREET NAMING COMMITTEE

Town Hall, 395 Mulock Drive  
July 28, 2014 at 11:00 AM

A meeting of the Street Naming Committee was held on July 28, 2014 at 11:00 AM, at the offices of the Town of Newmarket, 395 Mulock Drive, Newmarket.

Present: E. Adam  
N. Friend  
S. Meehan

Staff: M. White, Planner

The meeting was called to order at 11:12 AM.

### 1. ASSIGNING NAMES FROM RESERVE LIST TO A SUBDIVISION

Discussion:

The Committee discussed assigning Helena, Mickleburgh and Carm Shier to the National Homes Stonehaven subdivision.

Motion:

Moved by: Sonja Meehan  
Seconded by: Elaine Adam

**THAT the requested names from the reserve list (Helena, Mickleburgh and Carm Shier), be assigned to the National Homes Stonehaven subdivision.**

**CARRIED.**

### 2. REVIEWING NEW NAMES TO BE ASSIGNED TO A SUBDIVISION

Discussion:

The Committee reviewed the request of the developer to use Harry Douglas Way and Somerville Drive as names in the National Homes Stonehaven subdivision. The Committee acknowledged that the Region advised that they did not object to the use of Somerville Drive even though there is a Somerville Street in

Whitchurch-Stouffville. The Committee changed the proposed Harry Douglas Way to Harry Douglas Street.

Motion:

Moved by: Sonja Meehan  
Seconded by: Norm Friend

**THAT the names Harry Douglas Street and Somerville Drive be approved as street names and assigned to the National Homes Stonehaven subdivision.**

**CARRIED.**

### **3. BUSINESS ARISING FROM PREVIOUS MINUTES**

Discussion:

From Previous Minutes: The Committee also discussed the proposed name Remembrance Lane. The name was proposed by the OSPCA. It appears that Memory Lane was originally submitted for the former pet cemetery at 16440 Yonge St. Meghan will follow up with more information.

Meghan researched the original requestor, Victoria Earl, but she could not be found. It was determined that the request was made in 2004. The Committee determined that as the request was so old and the requestor could not be found that the name should be removed from the Reserve List.

Motion:

Moved by: Norman Friend  
Seconded by: Sonja Meehan

**THAT Remembrance Lane be removed from the Reserve List.**

**CARRIED.**

### **4. NEW BUSINESS**

None.



5. NEXT MEETING DATE

At the call of the Chair.

There being no further business, the Street Naming Committee adjourned at 11:35 AM.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Elaine Adam, Chair



# Town of Newmarket **MINUTES**

14

## **ACCESSIBILITY ADVISORY COMMITTEE**

Thursday, June 19, 2014 at 10:00 AM  
Magna Centre, Multi-Purpose Room #1

The meeting of the Accessibility Advisory Committee was held on Thursday, June 19, 2014 in Magna Centre, Multi-Purpose Room #1 , 800 Mulock Drive, Newmarket.

Members Present: Naeem Bacchus  
Diane Bladec-Willett  
Steve Foglia (Chair)  
Ursula Rehdner (11:50 a.m. – 12:25 p.m.)  
Wendi Williams-Gordon

Staff Present: Pat McIntosh, Recreation Programmer, Leisure & Inclusion  
Services  
Chrisanne Finnerty, Council/Committee Coordinator

The Committee performed an accessibility audit of the Magna Centre from 10:00 a.m. to 11:45 a.m.

The meeting was called to order at 11:50 a.m.

Steve Foglia in the Chair.

### **Additions & Corrections to the Agenda**

None.

### **Declarations of Pecuniary Interest**

None.

### **Approval of Minutes**

1. Accessibility Advisory Committee Meeting Minutes of April 17, 2014.

Moved by: Diane Bladec-Willett  
Seconded by: Ursula Rehdner

THAT the Accessibility Advisory Committee Minutes of April 17, 2014 be approved.

### **Carried**

## Items for Discussion

2. York Region Mobility Plus Eligibility Appeal Panel - Membership.

The Committee reviewed the York Region Mobility Plus Eligibility Appeal Panel package prepared by York Region. Discussion ensued regarding cost and payment to panel volunteers.

3. Discussion regarding National Access Awareness Week Wrap-up Meeting.

The Recreation Programmer provided a verbal update on the success of National Access Awareness Week events. Discussion ensued regarding engagement of people from outside the disabled community, determining a purpose for the Celebrating Access and Abilities event, whether it is entertainment or information, partnership opportunities with other local groups, budgets and event advertising. The Recreation Programmer advised that it was suggested that events be held at Upper Canada Mall next year in order to attract a wider audience.

## Action Item List

4. Action Item List Review.

The Action Item List was reviewed.

- Legislative Services staff to arrange a date for the presentation to Council on the Committee's accomplishments.
- The request for a budget for the Committee to be discussed at the September 18, 2014 Accessibility Advisory Committee meeting.
- Committee members to review the current Terms of Reference and provide feedback to Legislative Services staff.

## New Business

a) The Chair proposed that all Accessibility Advisory Committee meetings be held at the Magna Centre on a go-forward basis in the new term of Council. There was consensus among those in attendance that alternate meeting places other than the Municipal Offices be considered.

## Adjournment

Moved by: Wendi Williams-Gordon  
Seconded by: Naeem Bacchus

THAT the meeting adjourn.

**Carried**

There being no further business, the meeting adjourned at 12:59 p.m.

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Date

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S. Foglia, Chair

The meeting of the Appointment Committee was held on Tuesday, August 26, 2014 in Cane B, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen (10:20 – 11:00 a.m.)  
Regional Councillor Taylor  
Councillor Twinney

Staff Present: A. Brouwer, Director of Legislative Services/Town Clerk  
L. Lyons, Deputy Clerk  
T. Horton, AMCTO Intern  
C. Finnerty, Council/Committee Co-ordinator

The meeting was called to order at 10:05 a.m.

Councillor Twinney in the Chair

### **Additions & Corrections to the Agenda**

None.

### **Declarations of Pecuniary Interest**

None.

### **Approval of Minutes**

1. Appointment Committee Minutes of January 21, 2014 and Appointment Committee (Closed Session) Minutes of January 21, 2014.

Moved by: Regional Councillor Taylor  
Seconded by: Councillor Twinney

THAT the Appointment Committee Minutes of January 21, 2014 and Appointment Committee (Closed Session) Minutes of January 21, 2014 be approved.

**Carried**

## Items for Discussion

2. Legislative Services Memorandum dated August 12, 2014 regarding Boards/Committees, 2014-2018 Term of Council.

The Director of Legislative Services/Town Clerk provided an overview of the current Committee review, as approved by Council in May, 2013. Through the Committee review process, the intent is to commence recruitment for statutory boards and Committees, followed by a discussion and policy regarding the operation of Committees and a workshop regarding public engagement. An operating policy outlining the governance process is currently being drafted and different approaches to obtaining public engagement, including task forces, community forums and use of new technologies are being reviewed.

Discussion ensued regarding current Committee reporting mechanisms and structures, length of appointment terms, the role of technology in obtaining public engagement, including telephone town halls and webinars, operating policies and best practices. Information generated from research of best practices for municipal Committees and public engagement to be brought forward to a workshop for Council's consideration.

Moved by: Regional Councillor Taylor  
Seconded by: Mayor Van Bynen

THAT the Legislative Services Memorandum dated August 12, 2014 regarding Boards/Committees, 2014-2018 Term of Council be received.

### Carried

3. Questionnaire for Board and Committee Members.

The Director of Legislative Services/Town Clerk advised that a questionnaire regarding Boards and Committees has been prepared for circulation to current Committee members in order to obtain feedback on their experience on a Newmarket Committee. One-on-one meetings will be arranged with Committee Chairs and Council Members, as required and where available.

Discussion ensued regarding the questionnaire and additional questions for inclusion on the survey were proposed. The Appointment Committee was provided until Friday, August 29, 2014 to provide any additional feedback on the questionnaire prior to its circulation to Committee Members.

Moved by: Regional Councillor Taylor  
 Seconded by: Mayor Van Bynen

THAT the questionnaire for Board and Committee Members be received.

**Carried**

## **New Business**

- a) The Committee discussed the structure of the Newmarket Economic Development Advisory Committee and recommended developing a roster of candidates with decisions on Committee appointments to be made by the new Council.
- b) The Director of Legislative Services/Town Clerk advised that he is currently reviewing the appointment process and other governance requirements relative to the Municipal Act for the Main Street District Business Improvement Area Board of Management.

## **Adjournment**

Moved by: Mayor Van Bynen  
 Seconded by: Regional Councillor Taylor

THAT the meeting adjourn.

**Carried**

There being no further business, the meeting adjourned at 11:00 a.m.

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Date

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Councillor Twinney

A meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday, May 20, 2014 at 7:30 p.m. in Hall # 1, Community Centre and Lions Hall at 200 Doug Duncan Drive.

**Members**

**Present:** Jackie Playter, Chair  
Nancy Barnard  
Adrian Cammaert  
James Elliott (7:46 to 7:55 p.m.)  
Nancy Gerry  
Steven Gilbert  
Anne Martin

**Absent:** Councillor Sponga  
Siegfried Wall

**Guests:** Olga Paiva, Canada T  
Ken Sparks, Good Vibes on Main

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

Jackie Playter in the Chair.

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

**ADDITIONS**

None.

**DECLARATIONS OF INTEREST**

None.

**1. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF  
MANAGEMENT MINUTES – MAY 20, 2014 – ITEM 1  
APPROVAL OF MINUTES**

Main Street District Business Improvement Area Board of Management Minutes  
of April 15, 2014.



Moved by Nancy Barnard  
Seconded by Steven Gilbert

**THAT the Main Street District Business Improvement Area Board of Management Minutes of April 15, 2014 be approved.**

**CARRIED**

The Chair advised that with respect to Item 5 of the Main Street District Business Improvement Area Board of Management Minutes of April 15, 2014 regarding Filming on Main Street, a complaint was received during the recent film shoot concerning blocked public parking access.

**2. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – MAY 20, 2014 – ITEM 2  
FINANCIAL REPORTS**

The Economic Development Officer advised that the Main Street Business Improvement Area Board of Management bank balance is currently approximately \$24,667.00 with \$1,860.00 expended to monthly advertising.

The Economic Development Officer advised that he recently renewed the Main Street District Business Improvement Area Board of Management's insurance policy and according to the Town's unaudited financial statement, the Board of Management had a surplus of \$124.00 for the 2013 fiscal year end.

James Elliott arrived at 7:46 p.m.

**3. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – MAY 20, 2014 – ITEM 3  
COMMITTEE REPORTS**

- a) Nancy Barnard advised that the Marketing Sub-committee recently met and reduced the size of the Era newspaper ads and maintained the half page ad size in the SNAP publications.
- b) The Chair advised of the following proposed Main Street 'closed to vehicular traffic' times during the Jazz Festival on the Civic Holiday weekend in August, 2014 being: Friday – 4 to 11 p.m.; Saturday – 4 to 11 p.m.; Sunday – beginning at 1:00 p.m. and Monday - 10 to 4 p.m.
- c) The Chair advised that the Newmarket Car Club Show is set for the Father's Day Weekend and plans for the Canada Day festivities are well underway.

**4. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF  
MANAGEMENT MINUTES – MAY 20, 2014 – ITEM 4  
NEW BUSINESS**

- a) James Elliott requested technical assistance in establishing the bidding process for the painted guitars as part of the Guitar Extravaganza. He advised that the guitars are currently on display at the Arts Music Store on Eagle Street until mid-June, 2014 and from there, will be displayed at the Town Municipal Offices at 395 Mulock Drive.

**Moved by Steven Gilbert  
Seconded by Nancy Gerry**

**THAT the meeting adjourn.**

**CARRIED**

There being no further business, the meeting adjourned at 7:55 p.m.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jackie Playter, Chair

Next Meeting is June 17, 2014 at the Newmarket Community Centre and Lions Hall at 7:30 p.m.

A meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday, June 17, 2014 at 7:30 p.m. in Hall # 1, Community Centre and Lions Hall at 200 Doug Duncan Drive.

**Members**

**Present:** Jackie Playter, Chair  
Adrian Cammaert  
Nancy Gerry  
Steven Gilbert  
Anne Martin  
Councillor Sponga (7:49 to 8:40 p.m.)  
Siegfried Wall (7:36 to 8:40 p.m.)

**Absent:** Nancy Barnard  
James Elliott

**Guests:** Ken & Vickie Sparkes, Good Vibes on Main

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

Jackie Playter in the Chair.

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

**ADDITIONS**

The Chair advised that the Terms of Reference for the Downtown Parking Review Task Force would be considered on this agenda.

**DECLARATIONS OF INTEREST**

None.

**1. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF  
MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 1  
APPROVAL OF MINUTES**

Main Street District Business Improvement Area Board of Management Minutes  
of May 20, 2014.

Moved by Nancy Barnard  
Seconded by Steven Gilbert

**THAT the Main Street District Business Improvement Area Board of Management Minutes of May 20, 2014 be approved.**

**CARRIED**

**2. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 2  
FINANCIAL REPORTS**

The Economic Development Officer advised that the Main Street Business Improvement Area Board of Management bank balance is currently approximately \$19,000. The Chair requested that payment of \$4,000 be made for Jazz Festival incidental invoices.

**3. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 3  
COMMITTEE REPORTS**

The Chair advised that a Jazz Festival sub-committee has been established consisting of herself, Nancy Barnard, Vickie Sparkes and the proprietor of Made in Mexico. Discussion ensued regarding the anticipated funds collected from the street vendors being utilized to assist with payment of various other entertainers during the Jazz Festival.

Moved by Nancy Gerry  
Seconded by Steven Gilbert

**THAT any funds collected from the street vendors be provided to the Jazz Festival sub-committee to assist with payment of various other entertainers.**

**CARRIED**

**4. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 4  
HERITAGE DESIGNATION**

The Chair advised that she will act in the capacity of the Main Street District Business Improvement Area Board of Management representative on the Lower Main Street South Heritage Conservation District proposed advisory group.

Councillor Sponga arrived at 7:49 p.m.

**5. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 5  
TOURIST ORIENTED DIRECTIONAL SIGNAGE (TODS)**

Adrian Cammaert provided a verbal update and costing details associated with tourist oriented directional signage contracts and a suggestion was made for the Main Street District Business Improvement Area Board of Management to utilize this method of advertising option.

**Moved by Councillor Sponga  
Seconded by Siegfried Wall**

**THAT the Main Street District Business Improvement Area Board of Management expend an amount of \$1800.00 for a three year contract for Tourist Oriented Directional Signage on Highway 404; and such signage include the words 'Historic Main Street, Newmarket'.**

**CARRIED**

**6. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 6  
UPCOMING EVENTS**

The Chair advised that the Father's Day Car Show was a successful event and that Canada Day and Jazz Festival preparations are well underway.

**7. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 7  
DOWNTOWN NEWMARKET PARKING REVIEW TASK FORCE  
TERMS OF REFERENCE**

Councillor Sponga provided a verbal update regarding the Downtown Newmarket Parking Review Task Force and advised that they would not be meeting again until the next term of Council. He further advised that the Task Force requested comments related to the Terms of Reference from the Main Street District Business Improvement Area Board of Management as the Terms will be revamped to reflect a long term parking plan and way finding signage of existing parking lots.

**Moved by Siegfried Wall**  
**Seconded by Adrian Cammaert**

**THAT the Downtown Newmarket Parking Review Task Force Terms of Reference be revamped to include a long term parking plan and way finding signage of existing parking lots.**

**CARRIED**

A suggestion was made to have Siegfried Wall continue to be the representative on the Downtown Newmarket Parking Review Task Force.

**8. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JUNE 17, 2014 – ITEM 8**  
**NEW BUSINESS**

- a) The Economic Development Officer advised that the meeting scheduled for August 19, 2014 will have to be held at a different location as the Community Centre will be closed for maintenance purposes during that period of time.
- b) A. Martin requested a status update about the former Parks Shop on Eagle Street. Councillor Sponga provided a verbal update and advised that the owner of the former Parks Shop is now Oxford Homes.

**Moved by Nancy Gerry**  
**Seconded by Steven Gilbert**

**THAT the meeting adjourn.**

**CARRIED**

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

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Jackie Playter, Chair

A meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday, July 15, 2014 at 7:30 p.m. in Multi-Purpose Room #1, Magna Centre at 800 Mulock Drive.

**Members**

**Present:** Jackie Playter, Chair  
Adrian Cammaert  
James Elliott  
Steven Gilbert  
Anne Martin (7:46 to 8:44 p.m.)

**Absent:** Nancy Barnard  
Nancy Gerry  
Councillor Sponga  
Siegfried Wall

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

Jackie Playter in the Chair.

In the absence of quorum at 7:30 p.m., the Chair advised that discussion only would take place.

The Economic Development Officer provided a verbal update regarding the Main Street District Business Improvement Area Board of Management's financial status as at the end of June, 2014.

The Chair provided a verbal update on the tremendous success of the Canada Day festivities. Discussion ensued regarding the feasibility of requesting more police presence along Main Street during the exiting of the Fairy Lake Park beer tent patrons.

Anne Martin arrived at 7:46 p.m.

The meeting was called to order at 7:47 p.m.

**ADDITIONS**

None.

**DECLARATIONS OF INTEREST**

None.

**1. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF  
MANAGEMENT MINUTES – JULY 15, 2014 – ITEM 1  
APPROVAL OF MINUTES**

Main Street District Business Improvement Area Board of Management Minutes of June 17, 2014.

**Moved by James Elliott  
Seconded by Steven Gilbert**

**THAT the Main Street District Business Improvement Area Board of  
Management Minutes of June 17, 2014 be approved.**

**CARRIED**

**2. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF  
MANAGEMENT MINUTES – JULY 15, 2014 – ITEM 2  
COMMITTEE REPORTS**

Tourist Oriented Directional Signage (TODS)

A. Cammaert provided a verbal update regarding the tourist directional signage installation on Highway 404, he advised that the signs should be in place advertising 'Historic Main Street, Newmarket' by October, 2014.

Courtesy Campaign – Bicycle and Skateboard Travel

The Chair advised that the Town's courtesy campaign signage relating to bicycle and skateboard travel on Main Street will soon be erected.

Filming Commercial on Main Street

The Economic Development Officer provided a verbal update regarding a permit application by the Insurance Bureau of Canada to film a commercial on Main Street on July 16 and 17, 2014. Discussion ensued regarding the fee associated with the film permit.



**Moved by Adrian Cammaert**  
**Seconded by James Elliott**

**THAT the Main Street District Business Improvement Area Board of Management requests \$500.00 from the Insurance Bureau of Canada for the commercial shoot on Main Street.**

**CARRIED**

Jazz Festival

The Chair advised that the Marketing sub-committee has been diligently working on details of festivities along Main Street during the Jazz Festival scheduled for the Civic Holiday weekend in August. Discussion ensued regarding the location for the 'Les is More' Guitar Extravaganza during the event.

**3. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JULY 15, 2014 – ITEM 3**  
**BIA ELECTION**

The Chair requested that Members consider themselves to stand for re-nomination to the Main Street District Business Improvement Area Board of Management and that the November meeting deal exclusively with such determination and the meeting will be held on Monday, November 10, 2014 beginning at 7:30 p.m.; location to be announced.

**4. MAIN STREET DISTRICT BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT MINUTES – JULY 15, 2014 – ITEM 4**  
**NEW BUSINESS**

- a. The Economic Development Officer provided a verbal update regarding the status of the Clock Tower development.
- b. The Chair advised that the August meeting of the Main Street District Business Improvement Area Board of Management is cancelled and the next scheduled meeting will be September 16, 2014 at the Community Centre and Lions Hall at 200 Doug Duncan Drive.

**Moved by Steven Gilbert**  
**Seconded by James Elliott**

**THAT the meeting adjourn.**

**CARRIED**

There being no further business, the meeting adjourned at 8:44 p.m.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jackie Playter, Chair

The meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, May 7, 2014 in Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: John Birchall  
Wes Guldemon  
Doug Jagger  
Jill King  
Joanna Parsons  
Geoff Shore

Absent: Councillor Twinney  
Philip Breault  
Dayna Laxton

Staff Present: C. Schritt, Traffic Technician  
C. Finnerty, Council/Committee Coordinator

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

John Birchall in the Chair.

### **Additions and Corrections to the Agenda**

None.

### **Declarations of Pecuniary Interest**

None.

## **Presentations**

1. Ms. Joan Stonehocker, Executive Director, York Region Food Network regarding Community Gardens and endorsement of the York Region Food Network Food Charter.

Ms. Joan Stonehocker and Ms. Kate Greavette provided a PowerPoint presentation regarding the York Region Food Charter. Discussion ensued regarding endorsement of the Food Charter, including how to enact the principles contained within the charter and associated financial impacts to the Town.

Moved by: Joanna Parsons  
Seconded by: Doug Jagger

The Newmarket Environmental Advisory Committee recommends to Council:

a) WHEREAS York Region's food system is vital to our community's health, economic development, environmental sustainability, education and social justice;

b) AND WHEREAS the Town of Newmarket understands the food system is a complex system with interconnected and interrelated priorities, and is committed to strengthening the food system through coordinated actions for food-related programming;

c) THEREFORE BE IT RESOLVED that the Newmarket Environmental Advisory Committee recommend that the Town of Newmarket endorse the York Region Food Charter;

d) AND THAT the Town adopt the policies and principles contained within the Food Charter into the Town's Official Plan.

**Carried**

## Approval of Minutes

2. Environmental Advisory Committee Minutes of April 2, 2014.

Moved by: Geoff Shore

Seconded by: Doug Jagger

THAT the Environmental Advisory Committee Minutes of April 2, 2014 be approved.

**Carried**

## Correspondence

Moved by: Joanna Parsons

Seconded by: Doug Jagger

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

**Carried**

## Items

3. E-Waste Challenge - Suggestions and Use of New Sponsors.

J. Birchall presented advertising materials, including a proposed flyer, poster and banner for the E-Waste Challenge. The event will take place on Saturday, September 27, 2014 from 9:00 a.m. to 3:00 p.m. at Upper Canada Mall. Tim Horton's will be sponsoring the event. Discussion ensued regarding the advertising materials.

4. Trail Map Update

J. Parsons advised that the Town's Recreation and Culture Department has agreed to pay the difference so that 8,500 trail maps can be ordered at an additional cost of approximately \$1,900.00. D. Laxton and J. Parsons have been working with Town staff to finalize the print version of the trail map. Joanna Parsons to follow up with the Town on the status of the finalized trail map.

5. Ian Gray Award Review and Action Items.

J. Birchall provided an overview of the Ian Gray Award process. He suggested that the process is overly complicated and could be simplified and requested that Committee members review any opportunities to amend the process. Discussion ensued streamlining the award, outreach to schools and identification of award deliverables. The Committee determined that a working, efficient and results driven process needs to be determined. Committee members to review the timing of the award, number of grants provided and other means of simplifying the process for discussion at the June 4, 2014 meeting. J. Birchall to contact schools for their feedback on the award process.

6. Community Garage Sale

D. Jagger advised that the Community Garage Sale will occur on Saturday, May 31, 2014 from 8:00 a.m. to 12:00 p.m. at the northwest corner of Yonge Street and Eagle Street in the parking lot and provided a status update on the event planning. There are eight registrants to date and the Town has committed to providing cones and barricades but is unable to deliver to the site. D. Laxton is in discussions with the Town in order to obtain a sign permit and D. Jagger will post the signs on Monday, May 26, 2014. The draft sign has not yet been approved by Communications. D. Jagger advised that volunteers are still required to assist on the event day.

7. Review of the Provincial Environmental Advisory Committee Meeting - Brampton, ON

No NEAC members were able to attend the Provincial Environmental Advisory Committee Meeting.

8. Discussion regarding Planning/Building recommendations regarding materials disposal for the demolition of sales pavilions and onsite buildings in development areas.

J. Birchall expressed concern that useful materials from sales pavilions are being sent to landfill and suggested that they may be able to be reused by other organizations.

Moved by: Geoff Shore  
 Seconded by: Jill King

The Newmarket Environmental Advisory Committee recommends to Council:

THAT the Planning and Development Department, Building Services division review demolition permits for sales pavilions and encourage developers to donate materials to community organizations.

### **Carried**

#### 9. Discussion of NEAC Priorities.

Discussion of NEAC Priorities was deferred to the June 4, 2014 meeting.

#### 10. NEAC Follow-up Meeting with Council

Discussion regarding NEAC's Follow-up Meeting with Council was deferred to the June 4, 2014 meeting.

#### 11. Meeting Schedule for the Balance of the Council Term.

J. Birchall inquired if the Committee should meet over the summer months. He will distribute an e-mail to confirm the availability of members in order to make a decision at the June 4, 2014 meeting.

#### 12. Discussion regarding proposed upcoming delegations.

Discussion regarding proposed upcoming delegations was deferred to the June 4, 2014 meeting.

### **New Business**

None.

### **Adjournment**

Moved by: Joanna Parsons  
 Seconded by: Doug Jagger

THAT the meeting adjourn.

### **Carried**

There being no further business, the meeting adjourned at 8:43 p.m.

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Date

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John Birchall, Meeting Chair

Next Meeting Date: Wednesday, June 4, 2014 at 6:30 p.m. in the Mulock Room  
Meeting Chair: Geoff Shore



The meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, June 4, 2014 in Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: John Birchall  
Philip Breault  
Doug Jagger  
Dayna Laxton  
Geoff Shore

Members Absent: Councillor Twinney  
Jill King  
Joanna Parsons

Staff Present: C. Schritt, Traffic Technician  
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 6:36 p.m.

Geoff Shore in the Chair.

### **Declarations of Pecuniary Interest**

None.

### **Presentations**

None.

### **Approval of Minutes**

1. Environmental Advisory Committee Minutes of May 7, 2014.

Moved by: Philip Breault  
Seconded by: John Birchall

THAT the Environmental Advisory Committee Minutes of May 7, 2014 be approved.

### **Carried**

## Correspondence

2. Moved by: Dayna Laxton  
Seconded by: Doug Jagger

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

## Carried

## Items

3. Trail Map Update

D. Laxton advised that the Trail Map final draft has been approved and is awaiting print.

4. Natural Heritage Areas Brochure

The Traffic Technician provided those in attendance with a Natural Heritage Areas brochure. Discussion ensued regarding distribution of the brochure throughout the community.

5. Ian Gray Award Review and Action Items

G. Shore solicited feedback on the Ian Gray Award process and received the following recommendations:

- The document is too long; scale down to two pages at maximum using simplified language;
- Create a one-page, visually appealing brochure describing the grant and award process;
- Remove the cost breakdown components from the application if the intent of the award is based on a measure of environmental impact;
- Review the application questions to avoid repetition;
- Clearly separate the grant process from the award itself in order to avoid confusion;
- Make the April deadline either a month earlier or later in order to avoid scheduling conflicts with other award processes;

Discussion ensued regarding the recommendations. G. Shore to prepare the text for a brochure with the application form to be rewritten at a later date.

6. Meeting Schedule for the Balance of the Council Term

J. Birchall inquired whether the Committee wished to convene over the summer months. The Committee will meet on August 6, 2014 provided that quorum can be achieved.

7. Discussion of NEAC Priorities to the end of November, 2014

The Committee discussed ongoing items and recommended that the following be given priority this term:

- Environment Report
- E-Waste
- Environmental Staff Resourcing and an Accountability Plan
- Emerald Ash Borer
- Secondary Plan, if required

8. Discussion regarding recommendations for the 2014-2018 NEAC term

J. Birchall suggested that NEAC members reflect on their experience serving on the Committee. Recommendations will be discussed and compiled at the August meeting.

9. Community Garage Sale - Event Update

D. Jagger provided a summary of the garage sale event. Vendor attendance was up over previous years and the day was continuously busy. D. Laxton provided a summary of her experience organizing the event.

10. 2014 E-Waste Event

J. Birchall advised that an event planning meeting will be held on June 24, 2014. Draft advertising items have been prepared and volunteer commitments will be requested closer to the event date.

11. Environment Report to Council

J. Birchall discussed the preparation of an Environment Report identifying areas of significant priority for Council consideration.

12. NEAC Follow-up Meeting with Council

J. Birchall suggested that a follow-up meeting with Council occur in early 2015 in order to provide the Committee time to work on current priorities.

Moved by: John Birchall  
 Seconded by: Philip Breault

The Newmarket Environmental Advisory Committee recommends to Council:

THAT the Newmarket Environmental Advisory Committee request a Council Workshop in December, 2014 or January, 2015 to discuss recommendations and priorities for the Environmental Advisory Committee 2014-2018 term.

**Carried**

13. Emerald Ash Borer Update

Development & Infrastructure Services Report PWS 2014-08 dated January 22, 2014 regarding Emerald Ash Borer Long Term Management Plan – Update and the e-mail from the Manager, Parks and Property Services dated June 4, 2014 regarding a PWS Update for NEAC were distributed to the Committee. Discussion ensued regarding tree inventory results, a proposed tree preservation by-law and statistics regarding the number of trees killed by Emerald Ash Borer.

Moved by: J. Birchall  
 Seconded by: D. Jagger

THAT Development & Infrastructure Services Report PWS 2014-08 dated January 22, 2014 regarding Emerald Ash Borer Long Term Management Plan – Update and the e-mail from the Manager, Parks and Property Services dated June 4, 2014 regarding a PWS Update for NEAC be received for information.

**Carried**

**New Business**

a) J. Birchall received a letter of resignation from Wesley Guldemon, who has stepped down as he is no longer a Newmarket resident.

Moved by: Philip Breault  
Seconded by: Dayna Laxton

a) THAT Wesley Guldemonnd's resignation from the Environmental Advisory Committee be accepted with regret and a letter of thanks be sent.

**Carried**

## **Adjournment**

Moved by: Dayna Laxton  
Seconded by: Doug Jagger

THAT the meeting adjourn.

**Carried**

There being no further business, the meeting adjourned at 8:25 p.m.

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Date

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Geoff Shore, Chair

Item 1 of the Environmental Advisory Committee Minutes of May 7, 2014 regarding York Region Food Charter.

The Operational Leadership Team recommends:

THAT the following be referred to staff:

The Newmarket Environmental Advisory Committee recommends to Council:

WHEREAS York Region's food system is vital to our community's health, economic development, environmental sustainability, education and social justice;

AND WHEREAS the Town of Newmarket understands the food system is a complex system with interconnected and interrelated priorities, and is committed to strengthening the food system through coordinated actions for food-related programming;

THEREFORE BE IT RESOLVED that the Newmarket Environmental Advisory Committee recommend that the Town of Newmarket endorse the York Region Food Charter;

AND THAT the Town adopt the policies and principles contained within the Food Charter into the Town's Official Plan.

Item 8 of the Environmental Advisory Committee Minutes of May 7, 2014 regarding demolition of sales pavilions.

The Operational Leadership Team recommends:

THAT the following be referred to staff:

a) The Environmental Advisory Committee recommends to Council:

i) THAT the Planning and Development Department, Building Services division review demolition permits for sales pavilions and encourage developers to donate materials to community organizations.

Item 12 of the Environmental Advisory Committee Minutes of June 4, 2014 regarding NEAC Follow-Up.

The Operational Leadership Team recommends:

a) THAT the following recommendation be referred to the Committees/Boards Review process.

a) The Newmarket Environmental Advisory Committee recommends to Council:

i) THAT the Newmarket Environmental Advisory Committee request a Council Workshop in December, 2014 or January, 2015 to discuss recommendations and priorities for the Environmental Advisory Committee 2014-2018 term.





DEVELOPMENT AND INFRASTRUCTURE SERVICES – PLANNING DIVISION  
 TOWN OF NEWMARKET  
 395 Mulock Drive  
 P.O. Box 328  
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September 22, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES –  
 PLANNING REPORT 2014-40**

TO: Committee of the Whole

SUBJECT: Proposed Zoning By-law Amendment  
 212 Davis Drive  
 Green and Rose Developments Inc.  
 File No: D 14-NP-14-04

ORIGIN: Application Submitted to the Planning Department

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**RECOMMENDATIONS**

THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2014-40 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-14-04 be received and that the following recommendations be adopted:

1. THAT Council support the Zoning By-law amendment in accordance with the Zoning By-law and applicable Holding provisions as recommended in Appendix A - Recommended Zoning By-law.
2. AND THAT the applicant be advised that a Reference Plan is required to be submitted to the Town prior to Site Plan Approval, which identifies as a minimum, the land to be conveyed to the Town for the future Minor Collector across the southerly limit of 212 Davis Drive; all easements including the easement for the future burying of hydro and related infrastructure (a minimum of a 3 m wide easement and space for the burying of switch gear to replace the current dip pole on the frontage of the property), easements for servicing including: water, waste water and storm water.
3. AND THAT Council direct staff and legal counsel to continue to work with the proponent, the commenting agencies toward the resolution of any outstanding issue as identified in this report prior to the finalization of Site Plan Approval.
4. AND THAT Council direct staff and legal counsel as part of Site Plan process, to enter into a Site Plan Agreement addressing applicable outstanding issues generally as outlined, but not limited to, those identified in Appendix B.
5. AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, Ontario L4B 3K1 and Daniel Berholz, Green and Rose Developments Inc. 156 Duncan Mills Road, Unit 12, Toronto, Ontario, M3B 3N2, be notified of this action.

**COMMENTS****1. Purpose of the Report**

The purpose of this report is to recommend that the above noted application for a Zoning By-law Amendment be approved to permit a 15 storey, 225 unit rental apartment building at 212 Davis Drive, subject to the relief and Holding provisions set out in the Recommended By-law in Appendix A.

**2. Location and Site Description**

The subject property is located on the south side of Davis Drive, approximately mid-distance between Parkside Drive and Lorne Avenue and is municipally known as 212 Davis Drive. The property has an area of 0.9731 ha (2.4 acres), a frontage of 49.85 m (163.55 ft.) on Davis Drive and a depth of 193.5 m (634.84 ft.). The property is currently vacant.

A tributary of the Western Creek traverses the frontage of the property in an open channel. In consultation with the Lake Simcoe Region Conservation Authority it has been determined that this channel may be enclosed, which provides the opportunity to relocate the building closer to Davis Drive. The relocation of the building closer to Davis Drive ensures that the built form is more in keeping with the urban streetscape envisioned for Davis Drive and provides more flexibility for the parking structure at the rear.

A drainage swale is located on 175 Deerfield (adjacent property to the west) along most of the boundary with 212 Davis Drive. The swale drains diagonally across the southwest corner of the site. The application proposes to relocate the southwest portion of the drainage swale entirely onto 175 Deerfield. The swale is proposed to be thereafter located within the area of the future Minor Collector. In the interim and before the Minor Collector is constructed, the swale will be landscaped as a vegetated bio-swale. With the future construction of the Minor Collector, the bio-swale will be replaced with appropriate drainage within the road right of way.

The property is elevated above the surrounding properties as a result of up to 3 metres of fill having been historically disposed of on the property<sup>1</sup>. The Environmental Site Assessment indicated that the fill material will require further testing before disposal.<sup>2</sup> A Record of Site Condition is also required prior to development.

The surrounding land uses are as follows.

- East: The property adjacent and to the east is owned by Newmarket Church of Christ (230 Davis Dr.), which contains a church and associated parking lot. This property is identified in the Newmarket Urban Centre Secondary Plan as Parks and Open Space as a neighbourhood scale park. The Parks and Open Space designation has been deferred in the Secondary Plan in order to address objections that have been filed.  
East of 230 Davis Drive there are 5 apartment buildings varying in height from 9 -10 storeys.
- South: A small drainage swale and the rear yards of the adjacent residential lots that front onto Queen Street are located to the south.
- West: A mix of commercial and industrial uses that have access onto Deerfield Road and Davis Drive are located to west. Several of these existing and historic uses including the uses on 175 Deerfield Drive pose moderate to high risk for contamination (e.g., plastics industrial use, auto body shops and gas stations). Initial testing indicated exceedances beyond the

<sup>1</sup> Phase 2, Environmental Site Assessment, Page 19, April 21 2014.

<sup>2</sup> Ibid.



MOE standards in a groundwater monitoring well on the subject property immediately east of the existing industrial building on 175 Deerfield, in the area of the proposed apartment building (BH 13 3). However, a subsequent testing indicated reduced levels to below MOE standards<sup>3</sup>. In addition, fill in the area of the proposed parking structure (BH 13 2) exceeded MOE standards. Further testing is required and a Record of Site Condition will be required prior to final approval of the Zoning By-law amendment.

North: Davis Drive is to the north, and on the north side of Davis Drive, a number of vacant parcels exist.

See attached **Map 1 - Location Map**.

### 3. Proposal

Green and Rose Developments Inc. has submitted an application for a Zoning By-law Amendment to permit a 45.11 m, fifteen(15) storey rental apartment building containing approximately 225 units and having a gross floor area of 17,923 m<sup>2</sup> and a density of 1.836 FSI.

The Zoning By-law Application as submitted proposes to increase the density, height, and front yard setback beyond what is provided for in the current zoning by-law. A reduction in the parking standard is also proposed. The following table summarizes the relief sought by the application as submitted.

Provisions	Relief Sought	Current By-law Provisions
Maximum Height	46 m (15 storeys)	Max. 12.7 m (Exception 51) Max. 18 m (6 storeys)(By-law 2010-40)
Minimum Front yard setback(Davis Drive)	17.29 m	Min. 6 m
Density	2 FSI	1 FSI
Parking	0.98 spaces per unit	1.25 spaces per unit

The primary access is proposed onto Davis Drive as a joint access with 230 Davis Drive (Newmarket Church of Christ). This access will be limited to a right-in and right-out configuration which will be implemented when the bus rapidway transit on Davis Drive is complete.

A secondary access has been proposed at the rear of the property to the future Minor Collector identified in the Newmarket Urban Centres Secondary Plan (adopted June 23, 2014). In the application submitted, this secondary access is proposed through the parking structure. Direct access to the future Minor Collector is integral to the future function of the street network given the constrained access onto Davis Drive once the rapidway is in place.

Engineering Services have indicated that access through the parking structure is not appropriate and alternatives to the location and form of this access will be further explored once the grading and elevation of the future Minor Collector has been determined.

To date, no vehicular or pedestrian connectivity is proposed to the east or to the west. Pedestrian access is proposed through a sidewalk located on the north east corner of the site. No side walk has been proposed at the entrance to the site at 230 Davis Drive.

<sup>3</sup> Phase 2 Environmental Site Assessment Table 10, April 21 2014.

The issue of additional pedestrian access will be addressed through the Site Plan process.

See attached **Map 2 Streetscape & Landscape Plan**.

The complete set of plans and supporting documents filed in support of this application can be viewed through the following link to the Town's web site:

<http://www.newmarket.ca/en/townhall/plannotic.asp#212davisdrive>

#### 4. Related Applications

##### a) Consent Application

A consent application has been filed to sever the subject lands (212 Davis Drive) from the adjoining lands to the west (175 Deerfield Road). A conditional approval was granted February 19, 2014. The conditional approval is valid until February 26, 2015.

##### b) Site Plan Application D11 NP 14 04

The Site Plan Application has been filed concurrent with the filing of the Zoning By-law Application. The intent is to comprehensively consider the two applications at the same time in order to expedite the decision making process. A number of issues have not been resolved that impact the zoning provisions with the supporting documentation filed. Therefore, the Zoning By-law application is proposed with a number of "Holding" provisions which will be addressed once the necessary information is provided and the Town has completed its analysis in conjunction with the processing of the Site Plan Application. This approach will assist in streamlining the process. The Holding provisions will be required to be lifted prior to the final approval of the Site Plan application.

##### c) Deferral of Development Charges

In the fall of 2014, the Town of Newmarket and the Region of York both supported a 36 month deferral of the development charges in support of this purpose-built market rental proposal as a pilot project. The proposal also included a commitment to approximately 56 affordable housing units to be subsidized by the Region of York. This application has been submitted in response to the Town and Regional support for the pilot project and is regarded as providing a much needed contribution to the rental stock in Newmarket and the Region as a whole.

The Town also agreed to defer the Planning Application fees and the Building Permit fees for the same time period, with no Letter of Credit required.

Cash in lieu of parkland (based on 5 % of the land value) was also deferred for the 36 months from the issuance of the Building Permit.

The agreement (under preparation) requires that the apartment building remain as rental for a minimum of 20 years.



## ANALYSIS

The tests for approvability of the Zoning By-law amendment are: consistency with the Provincial Policy Statement, and conformity with the Growth Plan for the Greater Golden Horseshoe, the Region of York Official Plan and the Town's parent Official Plan. With the adoption of the Newmarket Urban Centres Secondary Plan on June 23, 2014, regard must be had to the objectives and policies of the Secondary Plan in order to ensure the long term vision, as articulated by the Town, is achieved.

### 1. Policy Jurisdiction

#### a) Provincial Policy Statement (2014)

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 the PPS. The proposed Zoning By-law Amendment is impacted by a number of provisions including Section 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns, Section 1.4 Housing, Section 2.2 Water with respect to protecting the quality and quantity of municipal drinking water and Section 1.8 Energy and Air Quality with respect to promotion of alternative and renewable energy. Subject to the recommendations of this report, consistency with the PPS is expected to be achieved.

#### b) Growth Plan for the Greater Golden Horseshoe(Growth Plan)

The Growth Plan for the Greater Golden Horseshoe does not specifically designate the subject lands; however, the general intensification policies apply. The Town's Official Plan is in conformity with the Growth Plan and provides for intensification. The recently adopted Newmarket Urban Centres Secondary Plan further elaborates upon the intensification and other policies of the Growth Plan, the Regional Plan and the Town's Official Plan.

#### c) Region of York Official Plan

The subject property is designated "Urban Area" in the Region of York Official Plan. Several Regional policies apply and are identified below under the specific issues.

#### d) Newmarket Official Plan

The subject property is designated Urban Centre and is identified within the Yonge Street Regional Centre area. The Urban Centre designation permits a broad range of residential, commercial, office and institutional uses. Densities for residential uses are established in Section 4.4 (a density of 30-125 units per net hectare, and maximum density of 1.0 FSI). However, Section 4.4.3 provides that increased densities from those identified above may be permitted through a zoning by-law amendment, provided supporting studies are submitted that demonstrate that the proposed development will not create an unacceptable level of traffic, will be compatible with the existing surrounding development and in conformity with the intent of the applicable provisions of the Official Plan.

This application has generally provided the requisite studies (subject to the comments below) to support an increase in density in accordance with the above provisions.

The application is tested against a number of policies in the official plan as addressed below in Section 3, Primary Planning and Technical Issues.

**e) Official Plan Amendment 10 - Newmarket Urban Centres Secondary Plan (Secondary Plan) - Adopted June 23, 2014**

Through the consideration of this application, regard should be had to the policies of the Secondary Plan, including but not limited to, the density and height policies (Policy 6.0 and Schedules 4, Height and Density and Schedule 5, Transportation Network, Affordable and Rental Housing (Policy 6.4.3 & 4), Urban Design and Sustainability (Policy 7.0), Block Structure and Street Network (Policy 8.0), Transportation and Mobility (Policy 9.0), Parks, Open Space and Natural Heritage (Policy 10.0), and Servicing, including underground hydro facilities (Policy 13.0).

The Secondary Plan has deferred the two private roads/lanes identified on Schedule 5 – Street Network, to allow for the details of their location to be addressed through this application.

The proposed 15 storey (45.11 m high) apartment building is within the Medium-High Density designation on Schedule 4: Height and Density. The Medium-High Density permits up to (38 m) 12 storeys and a maximum height of (47 m) 15 storeys through bonusing. The maximum density permitted is 2.5 FSI, and through bonusing 3.0 FSI.

The height of the proposed apartment is proposed at 45.11(15 storeys), while the proposed density is 1.836 FSI. The proposed height is within the height range that is discretionary and subject to bonusing in the Secondary Plan, while the density is within the permitted density of 2.0 FSI for the Medium-High designation.

The southern portion of the property proposed for an above ground parking structure is within the Medium Density designation.

The justification for the exception to the Zoning By-law for increased height and density is in keeping with the policy direction of the Secondary Plan. e.g., purpose built rental, provisions for affordable housing in conjunction with York Region, dedication of the Minor Collector.

The applicability of the Secondary Plan policies will be identified below under the Primary Planning and Technical Issues.

**f) Official Plan Amendment 11 - Newmarket's Active Transportation Network - Adopted June 23, 2014**

Through the consideration of this application, regard should be had to the policies and Schedules of OPA # 11, the Active Transportation Network.

The Active Transportation Network identifies a Primary Off-Road trail in the vicinity of the subject property (212 and 230 Davis Drive) that links Haskett Park and the existing neighbourhood to the south, with Davis



Drive. The final location of this connection is under review and may be considered on the adjacent 230 Davis Drive property.

Davis Drive is also identified as a Primary Active Transportation Network which is intended to provide active transportation opportunities within the Right-of-Way in the form of a cycling facility in conformity with the Regional Cycling Network in the Regional Official Plan (Map 10) and the Town's Official Plan (Schedule D On-Street Bike Lane Plan).

However, the provision for a cycling facility and widened sidewalks on Davis Drive cannot be achieved within the current Regional right-of-way. The additional land required to provide the necessary space to accommodate the cycling facility and wider sidewalks is proposed to be secured through the provision for additional land along the Davis Drive right-of-way for the future burying of the Hydro services provided for through the Town's Secondary Plan. Therefore, the zoning application will need to consider and address the required setbacks from Davis Drive to ensure there is sufficient space for the future burying of the hydro lines and associated utilities and the associated surface considerations (e.g., wider sidewalks and cycling facility).

The application proposes a 3.0 m easement in favour of the Town to accommodate the future underground hydro lines and associated surface features as discussed above. The easement for the additional land should form part of the agreement with the applicant and included on an updated survey registered for the property.

## 2. Comments Received

The comments received through the circulation and the public meeting, along with and the staff analysis identifies a number of issues as set out below. The full details of the comments received are included in **Appendix C – Detailed Comments Received and are posted on the Town's web site and may be accessed through the following link:**

<http://www.newmarket.ca/en/townhall/resource/library/APPENDIXCCommentsReceivedinResponsetoZoningandSitePlanApplications.pdf>

The issue below are salient to the Zoning By-law and will inform the consideration of the Site Plan application.

## 3. Primary Planning and Technical Issues

The following issues address matters that are of a planning, design and/or of a technical basis that impact the location of the proposed building and therefore the provisions of the proposed Zoning By-law Amendment.

### 1. Grading and Transition to Adjacent Properties

The Town's Official Plan establishes objectives and policies to ensure that land uses are compatible with the existing and future function of adjacent land uses and directs that urban design respond to the context in relation to the surrounding conditions as well as incorporate physical and visual

connections and ensure compatibility between individual sites. (Section 12.0 Urban Design and Compatibility Objective 12.1 d), Policies 12.2.1 Design in Context with the Natural and Built Environments, 12.2.2 Connectivity, and 4.4. 5 a. Intensification).

In addition, the Newmarket Urban Centre Secondary Plan (Secondary Plan), as adopted, directs that development within each development block be planned comprehensively in order to achieve the long term built form, including street network, parkland, etc.

The policy permits the Town to prohibit development that could compromise the effective redevelopment of the development block in accordance with the provisions of the Secondary Plan. (Policy 14.2.2 iii and iv, Co-ordination and Phasing of Development)

The subject property has been landfilled in the past with up to 3.0 m of fill. As a result, the subject property is generally higher in elevation than the surrounding lands. The appropriate transition to Davis Drive, the future Minor Collector to the rear, the adjacent potential future parkland to the east, and the future redevelopment of the property to the west are integral to ensuring the proposed development implements and is in conformity with the above cited policies and does not compromise effective redevelopment of the adjacent lands. For example, the lower level of the parking garage is on average 2 m above the future Minor Collector, which if maintained, would effectively preclude any connection to the Minor Collector.

The issue of the grading, in conjunction with the location of the building and parking structure, and the apparent lack of transitioning to the surrounding properties was raised by staff as well as members of the community **See Appendix C - Comments at the Public Meeting posted on the Town's web site through the following link:**

<http://www.newmarket.ca/en/townhall/resourcelibrary/APPENDIXCCommentsReceivedinResponsetoZoningandSitePlanApplications.pdf>

The applicant has recently (September 3, 2014) provided to the Town cross-sections that illustrate the current proposed grades relative to the existing onsite grades on the subject property, 230 Davis Drive and a portion of 175 Dearfield Road. In addition, the Town has retained Burnside and Associates to undertake to establish a road grade for the future Minor Collector which will provide more certainty around the elevation of the access to the Minor Collector. Once the road grade for the Minor Collector is established, Burnside and Town staff will review the overall site grading to ensure that there is appropriate transition to the adjacent properties and to Davis Drive and the future Minor Collector.

Until the grading issues are resolved, a "Holding" provision has been included in the recommended By-law. **See Appendix A.**

## 2. Connectivity and Private Streets

The Region of York Official Plan, the Town of Newmarket Official Plan and the Secondary Plan comprehensively address the need for both vehicular and pedestrian connectivity. The Regional



Plan requires through secondary plans that a fine grained street grid be established and implemented that incorporates sidewalks and bicycle lanes (Policy 5.4.6 b) and 5.4.20 d.).

The Town's Official Plan policy for the Urban Centre also directs that attractive, comfortable and safe pedestrian environments and good site access and circulation be provided; maximum pedestrian, bicycle and vehicular connectivity and route choices shall be provided; and access to existing and proposed transit sites be facilitated. (Policy 4.2.2 and 4.2.4)

The Urban Design policies aim at ensuring connectivity – e.g. citing the need to provide visual and physical connectivity between sites and the surrounding areas, and to provide direct and convenient access to transit stations (Policy 12.2.2 Connectivity).

Policy 4.3.2.1 of the Towns Official Plan requires that:

“secondary plans ensure that development sites are connected by a fine grid of streets and where feasible, internal driveway connections, and sidewalks to provide direct and safe access to major streets and public transit services.”

The Secondary Plan on Schedule 5 identifies, in addition to the Minor Collector across the rear of the subject property, an east/west and a north/south Proposed Private Road/Lane to provide a mid-block connection between Davis Drive and the future Minor Collector and to connect the future Minor Collector to Davis Drive. The Proposed Private Road/Lane identified in the Secondary Plan in the vicinity of 212 Davis Drive has been deferred to allow the detailed discussions and resolution of the deferral to take place with the processing of this application and in advance of the Regional consideration of the Secondary Plan.

The Secondary Plan contains numerous policies that direct that connectivity and permeability is achieved through development and redevelopment. (Policies 8.3.2, Street Network, 8.3.4 Private Roads and Lanes and 8.3.5 Pedestrian Mews.)

OPA # 11 identifies a Trail connection on the adjacent property the east that connects Haskett Park to Davis Drive.

The applicant has agreed to convey land to the Town for the future Minor Collector across the rear of the property.

The applicant has also committed to a north south connection between Davis Drive and the future Minor Collector through the proposed parking garage. This connection does not appear feasible due to the apparent +/- 2m grade difference between the lower floor of the parking garage and the possible future Minor Collector road surface. As discussed previously, the recommended elevation of the road surface for the Minor Collector and the overall grading is being further considered by the Town and Burnside and Associates. Alternative design modifications will be explored once this analysis has been carried out.

Maximum flexibility is being provided in the recommended By-law to allow for consideration of a wider ROW for the Minor Collector, the potential for a private lane/street with or without parking on

the east side of the property and the provision for the parking structure to be relocated further to the westerly lot line. These provisions allow for refinements to the site design through the Site Plan process that achieves the above sited provisions of the planning documents.

A “Holding” provision has been included the recommended By-law to require an agreement between the Town and the owner for the conveyance of the space required for the future Minor Collector across the rear of the subject property.

The consideration of pedestrian access (e.g., to the east and west and at the joint access at 230 Davis Drive will be addressed through the Site Plan process.

### 3. Underground Hydro Facilities

The application has made appropriate provision for the future burying of hydro through the conveyance of a 3 metre easement in favour of the Town, across the Davis Drive frontage.

This additional space will also ensure the companion benefitting surface facilities e.g., wider sidewalks and cycling facilities on Davis Drive as required by the Regional Official Plan and the Town’s Official Plan can be achieved in the long term.

Newmarket hydro has indicated that the currently required dip pole may be replaced in the future by a pad mounted switch gear and that an easement in the form of a 4x5 m area should be identified adjacent to the 3 metre easement to accommodate the future pad mounted switch gear.

A “Holding” provision has been included the recommended By-law to require an agreement between the Town and the owner for a 3 metre easement across the Davis Drive frontage for the future burying of the overhead hydro lines and associated facilities.

### 4. Natural Hazards and Fisheries

The LSCRA has confirmed that the watercourse which traverses the frontage of the 212 and 230 Davis Drive may be enclosed in a culvert as it has been confirmed that it is **not** a fisheries resource. The enclosing of this watercourse will eliminate a number of constraints on frontage of the property including the fish habitat setback and the erosion buffer and provide significant flexibility to move the proposed development forward on the site. By moving the building forward, it creates the opportunity for the building to address the street and create a more appropriate built urban form. It also provides additional space for modifications to the parking structure in conjunction with grading considerations addressed previously, facilitate a more feasible access to the future Minor Collector and increased parking opportunities. The Recommended By-law has been drafted to provide flexibility for moving the building forward toward Davis Drive.

The Town is currently exploring mechanisms for the implementation of burying the watercourse.



## 5. Parking

The applicant has requested a reduced parking standard of **0.98 space per unit**. This is a reduction from the current parking standard of **1.25 spaces per unit** (1.0 for tenant and .25 for visitors). No provision for shared parking has been proposed by the applicant in accordance with Section 5.35 of the Zoning By-law; nor has the applicant proposed ground floor commercial, which as the benefit of allowing for potentially more flexibility.

The Regional Plan provides for the reduced minimum and maximum parking through secondary plans and implementing zoning by-laws that reflect the walking distance to transit and complementary uses (Policy 5.4.7. a.) and encourage shared parking (Policy 5.4.7. b.).

The Secondary Plan provides that:

*“The Town will establish minimum and maximum parking requirements for the Urban Centres in the Zoning By-law. Parking requirements will seek to encourage a shift toward non-auto modes of transportation.”*

The Urban Centres Transportation Study prepared to support and guide the development and implementation of the Secondary Plan included the evaluation of reduced parking standards. The Transportation Study prepared by GHD recommended:

- a minimum of 1.0 space per unit plus 0.1 space for visitor parking; and
- a maximum of 1.0 spaces per unit plus 0.15 visitor spaces.

In view of the location of the property on the Davis Drive rapidway and its proximity to both the Transit Station at Parkside Drive and the Go-Train station, planning staff can accept a reduced parking standard of **1.1 spaces per unit**, which is in keeping with the recommended standard recommended in the Secondary Plan Transportation Study.

There is also the potential that the refinements to the design as a result of moving the building closer to Davis Drive, along with other design considerations coming out of the grading analysis discussed above, that the increase from 0.98 to 1.1 spaces per unit may be accommodated on site. Other remedies could also be considered including shared parking with 175 Deerfield subject to appropriate pedestrian access or alternatively the potential for on-street parking on the private north-south lane. These considerations will be addressed through the Site Plan process.

## 6. Urban Design and Sustainability

### Urban Design

One of the principles of good urban design for tall buildings (taller than 6 storeys) included in the Secondary Plan is the requirement for a podium.(Policy 7.3.5.1) The proposed building has been designed without a podium. The purpose of a podium is break up the massing of tall buildings and to create an attractive and articulated street frontage. Planning staff have recommended that a podium structure be considered across the Davis Drive frontage. The podium structure may be enclosed or open and would form part of the amenity space and create a sense of place for the residents. The applicant has expressed an interest in exploring this and appropriate provisions have been included

in the recommended Bylaw to address the minimum and maximum height, minimum step back, etc. of the podium structure.

This types of space is integral to providing onsite outdoor amenity space in keeping with the provisions of the Official Plan to create plazas or outdoor gathering spaces. (OP Policy 12.2.4) and complements the landscaped remaining portion of the Davis Drive frontage that would be available with the burying of the watercourse, as addressed above.

### Sustainability

The Regional Plan, the Town's Official Plan, the Town's Tools for Intensification Policy and the Secondary Plan have numerous policies that address sustainability, energy and water conservation, green roofs, bird friendly practices, etc. These policies will be addressed through the Site Plan process.

## 7. Environmental Site Assessment

The Official Plan (OPA # 7 Policy 10.4.7) requires that no decision for development or redevelopment shall occur until written acknowledgement is received by the Town that the site has been made suitable for the proposes uses in accordance with the provisions of the Environmental Protection Act. Historic uses in the area pose moderate to high risk for contamination. e.g., plastics industrial use, auto body shops and gas stations. Due to test exceedances beyond the MOE standards in a groundwater monitoring well on the subject property in the area of the proposed apartment building (BH 13 3) and in soil tests in the area of the proposed parking structure, further testing is required and a Record of Site Condition will be required prior to final approval of the Zoning By-law amendment.

A "Holding" provisions is included in the Bylaw in accordance with the Policy 10.4.7 a) of the Official Plan.

## 8. Sanitary Sewers

The Functional Servicing Report has been sent to the Town's consultant for review, and comments have not been received to date.

The Regional Plan, the Town's Official Plan and Secondary Plan encourage a suite of policies that aim to reduce sanitary flows and include the following policies: 20 % greater water conservation than the Ontario Building Code for all new buildings (Regional Policy 5.2.23); advanced water conservation and efficiency measures (Town OP Policy 12.3. b.); 50 % of projected demand for toilets and urinals from grey water recycling Town Tools for Intensification); and utilize low demand or low flow fixtures, such as high efficiency toilets, low-flow showerheads, and/or water efficient clothes washers to achieve 20% greater water conservation than the Ontario Building Code in effect at the time of application; and provide for a minimum of 50% of the projected water demand for toilets/urinals through grey water recycling Town Secondary Plan Policy 7.3.7 iii b) and c)).

Until the sanitary sewer capacity is confirmed, a "Holding" provisions has been included in the recommended By-law.



## 9. Stormwater Management

The applicant's storm water management plan includes a Low Impact Development facility aimed at promoting infiltration, roof top storage, discharge through 230 Davis Drive to the Western Creek and relocation of the westerly swale to be conveyed in the interim in a bioswale.

The Regional Plan, the Town's Plans and the Lake Simcoe Protection Plan contain policies related to stormwater management with a view to reducing peak flows and runoff, increasing infiltration, reducing flooding and encouraging innovative measures such as Low Impact Development (LID).

Although the application has proposed a LID facility and other innovative design features, Engineering Services has identified a number of concerns related to the stormwater management system. The Lake Simcoe Region Conservation Authority (LSRCA) has not finalized their review of the Functional Stormwater Management Report.

Until the stormwater management issues are resolved, a "Holding" provisions has been included in the recommended By-law.

## 10. Source Water Protection

The Region of York requires that a Source Water Impact and Assessment Mitigation Plan is required to receive approval from the Region prior to Site Plan approval.

Until the approval of the Source Water Impact and Assessment Mitigation Plan is confirmed, a "Holding" provisions has been included in the recommended By-law.

## 11. Servicing Allocation

The Town currently has a strategic servicing allocation reserve in the amount of 3989 people, of which 1000 is to be distributed within the Urban Centres as per Regional policy. It is recommended that allocation be granted to this development from the Urban Centres assignment in the amount of 439 people (225 apartment units X 1.95 ppu). This will leave 561 people worth of allocation in the Urban Centres assignment, and a total reserve of 3550 people remain.

## 12. Affordable and Rental Housing

Applicant has proposed that the entire building be rental accommodation and that 56 units (25 %) of the units will be leased to York Housing to provide subsidised housing for low to moderate income households.

The requirements of the Regional Plan, the Town's Official Plan and the provisions of the Secondary Plan that 25 % of housing units be affordable to moderate to low income households has been appropriately address, subject to the appropriate agreement with York Region.

## Conclusion

Many of the above issues will be addressed through the Site Plan Process. The attached By-law has been drafted with significant flexibility in order that these issues may be appropriately addressed without an amendment to the By-law, and subject to the removal of “Holding” provisions.

Appendix D attached demonstrates effect of the recommended By-law.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The proposed application addresses the following Strategic Directions:

### *Well-planned and Connected*

- furthering the provisions of the Official Plan
- improved inter-connectivity and interaction amongst neighbours and neighbourhoods

### *Well-equipped & Managed*

- provides for varied housing types, affordability and densities

### *Living well by:*

- implementing traffic and growth management strategies.

## **CONSULTATION**

Consultation has been carried out with Internal and external agencies as addressed above, and Legal Services. The recommendation of this report refers the application to a statutory public meeting as required by the *Planning Act*.

## **HUMAN RESOURCE CONSIDERATIONS**

None applicable to this report.

## **BUDGET IMPACT**

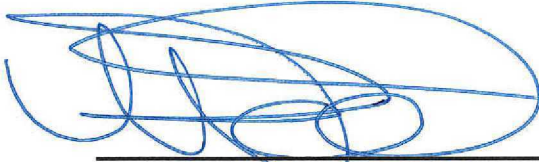
The Town will receive the planning application, Building permit and Development Charges fees following the 36 month deferral. The Town will also receive increased tax revenue from the new development.

## **Capital Budget**


Parkland fees will be applied to the acquisition of parkland and the development charges will contribute to the future Minor Collector located at the rear of the property as identified in the Newmarket Urban Centres Secondary Plan.

## **CONTACT**

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



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Senior Planner – Policy  
Planning & Building Services



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



Jason Unger, B.E.S., M.PI, MCIP, RPP  
Assistant Director of Planning  
Planning & Building Services



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

## List of Attachments

Map 1        Location Map

Map 2        Streetscape and Landscape Plan

Elevation Plans

Appendix A   Recommended By-law

Appendix B   List of Matters to be Included in the Site Plan Agreement

Appendix C   Detailed Comments Received

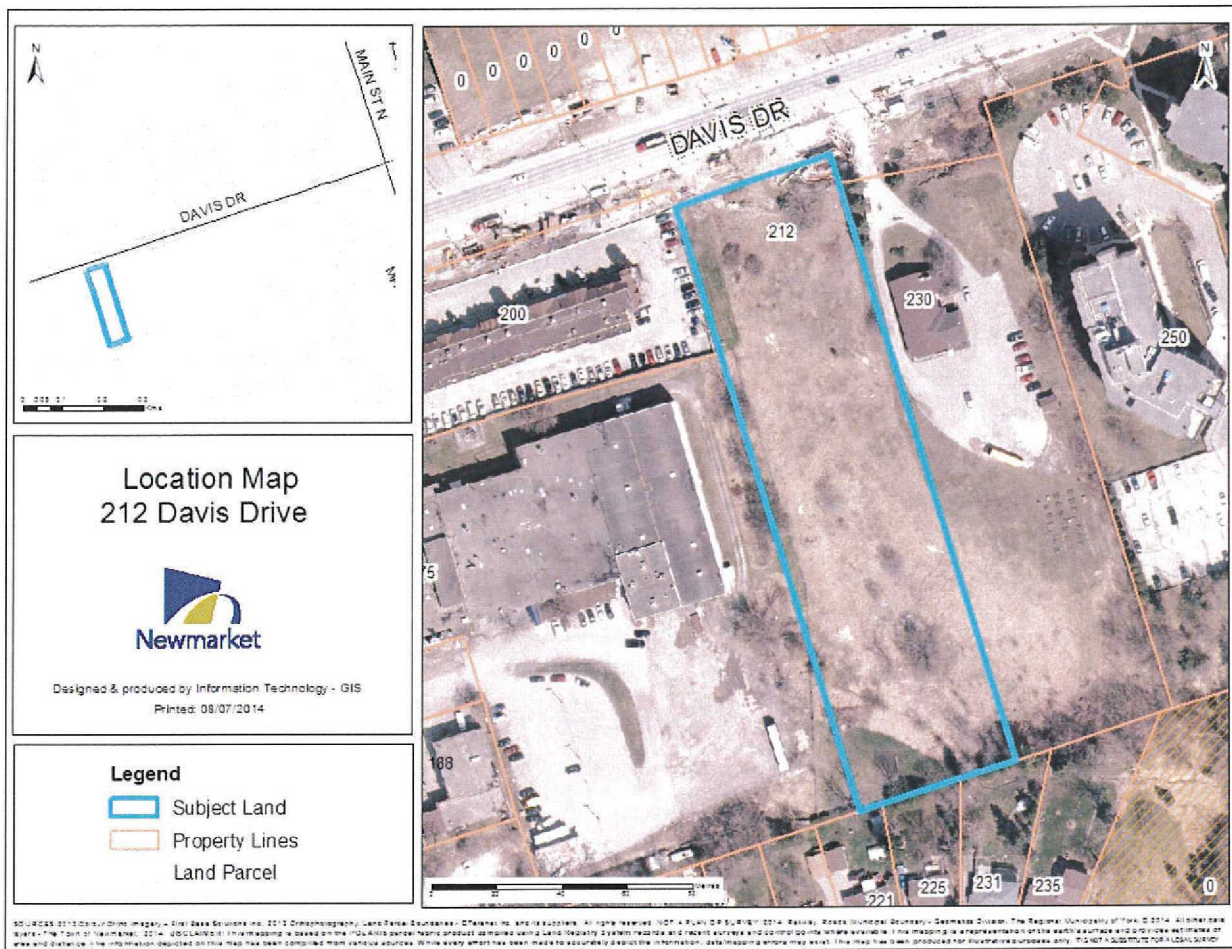
Appendix D   Schematic Illustrating the Effect of the Recommended By-law

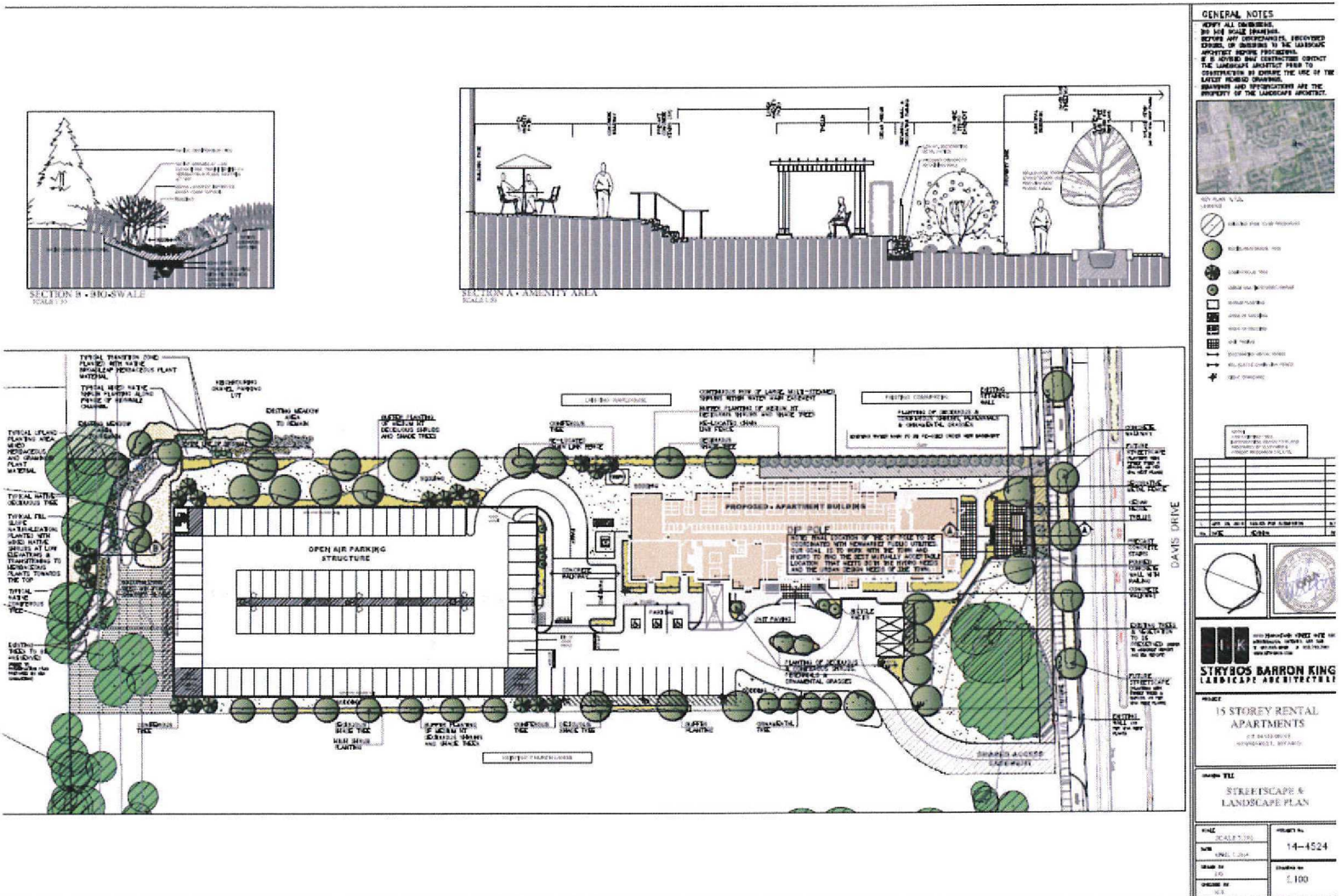
Schedule 4 Height and Density - Newmarket Urban Centre Secondary Plan

Schedule 5 Street Network - Newmarket Urban Centre Secondary Plan



**Map 1      Location Map**











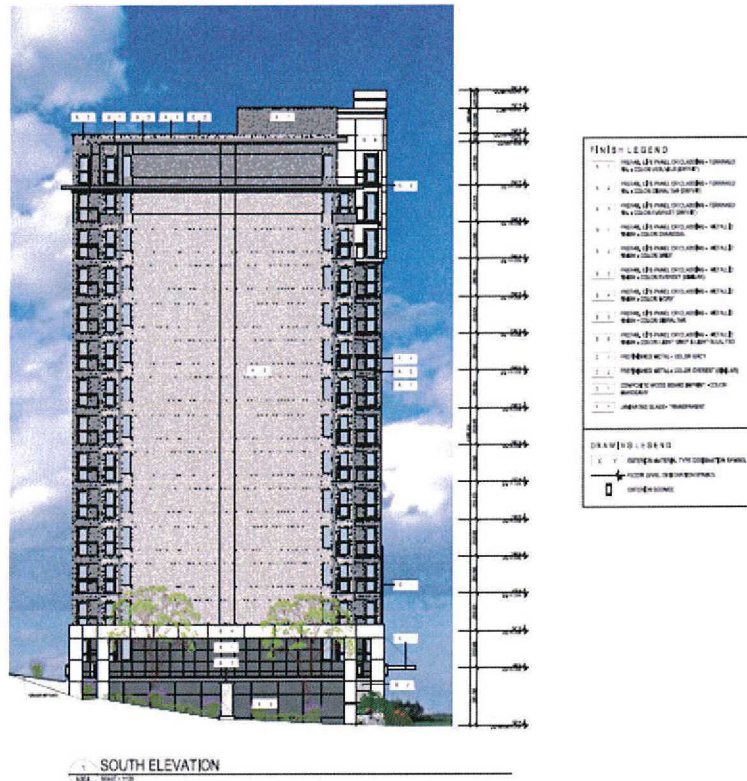
EAST ELEVATION

SAI  
SAPLUS

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SAPLY



## Elevation Plans



**SOUTH ELEVATION**  
**A-304**

**15-STOREY RENTAL APARTMENT**  
**DEVELOPMENT CONCEPT PLAN**  
212 DAVIS DRIVE  
NEWMARKET, ONTARIO

client:  
**GREEN & ROSE**  
**DEVELOPMENTS INC.**  
11111111111111111111  
Toronto, ON M2H 3C3



**APPENDIX A**

**RECOMMENDED BY-LAW**

## CORPORATION OF THE TOWN OF NEWMARKET

## BY-LAW NUMBER 2014-XX

## A BY-LAW TO AMEND BY-LAW NUMBER 2010-40 BEING A ZONING BY-LAW.

WHEREAS it is deemed advisable to amend By-Law Number 2010-40;

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

THAT By-law Number 2010-40, be and the same is hereby further amended by:

1. Delete from Schedule "A", Map No.10, the UC-R-51 Zone on Part of Lot 4, Registered Plan 32, Town of Newmarket and municipally addressed 212 Davis Drive, and substituting therefore the:

Regional Urban Centre (H)UC-R-122 Exception Zone

as shown more particularly on Schedule "X" attached hereto, and forming part of this By-law.

2. Adding the following regulations relating to the UC-R Section 8.1.1 List of Exceptions:



Exception 122	Zoning (H)UC-R-122	Map 10	By-Law Reference 2014-XX	File Reference D14-NP-14-04
<p>i) Location: 212 Davis Drive - South side of Davis Drive</p> <p>ii) Legal Description: Lot 4, Registered Plan 32, Town of Newmarket (PIN 03602-0347 (LT)).</p> <p>iii) Prohibited Uses: waste disposal sites within the meaning of Part V of the Environmental Protection Act, large (more than 10,000 L) non-agricultural source material storage facilities, commercial fertilizer storage facilities, pesticide storage facilities, road salt storage facilities, snow storage facilities, fuel storage, DNAPLs storage (chemicals typically used by drycleaners), and organic solvent storage.</p> <p>vi) Development Standards:</p>				
		(H)UC-R-122		
<b>(a) Min. Yard Setbacks</b>				
Apartment:				
From Front Lot Line (Davis Drive):		Min. 3.0 m from Davis Drive to accommodate a 3m easement in favour of the Town for the future undergrounding hydro		
Apartment:		Min. 4.5 m		
From West Lot Line				
Parking Structure:				
From Rear Lot Line as measured from the northerly limit of the Minor Collector ROW:		Min. 3 m from the future Minor Collector right of way. The 3 m setback is to be landscaped.  Note: The future Minor Collector ROW is to be dedicated to the Town and will have a minimum width of 20 m		
Above Ground Parking Structure:				
From East Lot Line for above ground		Min. 6.3 m to provide the opportunity for a private lane access to the future Minor Collector		
Above Ground Parking Structure				
From the West Lot Line		Min. 2 m including any ramps		
<b>(b) Max Yard Setback</b>				
Apartment:				
From Front Lot Line (Davis Drive)		Max. 15 m		
From Side Lot Line (West)		Max. 4.5 m		
From Side Lot Line (East)		Max. 6.3 m		

Above Ground Parking Structure:		
From East Lot Line		Max. 9 m
From West Lot Line for above ground parking structure		Max. 4 m excluding any ramps
(c) Max. Floor Space Index:	2.0 FSI based on the <i>net lot area</i> of the property that is the subject of the zoning amendment as described below in provision (vi).	
(d) Min. Floor Space Index:	1.5 FSI based on <i>net land area</i> described below in provision (vi).	
(e) Max. Height of apartment :	47 m ( 15 storeys)	
Where height is in metres and storeys, the measurement in metres shall prevail.		
(f) <i>Podium Structure</i> :		
Maximum Height of an enclosed or open <i>podium structure</i> located on Davis Drive frontage		Max. 10 m
Minimum Height of an enclosed or open <i>podium structure</i> located on Davis Drive frontage		Min. 5.0 m
Minimum step back		Min. 3.0 m
Minimum frontage		Min. two-thirds the width of the frontage of the apartment facing Davis Drive
(g) Minimum Ground Floor Height:	Min. 4.5 m	
(h) Minimum Parking Requirement:	1.1 space per unit	

- v) A greater setback from the lot lines shall be permitted where public and/or private/public space is provided for a park, public square or outdoor plaza.
- vi) *Net lot area* shall be calculated based on the entire property at the time of application of the By-law amendment (September April 28, 2014), inclusive of the public Minor Collector across the rear of 212 Davis Drive and all private internal streets/lanes and the land included in the easements for underground hydro utilization across the frontage of Davis Drive.

vii) *Podium Structure* means the lower part of the apartment building that is designed to break up the front façade and define the street edge. The podium refers to the overall structure of this portion of the building, and can be considered as the base of the building.

viii) Section 5.5 vii shall not apply.

ix) Special note (\*3) of Section 6.4.1 shall not apply.

x) Sections 6.4.2 (notes \*2-5) pertaining to terracing and setbacks shall not apply.

xi) No provision of this by-law shall be deemed to be contravened by reason of any land division or the conveyance of a parcel(s) upon which a building(s) is erected provided that all of the standards of this by-law are met for the lands as a whole.

3. AND THAT all other provisions of By-Law 2010-40, as amended, shall apply to the lands subject to this By-Law.

4. Adding the following provisions to Section 8.2.1 List of Holding Provisions:



By-law No.	Property Description	Permitted Uses Until the Holding Provision Removed	Conditions for Removal of the "H"	Date Enacted
2014-XX	212 Davis Drive Part of Lot 4, Registered Plan 32, Town of Newmarket	<p>No person within the lands zoned (H)UC-P-119 shall use, erect, alter or use any buildings or structures for any purpose except for those uses which existed on the date of passing of this By-Law. Any grading, filling or works necessary to fulfill the requirements of site remediation in order to obtain approval for record of site condition and to provide approved servicing shall be permitted.</p> <p>Furthermore, no changes, extension or enlargement of the uses which existed on the date of passing of this By-Law shall occur unless an amendment to this By-Law or removal of the '(H)' prefix, as identified in the next column, is approved by Town Council and the By-law comes into full force and effect.</p> <p>However, the Holding provision will not prevent the remediation as addressed above in accordance with the requirements of the Phase 2 Environmental Site Assessment and any testing required to address the potential impacts of development including the Risk Assessment related to Source Water Protection and/or in-ground and above ground services if deemed appropriate and desirable by the Town.</p>	<p><b>1. Grading</b></p> <p>That prior to lifting the "H" it shall be demonstrated to the satisfaction of the Town that the proposed grading and elevation of the proposed building and parking structure is to the satisfaction of the Town.</p> <p><b>3. Conveyance of the Minor Collector and Hydro Easement along the frontage of Davis Drive.</b></p> <p>That prior to the lifting of the "H", that the Owner shall enter into an agreement with the Town for the conveyance of the space required for the future Minor Collector across the rear of 212 Davis Drive and the 3 m easement and associated facilities at the Davis Drive frontage and the necessary agreements executed with the Town, and applicable agencies.</p> <p><b>2. Sanitary Sewage Conveyance:</b></p> <p>That prior to lifting the "H" it shall be demonstrated to the satisfaction of the Town that there is sufficient existing sanitary sewer conveyance capacity available, or through a detailed calculation demonstrate that water conservation measures will achieve the same end and that there will be no downstream adverse impacts.</p> <p><b>3. Record of Site Condition:</b></p> <p>That prior to lifting the "H" a Record of Site Condition shall be filed in accordance with the Town's Official Plan. (Policy</p>	

By-law No.	Property Description	Permitted Uses Until the Holding Provision Removed	Conditions for Removal of the "H"	Date Enacted
			<p>10.4.7 a)</p> <p><b>4. Stormwater:</b></p> <p>That prior to lifting the "H" on, a detailed storm water management plan shall be submitted to the satisfaction of the Town, the Region and Lake Simcoe Region Conservation Authority.</p> <p><b>5. Servicing Conveyance:</b></p> <p>Prior to the lifting of the "H" on each phase, provision for municipal services and access shall be to the satisfaction of the Town and the necessary agreements executed with the Town.</p> <p><b>6. Source Water Impact and Assessment Mitigation Plan:</b></p> <p>That prior to lifting the "H" a Source Water Impact and Assessment Mitigation Plan shall be required to have received approval from the Region of York demonstrating that any construction activities including any dewatering or groundwater depressurization will not interfere with quantity and quality of groundwater of the municipal well(s);</p> <p><b>7. Site Plan Agreement:</b></p> <p>That prior to lifting the "H" a site plan has been entered into between the Town and the Owner of the lands and the Town, and the performance security contemplated therein posted;</p> <p><b>10. Official Plan:</b></p> <p>That prior to lifting the "H" on</p>	

By-law No.	Property Description	Permitted Uses Until the Holding Provision Removed	Conditions for Removal of the "H"	Date Enacted
			each phase, all relevant provisions of the Official Plan have been complied with.	

ENACTED THIS                      DAY OF                      , 2013

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk

## **APPENDIX B**

### **LIST OF MATTERS TO BE INCLUDED IN THE SITE PLAN AGREEMENT**

#### **PART 1**

##### **Transportation**

1. The owner agrees that the Minor Collector identified on Schedule 5 in the Newmarket Urban Centre Secondary Plan located across the rear of 212 shall be a public street and will be dedicated to the Town at no cost save and except for the provisions of the Deferral of Development Charges Agreement as entered into with the Town. The final width of the Minor Collector Right of Way will be determined once the Town has determined the final grade of said street. The street will be conveyed to the Town and an up to date survey provided and registered on title.
2. It is agreed that the construction of the minor collector across the rear of 212 Davis Drive will not be the responsibility of the owner.
3. The owner agrees to provide connectivity through the site and to the adjacent lands through:
  - i. a private street connecting Davis Drive to the future minor collector located at the rear of 212 Davis Drive , and
  - ii. Side walk connection to the proposed park to the east
  - iii. A sidewalk connection to the future development to the west.

##### **Underground Hydro**

4. The owner agrees that a 3 m easement will be dedicated to the Town to accommodate the future undergrounding of hydro along the Davis Drive frontage.
5. The owner agrees that an area of approximately 4 m x 5 m in size, in close proximity to the 3 m hydro easement and proposed hydro dip pole, be established for a future easement in favour of to Newmarket Hydro or appropriate body for a pad mount transformer, which will replace the existing dip pole structure.

##### **6. Affordable Housing**

7. The owner agrees to provide a minimum of 25 % of the rental accommodation within the affordability benchmark for rental housing in accordance with the Region of York criteria for affordability for moderate to low income households.



### Open Space and Connectivity

8. The owner agrees to create a landscaped areas along the frontages of the subject property including the area where the watercourse may be placed in a culvert, on the south, and on east and west sides of the parking structure to the satisfaction of the Town and where applicable, the Region of York.
9. The owner agrees to provide detailed design of the connection between Davis Drive and the future Minor Collector to the satisfaction of the Town at the Site Plan stage.
10. The owner agrees to a minimum of one side walk at the joint entrance to the subject property in addition to the sidewalk access proposed on the north west corner of the subject property

### Sustainability

11. The owner agrees to the sustainability measures, including but not limited to:
  - Implement grey water recycling to meet 50 % of the projected demand for toilets and urinals.
  - Implement reflective roofing or landscaped/green roofs on all rooftops exclusive of the areas used for mechanical equipment.
  - Design the buildings to be solar ready.
  - Make best commercial effort to provide for 40 % of the energy requirements to be purchased from alternative energy sources, or off-site renewable energy source.
  - Design lighting and circulation/ventilation to meet or exceed energy efficient standards in effect at the time.
  - Ensure all appliances and water fixtures are low demand or low flow.
  - Design and implement three-stream waste management.
  - Design and building to accept advance communication technology e.g., conduit and wiring that meets or exceeds the minimum industry standard for advance communication e.g., broadband.



## APPENDIX C

### DETAILED COMMENTS RECEIVED

The detailed comments raised issues related to the following topics that relate predominantly to the Zoning By-law.

1. Grading and Transition to Adjacent Properties
2. Connectivity and Private Street
3. Underground Hydro Facilities
4. Natural Hazards and Fisheries
5. Parking
6. Urban Design and Sustainability
7. Environmental Site Assessment
8. Sanitary Sewers
9. Stormwater Management
10. Source Water Protection
11. Servicing Allocation
12. Affordable and Rental Housing

The comments have been addressed in the Staff Report under Primary Planning and Technical Issues.

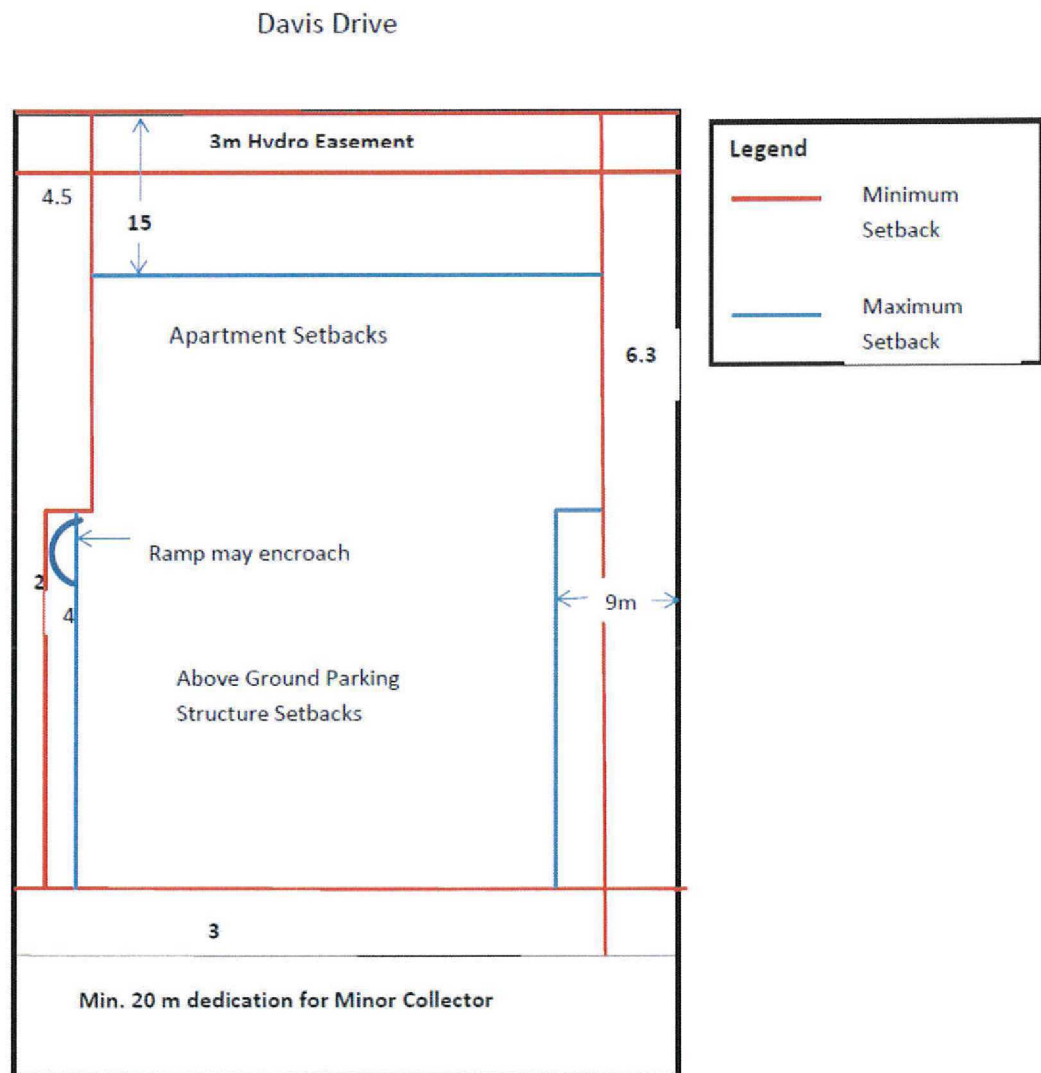
The detailed comments are available on the Town's Web site through the following link:

<http://www.newmarket.ca/en/townhall/resourcelibrary/APPENDIXCCommentsReceivedinResponsetoZoningandSitePlanApplications.pdf>

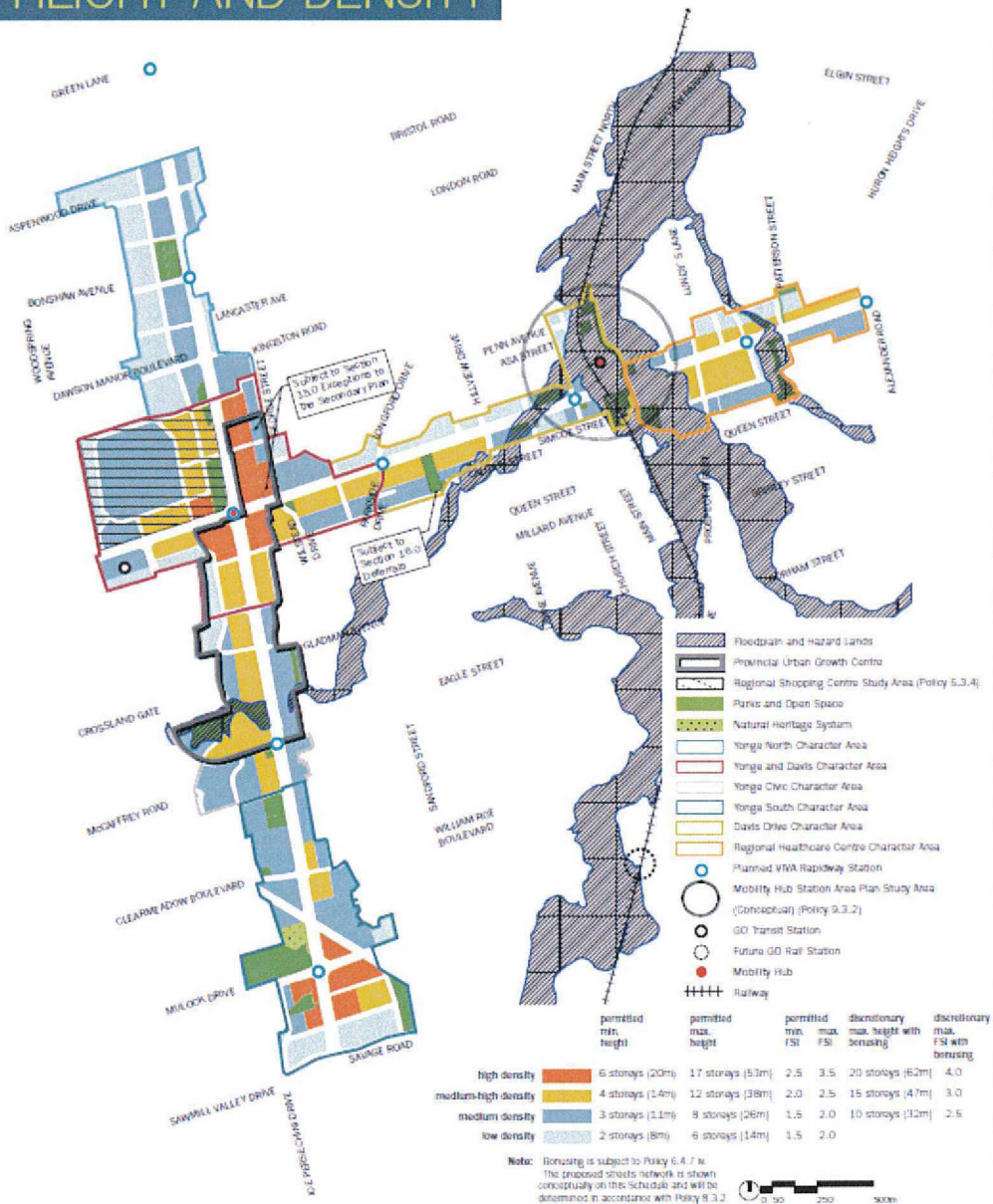
## Appendix D

### Schematic Illustrating the Effect of the Recommended By-law

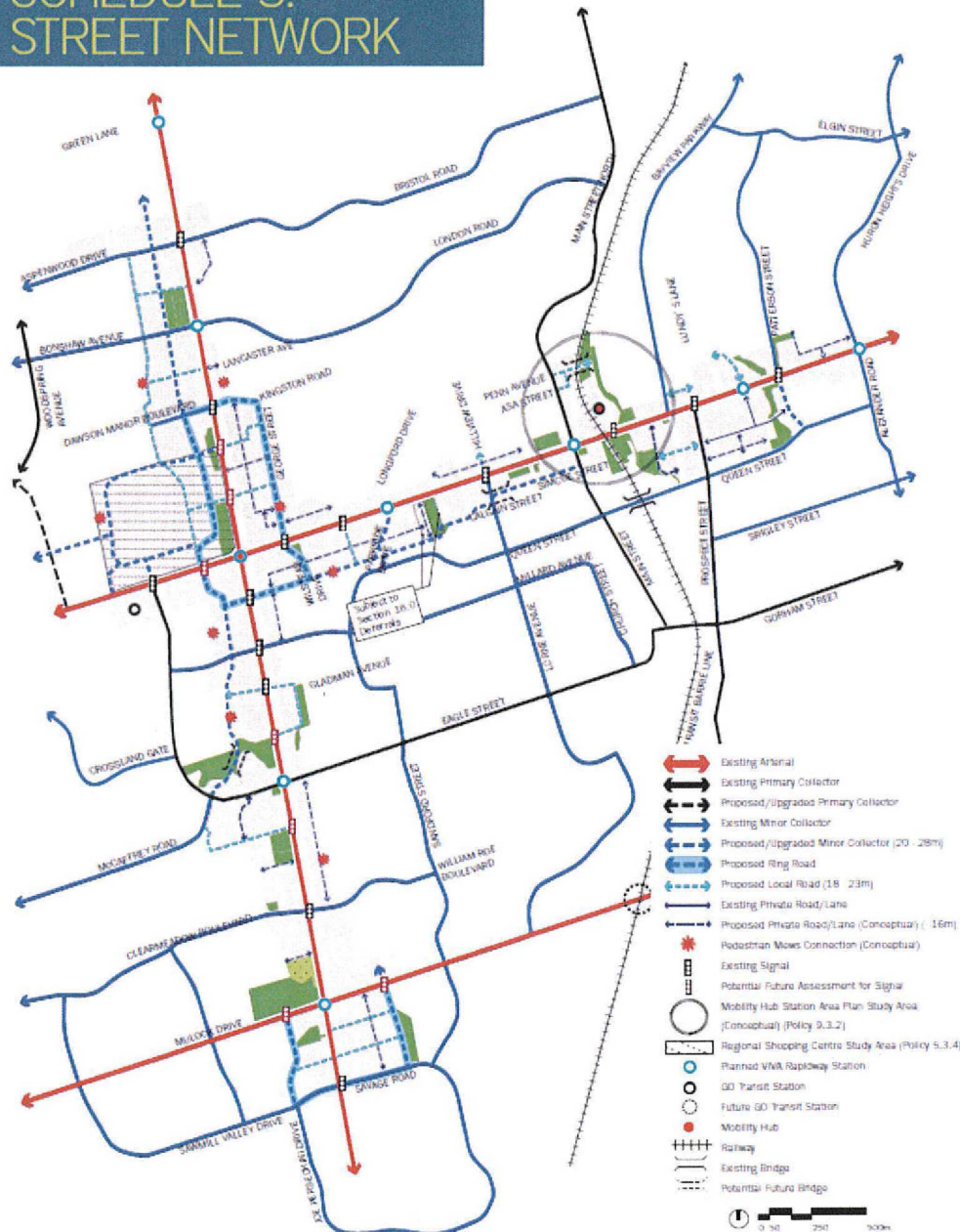
(Not to Scale and All Measurements are Shown in Metric)



AS ADOPTED, JUNE 23 2014; NEWMARKET URBAN CENTRES SECONDARY PLAN

**SCHEDULE 4:  
HEIGHT AND DENSITY**

AS ADOPTED, JUNE 23 2014: NEWMARKET URBAN CENTRES SECONDARY PLAN

**SCHEDULE 5:  
STREET NETWORK**







# PLANNING AND BUILDING SERVICES

Town of Newmarket

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planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

September 11, 2014

## DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2014-41

TO: Committee of the Whole

SUBJECT: **Application for Zoning Bylaw Amendment and  
Draft Plan of Subdivision 19TN 2013-003  
North side of Davis Drive between Yonge Street and Bathurst Street (Toth Farm)  
Part of Lot 96, Concession 1, WYS  
Planning File: D12 13 22 & D14 13 22  
Sundial Homes (Davis) Limited**

ORIGIN: Planning and Building Services

### RECOMMENDATIONS

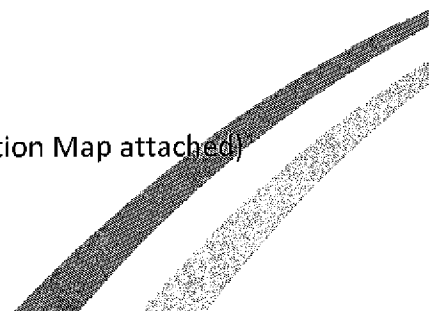
THAT Development and Infrastructure Services/Planning and Building Services Report 2014-41 dated September 11, 2014 regarding Application for zoning bylaw Amendment and Draft Plan of Subdivision be received and the following recommendation(s) be adopted:

1. THAT approval be given to Draft Plan of Subdivision 19TN-2013-003, subject to the schedule of conditions set out in Appendix "A" attached to and forming part of this Report;
2. AND THAT staff be directed to prepare the necessary zoning bylaw amendment;
3. AND THAT the approval for Draft Plan of Subdivision 19TN-2013-003 shall only be issued upon the execution of a "No Pre-Sales Agreement" by the Owner of the said Draft Plan with the Town of Newmarket;
4. AND THAT Servicing allocation for be granted in the amount of 665 population to a maximum of 250 dwelling units.
5. AND THAT Chris Matson, Matson, McConnell Ltd., 2430A Bloor Street West, Toronto, Ontario M6S 1P9 be notified of this action.

### COMMENTS

#### Location

Lands located on the east side of Bathurst Street, south of Davis Drive. (See Location Map attached)



### **Proposal**

An application for draft plan approval and zoning bylaw amendment has been submitted by Sundial Homes (Davis) Limited to rezone the 20.99 hectare subject lands from the Transitional (TR) zone to the Open Space (OS-1), Residential Detached Dwelling (R1), Residential Semi-Detached Dwelling (R2), Residential Townhouse Dwelling (R4) and a Residential 'Back to Back' townhouse Dwelling zone to permit a draft plan of subdivision containing 651 residential units consisting of single detached, semi-detached, on street townhouses and back to back townhouses on the subject lands. A location for a potential elementary school site has also been provided in the northeast corner of the proposed plan as requested by the York Region District School Board.

### **Statutory Public Meeting**

Council held the required statutory Public meeting on April 7, 2014 and public comments focused on the following:

Location of the proposed public elementary school site; concern with traffic management and alignment with the Secondary Plan policies; and concern relating to safe access to parks and playgrounds within the proposed development and a lack of sports fields nearby.

Public Elementary School: Positive comments were heard at the public meeting in relation to the proposed location of the school site. The York Region District School Board have requested a site within the plan for an elementary school and have provided draft plan conditions to this effect. The school site has been located in the northeast portion of the plan and has been sized to the Board's satisfaction. The detailed design of the school site will occur at such time the Board submits for site plan approval.

Traffic: In accordance with the approved Secondary Plan, a potential access to the Upper Canada Mall has been provided for on the proposed draft plan to the satisfaction of staff. This connection is intended to be realized at such time as the Mall redevelops.

Parks: In 2003, Committee of Adjustment application for Consent to Sever the Toth farm was approved to facilitate the Mattamy subdivision on the west half of the former Toth farm. At this time, 2.4 hectares of park land were dedicated to the Town to address the Planning Act parkland dedication requirements for the entirety of the Toth farm anticipating the redevelopment of the entire parcel. The applicant has met the requirement for parkland dedication under the Planning Act. While no additional parkland is proposed, as the School Board requested a site within the plan, additional recreational opportunities will be available in this location. Through the detailed engineering design, staff will ensure appropriate sidewalk and trail connections are made to both the school site and the existing parkland.

### **Official Plan Considerations**

#### **2006 Official Plan**

The subject property is designated Emerging Residential in the 2006 Official Plan. Single and Semi-detached dwellings and townhomes are permitted uses in the emerging residential designation subject to the proper justification reports to the Town's satisfaction. The Official Plan indicates that the Emerging Residential designation may develop at low densities similar to the Stable Residential Areas while providing for a range of innovative and affordable housing types, zoning standards and subdivision

designs. There are 212 on street townhouse dwelling units and 324 back to back townhouse dwelling units proposed within the draft plan of subdivision which represents 80% of the total unit yield providing a significantly higher townhouse ratio than elsewhere in the Quadrant. The proposed density of this draft plan of subdivision is 31.5 units per net hectare which is above the typical 22-25 units per hectare for the existing developments in the area. While the proposed density is higher, the development has direct access to the regional road system and is in close proximity to the Town's urban centre where significantly denser development is anticipated. The supporting studies have been reviewed and accepted, indicating the road network can accommodate the traffic generated from the proposal.

The Official Plan also identifies the frontage the subject lands have on Davis Drive as well as along the mutual boundary with the Upper Canada Mall as a special Study area requiring the analysis of the interface of these boundary conditions. A potential location for combination of road access and pedestrian access to Upper Canada Mall has been provided for at the terminus of Street "C". This is consistent with the current direction of the Urban Centres Secondary Plan and is important for connecting communities. The interface along the Davis Drive frontage is proposed to be developed in a similar fashion as the Mattamy Subdivision further to the west.

The proposed rezoning and draft plan of subdivision application conforms with the purpose and intent of the Official Plan.

#### Zoning Bylaw Consideration

The Subject Property is currently zoned Transitional by Bylaw Number 2010-40, as amended. The Applicant wishes to rezone the Subject Property to the Open Space (OS-1), Residential Detached Dwelling (R1), Residential Semi-Detached Dwelling (R2), Residential Townhouse Dwelling (R4) and a Residential 'Back to Back' townhouse Dwelling zone with special provisions as they relate to lot, siting and building specifications.

#### Servicing Allocation

In an effort to support and promote the intensification of our urban centres as outlined in Provincial, Regional, and Town planning documents, and in support of the Vivanext bus rapid transit system currently under construction, it is important that the Town be in a position to assign servicing capacity to current intensification projects and to maintain a reserve, where possible, for future intensification projects. The Town's Servicing Allocation Policy is aligned with these goals, establishing the urban centres as the highest priority area for servicing allocation.

To that end, staff are recommending Council allocate for a first phase for this proposal in the amount of 665 population. This would convert to a maximum of 250 dwelling units. The proponent has committed to the requirements of the Town's servicing allocation policy.

Where Draft Plan Approval is given prior to the allocation of servicing, the Region of York require the owner to enter into an agreement with the Town that would restrict the owner from entering into agreements of purchase and sale with end users until such time as servicing has been allocated.



### 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 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).

### Parkland

In 2003, Committee of Adjustment application for Consent to Sever the Toth farm was approved to facilitate the Mattamy subdivision on the west half of the former Toth farm. At this time, 2.4 hectares of park land were dedicated to the Town to address the Planning Act parkland dedication requirements for the entirety of the Toth farm anticipating the redevelopment of the entire parcel. To that end, appropriate parkland dedication has been provided for this proposed subdivision.

### Draft Plan Conditions

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

Conditions unique to this proposed development relating to traffic monitoring, financing of traffic signals, sidewalks/trails along Davis Drive and the timing for releasing lots requiring external grading are as follows:

- (1) Prior to registration of the first phase of this development the owner shall submit a Traffic Monitoring Study prepared by a qualified professional to the satisfaction of the Town of Newmarket and the Region of York. The study shall review and make recommendations regarding the current and future operation of the intersection of William Booth Avenue and Davis Drive and shall specifically review the timing for the installation of signals. It shall also make recommendations regarding ongoing monitoring of this intersection. The owner will be responsible for carrying out the ongoing monitoring to the satisfaction of the Town. The owner shall agree to install underground ducts for signals at this intersection when the intersection is initially constructed. The owner shall agree to make financial arrangements with the Region of York with respect to the cost to design and construct the signals such that the Town of Newmarket will not be responsible for any costs associated with this work.

- (2) The owner shall design a 3 metre wide asphalt trail (complete with a 1 metre recovery zone on each side of the trail) along with a 1.8 metre wide concrete sidewalk along the north side of Davis Drive. The limits shall be from the east limit of the plan of subdivision to the west side of the existing channel connecting to the existing or future trail and sidewalk as determined by the Director of Engineering Services. The owner shall be financially responsible for the cost to design and construct the trail and sidewalk.
- (3) The owner shall agree that a holding provision (H) shall be placed on the zoning of lots 71 to 91. The H will be not be removed until such time as the owner has demonstrated to the satisfaction of the Town's Director of Engineering Services that the lots can be graded in accordance with the Town's Engineering Standards.

#### Departmental and Agency Comments

The Town has received comments from various department and agencies and requested conditions of approval have been included.

#### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The development of this parcel of land is in accordance with the Newmarket Official Plan and has linkages to the Community Strategic Plan as follows: This application for Zoning By-Law Amendment and Draft Plan of Subdivision supports the Community Strategic Plan by being *Well*-balanced through the encouragement of an appropriate mix of lands uses and amenities, such as parks, to develop a sense of community within this subdivision; being *Well*-equipped by encouraging a variation of housing types and densities; being *Well*-planned & connected by controlling growth through a comprehensive Official Plan

#### **CONSULTATION**

As noted above, Council held the statutory public meeting for this proposal in accordance with the *Planning Act* on April 7, 2014.

#### **BUDGET IMPACT**

##### Operating Budget (Current and Future)

The appropriate planning application fees have been received for 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.

##### 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](mailto:druggle@newmarket.ca)

**Attachments**

- 1 - Location Map
- 2 - Proposed Draft Plan of Subdivision
- 3- Appendix "A" (Conditions of Draft Approval)



Commissioner, Development and  
Infrastructure Services

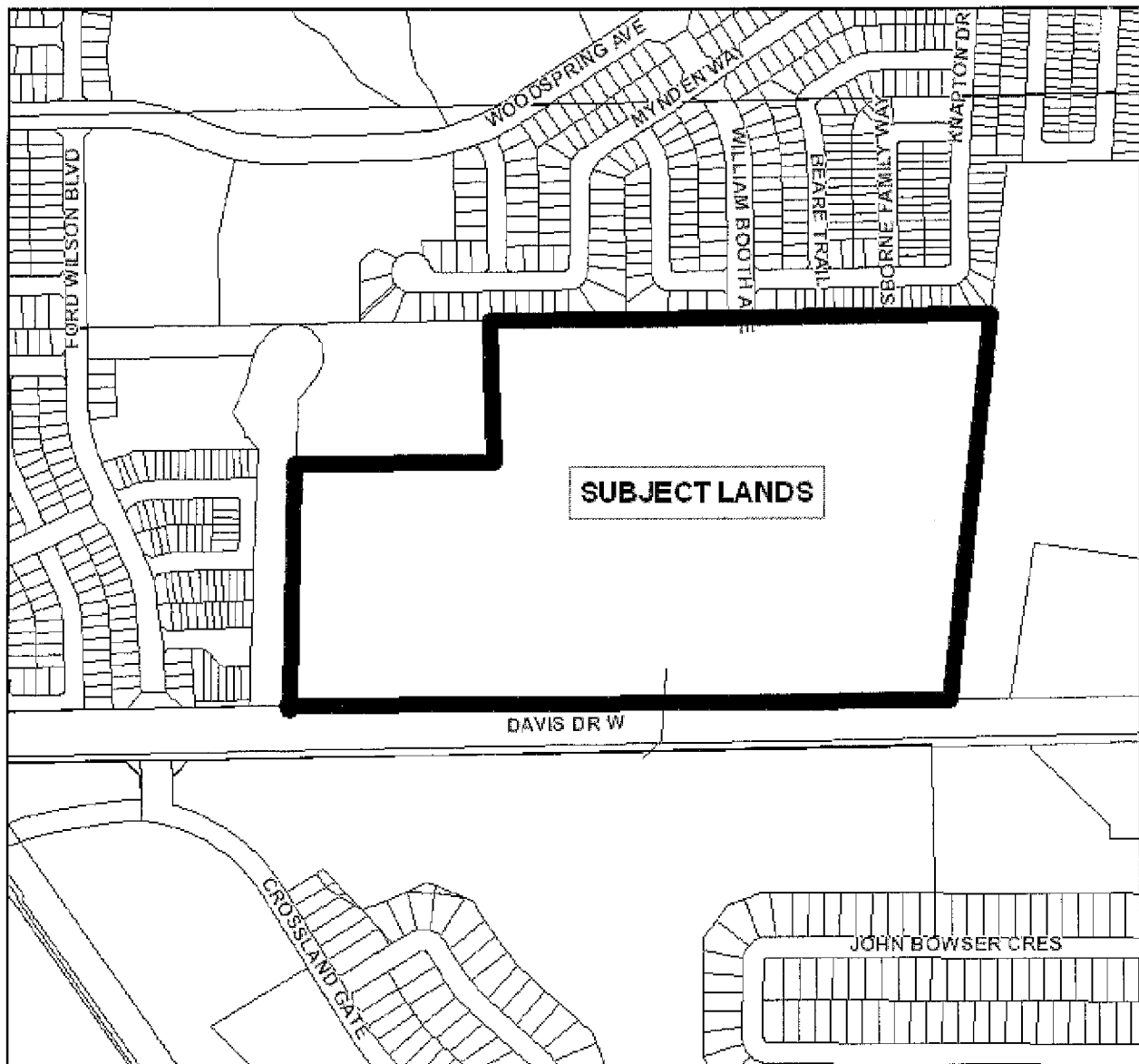


Director of Planning & Building Services



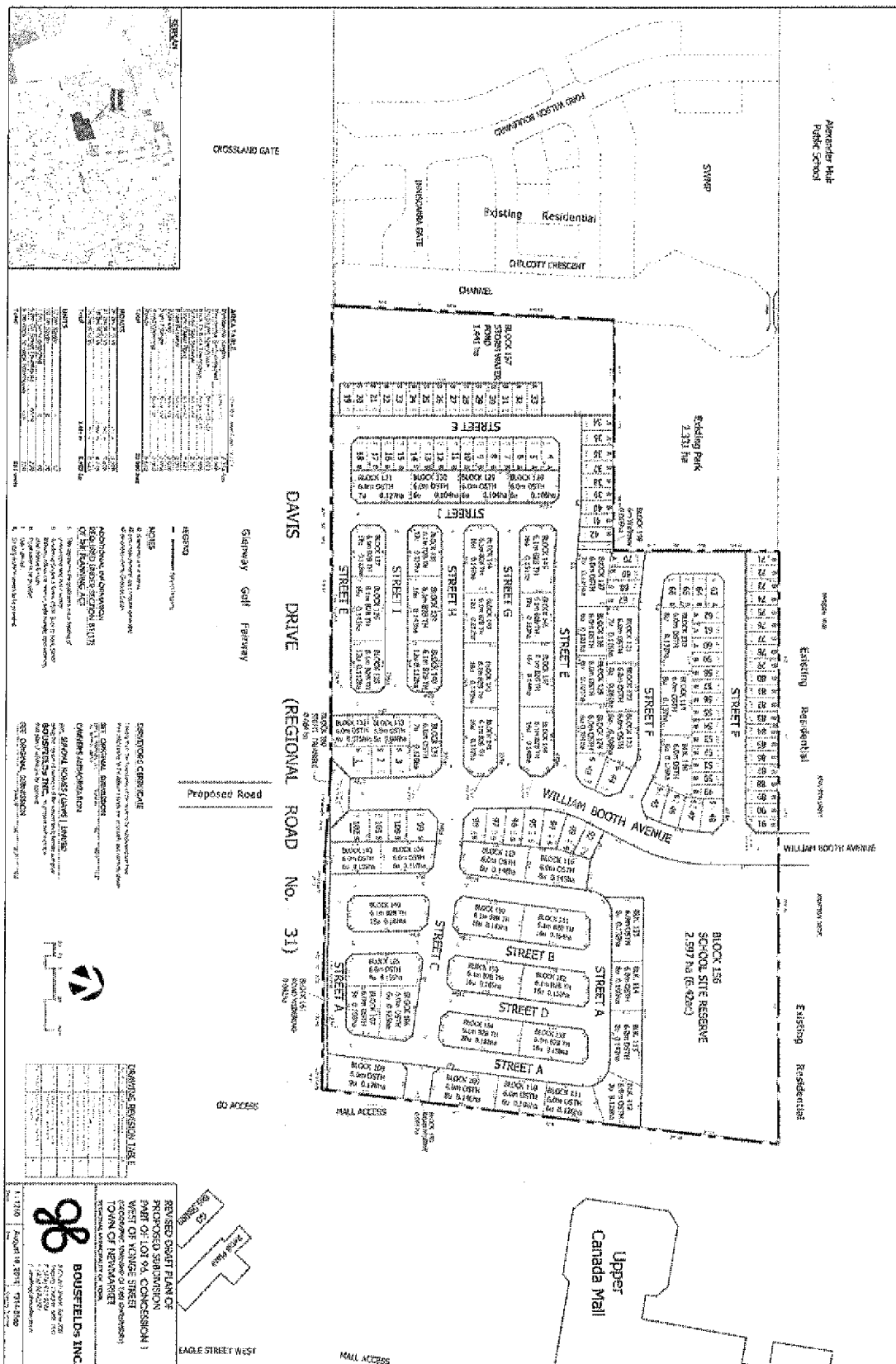
Senior Planner - Community Planning

**LOCATION MAP**  
**North side of Davis Drive**  
**West of Yonge Street & East of Ford Wilson Blvd.**  
**Sundial Homes (Davis) Limited (Toth Farm)**



**TOWN OF NEWMARKET PLANNING DEPARTMENT**

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Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 1

**THE CONDITIONS OF THE COUNCIL OF THE TOWN OF NEWMARKET TO BE SATISFIED PRIOR  
TO RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION  
19TN 2013-003 ARE AS FOLLOWS:**

**General**

- (1) That draft approval shall relate to the draft plan of subdivision prepared by Bousfields Inc., dated August 19, 2014 showing Lots 4 through 42 inclusive and Lots 49 through 91 for single detached units, Lots 1 through 3 inclusive, Lots 43 through 48 inclusive and Lots 92 through 102 inclusive for semi-detached units, Blocks 103 through 134 for on street townhomes, Block 135 through 155 for back to back townhomes, Block 157 for storm water management purposes, Block 158 for a Road Reserve, Block 159 for a walkway, Block 160 for a sight triangle and Block 161 for road widenings and Streets "A" through "J".
- (2) The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
- (3) The road allowances included within this draft plan of subdivision shall be named to the satisfaction of the Town of Newmarket and the Regional Municipality of York.
- (4) Any dead ends or open sides of road allowances created by this draft plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Town of Newmarket, without monetary consideration and free of all encumbrances, to be held by the Town of Newmarket until required for future road allowances or the development of adjacent lands.
- (5) The Owner shall enter into a subdivision agreement with the Town of Newmarket, agreeing to satisfy all conditions, financial and otherwise, of the Town of Newmarket; prior to final approval, the subdivision agreement will be registered by the Town of Newmarket against the lands to which it applies as provided for in the *Planning Act*.



## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 2

- (6) The Owner shall agree in the Subdivision Agreement that lot geometry and street alignments and the total number of lots may have to be varied or adjusted to accommodate the Subdivision design, to the satisfaction of the Town and all other authorities having jurisdiction in the matter. The Owner shall further agree that as a result of revisions to the Plan of Subdivision it may be necessary to amend or revise the other conditions of draft approval accordingly.
- (7) Prior to final approval the Owner shall demonstrate that arrangements for the provision of external roads and municipal services have been made to the satisfaction of the Director of Engineering Services and all other authorities having jurisdiction.
- (8) The Owner shall agree in the Subdivision Agreement to make payment to the Town for all applicable Development Charges, in accordance with the Town's Development Charges By-law which is in effect at the time.
- (9) Prior to final approval, arrangements shall be made to secure permanent access to a public highway to this draft plan of subdivision by way of a dedicated, constructed and paved public roadway, to the satisfaction of the Director of Engineering Services, the Municipal Solicitor and, if applicable, the Regional Municipality of York.
- (10) The lands within this draft plan of subdivision shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of the *Planning Act*. The Holding provisions of Section 36 of the *Planning Act* may be used in conjunction with any zone categories to be applied to the subject lands in order to ensure that development does not occur until such time as the Holding "H" symbol is removed in accordance with the provisions of the *Planning Act*. The Zoning Bylaw Amendment shall specify the terms under which Council may consider the removal of the Holding "H" symbol, in accordance with Official Plan policy; said terms may include:
  - (i) Confirmation that there is sufficient servicing capacity to accommodate the draft plan or any phase thereof and that said servicing capacity has been allocated to the subject lands;
  - (ii) All required agreements between the Owner and the Town of Newmarket have been executed by both parties and can be registered on title;

**92**  
**APPENDIX "A"**

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 3

- (iii) All necessary approvals have been received from all other agencies and/or government bodies;
- (iv) Represents a logical and orderly progression of development; and;

such other matters as may be deemed appropriate by the Council of the Town of Newmarket.

- (11) Such easements as may be required for public utility, servicing or drainage purposes shall be granted to the appropriate authority, without monetary consideration and free of all encumbrances.
- (12) Prior to Final Approval the Owner shall agree to prepare a Tree Preservation, Protection, Replacement and Enhancement Plan to the satisfaction and acceptance by the Town of Newmarket. The Owner shall further agree prior to Final Approval not to remove any trees without the written approval of the Director of Planning and Building Services of the Town of Newmarket, as directed by Council, and carry out or cause to be carried out the recommendations made in the said accepted Plan. In the event that a tree identified as "preserved" on the Plan is destroyed or irreparably damaged, as determined by the Town of Newmarket, as a result of construction, tree planting and/or other associated works, the Owner shall agree in the subdivision agreement to replace such a tree with one of suitable species, health and size to the satisfaction of the Town of Newmarket.
- (13) The Owner shall agree in the Subdivision Agreement that all lots or blocks to be left vacant for longer than a specified length of time, and all portions of public highways which are not paved, together with all drainage swales, shall be graded, seeded and/or sodded, and maintained to the satisfaction of the Director of Engineering Services. The Owner shall further agree in the Subdivision Agreement that the balance of lands subject to later phases of development shall be maintained in accordance with the Property Standards Policies and By-laws of the Town, and that such measures such as signage and/or fencing may be required to ensure no unauthorized dumping, filling or access in relation to the lands occurs.
- (14) Prior to final approval the Owner shall provide, to the satisfaction of the Town of Newmarket, comprehensive urban design/architectural design guidelines dealing with such matters as street furniture, streetscape,

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 4

boulevard planting, pedestrian linkages, bicycle paths, entrance features/enhanced boulevard treatments and architectural compatibility within the development and with adjacent development. Furthermore, the architectural design guidelines will make recommendations where three storey dwelling units abut two storey dwelling units at the rear yard.

- (15) The Owner shall agree in the subdivision agreement to establish an urban design/architectural review and implementation protocol to be carried out during the construction of the plan to the satisfaction of the Town of Newmarket
- (16) Prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall have a professional consulting engineer submit to the Town of Newmarket for review and acceptance a report or reports describing the manner in which stormwater will be conveyed from the site, including overland flow routes, storm drainage outlets and any other stormwater management techniques that may be required in accordance with the Provincial "Stormwater Quality Best Management Practices", the "Stormwater Management Practices Planning and Design Manual" and as outlined in the reports submitted in support of the draft plan application. The report shall address both water quantity and quality, particularly the impact of the proposed stormwater management techniques on the water quality of receiving waters as it relates to fish and fish habitat. In addition, the report or reports shall detail the means whereby erosion and siltation and their effect will be minimized on the lands within this draft plan of subdivision both during and after the construction period. Further, the Owner shall agree in the subdivision agreement to carry out or cause to be carried out, the recommendations and measures of the said report(s), as accepted by the Town, and to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair, during the construction period, in a manner satisfactory to the Town of Newmarket.
- (17) The Owner shall agree in the subdivision agreement to include a clause on all offers of purchase and sale in wording acceptable to the Town of Newmarket for any lots or blocks abutting the stormwater management facilities, the prime purpose of which is water quality and quantity control, advising of the function of the area and that the area will be left in its natural state to contribute to that function.
- (18) Prior to final approval a soils report shall be prepared, at the Owner's expense, to the satisfaction of the Town of Newmarket.

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 5

- (19) The Owner shall agree in the subdivision agreement to have a professional Consulting Engineer prepare an Engineering Report or Reports, to the satisfaction of the Town of Newmarket, identifying the specific means by which water distribution, sanitary drainage, including storm water management and overland flow routes, grading, roads and sidewalks will be provided, including the identification of any blocks and/or easements that will be required for municipal servicing and/or storm drainage. A water distribution analysis shall be included to confirm that flows and pressures in accordance with the Town of Newmarket Standard will be attained for all lots and blocks in this plan of subdivision. The report shall also analyse water quality and make recommendations regarding watermain sizing and looping required to ensure that potable water is available at all times once the watermain is commissioned in this subdivision. Further, the Owner shall agree in the subdivision agreement to be responsible, financially and otherwise, for the implementation of all recommendations set out in the said reports, as accepted, including any lot redesign that may be necessary, to the satisfaction of the Town of Newmarket and all other authorities having jurisdiction.
- (20) Prior to the first engineering submission the Owner shall have a Professional Consulting Traffic Engineer prepare, to the satisfaction of the Town of Newmarket and the Regional Municipality of York, a Traffic Report and Impact Study. The report shall address the internal and external traffic implications of this development, including but not limited to the functional classification and design of roadways proposed within this draft plan of subdivision and confirmation that the proposed road configuration can safely provide for vehicular, transit and pedestrian traffic. The report shall identify any external road improvements required for this subdivision, make recommendations for on-street parking locations and prohibitions, and provide an analysis of sight distances and stopping distances. The owner shall agree in the Subdivision Agreement to carry out, or cause to be carried out, the recommendations set out in the approved report, to the satisfaction of the Town.
- (21) The Owner shall agree in the subdivision agreement to have a qualified consultant prepare, to the satisfaction of the Town of Newmarket, a Noise Impact and Attenuation Study. Further, the Owner shall agree in the subdivision agreement that any noise attenuation measures including warning clauses and any noise control features, including landscaping, berming and/or screening for aesthetic purposes, which are recommended by the said approved study and as accepted by the Town, shall be implemented at the Owner's expense.

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 6

- (22) Prior to commencement of the construction including grading or pre-servicing of this plan or any portion thereof, the Owner shall submit to the Town of Newmarket a report from a Qualified Person (QP) as defined by the Ministry of the Environment, stating that to the best of the QP's knowledge all lands within the Plan of Subdivision, including all lands and easements to be conveyed to the Town and/or other public authority, and any lands to be used for development purposes or retained in private ownership, are free of any Hazardous Substance, as defined by the Town. A Phase 1 Environmental Site Assessment (ESA) specifically addressed to the Town, together with any subsequent Assessments as are required may be considered acceptable. The aforementioned Phase 1 ESA and related work shall be completed as per O. Reg. 153/04 as amended or a successor thereto. The Environmental Certification shall be accepted by the Town, and any other authority having jurisdiction in the matter, prior to the commencement of any development or construction on the lands, including any grading, pre-servicing, and/or model homes.
- (23) In the event that the Phase 1 ESA identifies the potential for any Hazardous Substance on, near or adjacent to the Plan, prior to Final Approval a Phase 2 Environmental Site Assessment, and/or a complete, full depth, "pristine state" clean-up of the site, including the preparation of and carrying out of a remediation/restoration plan for the Property or any affected lands nearby, and/or any other measures as deemed appropriate, shall be done to the satisfaction of the Town and any other governmental body having jurisdiction. Where a Phase 2 Environmental Site Assessment is required, it shall be done to CSA Standard CAN/CSA-Z769-00 under O.Reg. 153/04, or a successor thereto. The Owner shall agree in the Subdivision Agreement to implement such measures and/or any site clean-up and any related studies, reports and remediation plans and other requirements in accordance with all applicable Environmental Law, and at the Owner's sole expense.
- (24) The Owner shall agree in the Subdivision Agreement that where a Phase 1 ESA has been undertaken within the Plan, that did not identify any potential for any Hazardous Substance but where subsequent investigations identify Hazardous Substances on the lands within the Plan, a Phase 2 Environmental Site Assessment, and/or a complete, full depth, "pristine state" clean-up of the site, including the preparation of and carrying out of a remediation/restoration plan for the Property shall be carried out at the sole expense of the Owner, and to the satisfaction of the Town prior to any transfer of the lands and/or construction or development.

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 7

- (25) The Owner shall agree in the Subdivision Agreement that all Environmental studies, reports, assessments and certifications shall be subject to Peer review by the Town, at the Owner's expense.
- (26) The Owner shall agree in the Subdivision Agreement that in the event that a Hazardous Substance has been determined to exist on, or adjacent to, any portion of the Property intended to be conveyed to the Town, the Town, without relieving the Owner of the requirement to complete the transfer, may in its sole discretion instruct the Owner to do, one or more of the following:
  - (i) defer the transfer of some, or all, of the Property until such time as the clean-up requirements or other measures described herein have been completed to the Town's satisfaction;
  - (ii) provide a cash payment or other additional securities to guarantee the clean-up of the Property;
  - (iii) issue a stop work order on all construction and development related to a portion of, or the entire Plan of Subdivision;
  - (iv) undertake a Risk Assessment and/or provide a Record of Site Condition, in accordance with Ontario Regulation 153/04 under the Environmental Protection Act or a successor thereto;
  - (v) defer registration of a portion of, or the entire Plan of Subdivision;  
and
  - (vi) amend the Draft Conditions of Approval for the Plan of Subdivision to deal with any unforeseen environmental issues,

Further, the Owner shall agree in the Subdivision Agreement to carry out or cause to be carried out any of the foregoing, as may be directed by the Town. The Owner further agrees to cooperate with the Town in regards to their implementation.



## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 8

- (27) Prior to any site grading and prior to final approval, a Study shall be prepared by a from a Qualified Person (QP) as defined by the Ministry of the Environment, that identifies and documents all sites and buildings of historical and/or archeological significance, and specifies preservation strategies for such sites and buildings within the Plan. This Study shall be prepared to the satisfaction of the Director of Planning and Building Services, in consultation with the Ministry of Tourism, Culture and Sport. Where suitable, such sites and/or buildings shall be incorporated into the development in a manner appropriate to their historical and/or archeological significance. The Owner shall agree in the Subdivision Agreement to carry out or cause to be carried out the recommendations and measures contained within the said Study, as accepted by the Town.
- (28) Prior to final approval, the Owner shall prepare, to the satisfaction of the Town of Newmarket, any additional studies as may be required.
- (29) The Owner shall agree in the subdivision agreement that the location and design of the construction access for the subdivision work shall be provided only as approved by the Town of Newmarket and, if applicable, the Regional Municipality of York.
- (30) Such lands as may be required for temporary road construction, permanent walkways and utility corridors and storm drainage shall be conveyed to the Town of Newmarket without monetary consideration and free of all encumbrances.
- (31) Prior to final approval and the commencement of construction, the Owner shall agree to provide to the Director of Engineering Services, for its review and acceptance, engineering drawings for, and to construct to the satisfaction of the Director Engineering Services, planned road works, watermain, sanitary and storm sewers, and stormwater management works, including approved connections to existing systems, both within and external to this draft plan of subdivision. In addition, the engineering drawings shall include site grading, construction access location(s), mud mat design, utility location plans and landscape plans. The designs contained within said engineering drawings shall be consistent with all Town accepted reports, studies, plans and recommendations, as contemplated in the other draft conditions contained herein. Such engineering designs shall also identify any lands external to this plan which are required to be conveyed or dedicated as easements to the Town of Newmarket either of a permanent or temporary nature.

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 9

Further, the Owner shall agree in the Subdivision Agreement to be responsible, financially or otherwise, for the construction of the above noted works. The said Subdivision Agreement shall also establish a mechanism, to the satisfaction of the Director of Engineering Services and the Municipal Solicitor, for any conveyances or dedications. Further, where any engineering infrastructure is required in environmental and/or open space areas, the Owner's consultant shall submit for the review and approval of the Town of Newmarket or any affected regulatory agency, alternative proposals which identify and evaluate the advantages and disadvantages of each alternative. Mitigation methods shall be considered and proposed which reduces impacts of the proposed works. The Owner shall agree in the Subdivision Agreement to carry out or cause to be carried out the Town accepted recommended proposals.

- (32) The Owner shall agree in the subdivision agreement that roads, services, and other works installed by the Owner shall be in accordance with the standards and specifications of the Town of Newmarket, and shall include watermains, sanitary sewage works, storm sewage works, adequate pavement width for roadways, curbs, gutters, street lighting, regulatory signs, street signs, transit facilities, community mail boxes, intersection design including daylighting or sight triangles and 0.3 metre reserves, temporary turning circles, and any other services or facilities as required.
- (33) The Owner shall provide a report to the satisfaction of the Director of Engineering Services and the Chief Building Official that confirms how adequate road access, sanitary sewers, storm drainage facilities and in particular, water supply and storage have been provided for to support the issuance of building permits and ultimately occupancy permits. Further, the Owner shall agree in the Subdivision Agreement that no building permits will be applied for, or issued, until the Director of Engineering Services and the Chief Building Official is satisfied that such services are available to service the proposed development, have been allocated by the Town, and such as has been confirmed by any other agency having jurisdiction.
- (34) The Owner shall agree in the subdivision agreement to grant access, on reasonable terms and conditions, to any telecommunications service provider indicating an interest to locate within a municipal right-of-way.
- (35) Prior to final approval, any telecommunications service provider intending to locate within a municipal right-of-way shall enter into a Municipal Access

## APPENDIX "A"

Conditions of Draft Approval  
 Plan of Subdivision 19TN 2013-003  
 Sundial Homes Davis (Limited).  
 Page 10

Agreement with the Town of Newmarket to satisfy all conditions, financial and otherwise, or shall have made arrangements satisfactory to the Town of Newmarket for the execution of a Municipal Access Agreement.

- (36) The Owner shall agree in the subdivision agreement to make available to all perspective purchasers of residential units within the subdivision, and to display in a prominent location within the sales office, the following:
- (a) the latest version of the approved draft plan;
  - (b) the proposed location of any and all sidewalks, street furniture, community mail boxes, parks (including all recreational facilities to be provided), schools, open space areas, environmental protection areas, stormwater management facilities, landscaping, entranceway features, special features such as tiered retaining walls or similar structures, special lot grading, noise attenuation measures (both internal and external to the dwelling unit), erosion control facilities, buffer areas, watercourses, accurate representations of proposed and existing surrounding land uses within 150 metres of the boundaries of the draft plan, and any proposed warning clauses or restrictive covenants to be registered on title;
  - (c) a copy of the approved zoning by-law for the lands, together with the subdivision agreement (when approved by the Town of Newmarket); and
  - (d) any other requirements as may be set out in the Subdivision Agreement.

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

- (37) The Owner Shall Agree in the Subdivision Agreement to abide by any servicing allocation policy as approved by the Town and amended from time to time.

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 11

- (38) Prior to final approval, the York Region District School Board shall have confirmed to the Town of Newmarket that pupil places exist within the Town of Newmarket for all pupils emanating from the subdivision.
- (39) The Owner shall agree in the Subdivision Agreement to prepare, to the satisfaction of the Town, a Homeowner's Manual which shall be distributed to all purchasers which outlines:
  - (a) the Town's waste diversion and recycling programs and proper usage of the bins;
  - (b) the environmental sensitivity of the open space areas and trail systems and provides educational material regarding disturbances from residential development and the role that individual homeowners can have such as yard waste composting, reduced fertilizer and pesticide use, natural area re-vegetation, impacts of noise and lighting, domestic pet impacts and controls, invasive plant spreading and discharge of swimming pool water.
- (40) The Owner shall agree in the Subdivision Agreement to pay the Town the cost for the recycling containers (three recycling containers, one Blue box, one Green Bin and one Kitchen collector) required for the Plan of Subdivision and provide said containers to each purchaser at the time of occupancy.
- (41) The Owner shall include a clause in all offers to purchase and sale and within the Subdivision Agreement, in wording acceptable to the Town, for all lots or blocks which contain slopes in rear yards or side yards of 3:1 or steeper, advising of the impacts on the lot useable amenity areas.
- (42) Where required by the Town, the Owner shall agree in the subdivision agreement, where applicable, to cause warning clauses, in wording satisfactory to the Town, to be included in all offers of purchase and sale, and to be registered on title, for all lots or blocks within the Plan of Subdivision affected by the following matters:
  - (a) Mail from a Community Mailbox;
  - (b) Street trees;
  - (c) Traffic Calming Measures;
  - (d) Lots fronting on a collector road;
  - (e) Transit Routes;
  - (f) Temporary Cul-de-sacs and Turning Circles;
  - (g) Proximity to Active Farms and Agricultural Uses;

## APPENDIX "A"

Conditions of Draft Approval  
 Plan of Subdivision 19TN 2013-003  
 Sundial Homes Davis (Limited).  
 Page 12

- (h) Stormwater Management Facilities;
- (i) Subdivision Design Features and Landscaping Features and/or Special Features;
- (j) Noise;
- (k) Illumination of Athletic Fields;
- (l) Lands abutting a trail system;
- (m) Open Space Lands to remain in their natural state;
- (n) Extended Footings and Engineered Fill;
- (o) Lot Grading and Preservation of Existing Vegetation;
- (p) Basement Walk-outs and Access to Rear Yard;
- (q) Rear Lot Catch basins;
- (r) Private Gates to Open Space Areas and Stormwater Management ponds; and
- (s) Carbon Monoxide Detectors.

- (43) The Owner shall agree in the Subdivision Agreement to provide to all potential purchasers and future landowners, appropriate notice, warnings, and/or restrictions, in wording acceptable to the Town, where the Plan, or implementing design thereof, requires the construction or installation of any subdivision or landscape design features, special features and/or special landscape features, such as retaining walls, tiered retaining walls or similar structures, entrance features, special fencing, other special features or devices, special lot grading, excessive lot grading or the construction of other landforms. The manner of such notice, warnings, and/or restrictions, as determined by the Town, shall be set out in the Subdivision Agreement, and shall fully disclose the details of the said Features for all affected and/or abutting lots or blocks. The Owner shall agree in the Subdivision Agreement to guarantee the perpetual maintenance of the said Features, where required by the Town, with respect to the cost of maintenance and periodic renewal/replacement of such Features, and to provide for or maintain such Special Features in perpetuity. The Owner shall further agree in the Subdivision Agreement to provide easements in favour of the Town, for the purposes of maintenance, where required.
- (44) Customized house designs which respect the lot grading design will be required for all homes on lots where the grade differential between the front and rear of building exceeds 2.5 metres.

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 13

- (45) Prior to registration of the first phase of this development the owner shall submit a Traffic Monitoring Study prepared by a qualified professional to the satisfaction of the Town of Newmarket and the Region of York. The study shall review and make recommendations regarding the current and future operation of the intersection of William Booth Avenue and Davis Drive and shall specifically review the timing for the installation of signals. It shall also make recommendations regarding ongoing monitoring of this intersection. The owner will be responsible for carrying out the ongoing monitoring to the satisfaction of the Town. The owner shall agree to install underground ducts for signals at this intersection when the intersection is initially constructed. The owner shall agree to make financial arrangements with the Region of York with respect to the cost to design and construct the signals such that the Town of Newmarket will not be responsible for any costs associated with this work.
- (46) The owner shall design a 3 metre wide asphalt trail (complete with a 1 metre recovery zone on each side of the trail) along with a 1.8 metre wide concrete sidewalk along the north side of Davis Drive. The limits shall be from the east limit of the plan of subdivision to the west side of the existing channel connecting to the existing or future trail and sidewalk as determined by the Director of Engineering Services. The owner shall be financially responsible for the cost to design and construct the trail and sidewalk.
- (47) The owner shall agree that a holding provision (H) shall be placed on the zoning of lots 71 to 91. The H will be not be removed until such time as the owner has demonstrated to the satisfaction of the Town's Director of Engineering Services that the lots can be graded in accordance with the Town's Engineering Standards.
- (48) Prior to the first engineering submission the owner shall submit an updated Functional Servicing Report prepared by a qualified professional to the satisfaction of the Town's Director of Engineering Services. The owner shall agree in the Subdivision Agreement to carry out, or cause to be carried out, the recommendations set out in the approved report, to the satisfaction of the Town.
- (49) Prior to any disturbance taking place on site the owner shall submit and updated Environmental Site Assessment in accordance with Table 1 Mandatory Requirements for Phase One Environmental Site Assessment Reports in Part VI of Schedule D of Ontario Regulation 153/04, as amended.



Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 14

**Regional Municipality of York Conditions**

- (50) The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the Town of Newmarket and York Region.
- (51) Prior to final approval, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the Town of Newmarket for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
- (52) The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the Town of Newmarket and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- (53) Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Capital Planning and Delivery Branch for review.
- (54) The Owner shall agree in the Subdivision Agreement that any direct connection to a York Region water or wastewater system requires Regional approval prior to construction, and engineering drawings showing details of the connection shall be submitted to the Capital Planning and Delivery Branch for approval.
- (55) For all lands, the Holding (H) provisions of Section 36 of the *Ontario Planning Act* shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the *Ontario Planning Act*. The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:
  - The Town of Newmarket approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be

## APPENDIX "A"

Conditions of Draft Approval  
 Plan of Subdivision 19TN 2013-003  
 Sundial Homes Davis (Limited).  
 Page 15

completed within a time period acceptable to the Region (usually 6 to 36 months depending on the complexity of the development) to permit the plan registration; or,

- The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Town of Newmarket allocates the capacity to this development.

- (56) Prior to final approval, should any of the following land uses be proposed in association with the draft plan of subdivision application, York Region requires the completion and submission of a Risk Determination and Risk Management Plan to the Water Resources Branch of the Environmental Services Department. These land uses include the storage or manufacture or use of:
- a) Petroleum-based fuels and or solvents;
  - b) Pesticides, herbicides, fungicides or fertilizers;
  - c) Construction equipment;
  - d) Inorganic chemicals;
  - e) Road salt and contaminants as identified by the Province;
  - f) The generation and storage of hazardous waste or liquid industrial waste, and waste disposal sites and facilities;
  - g) Organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials; and,
  - h) Snow storage and disposal facilities.

The Risk Assessment and Risk Management Plan documents must follow the York Region document *Guidance for Proposed Developments and Wellhead Protection Areas in The Regional Municipality of York (May 2013)*.

- (57) Given the proximity of the subject site to York Region municipal production wells, prior to final approval, the Owner shall conduct a subsurface investigation to identify any need for dewatering and/or groundwater depressurization, and where applicable, submit a detailed dewatering plan prepared by a qualified professional to the Region for approval.
- (58) Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report outlining the required Regional road improvements for this subdivision. The report, submitted to the Transportation and Community Planning Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 16

- (59) Prior to final approval, the Owner shall provide a written undertaking, to the satisfaction of the Transportation and Community Planning Department that the Owner agrees to implement the recommendations of the functional transportation report/plan as approved by the Transportation and Community Planning Department.
- (60) Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to the Community Planning Branch, Attention: Manager, Development Approvals, that includes the following drawings:
- a) Plan and Profile for the York Region road and intersections;
  - b) Grading and Servicing;
  - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
  - d) Construction Access Design;
  - e) Utility and underground services Location Plans;
  - f) Signalization and Illumination Designs;
  - g) Line Painting;
  - h) Traffic Control/Management Plans;
  - i) Erosion and Siltation Control Plans;
  - j) Landscaping Plans, including tree preservation, relocation and removals;
  - k) Requirements of York Region Transit/Viva
- (61) Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to the Transportation and Community Planning Department, Attention: Mrs. Eva Pulnicki, P.Eng.
- (62) Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Transportation and Community Planning Department and illustrated on the Engineering Drawings.
- (63) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that all existing driveways along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 17

- (64) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department that elevations along the streetline shall be 0.3 metres above the centreline elevations of the York Region roadway, unless otherwise specified by the Transportation and Community Planning Department.
- (65) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that the Owner will provide the installation of visual screening between Street 'G' and Davis Drive and Street 'B' and Davis Drive consisting of either a screening fence or a combination of a berm and appropriate planting, to a minimum of 1.8 metres in height, to be located within the right-of-way of Street 'G' and 'B'. The Owner shall submit to the Transportation and Community Planning Department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
- (66) Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
- a) All existing woody vegetation within the York Region road right of way,
  - b) Tree protection measures to be implemented on and off the York Region road right of way to protect right of way vegetation to be preserved,
  - c) Any woody vegetation within the York Region road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road rights of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
  - d) A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed and included in the Subdivision Agreement, they will require the approval of the Town and be supported by a

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 18

Maintenance Agreement between the Town and the Region for Town maintenance of these features; any such Maintenance Agreement should indicate that where the area municipality does not maintain the feature to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.

- (67) Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Transportation and Community Planning Department recommending noise attenuation features.
- (68) The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Transportation and Community Planning Department.
- (69) The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department, that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
- (70) The following warning clause shall be included in a registered portion of the Subdivision Agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".
- (71) Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in the Subdivision Agreement, in wording satisfactory to York Region's Transportation and Community Planning Department, as follows:
  - a) That no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 19

- b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
  - c) That maintenance of the noise barriers and fences bordering on York Region right-of-ways shall not be the responsibility of York Region; and
  - d) That any landscaping provided on York Region right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the Transportation and Community Planning Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
- (72) Prior to final approval, the Owner shall agree that the following lands will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:
  - a) A widening across the full frontage of the site where it abuts Davis Drive West (Regional Road No. 31) of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of Davis Drive West, and
  - b) A 15.0 metre by 15.0 metre daylight triangle at the NE and NW corners of Davis Drive West and William Booth Avenue, and
  - c) A 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Davis Drive West and adjacent to the above noted widening, and
  - d) An additional 2.0 metre widening, 40.0 metres in length, together with a 60.0 metre taper for the purpose of a westbound right turn lane at the intersection of Davis Drive West and William Booth Avenue,
- (73) Prior to final approval, the Owner shall agree to prepare and submit to the Transportation and Community Planning Department for review and approval, a draft reference plan detailing 0.3 metre reserves adjacent to the throat and daylight triangles at Davis Drive and William Booth Avenue, that is required to be lifted to provide legal access to William Booth Avenue.
- (74) Prior to final approval, in order to determine the property dedications required to achieve the ultimate right-of-way width of Davis Drive West abutting the subject site, the applicant shall submit a recent plan of survey for



## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 20

the property that illustrates the existing centre line of construction of Davis Drive West.

- (75) Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
- (76) Prior to final approval, York Region requires the Owner to submit to it, in accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 *Records of Site Condition Part XV.1 of the Act* (as amended), a Phase I environmental site assessment prepared and signed by a qualified professional, of the Owner's lands and more specifically of the lands to be conveyed to York Region (the "Assessment"). Based on the findings and results of the Assessment, York Region may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required. The Assessment and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands to be conveyed must be addressed to York Region, contain wording to the effect that York Region shall be entitled to rely on such reports or documentation in their entirety, and such reports or documentation shall be satisfactory to York Region.
- (77) Prior to final approval, the Owner shall certify, in wording satisfactory to the Transportation and Community Planning Department, that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous good, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under all lands to be conveyed to York Region (including soils, substrata, surface water and groundwater, as applicable): (i) at a level or concentration that exceeds the *Environmental Protection Act* O. Reg. 153/04 full depth generic site condition standards applicable to the intended use that such lands will be put by York Region at the time of conveyance or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or emanating from such lands in such a way, that would result in liability under applicable environmental laws. The Assessment, any subsequent environmental reports or other documentation and the Owner's certification shall be done at no cost to York Region.
- (78) The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department, to be responsible

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 21

to decommission any existing wells on the owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the area municipality.

- (79) The Owner shall agree, prior to the development approval of Blocks 157, 132, Lots 1, 102, Blocks 103 and 108, that accesses to the above Blocks and lots shall be via local streets and no direct access shall be permitted to Davis Drive West.
- (80) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department that William Booth Avenue shall be designed to intersect Davis Drive West at a right angle, or on a common tangent and aligned with future entrance for Marianneville Developments (Glenway) at the south side of Davis Drive.
- (81) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that the throat width of William Booth Avenue shall be designed to accommodate one 5.0 metres inbound lane, 2.0 metre median island and two 3.5 metre outbound lanes for a distance of 60.0 metres from the widened limit of William Booth Avenue; no intersection or non-residential access shall be permitted on William Booth within 60.0 metres of the widened limit of William Booth Avenue
- (82) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning, that the right-of-way width of William Booth Avenue shall meet the requirements of the Town of Newmarket, including the pavement width of William Booth Avenue as noted in Condition 81.
- (83) Prior to final approval, the intersection of Davis Drive West and William Booth Avenue shall be designed to the satisfaction of the Transportation and Community Planning Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the Transportation and Community Planning Department.
- (84) Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right of

## APPENDIX "A"

Conditions of Draft Approval  
 Plan of Subdivision 19TN 2013-003  
 Sundial Homes Davis (Limited).  
 Page 22

Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.

(85) The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department that the Owner will be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

(86) Prior to final approval, the Owner shall submit engineering plans for York Region's approval that identify on the plans the Transit requirements.

(87) Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadway listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto roadway that have transit services.

Existing YRT/Viva transit services operate on the following roadway in the vicinity of the subject lands:

- Davis Drive

(88) Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation Services Department and the area municipality that the services to be installed by the Owner within or in conjunction with the Plan will provide a concrete pedestrian access connection from the internal roadway to the Regional roadway as follows:

- Connecting 'Street A' to the sidewalk on Davis Drive (across from either Blocks 107, 105, or 149)
- Connecting 'Street E' to the sidewalk on Davis Drive (across from Block 131)

## APPENDIX "A"

Conditions of Draft Approval  
 Plan of Subdivision 19TN 2013-003  
 Sundial Homes Davis (Limited).  
 Page 23

The concrete pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the area municipality.

- (89) The Owner shall agree in the Subdivision Agreement to convey lands to the local municipality to provide for such pedestrian access connection referred to in Condition 88 above.
- (90) The Owner shall satisfy the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide passenger standing areas/shelter pads identified below and shall be installed to the satisfaction of the local municipality and York Region Transit. The Region confirms that all such passenger standing areas/shelter pads shall be owned and maintained by the Region and that the local municipality shall have no responsibility for those, notwithstanding that they may be included in the Subdivision Agreement.

Subject to approval by YRT/Viva, passenger standing areas and shelter pads shall be provided at the following locations:

ON Street	AT Street	Location	Standard	Traffic Signal Request
Davis Drive (Westbound)	William Booth Avenue	NE Corner (Block 102)	YRT-1.02	Yes
Davis Drive (Westbound)	Street H	Across from Block 131	YRT-1.02	

The passenger standing areas/shelter pads shall be provided at no cost to York Region and shall be provided concurrently with construction of necessary sidewalks. The Owner may apply for a development charge credit, in accordance with the York Region - Road Works development charge credit guideline for passenger standing areas and shelter pads.

Landscaping should not interfere with the bus stops, passenger standing areas, shelters or corner sightlines. Bus stops located in front of the employment areas shall be incorporated into the landscape design.

**113**  
**APPENDIX "A"**

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 24

The bus stop locations determined during the design phase are subject to change. Prior to construction of the passenger standing areas/shelter pads, the Owner/consultant shall confirm with YRT/Viva the final bus stop locations/requirements. The Owner/consultant is to contact YRT/Viva Facilities Supervisor (tel. 905-762-2111) to confirm final details.

- (91) Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk locations, concrete pedestrian access, passenger standing areas and shelter pads to the satisfaction of York Region.
- (92) The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the existing transit services in this development as identified in Condition 90. This includes current transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT/Viva route maps and the Future Plan maps are available from YRT/Viva upon request.
- (93) The Owner shall satisfy the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have transit services, sidewalks, pedestrian access and bus stop locations.
- (94) Prior to final approval, the Owner shall agree to provide direct shared walking and cycling connections from Street 'A', Street 'E' and William Booth Avenue to Davis Drive to promote the usage of non-auto travel modes.
- (95) Prior to final approval, the Owner shall agree to protect for a future vehicular connection to Upper Canada Mall as per the Newmarket Urban Centres Secondary Plan.
- (96) Prior to final approval, the Owner shall agree to provide direct pedestrian access from the proposed development to Upper Canada Mall to support active transportation.
- (97) Prior to final approval, the Owner shall agree to implement all measures and initiatives recommended in the supporting Transportation Impact Study (TIS) to support active transportation and public transit.

## APPENDIX "A"

Conditions of Draft Approval  
 Plan of Subdivision 19TN 2013-003  
 Sundial Homes Davis (Limited).  
 Page 25

- (98) Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Regional Transportation and Community Planning Department, outlining all requirements of the Regional Transportation and Community Planning Department.
- (99) The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

**York Region District School Board**

- (100) That prior to final approval, the owner shall have made Agreement satisfactory to the York Region District School Board for the transfer of a public elementary school site. The public elementary school site, Block 163, shall contain not less than 2.731 hectares (6.7 acres).
- (101) That the owner shall agree in the Subdivision Agreement in wording satisfactory to the York Region District School Board:
  - i) to grade Block 163 and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
  - ii) to remove any buildings on Block 163;
  - iii) to remove trees, as required to accommodate school layout;
  - iv) to provide a letter of credit pertaining to stockpiling and removal of topsoil, by taking the volume of topsoil to be stored upon the school site and multiplying such volume by 200% of the current market prices for waste material disposal, as set forth in the latest version of Hanscomb's Yardsticks for Costing, Cost Data for the Canadian Construction Industry, to the satisfaction of the York Region District School Board;
  - v) to remove stockpiled topsoil within 30 days of written notice by the Board and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
  - vi) to construct a galvanized chain link fence, Type II 1 ½ " mesh, 1.8 m high along all boundaries of the school blocks, including road frontage(s) at the discretion of the Board;

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 26

- vii) to construct the fences prior to the issuance of building permits for Phase 1 of the subdivision;
  - viii) to erect and maintain a sign on the public school site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
  - ix) to provide a geotechnical investigation and Phase 1 and Phase 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of eight boreholes shall be required and for a secondary school site a minimum of sixteen boreholes shall be required;
  - x) to provide the foregoing at no cost to the Board;
  - xi) to assume any upstream and downstream charges for hydro, natural gas, sanitary and storm drainage, and water supply.
102. That the owner shall submit to the York Region District School Board, at no cost to the Board, a letter from a qualified consultant concerning:
- i) the suitability of Block 163 for school construction purposes, relating to soil bearing factors, surface drainage, topography and environmental contaminants; and
  - ii) the availability of natural gas, electrical, water, storm sewer and sanitary sewer services.
103. That the owner shall agree in the Subdivision Agreement, in wording acceptable to the York Region District School Board that the services referred to in 102 ii) shall be installed to the mid-point of the frontage of the elementary school site and positioned as designated by the Board, at no cost to the Board.
104. That prior to final approval, the owner shall submit to the School Board an initial set of engineering plans for review and approval, and subsequently, a copy of the final engineering plans as approved by the Town of Newmarket which indicate the storm drainage system, utilities, and the overall grading plans for the complete subdivision area.
105. That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that adequate electrical capacity will be supplied to the school site frontage by the developer at no cost to the Board.
- a) That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that they are satisfied that payment for any upstream and downstream charges will be made by the original developer.



Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 27

b) That the subdivision agreement include warning clauses advising the Town of Newmarket, property owners and purchasers of lots within the draft plan that unless the provincial funding model provides sufficient funds to construct new schools, there can be no assurance as to the timing of new school construction nor a guarantee that public school accommodation will be provided within the subject plan notwithstanding the designation of the school site.

c) That the York Region District School Board shall advise that conditions a) to h) inclusive have been met to its satisfaction. The clearance letter shall include a brief statement detailing how each condition has been satisfied or carried out.

#### **Lake Simcoe Region Conservation Authority**

- (106) Prior to final Plan approval and any major site alteration, the following shall be prepared to the satisfaction of the Lake Simcoe Region Conservation Authority:
- A detailed Stormwater Management Report
  - A detailed Erosion and Sedimentation Control Plan
  - A detailed Grading and Drainage Plan
  - A detailed landscaping plan for the proposed stormwater pond
  - A detailed geotechnical report for the proposed stormwater pond; and
  - A detailed Rainscaping Report demonstrating the means to maximize the use of low impact development measures consistent with Policy 1.6.6.7 of the Provincial Policy Statement
- (107) Prior to final plan approval, a detailed Water Balance Assessment in accordance with the LSRCA Hydrogeological Assessment Submission Guidelines shall be prepared to the satisfaction of the LSRCA and the Town of Newmarket demonstrating how the anticipated changes in water balance from the pre-development to post development will be minimized in accordance with Designated Policy 4.8d. of the Lake Simcoe Protection Plan.
- (108) The Owner shall agree in the Subdivision Agreement to carry out or cause to be carried out the recommendations and requirements contained within the plans and reports as approved by the LSRCA.

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 28

- (109) The Owner shall agree in the Subdivision Agreement to retain a qualified professional to certify in writing that the works were constructed in accordance with the plans and reports as approved by the LSRCA.
- (110) The Owner shall agree in the Subdivision Agreement to ensure that proper erosion and sediment control measures will be in place in accordance with the approved Grading and Drainage Plan, and Erosion and Sediment Control Plan prior to any site alteration or grading.
- (111) The Owner shall agree in the Subdivision Agreement to maintain all existing vegetation up until a minimum of 30 days prior to any grading or construction on-site in accordance with 4.20b.-DP of the Lake Simcoe Protection Plan.
- (112) The Owner shall agree in the Subdivision Agreement to grant any easements required for storm water management purposes to the Town.
- (113) Prior to final plan approval, the Owner shall pay all development fees to the LSRCA in accordance with the approved fees policy, under the Conservation Authorities Act.
- (114) Prior to final plan approval, the Owner shall obtain a permit from the LSRCA for any development with an area subject to Ontario Regulation 179/06 under the Conservation Authorities Act.

**Newmarket Hydro**

- (115) The Owner shall agree in the subdivision agreement to make such arrangements as are satisfactory to Newmarket Hydro for the provision of hydro-electric servicing, both overhead and underground and to convey such lands and/or easements as may be required, at no cost and free from encumbrances.

**Bell**

- (116) The Owner agrees to provide one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunications facilities are located to the street line.

## APPENDIX "A"

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 29

**Canada Post**

- (117) The Owner shall agree in the subdivision agreement to consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
- (118) The Owner shall agree in the subdivision agreement to include in all offers of purchase and sale a statement advising prospective purchasers that mail delivery will be from a designated Community Mailbox and to include the exact locations (list of lot numbers) of each of these Community Mailbox locations; and further advise any affected homeowners of any established easements granted to Canada Post.
- (119) The Owner shall agree in the subdivision agreement to provide the following for each Community Mailbox site and to include these requirements on appropriate servicing plans:
  - (a) an appropriately sized sidewalk section (concrete pad), as per Canada Post specifications to place the Community Mailbox;
  - (b) any required walkway across the boulevard, as per Town of Newmarket standards; and
  - (c) any required curb depressions for wheelchair access.
- (120) The Owner shall agree in the subdivision agreement to determine and provide a suitable temporary Community Mailbox location(s) to be "fit up" prior to first occupancy, which may be utilized by Canada Post until the criteria identified in Condition No. 119 is completed at the permanent Community Mailbox site location(s). The developer further agrees to "fit up" the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time.

**Enbridge Gas**

- (121) The Owner shall agree in the subdivision agreement to be responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 30

- (122) The Owner shall agree in the subdivision agreement to construct streets in accordance with composite utility plans previously submitted and approved by all utilities.
- (123) The Owner shall agree in the subdivision agreement to grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.
- (124) The Owner shall agree in the subdivision agreement to provide current town approved road cross-sections showing all Utilities in the configuration proposed for all of the street widths within the development.

Other

- (125) Final approval for registration may be issued in phases provided that:
  - a) phasing is proposed in an orderly progression; and
  - b) all agencies agree to registration by phases and provide clearances as required in Conditions 126 to 131 inclusive, for each phase proposed for registration by the Owner. The required clearances may relate to lands not located within the phase sought to be registered.
- (126) The Town of Newmarket shall advise that Conditions 1 to 49 inclusive and Conditions 125 to 133 inclusive have been satisfied.
- (127) The Region of York shall advise that Condition 3 and Conditions 50 to 99 inclusive have been satisfied.
- (128) The York Region District School board shall advise that Conditions 100 to 105 inclusive have been satisfied.
- (129) The Lake Simcoe Region Conservation Authority shall advise that Conditions 106 to 114 inclusive have been satisfied.
- (130) Newmarket Hydro shall advise that Condition 115 has been satisfied.
- (131) Bell shall advise that Condition 116 has been satisfied.

Conditions of Draft Approval  
Plan of Subdivision 19TN 2013-003  
Sundial Homes Davis (Limited).  
Page 31

(132) Canada Post shall advise that Conditions 117 to 120 inclusive have been satisfied.

(133) Enbridge Gas shall advise that Conditions 121 to 124 inclusive have been satisfied.

ISSUED at Newmarket this     day of                     , 2014.

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

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

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

1. A COPY OF THE EXECUTED SUBDIVISION AGREEMENT
2. A COPY OF THE DRAFT M-PLAN
3. A LETTER FROM THE DEVELOPER'S PLANNING CONSULTANT DETAILING HOW EACH LSRCA CONDITION OF DRAFT APPROVAL HAS BEEN FULFILLED TO THE SATISFACTION OF THE CONSERVATION AUTHORITY.



**Corporate Services Commission – Legislative Services**  
 TOWN OF NEWMARKET  
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September 8, 2014

## **CORPORATE SERVICES REPORT - LEGISLATIVE SERVICES 2014-05**

**TO:** Committee of the Whole

**SUBJECT:** Canadian Coalition of Municipalities Against Racism and Discrimination (CCMARD) Action Plan

**ORIGIN:** Lisa Lyons, Deputy Clerk

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### **RECOMMENDATIONS**

**THAT Corporate Services Report – Legislative Services 2014-05 dated September 8th, 2014 regarding “Canadian Coalition of Municipalities Against Racism and Discrimination Action Plan” be received and the following recommendations be adopted:**

- 1) THAT Council endorse the Town of Newmarket CCMARD (Canadian Coalition of Municipalities Against Racism and Discrimination) Action Plan (attached as Appendix A),**
- 2) AND THAT staff forward the endorsed CCMARD Action Plan to the Canadian Commission for UNESCO in support of the Ten Common Commitments.**

### **COMMENTS**

#### **Purpose**

The purpose of this report is to seek Council endorsement of the CCMARD Action Plan for submission to the Canadian Commission for the United Nations Education, Scientific and Cultural Organization (CC UNESCO). The Town is obligated to provide an Action Plan to the Canadian Commission for UNESCO as a member of the CCMARD.

The Action Plan is a document administered by staff and approved by Council. It is comprised of existing policies and initiatives in support of the Ten Common Commitments of the CCMARD, both completed and planned.

#### **Background**

CCMARD is a program of the Canadian Commission for UNESCO which aims to address racism and other forms of discrimination at the local level by building a network of supportive municipalities, sharing best practices and strengthening policies to counter discrimination and encourage social inclusion.

The core of the CCMARD initiative is the endorsement of the Ten Common Commitments which identify the broad objectives and activities, where applicable, including:



1. Increase vigilance against systemic and individual racism and discrimination.
2. Monitor racism and discrimination in the community more broadly as well as municipal actions taken to address racism and discrimination.
3. Inform and support individuals who experience racism and discrimination.
4. Support policing services in their efforts to be exemplary institutions in combatting racism and discrimination.
5. Provide equal opportunities as a municipal employer, service provider and contractor.
6. Support measures to promote equity in the labour market.
7. Support measures to challenge racism and discrimination and promote diversity and equal opportunity in housing.
8. Involve citizens by giving them a voice in anti-racism initiatives and decision-making.
9. Support measures to challenge racism and discrimination and promote diversity and equal opportunity in the education sector and in other forms of learning.
10. Promote respect, understanding and appreciation of cultural diversity and the inclusion of Aboriginal and racialized communities into the cultural fabric of the municipality.

Council endorsed the Ten Common Commitments on April 8<sup>th</sup>, 2012, and directed staff to report to the Committee of the Whole with a Action Plan in support of the Ten Common Commitments, following input from the Inclusivity Advisory Committee.

#### Action Plan in Support of the Ten Common Commitments

The Action Plan is intended to be a record of initiatives at the Town which are in support of the Ten Common Commitments.

CC UNESCO recommends the following steps be taken to develop an Action Plan in support of the Ten Common Commitments:

1. Develop an inventory of current practices, policies and initiatives in support of the Ten Commitments, with input from appropriate stakeholders.
2. Identify strengths, weaknesses and gaps.
3. Develop and seek input on a draft Action Plan from the appropriate stakeholders such as the Inclusivity Advisory Committee. No specific Action Plan format or content is prescribed by CC UNESCO.
4. Seek council endorsement of the Action plan and submit the Action Plan to CC UNESCO.
5. Implement actions and report on progress to CC UNESCO.



The Acton Plan implementation process is presently at step number four (4).

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

CCMARD Membership is an opportunity to support the Town's strategic direction of a Well-Balanced Community by striving for cultural harmony and ethnic diversity.

### **CONSULTATION**

The Inclusivity Advisory Committee (IAC) was consulted throughout the development of the CCMARD Action Plan. Staff across the organization, including the Operational Leadership Team, were consulted for information purposes.

### **HUMAN RESOURCE CONSIDERATIONS**

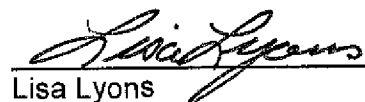
There are no human resources considerations related to this report.

### **BUDGET IMPACT**

There are no budget impacts related to this report.

### **CONTACT**

For more information on this report, please contact Lisa Lyons, Deputy Clerk at [ll Lyons@newmarket.ca](mailto:ll Lyons@newmarket.ca) or at 905 953-5300, ext. 2203.



Lisa Lyons  
Deputy Clerk, Legislative Services



Andrew Brouwer  
Director of Legislative Services



Anita Moore  
Commissioner of Corporate Services

# CCMARD ACTION PLAN



Canadian Coalition of Municipalities Against Racism and Discrimination

Newmarket

## 1. Vigilance against systemic and individual racism and discrimination.

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>The Core Corporate Values of the Town of Newmarket align with the CCMARD commitments. These values, which consist of Accountability, Accessibility, Respect and Integrity, are threaded into all Town policies. The Town's <b>Strategic Plan</b> provides a policy framework which values inclusivity, celebrates multiculturalism and a strong community spirit.</li> <li>The <b>Employee Code of Conduct</b> policy directs employees to conduct themselves with honesty, integrity, diligence and political neutrality.</li> </ul>	<ul style="list-style-type: none"> <li>Newmarket is a member of the <b>York Region Community Partnership Council (CPC)</b>. The CPC is comprised of community leaders across all sectors and its objective is to support the overall well-being of newcomers in an inclusive and welcoming community.</li> <li>All Town reports and corporate policies include a section that outlines the link between the report/policy and the <b>Strategic Plan</b>. This ensures that all Town policies are considered within the framework of the <b>Core Corporate Values</b>.</li> <li>The Town has a <b>Council Code of Conduct</b>, which establishes standards for appropriate conduct for Members of Council, in addition to existing in provincial and federal legislation.</li> </ul>

## 2. Monitor racism in the community and municipal actions taken to address racism and discrimination.

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>• In compliance with the Integrated Accessibility Standards Regulation (IASR), the Town has developed a <b>Multi-year Accessibility Plan 2013-2017</b>. This Accessibility Plan outlines an implementation plan for initiatives to increase accessibility at the Town. The implementation strategy outlined in this plan identifies both short and long-term accessibility initiatives that are related to the five core standards of: customer service, information and communication, transportation, employment and design of public spaces. The progress of the Plan is reviewed and reported on annually.</li> <li>• The <b>Accessibility Advisory Committee</b> has a mandate to facilitate accessibility for all persons in the Town of Newmarket. The Committee advises Council about accessibility and educates the public for increased sensitivity towards those with different needs.</li> </ul>	<ul style="list-style-type: none"> <li>• Recent activities of the <b>Accessibility Advisory Committee</b> include:             <ul style="list-style-type: none"> <li>○ Worked with staff to develop a new standard for construction of sidewalks adopted by the Town of Newmarket making travelling smoother and safer (removing troweling around expansion joints)</li> <li>○ Worked with staff to provide improved accessibility at Southlake Village from the parking area by additional installation of sidewalks and curb cuts on the north wall.</li> <li>○ Developed signage to remind people to leave accessible washrooms and stalls available for persons who require space.</li> <li>○ Provided advice to make safer pedestrian crossing at certain traffic intersections in Newmarket by making traffic signal times longer</li> <li>○ Provided advice for additional accessible parking spaces to be incorporated in downtown Newmarket</li> <li>○ Provided advice regarding an accessible computer work stations installed at Newmarket Public Library.</li> <li>○ Reviewed and provided advice on site plans for various construction projects (e.g. Old Town Hall redevelopment project) to ensure accessibility features and standards are met</li> <li>○ Provided advice on the Town of Newmarket's annual Accessibility Plan</li> <li>○ Provided advice and reviewed results concerning an <b>Accessible Taxi Service Survey</b> to determine the use of on-demand accessible taxis by persons with disabilities</li> <li>○ Organized and participated in community celebration events held annually during <b>National Access Awareness Week</b></li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Consulted with staff on the development of Town of Newmarket website</li> <li>○ Reviewed and provided advice on the Town of Newmarket Integrated Accessibility Standard Regulation (IARS) Policy</li> <li>○ Provided ongoing public awareness of accessibility</li> <li>○ Assisting the <b>Legislative Services Department</b> in conducting Accessibility Audits of Town facilities designated as voting locations for the 2014 municipal election.</li> </ul>
<ul style="list-style-type: none"> <li>• The <b>Inclusivity Advisory Committee</b> advises the Council of the Town of Newmarket on how to create an inclusive community. The Committee reviews current policies and practices of the Town and provides input on improving the community experience of all residents of the Town.</li> </ul>	<ul style="list-style-type: none"> <li>• The <b>Inclusivity Advisory Committee</b> has led several initiatives to promote the respect and understanding of cultural diversity. This includes:             <ul style="list-style-type: none"> <li>○ Developing a Welcoming Ceremony for new Newmarket residents</li> <li>○ Celebrating the <b>International Day for the Elimination of Racial Discrimination</b></li> <li>○ Hosting a multicultural potluck for Committee members, Members of Council and senior staff</li> </ul> </li> </ul>

### 3. Inform and support individuals who experience racism and discrimination

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>The Town is committed to creating an environment that enhances the dignity and self-worth of its employees. The <b>Harassment and Discrimination Free Workplace</b> policy deals with all workplace harassment including racial discrimination. The policy covers all employees, elected officials, members of boards and committees, and volunteers in their relations to each other. All contractors who do business with the Town will also be informed of the policy. Training in the Harassment and Discrimination Free workplace policy is provided for all staff.</li> </ul>	<ul style="list-style-type: none"> <li>The town recognizes and participates in international, national, and provincially declared events that celebrate inclusion and equality, such as “Pride Week”, “National Access Awareness Week”, “Bullying Awareness Week” and the “International Day for the Elimination of Racial Discrimination”.</li> </ul>

#### 4. Support policing services and their efforts to be exemplary institutions in combating racism and discrimination

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>• The Town of Newmarket works with the York Region Police as well as other area law enforcement bodies and relevant justice related services, including educational and awareness programs for anti-racism and anti-discrimination.</li> <li>• Newmarket Municipal Law Enforcement officers follow the <b>Municipal Law Enforcement Officer's Code of Ethics</b>. This document states that Municipal Law Enforcement Officers "will enforce the law courteously and appropriately without fear or favour, malice or ill will".</li> <li>• All Property Standards Officers, including the Property Standards Officers at the Town of Newmarket are subject to the <b>Ontario Association of Property Standards Officers Code of Ethics</b>, which stipulates that a Property Standards Officer shall act at all times with "devotion to high ideals of personal honour and professional integrity".</li> </ul>	<ul style="list-style-type: none"> <li>• The Town's <b>Anti-Graffiti By-law</b> stipulates that the Town must remove graffiti on Town property and that property owners must remove graffiti on their own property. As a policy, the Town must remove any "hateful" graffiti on Town property as soon as possible. Residents can report graffiti on the Town of Newmarket website, and graffiti that is hateful or offensive is flagged and given top priority.</li> <li>• The Town's <b>By-law Enforcement Officers</b> engage in community outreach to educate the public about property standards by-laws and the role of Property Standards Enforcement Officers. This includes attending community events, providing communication materials, social media outreach and public information meetings.</li> </ul>

## 5. Provide equal opportunities as a municipal employer, service provider and contractor.

Existing policies	Related actions, completed and planned
Employer	Employer
<ul style="list-style-type: none"> <li>• <b>Employment</b> at the Town of Newmarket is merit-based and non-discriminatory. These principles are implemented through Human Resources Corporate policies, such as the <b>Violence Free Workplace, Harassment &amp; Discrimination Free Workplace</b> policy and the <b>Recruitment and Selection</b> policy.</li> <li>• All Town of Newmarket employees receive mandatory Orientation training which includes Respect in the Workplace, Corporate Policies, Accessibility Policies and Programs, Employee and Council Codes of Conduct, Health and Safety in the workplace. Employees have supplemental training regarding inclusivity and diversity, depending upon their role.</li> <li>• Town of Newmarket policies comply with provincial and federal legislature (and in some cases, exceed minimum legislative requirements) on equity in employment including the <i>Ontario Human Rights Code</i>.</li> <li>• The <b>Committee Public Appointment Policy</b> provides guidance to Council, staff and applicants on the principles and procedures governing the recruitment and appointment practices for all Committees of the Town of Newmarket. This ensures that a fair and equitable application and selection process.</li> <li>• Council adopted the <b>Canadian Code of Volunteer Management</b> in principle to guide public appointments. The Canadian Code of Volunteer Involvement is a framework for establishing values and guiding principles for how volunteers and organizations can engage with each other. The Canadian Code of Volunteer Management promotes volunteer recruitment that incorporates a broad range of internal and</li> </ul>	<ul style="list-style-type: none"> <li>• Many Town employees enjoy a flexible work schedule which allows time off for personal and/or religious commitments.</li> <li>• Employees who have contact with the general public have their diversity/sensitivity training augmented depending upon their role.</li> <li>• Town employees have access to a range of learning and development activities such as courses on self-improvement and effective leadership (including supporting an inclusive and positive work environment).</li> <li>• The “<b>Turn your Views into Votes</b>” campaign will outreach to community organizations to ensure that election information, election procedures and election official recruitment is accessible to persons with disabilities and culturally sensitive and accommodating whenever possible.</li> <li>• Beginning in 2014, all Town of Newmarket employees are required to attend a <b>Mental Health Awareness</b> workshop. These workshops are part of the corporate objective of educating around Mental Health in the workplace.</li> <li>• The <b>Employee Relations and Internal Communications Committee</b> (“ERIC”) works to support a positive and inclusive work environment. <ul style="list-style-type: none"> <li>○ ERIC also maintains an Employee Assistance Fund, which provides confidential financial assistance to employees in need.</li> <li>○ ERIC provides a voice for Newmarket employees in various committees.</li> <li>○ ERIC holds special events for employees like the Egg Breakfasts, Chili Luncheons, etc.</li> </ul> </li> <li>• In 2012, the Town of Newmarket conducted an Employee</li> </ul>



<p>external strategies to reach out to diverse sources of volunteers.</p> <ul style="list-style-type: none"> <li>• The <b>Employee Relations and Internal Communications Committee</b> ("ERIC") has a mandate to improve internal communications, strengthen employee relations and ensure equity and fairness exists in all areas of the organization. The committee is composed of non-management, non-union employees from across the organization.</li> <li>• The <b>Employee Leaders in Town Excellence (E.L.I.T.E.)</b> is an employee recognition program created to recognize the efforts, accomplishments and excellence of staff who demonstrate some, or all, of the Corporation's Core Values in the execution of their duties. This is in support of creating a culture to create a more supportive and committed workplace.</li> </ul>	<p>Engagement Survey to determine the level of employee engagement at the Town. The findings of this survey will form an action plan to help direct future Town policies.</p>
<p><b>Service Provider</b></p> <ul style="list-style-type: none"> <li>• The <b>Accessibility Advisory Committee</b> has a mandate to facilitate accessibility for all persons in the Town of Newmarket. The Committee advises Council about accessibility and educates the public for increased sensitivity towards those with different needs.</li> <li>• The Town's Corporate Policy regarding <b>Accessibility Standards for Customer Service</b> is an effort to eliminate barriers people have with accessing government services in compliance with the <i>Ontarians with Disabilities Act</i> and relevant regulations. The policy includes information on the following: communication; use of service animals, support persons and assistive devices; notice of service disruptions, availability of documents and feedback processes.</li> </ul>	<p><b>Service Provider</b></p> <ul style="list-style-type: none"> <li>• The <b>Multi-year Accessibility Plan 2013-2017</b> provides an outline of barriers that have been identified in Town services/facilities, and what has been done to address these barriers (both completed and planned). The Accessibility Plan is essentially a roadmap to how and when the municipality will meet Ontario's accessibility requirements, and how the Accessibility Committee has worked with staff and Council to review and provide feedback on how this work will occur in the years ahead.</li> <li>• The <b>Customer Service Department</b> utilizes a number of resources in order to provide accessible services. <ul style="list-style-type: none"> <li>○ Customers who are hearing impaired are accommodated through a Bell language service</li> </ul> </li> </ul>

- Under the Accessibility for Ontarians with Disabilities Act (AODA) the Town's **Integrated Accessibility Standards Regulation (IASR)** policy establishes standards for accessibility in the procurement of goods and services, training, information and communication, employment and transportation standards.

- which the Town subscribes to. Bell acts as a translator for people who are hearing impaired.
- The Customer Service department is physically designed to accommodate those who use wheelchairs and walkers.
    - The department maintains a list of employees who are multilingual in order to better serve customers whose first language isn't English.
    - Customer service associates have had ESL training in the past. This training was concerning how to help people who speak English as a second language over the phone.
  - The **Communications Department** ensures that information booklets and other resources are available in alternative formats (including different languages) upon request.
  - The **Recreation and Culture Department** ensures that different cultural norms are accommodated to allow for the enjoyment and use of the Town's facilities by everyone.
    - For example, women who do not swim or use the pool facilities in the presence of males are allotted a specific time for them to swim where their needs will be accommodated.
  - The Town recently installed automatic sliding doors to the main entrance at the Municipal Offices. The Town received an Enabling Accessibility Grant from the federal government in order to complete the project, which improves the physical accessibility of the Municipal Offices for people with disabilities.

Contractor	Contractor
<ul style="list-style-type: none"> <li>As public purchasers, the <b>Procurement Department</b> team is a member of two associations which have codes of ethics which the Town must adhere to.             <ul style="list-style-type: none"> <li>The <b>Ontario Public Buyers Association</b> Code of Ethics states that Public Purchasers must conduct fair and impartial award recommendations for all contracts and tenders.</li> <li>The <b>National Institute of Government Procurement</b> Code of Ethics stipulates that members “handle all personnel matters on a merit basis, and in compliance with applicable laws prohibiting discrimination in employment on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics”.</li> </ul> </li> <li>The Town has adopted the <b>Public Procurement Principles and Practices</b> into the <b>Procurement by-law</b> (By-law 2014-27). These principles include; Accountability, Ethics, Impartiality, Professionalism, Service and Transparency.</li> </ul>	<ul style="list-style-type: none"> <li>The Town of Newmarket’s <b>Supplier Code of Conduct</b> (SCC) sets the ethical performance expectations of supplier of goods, services or construction to the Town. The purpose of the SCC is to ensure safe and healthy workplaces for the people who provide goods, services and construction for the Town; where human and civil rights conditions are in compliance with the core labour conventions of the International Labour Organization (ILO). It is a requirement that for all Town publicly bid Contracts, Suppliers and their subcontractors/suppliers follow the SCC to the best of their ability in intent and in spirit.</li> </ul>

## 6. Support measures to promote equity in the labour market.

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>As part of Council's <b>Strategic Plan</b>, being <i>Well-equipped and well-managed</i> prioritizes the appropriate mix of jobs to population and people to industry.</li> <li>The <b>Newmarket Economic Development Office</b> has a mandate to design, develop, implement and monitor an economic development strategic for the Town that includes encouraging the retention and expansion of existing business, attracting new industry and employment growth, and developing a marketing strategy aimed at promoting the Town as a premiere investment location.               <ul style="list-style-type: none"> <li>The Town's strategic plan for economic development is outlined in the <b>Economic Development Implementation Plan</b>. This plan states that Newmarket will work to make the town a center of collaboration between "established" and "newcomer" cultural activities.</li> </ul> </li> <li>The <b>Newmarket Economic Development Advisory Committee (NEDAC)</b> is comprised of fourteen business and community leaders plus the Mayor and Regional Councillor. NEDAC provides Council and staff with strategic advice on facilitating and promoting balanced, sustainable, long-term economic growth that will benefit Newmarket and its residents through the attraction, expansion and retention of businesses.</li> </ul>	<ul style="list-style-type: none"> <li>Through the Newmarket Economic Development Advisory Committee (NEDAC) and its Newmarket Downtown Development Subcommittee (NDDS), the Town of Newmarket has established financial incentive programs to support the revitalization of Downtown Newmarket. The incentive package of interest-free loans, grants, property tax credits and other benefits is expected to contribute to the ongoing renewal of the Main Street District.               <ul style="list-style-type: none"> <li>Grants assessment criteria:                   <ul style="list-style-type: none"> <li>Impact on the Downtown Newmarket community:                       <ul style="list-style-type: none"> <li>Contribution of the project to the community</li> <li>Economic and social benefits</li> <li>Community involvement</li> <li>Contribution to visibility and awareness of Main Street</li> </ul> </li> </ul> </li> </ul> </li> </ul>

## 7. Support measures to challenge racism and discrimination and promote diversity and equal opportunity in housing.

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>In the Town of Newmarket's <b>Official Plan</b>, the Town has committed to working towards the affordable housing targets set by York Region.</li> </ul>	<ul style="list-style-type: none"> <li>Newmarket Council has recently adopted the <b>Urban Centres Secondary Plan</b>, which will shape the community's growth over the next 20 years and beyond. The <b>Urban Centres Secondary Plan</b> will include affordable housing targets mandated by York Region. This means that 35% of housing within the Provincial Urban Growth Centre and Higher Density Intensification Area should be affordable and 25% elsewhere in Town.</li> <li>The Town also regulates <b>Accessory Dwelling Units (ADUs)</b>, which are a form of affordable housing. In April of 2013, the by-law regulating ADUs was amended in order to update existing health and safety standards. The adoption of the new by-law was accompanied by community outreach efforts by <b>Legislative Services</b> and <b>Corporate Communications</b> in order to promote and increase ADU registration.</li> <li>The Town offers a <b>Water and Wastewater Rate Rebate Program</b> that is available to any resident paying a Newmarket residential water bill for their property and qualifying for any of the following:             <ul style="list-style-type: none"> <li>the Guaranteed Income Supplement under the Old Age Security Act</li> <li>support under the Ontario Disability Support Program</li> <li>Ontario Works Assistance</li> <li>A similar federal or provincial income support program</li> </ul> </li> </ul> <p>The Water and Wastewater Rate rebate for qualified applicants is \$288.00 per year.</p>

## 8. Involve citizens by giving them a voice in anti-racism initiatives and decision-making.

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>Currently, Newmarket citizens may provide input on anti-racism and accessibility through different Advisory Committees such as the <b>Inclusivity Advisory Committee</b> and the <b>Accessibility Advisory Committee</b>. In addition, the Town recognizes that it is important to facilitate the increased representation of racialized and marginalized communities on municipal boards, committees and commissions.</li> <li>The Town is also a member of the <b>International Association of Public Participation (IAP2)</b>. The Town will continue to uphold the core principles of IAP2, which values meaningful public participation and the promise that the public's contribution will influence the decision.</li> </ul>	<ul style="list-style-type: none"> <li>In order to accommodate voters whose first language is not English or French, Newmarket Council has passed a by-law to include other languages in addition to English and French in order to relay election related information to the general public.</li> <li>Legislative Services staff are working with the <b>York Region Local Immigration Partnership</b> to provide input on the voting process and on a Civic 101 Guide, outlining how government works and the decision making process for newcomers.</li> <li>The <b>"Turn your Views into Votes"</b> communications and public outreach campaign will be promoting the 2014 municipal election. The campaign will be attending community events over the summer of 2014 in order to promote the 2014 municipal election and to educate residents on the voting process. The Town will be collaborating with the Municipal Property Assessment Corporation's <b>VoterlookUp.ca</b> on some public outreach initiatives in order to educate voters on how to ensure they are on the voter's list.</li> <li>The <b>Newmarket Public Library</b> provides the venue for <b>IdeaMarket</b>, a community forum that includes compelling formal and informal presentations, panel discussions and debates. Topics can cover a wide range of ideas on matters that are social, political, or cultural.</li> <li>The <b>Recreation and Culture department</b> works with all user groups to help accommodate their requests based on demand, while taking into account budget impacts, community needs, etc.</li> </ul>

## 9. Support measures to challenge racism and discrimination and promote diversity and equal opportunity in the education sector and other forms of learning.

Existing policies	Related actions, completed and planned
<ul style="list-style-type: none"> <li>• The Town works with local schools on special programs and recreation opportunities.</li> <li>• The <b>Recreation &amp; Culture</b> department and <b>Newmarket Public Library</b> provide a wide variety educational and recreational programs and activities for children and youth that promote inclusion.</li> </ul>	<ul style="list-style-type: none"> <li>• Over 50 students from 9 schools attended a <b>Newmarket Youth Summit</b> to learn about local government and the importance of youth involvement in community matters. Students presented ideas to Council members and engaged in a group discussion.</li> <li>• The <b>Recreation &amp; Culture</b> department provides a wide variety educational and recreational programs and activities for children and youth that promote inclusion.             <ul style="list-style-type: none"> <li>○ Year-round programs for children in recreation and arts &amp; culture. This includes programming in genealogy, painting, cooking, gymnastics and sports.</li> <li>○ The <b>Newmarket Recreation Youth Centre + Sk8 Park</b> offers safe recreational and educational opportunities for patrons of all ages. The Centre provides programming in arts &amp; culture, games and sport.</li> <li>○ The <b>Elman W. Campbell Museum</b> organizes events that educate residents about Newmarket's history. The Newmarket Historical Society and Heritage Newmarket present the <b>Heritage Day: Rebel Heartland 1837</b> event, which features reenactors, battle reenactment, encampment,</li> <li>○ Events like <b>Kids Around Town</b> and <b>Outdoor Discovery &amp; Adventure Night</b> provide exciting educational experiences for families. The <b>Kids Around Town</b> events showcase dance, comedy and cultural performances. At <b>Outdoor Discovery &amp; Adventure Night</b>, participants have the opportunity to learn about the natural</li> </ul> </li> </ul>



environment of Newmarket and surrounding areas.

- Town of Newmarket **Summer Camps** provide valuable educational opportunities for participants. Newmarket offers camps that focus on cooking, literature, art, sports, dance, computer animation, environment science, theatre, filmmaking and community volunteerism. In particular, the **Newmarket Community Camp** focuses on teaching participants how to become active members of their community and become a positive role model.

- The **Newmarket Public Library** provides numerous educational resources and programs for children and leadership opportunities for teens.

- Programs for children include stories, music, art, science and technology.

- The **Reading Buddies** program allows children in grades 1-4 to be paired with a mentor who meets with them for weekly 1-hour sessions, during which they read together and enjoy reading and writing activities. This also allows high school students to act as Mentors and gain leadership skills.

- The **Members of the Council of Advisory Teens (C.A.T.S.)** is comprised of teens from ages 13 – 18. C.A.T.S. meet once a month to work on projects that will help shape the programs and services NPL offers to teens.

- The Library offers a **What Every Babysitter Should Know** course that instructs future babysitters on how to care for infants, toddlers, and older children; what questions to ask parents; how to give first aid and what to do in an emergency.

- The resources of the Library are available for

“homework help”. Students can ask for assistance in conducting research and gathering information for school projects.

# **10. Promote respect, understanding and appreciation of cultural diversity and the inclusion of Aboriginal and racialized communities into the cultural fabric of the municipality.**

Existing policies/initiatives	Related actions, completed and planned
<ul style="list-style-type: none"> <li>One of Council's <b>Strategic Priorities</b> is <i>Community Engagement and Transparency</i> which is defined as, "always making the customer/citizen/client our priority...engage them in decision-making process while fostering an environment of openness".</li> </ul>	
<p><b>Cultural Diversity</b></p> <ul style="list-style-type: none"> <li>The Town's <b>Recreation &amp; Culture</b> department has organized and facilitated numerous events which celebrate the diverse cultural fabric of the municipality.</li> <li>The Town's <b>Cultural Master Plan</b> is an initiative to build better information on the cultural resources in the community, which in turn allows stronger networks and collaboration across a wide range of cultural groups and activities. The Cultural Master Plan includes a number of goals which will work towards promoting arts and culture in Newmarket, with the aim of providing opportunities for the enjoyment of a wide range of cultural activities.</li> <li>The <b>Inclusivity Advisory Committee</b> was formed in 2008 to serve as a resource of council and the community in matters of inclusion and diversity. The committee envisions Newmarket to be an inclusive community where differences are welcome and celebrated and where it's mosaic of citizens are renowned for showing mutual courtesy, dignity and respect. The mission of the</li> </ul>	<p><b>Cultural Diversity</b></p> <ul style="list-style-type: none"> <li>The <b>Recreation &amp; Culture</b> department continues to organize events which celebrate the diverse cultural fabric of the municipality. This includes the <b>Around the World Multicultural Festival</b>, which will showcase multicultural stage shows (music, dance and theatre) and delicious food in the summer of 2014.</li> <li>As part of the Town's <b>Cultural Master Plan</b>, the <b>Recreation &amp; Culture</b> department is creating a <b>Recreation Playbook</b>. This document will guide the future of play in Newmarket and will be based on community feedback. This will allow recreation &amp; culture services to be responsive to the recreational needs of the community, including providing facilities for diverse cultural interests.</li> <li>The <b>Inclusivity Advisory Committee</b> has led several initiatives to promote the respect and understanding of cultural diversity. This includes: <ul style="list-style-type: none"> <li>Developing a Welcoming Ceremony for new Newmarket residents</li> <li>Celebrating the <b>International Day for the Elimination</b></li> </ul> </li> </ul>

<p>committee is to act as an ongoing source of guidance and information to Council and residents, and it facilitates experiences that encourage awareness, promote sharing and understanding, and foster harmony.</p>	<p><b>of Racial Discrimination</b></p> <ul style="list-style-type: none"> <li>○ Hosting a multicultural potluck for Committee members and members of Council</li> </ul> <p><b>Inclusion</b></p> <ul style="list-style-type: none"> <li>● All programs run by the <b>Recreation &amp; Culture</b> department welcome participants with special needs. There are also additional specific programs for those with special needs. Programming offered for the summer of 2014 includes:             <ul style="list-style-type: none"> <li>○ <b>The Newmarket Shredders</b> sledge hockey team</li> <li>○ <b>Sledge Hockey Shinny</b> sessions are held weekly for participant.</li> <li>○ Private swimming lessons with additional support are available.</li> <li>○ Programs for participants with special needs such as <b>The Base Summer</b>, a Lifestyle Enriched Day Program for adults. <b>The Base Summer Camp</b> is a program for young adults that will include physical fitness, swimming, gym games, music, arts, crafts and science discovery.</li> <li>○ <b>The Inclusion Sports and More</b> summer camp is a camp that is focused on participants with special needs. Activities include swimming, play without borders gym time, arts and music.</li> </ul> </li> <li>● <b>Recreation &amp; Culture</b> department plans to celebrate <b>National Access Awareness Week</b> with a full week schedule of activities, such as sledge hockey and wheelchair basketball.</li> </ul>
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	<p style="text-align: center;"><b>Supporting Newcomers</b></p> <ul style="list-style-type: none"> <li>• The <b>Newmarket Public Library</b> provides programs that support newcomers in language, community involvement and continued learning.</li> <li>• The <b>Library</b> hosts a continuous intake York Region District School Board Adult <b>English as a Second Language—</b>Intermediate class. The Library has a collection of English as a Second Language (ESL) audio visual material and books available to the public.</li> <li>• As part of the Southern Ontario Multilingual Poll, the <b>Library</b> provides a collection of books and DVDs in many different languages.</li> <li>• The <b>Library</b> hosts the <b>York Info Community Information &amp; Volunteer Database</b>, which provides access to free community information and resources. This includes resources for Newcomers about community services and volunteer opportunities.</li> <li>• The Library recently hired a <b>Newcomer Orientation Assistant</b> through the Canada Summer Jobs program. The Newcomer Orientation Assistant provides library outreach and tours to newcomer communities and facilitates the translation of basic library info into newcomer languages.</li> </ul>
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September 9, 2014

**CORPORATE SERVICES REPORT –  
LEGISLATIVE SERVICES 2014-18**

TO: Committee of the Whole

SUBJECT: *VivaNext D1 Project (Noise By-law Exemption)*

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

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**RECOMMENDATIONS**

**THAT Corporate Services Report – Legislative Services 2014-18 dated September 9, 2014 regarding vivaNext D1 Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:**

1. **THAT the request from Kiewit EllisDon for a noise exemption to perform necessary works for the vivaNext D1 project between the hours of 10:00 pm to 7:00 am from December 25, 2014 until December 25, 2015 be approved;**
2. **AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.**

**COMMENTS**

This report is to seek Council's approval of request for an exemption from the Noise By-law (By-law 2004-94) from Kiewit EllisDon in regarding to the vivaNext D1 project located at various locations on Davis Drive. Appendix A includes a letter of request from Anthony Fanelli, Civil Field Engineer, Kiewit EllisDon. The request relates to various works to be performed for the vivaNext project. The work is to take place from December 25, 2014 to December 25, 2015.

Attachment "A" outlines details to the request.

**Corporate Services Department**

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The Region's request is to undertake the work at non-peak hours being (10 p.m. through 7a.m.) when the traffic is less congested so as to minimize disruption to businesses and residents

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

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

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

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

### **CONSULTATION**

There was no consultation required in regard to this report.

### **HUMAN RESOURCE CONSIDERATION**

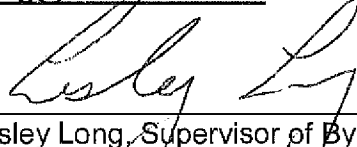
There are no human resources considerations related to this report.


### **BUDGET IMPACT (CURRENT AND FUTURE)**

There are no budget impacts related to this report.

### **CONTACT**

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

  
Lesley Long, Supervisor of Bylaw Enforcement

  
Andrew Brouwer, Director, Legislative Services /Town Clerk

  
Anita Moore, Commissioner of Corporate Services



2014-August-18

Attention: Ms. Janice Bondi

**Subject: 2015 vivaNext Noise By-Law Exemption**

Dear Ms. Janice Bondi,

Please include the following "Noise By-Law Exemption Request" in the addendum report for the next Committee of the Whole meeting:

Kiewit-EllisDon, A Partnership (KED) is respectfully requesting an exemption from the Town's Noise By-Law to perform the following work during irregular working hours:

- Watermain mainline connections
- Hydrant leads and connections
- Sanitary sewer mainline, crossings and connections
- Storm sewer mainline and crossings
- Line markings for construction staging and traffic control set up
- Grinding and paving of roadways, including intersections
- Water pumping at various locations along the Davis Drive corridor
- Boulevard construction
- Western Creek Culvert South Extension
- Roadway operations, including paving
- Installation of temporary and permanent traffic signals
- Keith Bridge North Construction
- Construction of Retaining Walls
- Construction of Station Platforms (Canopies)

This work needs to be done as part of the vivaNext D1 project. This work will take place during the remainder of 2014 and 2015, between December 25, 2014 and December 25, 2015. A portion or all of the operations listed above are required to be performed between the hours of 10pm and 7am in order to reduce traffic congestion and minimize business and public disturbance. York Region Rapid Transit Corporation's Community Liaison Specialists will coordinate advanced communication and notification to the public.





Please let me know if any additional information is required for the Committee of the Whole and the agenda.

Sincerely,

Anthony Fanelli  
Civil Field Engineer, vivaNext | D1 Project  
647-539-3031  
afanelli@ellisdon.com

AF/

September 9, 2014

**CORPORATE SERVICES REPORT –  
LEGISLATIVE SERVICES 2014-19**

TO: Committee of the Whole

SUBJECT: Implementation Considerations, Relief From Sign Permit Fees, Davis Drive and Yonge Street

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

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**RECOMMENDATIONS**

**THAT Corporate Services Report – Legislative Services Report 2014-19 dated September 9, 2014 regarding Implementation Consideration, Relief from Sign Permit Fees, Davis Drive and Yonge Street be received.**

**COMMENTS**

On September 8, 2014, Council passed the following resolution;

- 1) THAT sign permit fees for businesses located on Davis Drive and Yonge Street and streets immediately abutting Davis Drive and Yonge Street impacted by the VivaNext rapid transit expansion project be waived and where applicable, refunded.
- 2) AND THAT a staff report be brought back outlining a recommended implementation procedure and other considerations.

**SCOPE / ASSUMPTIONS**

Staff have considered Council's resolution waiving sign permit fees for businesses on Davis Drive and Yonge Street impacted by the VivaNext rapid transit expansion project and the following scope/assumptions have been identified and staff will proceed as outlined unless otherwise directed by Council.

- 1) Applies to all sign types, including ground, fascia, billboards and portable signs.
- 2) Fees waived will be recovered through the rate stabilization fund.

**Corporate Services Department**

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- 3) All sign permit applicants will be required to comply with the Sign By-law (By-law 2014-11) including adherence to standards and completion of required application forms and related documentation. Sign permit applicants will also be required to comply with any VivaNext requirements. Businesses will no longer be able to place signage on land expropriated by VivaNext without permission from VivaNext.
- 4) The resolution does not include or affect any fees or charges related to the issuance of a sign permit (e.g., Building Permit fees)
- 5) Those businesses on and immediately abutting Davis Drive and Yonge Street impacted by the VivaNext rapid transit expansion project are generally set out in the Construction zone outlined in the map attached as (Appendix" A").

### **IMPLEMENTATION**

As indicated on the map in Appendix "A" the VivaNext "construction zone" for affected businesses on Davis Drive will occur from approximately Huron Heights Drive to Yonge Street and on Yonge Street from Davis Drive to Savage Road. Therefore, sign permit applicants along Davis Drive in the construction zone will be refunded from January 2014 to September 29, 2014 upon the decision of Council and the remainder of fees will be waived and recovered through the rate stabilization fund to the conclusion of the construction work, anticipated to be fall 2015. There may be remaining work on Davis Drive beyond this date, but it will not be substantial in terms of interruptions to businesses.

It is anticipated that construction will commence along Yonge Street this month, with an anticipated project completion date of 2018.

Staff will consult with VivaNext to confirm the status of substantial construction work in determining if the sign permit fee will be waived as the construction progresses along Yonge Street. Staff will take a lenient view towards sign permit applicants given Council's direction to provide businesses with relief from sign permit fees associated with the VivaNext rapid transit expansion project.

### **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**

On August 29, 2014, By-law Enforcement staff attended a Vivanext working group meeting. If Council wishes to make any changes to the Fees and Charges By-law, as noted in the scope / assumptions section public notification will be required in the form of

notice in a local newspaper, at least two weeks prior to Council's consideration of the matter.

#### **HUMAN RESOURCE CONSIDERATION**


There are no human resources considerations related to this report.


#### **BUDGET IMPACT (CURRENT AND FUTURE)**


Currently, there are sufficient funds in the rate stabilization fund. Davis Drive sign permit fee refunds, which to date is \$5150. It is estimated that the total refund for sign permit fees related to the VivaNext rapid transit expansion project will be approximately \$80,000 with a completion date of 2018. Attached in the chart Appendix "B" it shows the past history and projected fees to the end of the VivaNext project.

#### **CONTACT**

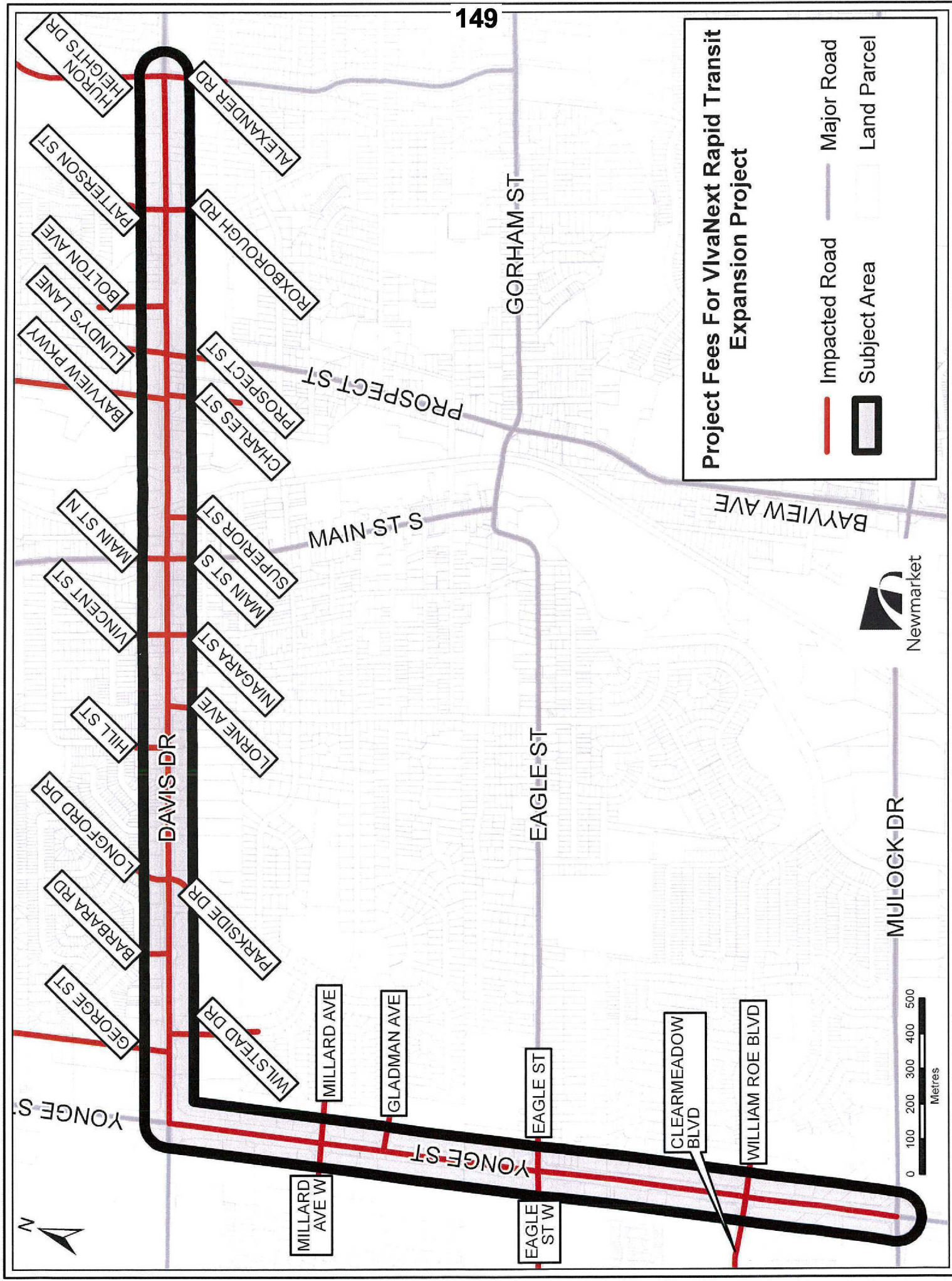
For more information on this report, please contact Lesley Long, Supervisor of Bylaws at [llong@newmarket.ca](mailto:llong@newmarket.ca) or at 905 953-5300, ext. 2222

  
\_\_\_\_\_  
Lesley Long, Supervisor of Bylaw Enforcement

  
\_\_\_\_\_  
Andrew Brouwer, Director, Legislative Services /Town Clerk

  
\_\_\_\_\_  
Anita Moore, Commissioner of Corporate Services





**Project Fees For VivaNext Rapid Transit Expansion Project**

- Impacted Road
- Subject Area
- Major Road
- Land Parcel

APPENDIX "B"

STREET	2013				2014				2015				2016				2017				2018			
	SIGN TYPE	PERMIT FEE PER SIGN	NUMBER OF SIGNS	PERMIT REVENUE	PERMIT FEE PER SIGN AT REDUCED RATE	NUMBER OF SIGNS	PERMIT REVENUE TO DATE	PROPOSED PERMIT FEE AT REDUCED RATE	PERMIT REVENUE TO DATE	PROPOSED PERMIT FEE AT REDUCED RATE	NUMBER OF SIGNS	PROJECTED PERMIT REVENUE	PROPOSED PERMIT FEE TO RETURN TO CURRENT RATE	NUMBER OF SIGNS	PROJECTED PERMIT REVENUE	PROPOSED PERMIT FEE	NUMBER OF SIGNS	PROJECTED PERMIT REVENUE	PROPOSED PERMIT FEE	NUMBER OF SIGNS	PROJECTED PERMIT REVENUE	PROPOSED PERMIT FEE	NUMBER OF SIGNS	PROJECTED PERMIT REVENUE
DAVIS DRIVE & ABUTTING STREETS	GROUND	150	5	750	150	3	450	150	450	150	5	750	424.36	5	2,121.80	437.09	5	2,185.45	450.20	5	2,251	450.20	5	2,251
	FASCIA	150	9	1,350	150	8	1,200	150	1,200	150	10	1,500	424.36	10	4,243.60	437.09	10	4,370.90	450.20	10	4,502	450.20	10	4,502
	MOBILE	80	46	3,680	80	25	2,000	80	2,000	80	30	2,400	106.09	30	3,182.70	109.27	30	3,278.10	112.55	30	3,376.50	112.55	30	3,376.50
	PORTABLE	80	1	80	80	0	0	80	0	80	5	400	106.09	5	530.45	109.27	5	546.35	112.55	5	562.75	112.55	5	562.75
	BILLBOARD	0	0	0	1,500	1	1,500	1,500	0	1,500	0	0	1,591.35	0	0	1,639.09	0	0	1,688.26	0	0	1,688.26	0	0
TOTAL			61	5,860		37	5,150		5,050		50	5,050		50	10,078.55		50	10,380.80		50	10,692.25		50	10,692.25
YONGE ST & ABUTTING STREETS	GROUND	150	4	600	400	1	400	412	400	412	5	2,060	424.36	5	2,121.80	437.09	5	2,185.45	450.20	5	2,251	450.20	5	2,251
	FASCIA	150	15	2,250	400	6	2,400	412	2,400	412	10	4,120	424.36	10	4,243.60	437.09	10	4,370.90	450.20	10	4,502	450.20	10	4,502
	MOBILE	80	92	7,360	100	97	9,700	103	9,700	103	100	10,300	106.09	100	10,609	109.27	100	10,927	112.55	100	11,255	112.55	100	11,255
	PORTABLE	80	1	80	100	0	0	103	0	103	5	515	106.09	5	530.45	109.27	5	546.35	112.55	5	562.75	112.55	5	562.75
	BILLBOARD	0	0	0	1,500	0	0	1,545	0	1,545	0	0	1,591.35	0	0	1,639.09	0	0	1,688.26	0	0	1,688.26	0	0
TOTAL			112	10,290		104	12,500		16,995		120	16,995		120	17,477.85		120	18,029.70		120	18,570.75		120	18,570.75
TOTAL PROJECT IMPACT				16,150			17,650		22,045			22,045			17,477.85			18,029.70			18,570.75			18,570.75





**CORPORATE SERVICES – LEGISLATIVE SERVICES**  
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September 8, 2014

## **CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES 2014-20**

TO: Committee of the Whole

SUBJECT: 2014 Status Update – 2013-2017 Multi-year Accessibility Plan

ORIGIN: Lisa Lyons, Deputy Town Clerk

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### **RECOMMENDATION**

- a) **THAT Corporate Services – Legislative Services Report 2014-20 dated September 8, 2014, regarding the 2014 Status Update – 2013-2017 Multi-year Accessibility Plan be received;**
- b) **AND THAT the 2014 Status Update – 2013-2017 Multi-year Accessibility Plan, attached as Appendix 'A' be approved.**

### **PURPOSE**

The purpose of this report is to present the 2014 Status Update - 2013-2017 Multi-year Accessibility Plan (attached as Appendix 'A') for Council's approval.

### **BACKGROUND**

#### **Ontario Legislation Requires Accessibility Planning**

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

### **COMMENTS**

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

#### **Next Steps:**

- Post the Council approved 2014 Status Update on the Town's website;
- Implement requirements of Multi-year Accessibility Plan identified for 2015;
- Continue to review the Multi-year Accessibility Plan and provide an annual progress report in 2015; and
- Submit Compliance Report to Accessibility Directorate of Ontario before December 31, 2015;

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

## **CONSULTATION**

Consultation has taken place with staff and the Newmarket Accessibility Advisory Committee in the development of the 2014 Status Update. Additionally, staff maintains membership in the Ontario Network of Accessibility Professionals (ONAP), which provides the opportunity to share accessibility planning resources and initiatives province-wide.

## **HUMAN RESOURCE CONSIDERATIONS**

There are no Human Resources considerations related to this report.

## **BUDGET IMPACT**

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

## **CONTACT**

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



Lisa Lyons  
Deputy Town Clerk



Andrew Brouwer  
Director of Legislative Services/Town Clerk



Anita Moore  
Commissioner of Corporate Services



# 2014 Status Update Town of Newmarket Multi-year Accessibility Plan



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Equal Opportunity | Integration | Independence | Dignity

## A Message from Newmarket Council



Newmarket Town Council, 2010-2014

We are pleased to present you with the 2014 Status Report to the Town's Multi-year Accessibility Plan. The Town continues its efforts to improve our services, facilities and programs so that they may be more accessible for everyone living in and visiting Newmarket.

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

## A Message from the Newmarket Accessibility Advisory Committee

The Town of Newmarket's Accessibility Advisory Committee's goal is to encourage and facilitate accessibility for all persons with disabilities in Newmarket. We are pleased to be provided an opportunity to act on the community's behalf by advising Council on a number of key initiatives that support achieving an accessible Newmarket. The 2014 Status Report to the Town's 2013-2017 Multi-year Accessibility Plan demonstrates the work that has been done to identify and remove barriers for those with disabilities in accordance with the *Accessibility for Ontarians with Disabilities Act*. We are proud of this work and encourage residents to review this Status Report to learn more about how Newmarket is working to create an accessible community that's **'Well Beyond the Ordinary'**.

### Accessibility Advisory Committee Members

Members	Staff
Steve Foglia <i>Chair</i>	Pat McIntosh <i>Recreation Programmer</i>
Naeem Bacchus	
Diane Bladec-Willett	Lisa Lyons
Laura Charpentier	<i>Deputy Clerk</i>
Councillor Jane Twinney	
Ursula Rehdner	
Wendi Williams-Gordon	



## Accessibility Advisory Committee Update

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

- Performed Accessibility Audits of Town facilities.  
The Newmarket Accessibility Advisory Committee has identified 11 facilities that require accessibility audits and/or reviews in early 2014. To date, three audits have been completed: Newmarket Community Centre and Lions Hall, Magna Centre and Ray Twinney Recreation Complex. These three facilities were given priority status due to their use as voting facilities in the 2014 municipal election. Audits on additional Town owned facilities will be conducted in 2015.
- Organized National Access Awareness Week Celebrations  
The Committee hosted a successful National Access Awareness Week from June 2 – June 6, 2014. Activities held during the week-long celebration of accessibility and abilities included a community awareness evening with participation from organizations including the Canadian National Institute for the Blind, Canadian Hearing Society and Canadian Mental Health Association, MV-1 Accessible Vehicles, a Town of Newmarket versus Town of Aurora Staff Sledge Hockey Challenge, a Wheelchair Basketball Challenge between Sir William Mulock and Dr. Dennison High Schools and various interactive events and displays. National Access Awareness Week continues to grow each year, with plans underway for the 2015 events.
- Participated in a Joint York Region/Newmarket Accessibility Advisory Committee meeting to review plans for the Regional Annex building.
- Reviewed plans and provided recommendations for the initiatives and projects which include the following: Accessible Trail initiatives in York Region, Newmarket's Off-Leash Dog Park and the York Region Annex Building.
- Reviewed legislation to permit alternate forms of committee meeting attendance, specifically related to Accessibility Advisory Committees
- Provided advice on the Town of Newmarket's Accessibility Plan update.
- Continued to work with staff on the development of the Town of Newmarket website
- Participated in York Region's Emergency Preparedness Meetings in order to ensure that the most vulnerable are not overlooked in the event of an emergency.
- Attended and participated in the York Region Area Accessibility Advisory Meeting.
- Worked with the Legislative Services Department to develop the Accessible Election Plan.
- Provided ongoing public awareness of accessibility.



## Update on 2013- 2017 Initiatives

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

This Status Report outlines which accessibility initiatives have been addressed in 2014 and which initiatives are being targeted for 2015 and beyond. Similar to the Multi-year Accessibility Plan, this Status Report lists projects that are associated with each of the accessibility standards under the AODA.



Photos from 2014 National Access Awareness Week



Members of the Newmarket Accessibility Advisory Committee and Staff

## Update on 2013 – 2017 Initiatives

General Initiatives			
Project Title	Description	Status	Notes
Accessibility Plans (s.4)	An outline of Newmarket's strategy to remove and prevent barriers and meet the requirements and obligations of the AODA.	Complete	Newmarket's 2013 – 2017 Multi-year Accessibility Plan was presented to Council and approved on December 16, 2013.
	An annual status report on the progress of the initiatives identified in Newmarket's 2013 – 2017 Multi-year Accessibility Plan must be completed	Ongoing	This is Newmarket's first annual status report for the 2013 – 2017 Multi-year Accessibility Plan.
Training (s.7)	<p>Develop, deliver and coordinate mandatory accessibility training for all employees, volunteers and third party vendors.</p> <p>Staff are responsible for delivering standards and in-depth training appropriate to the duties of the employees, volunteers and other persons.</p>	Complete	An in house video was produced to train staff accessibility standards referred to in this Regulation and on the Human Rights Code as it pertains to persons with disabilities. Staff completed a short quiz at the end of the video. All staff were trained before January 1, 2014 and the training is included in mandatory new employee orientation. The video is also available on the Town's website



## Update on 2013 – 2017 Initiatives

Information and Communications Standards			
Project Title	Description	Status	Notes
Feedback (s.11)	Accessible formats and communication supports shall be provided, upon request, to those with disabilities.	Complete	Communications has been placing the statement "If you require this information in an alternate format, please contact 905-895-5193" in previous years on all print materials and added the statement to all media releases. Media releases are distributed electronically and posted on the Town's website.
Accessible formats and communication supports (s.12)	Upon request, provide or arrange for accessible formats and communication supports for persons with disabilities in a timely fashion with no additional costs.	Ongoing	Communications has been placing the statement "If you require this information in an alternate format, please contact 905-895-5193" in previous years on all print materials and added the statement to all media releases. Media releases are distributed electronically and posted on the Town's website.
	Responsible for consulting the person making a request for alternate formats to determine the suitable accessible format or communication support.	Ongoing	Town of Newmarket staff will consult with persons with disabilities to determine the suitability of accessible formats and communication supports on an on-going basis when such formats or supports are requested.
Accessible websites and web content (s.14)	In accordance with legislation, ensure that the Town's website is accessible and include further enhancements and improvements as outlined by the IASR.	Ongoing	New Town website to be launched in late 2014 with design and content to meet the WCAG 2.0 "AA" level requirements

## Update on 2013 – 2017 Initiatives

Employment Standards			
Project Title	Description	Status	Notes
Recruitment, assessment or selection process (s.23)	Accommodations to be made available, upon request, during the recruitment process. Should an applicant request accommodation, suitable and appropriate accommodation is required.	Complete	<p>The Town utilizes an online recruitment solution and there is a statement on the job opportunities web page -- "To accommodate all applicants in accordance with the Ontario Human Rights Code for all employment activities including the recruitment process." (Contact 905-895-5193 or email <a href="mailto:hr@newmarket.ca">hr@newmarket.ca</a> if additional assistance is needed.)</p> <p>Candidates selected for an interview are advised "As the Town of Newmarket supports a diverse workforce with a fair and equitable recruitment process, please let us know if you require accommodation for a disability."</p> <p>As reflected in Human Resources policies, the Town's recruitment strategies are based on fairness, transparency and openness. Policies and procedures are available upon request.</p>
Notice to successful applicants (s.24)	Notify any successful applicants of policies for accommodating those with disabilities.	Complete	Standard offer of employment letter templates have been amended to advise successful applicants of the Town's policies and processes to provide accommodation for employees with disabilities.
Accessible formats and communication supports for employees (s.26)	Employer must provide or arrange for accessible formats and communication supports for: information to perform job functions; and information generally available to all employees.	Complete	All information is available in various formats, as required, upon request.



Documented individual accommodation plans (s.28)	Establishment of a written process for how a documented individual accommodation plan can be developed.	Complete	Human Resources has drafted and implemented procedures to accommodate people with disabilities.
Performance Management (s.30)	Performance management, career development and redeployment take into consideration the accessibility/accommodation needs of employees with disabilities.	Complete	Human Resources has drafted and implemented policies and procedures related to performance management, career development and redeployment/return to work. Review of any individual accommodation plans is required prior to completion of performance reviews and supervisory training is required to assist Supervisors in identifying the difference between performance and disability related issues.
Career development and advancement (s.31)			
Redeploying (s.32)			

#### Design of Public Spaces Standards (Accessibility Standards for the Built Environment)

Project Title	Description	Status	Notes
Application (s.80.2)	Applies to any newly constructed or redeveloped public spaces on or after the legislated dates.	Ongoing	The Design of Public Spaces Standards is under review with a strategy developed for each requirement.

## Barrier Identification Update

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

### Actions completed in 2014:

Town Facilities	
Magna Centre	<p>Family change room washrooms have been renovated to include additional bars on walls in the toilet and shower areas and power door operators.</p> <p>Installation of artificial ice and ramps into the ice rinks from the change rooms to provide ease of transition into the rink for sledge hockey.</p> <p>Creation of a membership services side window at the reception desk has resulted in improved foot traffic flow for all patrons and reduced the need for barriers (e.g. Stanchions) that may have interfered with those with accessibility needs.</p>
Municipal Offices	<p>Automatic sliding glass doors have been installed at the front entrance, improving access to this facility for all residents, including those with disabilities.</p> <p>The public presentation desk in Council Chambers has been replaced with an accessible table that is height adjustable to accommodate wheelchairs.</p>
Newmarket Seniors' Meeting Place	<p>The side entrance (West and South) door curb cuts have been painted yellow to indicate a surface level change and warn of a trip hazard.</p>
Recreation Youth Centre	<p>Staff training has been broadened to include CPR for those who are interested.</p> <p>Staff has been provided orientation training in order to recognize occasions where participants may require accommodations in order to participate.</p>



Town Departments and Programming		
Department	Item	Notes
Communications	National Access Awareness Week	<p>Worked with the Accessibility Advisory Committee on promoting National Access Awareness Week in June 2014 by issuing a media advisory for events including the Newmarket vs. Aurora sledge hockey game and the Evening dedicated to Accessibility and Ability Awareness.</p> <p>The events were covered by Roger's Television, SNAP Newmarket and the Era Banner. Communications staff provided event updates via social media, the Town's website and Town electronic advertising boards.</p>
Engineering Services	Sidewalks	<p>Sidewalk standards have been redesigned by removing the trawl lines between each bays expansion joint in order to soften the ride and enhance safety for those using wheelchairs.</p> <p>Wheelchair ramps have been installed in curbing where there are sidewalks.</p> <p>Directional lines have been provided on sidewalks at intersections to enhance visibility.</p>
	Signalized Intersections	<p>Pedestrian countdown signal heads have been installed at signalized intersections.</p> <p>Audible "chirping" has been provided at signalized intersections.</p>
Legislative Services	Meeting Management Suite	<p>A Meeting Management Suite that includes live streaming of meetings and agendas and minutes that meet AODA standards and are displayed on a webpage that it designed to meet that WCAG3 standards for accessible web design has been implemented.</p>
	Municipal Election	<p>Staff provided a demonstration of accessible election equipment and an overview of policies to the Accessibility Advisory Committee.</p> <p>A comprehensive accessibility audit of each polling location has been conducted in order to ensure compliance with legislated accessibility standards. Considerations during the audit included the accessible route, entrance and egress, parking and washrooms.</p> <p>A 2014 Municipal Election Accessibility Plan has been prepared which outlines the measures being taken to ensure accessibility throughout the 2014 election, in consultation with the Accessibility Advisory Committee.</p>

Town Departments and Programming		
Department	Item	Notes
Library	Building Accessibility	A Building Accessibility review is currently being conducted with a report planned for presentation to the Library Board upon completion in 2015.
	Partnership Opportunities	The Library has partnered with the Centre for Equitable Library Access (CELA) which provides material for any individual with a print disability. <a href="http://www.newmarketpl.ca/cnib">http://www.newmarketpl.ca/cnib</a>
Planning and Development	Official Plan Amendments	Official Plan Amendment #10 (Secondary Plan and modifications to the Official Plan) includes new and updated accessibility policies.
Recreation and Culture	Camps	Inclusion Facilitators are hired each summer to provide support for children with exceptionalities. Their job is to modify and adapt games to meet the needs of all participants and assist with needs specific to the camper they support, examples being toileting, lifts and feeding. Inclusion Facilitators are provided with equipment to ensure their success with their camper, including Fidget Kits to assist in high stress situations, transition times, etc. Some examples of resources in the Fidget Kits are: slinky toy, bubbles, puzzles, texture toys, balls (various sizes), etc. Inclusion Facilitators attend a number of different training sessions in order to be fully trained in working with a number of different exceptionalities.
	Camps	Inclusion Sports and More Camp has grown each summer. Participants take part in activities such as: <ul style="list-style-type: none"> <li>• Sledge Hockey</li> <li>• Wheelchair Basketball</li> <li>• Sensory Activities such as music and drumming.</li> </ul> Inclusion Sports and More swims are held at a quieter time in order to provide a less stressful environment for campers.
	Facility Related Initiatives	All camps currently take place in accessible areas. Ramps have been provided for camps that take place on Ice Pads to ensure that campers with mobility devices can access the area.



Town Departments and Programming		
Department	Item	Notes
Recreation and Culture	General	<p>Additional staff has been allocated to provide dedicated programs for those with special needs.</p> <p>An evaluation survey has been prepared to solicit feedback from caregivers, family and persons with accessibility needs. The results of this survey will contribute to the Recreation Master Plan that will be presented with recommendations in 2015.</p> <p>Larger font has been used on all Recreation schedules.</p> <p>Promotion of artists with disabilities, including art displays at the Municipal Offices in order to raise awareness of the abilities of those with disabilities.</p>
	Preschool	Staff work to support any children with special needs in their programs. If required, arrangements for an Inclusion Facilitator to attend the program can be made. A variety of program equipment is used in Preschool programs to ensure that all sensory needs are met, including gross and fine motor skills.
	Programs	Examples of new programs include: full day programs for adults that encompass life skills, social, and health and wellness promotion activities with accommodation of multi- choice scheduling. Extended day times offered to assist caregivers. Development of a One to One fitness program for accommodation of individual needs

## **Other Ways Newmarket Continues to Remove Barriers and Improve Access**

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

The Town continues to ensure compliance in the following areas:

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

**As outlined in this Status Report, many initiatives are underway with more anticipated to be completed in 2015. The Town of Newmarket will continue to identify and remove barriers in order to create accessible spaces and services that everyone can use. Newmarket is committed to moving forward and ensuring that the town continues with its commitment to being a community 'Well Beyond the Ordinary'.**

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

- Independence
- Dignity
- Integration
- Equal Opportunity

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

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

The Town of Newmarket welcomes your comments regarding this report.

Feedback on this report and accessibility related matters can be provided to:  
[info@newmarket.ca](mailto:info@newmarket.ca)  
[www.newmarket.ca](http://www.newmarket.ca)





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

September 9, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
ENGINEERING SERVICES 2014-57**

**TO: Committee of the Whole**

**SUBJECT: Garden Homes Residential Subdivision, RP – 65M-4090  
Request for Final Acceptance and Assumption of  
Underground and Aboveground Works  
ES File No.: D.24.78**

**ORIGIN: Director, Engineering Services**

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**RECOMMENDATION**

**THAT Development and Infrastructure Services Report – ES 2014-57 dated September 9, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received, and the following recommendation(s) be adopted:**

- 1. THAT the request for final acceptance and assumption of the Garden Homes Residential Subdivision excluding the Stormwater Management Facility and the Mulock Drive sidewalk – as shown on the attached map be finally accepted and assumed by the Town;**
- 2. AND THAT Mr. Ignazio Giardina of Garden Homes Inc., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffer & Associates Ltd. are notified of these recommendations.**

**BACKGROUND**

We are in receipt of an application from Schaeffers Consulting Ltd. on behalf of the Garden Homes Inc., pursuant to the Garden Homes Residential Subdivision, Subdivision Agreement wherein, a request for final acceptance and assumption of the underground and aboveground works is made.

The maintenance period for works and services has been satisfied and all requirements for assumption have therefore been met.

All required documentation has been provided and reviewed by our checking consultant R.J. Burnside & Associates Ltd., and at this time, no recommendation to release the performance security has been made.

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Legal and Financial Services have conducted a file review and confirmed that all obligations of the Owner (Garden Homes Inc.) under the Subdivision Agreement as it relates to Legal and Financial Services have been met.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

### **CONSULTATION**

There is no public consultation with this recommendation.

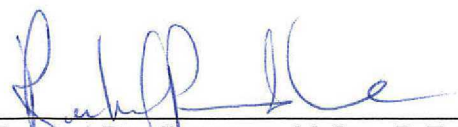

### **BUDGET IMPACT**

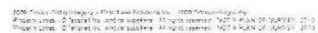
#### Operating Budget (Current and Future)

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

### **CONTACT**

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

  
Victoria Klyuev, B.A., C.E.T.,  
Senior Engineering Development Coordinator  
Residential  
Rick Bingham, C.E.T.  
Manager, Engineering and  
Technical Services  
Rachel Prudhomme, M.Sc., P.Eng.  
Director, Engineering Services  
Peter Noehammer, P.Eng.  
Commissioner,  
Development and Infrastructure Services





DEVELOPMENT & INFRASTRUCTURE SERVICES – ENGINEERING SERVICES  
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September 5, 2014

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
ENGINEERING SERVICES 2014-58**

**TO:** Committee of the Whole

**SUBJECT:** Valleyview Residential Subdivision, Phases 2&2A RP – 65M-3993  
Request for Final Acceptance and Assumption of  
Underground and Aboveground Works  
ES File No.: D.24.58.1

**ORIGIN:** Director, Engineering Services

**RECOMMENDATION**

THAT Development and Infrastructure Services Report – ES 2014-58 dated September 5, 2014 regarding the Final Acceptance and Assumption of Underground and Aboveground Works be received and the following recommendation(s) be adopted:

1. THAT the request for final acceptance and assumption of the Valleyview Residential Subdivision – Phases 2&2A as shown on the attached map, be finally accepted and assumed by the Town;
2. AND THAT Mr. George Hofstedter of Lindvest Properties (Valleyview) Ltd., and Mr. Angelo A. Maurizio, P. Eng., of Schaeffer & Associates Ltd. be notified of these recommendations.

**BACKGROUND**

We are in receipt of an application from Schaeffers Consulting Ltd. on behalf of the Lindvest Properties (Valleyview) Ltd., pursuant to the Valleyview Residential Subdivision, Phases 2&2A Subdivision Agreement, wherein, a request for final acceptance and assumption of the underground and aboveground works is made.

The maintenance period for works and services has been satisfied and all requirements for assumption have therefore been met.

All required documentation has been provided and reviewed by our checking consultant R.J. Burnside & Associates Ltd., and at this time no recommendation to release the performance security has been made.

Legal and Financial Services have conducted a file review and confirmed that all obligations of the Owner (Lindvest Properties (Valleyview) Ltd.) under the Subdivision Agreement as it relates to Legal and Financial Services have been met.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

### **CONSULTATION**

There is no public consultation with this recommendation.




### **BUDGET IMPACT**

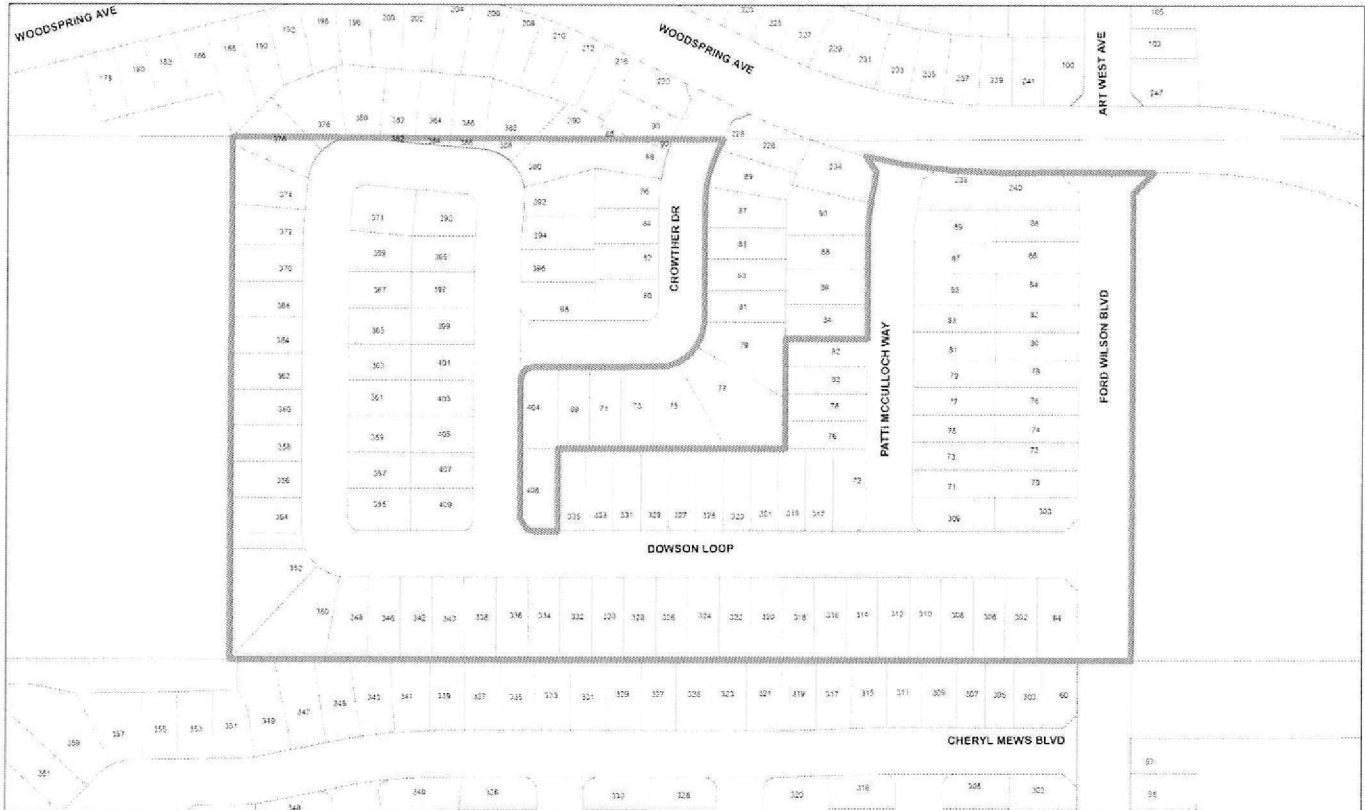
#### **Operating Budget (Current and Future)**

With this recommendation, the above captioned Valleyview Residential Subdivision, Phases 2&2A will now be under the Town's Operating Budget.

### **CONTACT**

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

  
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Commissioner,  
Development and Infrastructure Services



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Valley View Residential Subdivision, Phase 2 and 2A  
 Request for Final Acceptance and Assumption of  
 Underground and Aboveground Works  
 Plan No.: 65M-3993 and 65M-4119

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**TOWN OF NEWMARKET**  
**Outstanding Matters**  
**Reviewed by Operational Leadership Team**  
**September 9, 2014**

Item Subject	Recommendation	Date to come back to Committee	Comments
1. Committee of the Whole Minutes – March 21, 2011 – Item 6 Community Services Report – ES 2011-15 Northwest Newmarket Quadrant – Traffic Monitoring Status Update	<ul style="list-style-type: none"> <li>THAT Engineering Services staff bring a report back to Town Council with the results of all studies including mitigation measures if required, and next steps.</li> </ul>	Q1 2015	Part of Active Transportation Plan coordinated by Planning Dept.
2. Committee of the Whole Minutes – April 30, 2012 – Item 16 Corporate Services Report – Legislative Services 2012-13 – Canadian Coalition Of Municipalities Against Racial Discrimination (CCMARD) Membership	<ul style="list-style-type: none"> <li>AND THAT staff report to Committee of the Whole with a draft Action Plan in support of the Ten Common Commitments.</li> </ul>		
3. Committee of the Whole Minutes – April 8, 2013 – Item 13 Community Services – Recreation and Culture Development and Infrastructure Services – PWS/ES Planning & Building Services Joint Report 2013-05 Future use of Fernbank Farmhouse	<ul style="list-style-type: none"> <li>THAT staff be authorized to issue a request for proposals with the intent of securing a suitable charitable and/or not for profit organization dedicated to serving Newmarket for use of the Fernbank Farmhouse;</li> <li>AND THAT staff report back recommending a tenant along with operating and capital projections.</li> </ul>	Q1 2015	Report and Lease arrangements to be reported back
4. Committee of the Whole Minutes – April 29, 2013 – Item 17 Hospital Parking Charges	<ul style="list-style-type: none"> <li>AND THAT the request to endorse the resolution regarding reduction and capping of parking charges be referred to staff to obtain feedback and input from Southlake Regional Health Centre and report back.</li> </ul>		Southlake Regional Health Centre discussing matter as part of provincial task force

Item Subject	Recommendation	Date to come back to Committee	Comments
5. Special Committee of the Whole – August 1, 2013 – Item 4 Development and Infrastructure Services Report – Commissioner 2013-34 Old Town Hall Renovations	<ul style="list-style-type: none"> <li>AND THAT staff authorize a peer review on the due diligence aspect of the project within a 120 day time frame.</li> </ul>	Q4 2014	Peer review completed and submitted to architect Information Report to follow (Q4 2014)
6. Committee of the Whole Minutes – November 4, 2013 – Item 12 Development & Infrastructure Services Report – ES 2013 – 44 Davis Drive – vivaNext Construction Traffic Infiltration Status Report #2	<ul style="list-style-type: none"> <li>THAT staff continue to work with York Region and vivaNext staff to address issues that arise from construction and continue to carry out traffic counts for Gorham St., Gladman Ave., Park Ave., Millard Ave., Carol St., Sandford St. and Berman Drive;</li> <li>AND THAT town staff in coordination with York Region and York Regional Police; focus speed management program resources on the streets noted in Appendix A;</li> <li>THAT the matter of removable speed humps as a pilot project, for the purpose of mitigating excessive speed on Millard Avenue west of Lorne Avenue and east of Queen Street be referred to the Traffic Mitigation Strategy.</li> </ul>	Q1 2015	Part of Traffic Mitigation Strategy to come forward
7. Committee of the Whole Minutes – April 28, 2014 – Item – Motions Pilot Project – Speed Humps  7. Committee of the Whole Minutes – April 7, 2014 – Item 2 – Deputation – Newmarket Theatre	<ul style="list-style-type: none"> <li>THAT the deputation by Mr. John Dowson regarding the financial details associated with Newmarket Theatre and the Very Useful Theatre Company be received and referred to staff for a comprehensive review along with a comparison of how much sports facilities are subsidized;</li> <li>AND THAT such review include consultation with key stakeholders including members of the theatre community to be reported back to Committee of the Whole within a 60 day time frame.</li> </ul>	Q1 2015 (Recommendations)	Information Report with recommendations to be distributed (Q3 2014)

Item Subject	Recommendation	Date to come back to Committee	Comments
8. Committee of the Whole Minutes – August 25, 2014 – Item 24 D & I ES Report 2014-51 All-Way Stop Review Kingsmere Avenue/Ataire Road	<ul style="list-style-type: none"> <li>THAT the matter of Kingsmere/Ataire Road – All-Way Stop Review be deferred for another traffic study to be conducted in that area.</li> </ul>	Q1 2015	

175

9. Council - January 20, 2014 – Item 33	<p>D &amp; I Services Report – ES 2013-49 Checking Consultant Professional Consulting Services Contract Extension</p> <p>THAT Council approve the execution of the Professional Consulting Services Agreement with R.J. Burnside Associates Ltd. for a period of up to two (2) years from the date of Council approval to provide checking consulting services at preferred client discounted rates adjusted annually in accordance with industry standards;</p> <p>AND THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services Contract.</p>	Q4 2014	
10 Council - February 10, 2014 – Item 22	<p>D &amp; I Services – PWS 2014—08 Emerald Ash Borer Long Term Management Plan – Update</p> <p>THAT staff continue to proceed with the proposed recommendations in the Town of Newmarket Emerald Ash Borer Long Term Management Plan;</p> <p>AND THAT staff report back to Council in the fall of 2014 with an annual update on the Emerald Ash Borer Long Term Management Plan.</p>		Annual Update to be provided by Information Report

Item Subject	Recommendation	Date to come back to Committee	Comments
<p>11 Council - March 3, 2014 – Item 21</p>	<p>Joint D &amp; I and Community Services Report 2014-07 – Neighbourhood Community Gardens</p> <p><u>THAT Town of Newmarket staff seek public input regarding interest in establishing Neighbourhood Community Gardens in additional locations in the municipality;</u></p> <p>AND THAT staff consult with the Newmarket Environmental Advisory Committee and report back to Council regarding the input received in time for the 2015 budget considerations.</p>	<p>2015 Budget Deliberations</p>	
<p>12 Council - May 5, 2014 – Item 54</p>	<p>Motion: Councillor Emanuel</p> <p><u>THAT staff report back to Council on the implementation of improved signage and advertising for notification regarding Official Plan and Zoning By-law Amendments.</u></p>	<p>Q1 2015</p>	
<p>13 Council - May 5, 2014 – Item 52</p>	<p>D &amp; I Services Report PWS 2014-21 – Sidewalk Snow Clearing</p> <p><u>THAT staff report back to Council with a detailed plan for sidewalk, walkway and trail clearing as part of the 2015 budget process;</u></p> <p>AND THAT staff obtain comments from the Accessibility Advisory Committee on the sidewalk, walkway and trail clearing process.</p>	<p>2015 Budget Deliberations</p>	

Letter to the Mayor of Newmarket and Town Councillors.

20<sup>th</sup>. August 2014

## TRAIN WHISTLES

The Town of Newmarket has a Bylaw 837 that Prohibits the Sound of any Engine whistle in respect of any Highway Crossing within the limits of the TOWN of NEWMARKET , **From 10:00 PM at night to 6:00 AM in the morning.**

Go Trains have been consistently blowing their Whistles at 5:30 AM in the morning for the past THREE weeks through the TOWN of NEWMARKET . There have also been trains at 11:15 PM on Sunday nights blowing their whistles.

**WHEN IS The TOWN OF NEWMARKET GOING TO ENFORCE IT'S BYLAW ???**

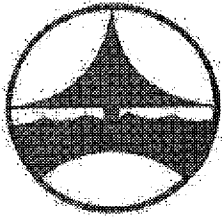
I do not object to the trains running, just the blowing of the whistles.

WHEN CAN I GET MY QUALITY OF LIFE BACK and NOT BE AWAKENED AT 5:30 AM in the morning ??

I look forward to a **written reply ASAP** as to what steps the TOWN intends to take to address this continuing problem.

Bryan Allen

Newmarket



## TOWN OF GEORGINA

26557 Civic Centre Rd., Keswick, Ontario L4P 3G1

July 30, 2014

The Right Honourable Stephen Harper,  
Prime Minister,  
House of Commons,  
Ottawa, Ontario  
K1A 0A6

Dear Mr. Prime Minister:

Re: Supporting Minister of Agriculture in introducing legislation  
to restrict the use of Neonicotinoid Pesticides in Ontario

Please be advised that Town Council passed the following motion calling on the Federal Government to immediately restrict the use of Neonicotinoid crop treatments;

WHEREAS because the Town of Georgina's proximity to Lake Simcoe, the natural ecosystems in the Town and the important agricultural base play a vital role in the economic and social well-being of the community;

AND WHEREAS the Town has a responsibility for the health, safety and well-being of the residents;

AND WHEREAS the issue of bee health is a serious one for beekeepers, farmers and consumers alike;

AND WHEREAS there is confirmed evidence that Neonicotinoid crop treatments present a growing danger to the health of our environment and the future of agriculture, and play a role in the reduction of the bee and butterfly population, according to the international panel of 50 scientists working as the Task Force on Systemic Pesticides (which says use of the pesticides should be phased out) as well as Health Canada's Pest Management Regulatory Agency which has reported that seeds treated with the nitro guanidine insecticides clothianidin and/or thiamethoxam contributed to the majority of the bee mortalities;

AND WHEREAS many groups, agencies and authorities worldwide, are investigating the use of Neonicotinoid crop treatments; some jurisdictions have banned them (Prince Edward County, The European Union) and Ontario intends to become the first province to restrict the use of a controversial pesticide linked to bee deaths, requiring farmers and other commercial growers to apply for permits to plant seeds treated with neonicotinoid insecticides;

AND WHEREAS new seed lubricants are commercially available as a replacement to the talc and graphite lubricants traditionally used, to assist in the planting of corn and soybeans;

... 2



-2-

## NOW THEREFORE BE IT RESOLVED THAT:

1. We call on the federal governments to declare a moratorium surrounding the use of Neonicotinoid crop treatments pending further investigation, as soon as possible and support the Ontario government's plan to immediately restrict the use of these chemicals.
2. We support the Health Canada requirement, and we urge local farmers to utilize the new commercially available seed when using seed coated in Neonicotinoid crop treatments, if appropriate, to their farm equipment;
3. The Town show local leadership in this regard by discontinuing use of Neonicotinoid products on municipal property immediately and ensuring that Neonicotinoid products not be used on municipally owned property.
4. The Town consider creating funding for the inclusion of the planting of bee and butterfly friendly spaces on appropriate Town property in the 2015 budget.
5. This resolution be circulated to other municipalities through the Association of Municipalities of Ontario, to request their support on this serious issue.
6. This resolution be forwarded to The Right Honourable Stephen Harper, The Honourable Gerry Ritz, Federal Minister of Agriculture and AgriFood, The Honourable Rona Ambrose, Federal Minister of Health, Peter van Loan, MP, Federal Opposition Leaders and Kathleen Wynne, the Premier of Ontario, Jeff Leal MPP, Provincial Minister of Agriculture and Julia Munroe, local MPP.

Thank you, in advance, for your consideration of this critical issue.

Sincerely,

FOR THE TOWN OF GEORGINA,



Carolyn Lance

Council Services Coordinator

cc: The Honourable Gerry Ritz, Federal Minister of Agriculture and Agri-Food, 1341 Baseline Road, Ottawa K1A 0C5  
 The Honourable Rona Ambrose, Federal Minister of Health, Room 163, East Block, Ottawa K1A 0A6  
 Federal Liberal Opposition Leader; Justin Trudeau, Liberal Party of Canada, 81 Metcalfe St, Ste 600, Ottawa K1P 6M8  
 Federal NDP Opposition Leader; Hon. Thomas J. Mulcair, House of Commons, Ottawa K1A 0A6  
 Kathleen Wynne, Premier of Ontario, Legislative Building, Rm 281, Queen's Park, Toronto M7A 1A1  
 Peter Van Loan, MP, 45 Grist Mill Road, Unit 10, Holland Landing L9N 1M7  
 Jeff Leal, MPP, Provincial Minister of Agriculture, Food and Rural Affairs, 11<sup>th</sup> Floor, 77 Grenville St., Toronto M7A 1B3  
 Julia Munro, MPP, York-Simcoe, 45 Grist Mill Road, Unit 8, Holland Landing L9N 1M7  
 Association of Municipalities of Ontario, 200 University Ave., Ste 801, Toronto M5H 3C6

We the residents of Ward 6 request the elected officials of the Town of Newmarket when considering funding items in the 2015 budget that funds are allocated for a splash pad to be built in our Ward. The present location that we are considering is at Armstrong Family Park on Joe Persechini Drive on town property.

The location attached to our petition today could work after discussions with the Newmarket Recreation Department prior to this initiative commencing months ago. This is feasible since other previous locations in Ward 6 were turned down or it was not acceptable in past years-due to parking & traffic flow issues. With the sudden upgrades to the park already last month and from the feedback from the residents, is they also would like to see a splash pad or cooling off station in the neighbourhood too. (in the designated green space)

With a lot of families living in the area, commonly known as South Summerhill, the feedback stated that they do not like getting in cars and travelling to use recreational facilities, especially to cool off in other parts across town. Why? Because some parents don't drive. With so many hot days and a large population in the neighbourhood, parents living there already and those new to the area stated there number one goal is they would like a splash pad or just a spray pad. Also, why does the town get to decide what type of equipment should be built & not those who actually live there?

As one of the oldest areas of Newmarket, there have been no upgrades in the facilities until last month. The residents desire better and modern recreational facilities. Since part of their tax dollars goes into recreation, they would support this initiative. So when the town looks at what areas are lacking in modern recreational equipment, Summerhill South residents and generally southwest Newmarket has not seen anything new for over 10 years. The question that came up was why the new playground equipment now? I hope it is a splash pad or a skateboard bowl!

Some of the benefits of a splash pad would bring the following to the area:

- community interaction and involvement in keeping the area free of graffiti and cutting down on vandalism
- bring families together and cultivate a sense of increased pride and care leading for neighbours to look out for another
- an overall attraction for the community to the rest of Newmarket
- this would be on Town property and not on school property

Any additional funding that would be required could be privately raised through donation drives and/or grants. Like the Lion's Club one at Newmarket Riverwalk. With a petition of 170+ signatures so far we hope this can be a reality by the end of next year.

Ian Johnston  
20+ years Community Advocate

# Petition for a Splash Pad in Summerhill South-Newmarket

## At Armstrong Family Park

Petition summary and background: With the desire to have a splash pad in this neighbourhood where all residents can use without always having to travel by car to cool off during the hot summer months

Action petitioned for: We, the undersigned, are concerned citizens who urge our town leaders to designate a splash pad for southwest Newmarket in 2015

Printed name	Signature	Address	Comment	Date
		73 Snaniker Dr.		Sept 9/14
		81 Snaniker		Sept 9/14
		95 Snaniker Dr.		Sept 9/14
		73 Snaniker Dr.		Sept 9/14
		124 Balthwell		
		148 Balthwell Cres		Sept 9, 2014

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Printed name	Signature	Address	Comment	Date
		5 Colden St.		Sept 8/14
		8 Colden St.		Sept 8/14
		80 Bethwell Cres		Sept 8/14
		70 Summerlee		Sept 9/14
		66 Summerlee		Sept 9/14
		71 Summerlee		Sept 9/14

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Printed name	Signature	Address	Comment	Date
		451 Bathurst Ave		Sept 5
		136 Wessell Circle		Sept 5
		139 Nelson Circle		Sept 5
		127 Nelson Circle		Sept 5
		124 Nelson Circle		Sept 5
		112 " "		Sept 5/14

one

108 Nelson Circle.  
142 Savage rd.



# Petition for a Splash Pad in Summerhill South-Newmarket

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Printed name	Signature	Address	Comment	Date
		288 Ashbridge		Aug 27/14
		268 AUSTIN PAUL DR		Aug 27/14
		298 Ashbridge		Aug 29/14
		700 Society		Aug 28/14
		692 Society		Aug 29/14
		212 Rushbrook		Aug 28/14

Over 

1875 Rutland Dr.

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Printed name	Signature	Address	Comment	Date
		101 Armstrong Ave		08/19/14
		129 Ashburton Ave		08/18/14
		437 Ashburton Ave		8/18/14
		181 Austin Pave		8/18/14
		97 Austin Road Dr.		08/18/2014
		173 Austin Road Dr		8/18/14

*Done*

	172 Austin Paul Dr.	Aus 20/14
	168 Ashmound Drive	Aus 20/14

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Printed name	Signature	Address	Comment	Date
		128 Nelson Circle		August 30/2014
		170 KENSIT		SEP. 3/2014
		125 Kewell		SEP 3/14
		205 Sprotter		SEP 4/14
		496 Bartholomew		9/5/14
		488 Bartholomew		SEP 13/14

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Printed name	Signature	Address	Comment	Date
		145 RIVER-RO NEWMARKET		Sept 3/14
		323 Austin Road		Sept 9/14
		322 Axtel Road		9/3/14
		626 Society Crest		9/4/14
		642 Society Crest		9/4/14
		648 Society Crest		9/4/14



# Petition for a Splash Pad in Summerhill South-Newmarket

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Printed name	Signature	Address	Comment	Date
		441 Hewitt Circle Newmarket		July 23/14
		434 Hewitt Circle		July 23/14
		438 Hewitt Circle		July 23/2014
		429 N "		July 23/14
		437 Hewitt Circle		July 23/14
		252 McBrade Cross		July 24/14

Done →

NAME	SIGNATURES	Address	Date
		264 Mc Bride Crescent	24 July 24
		274 "	"
		266 McBride Cres	July 24
		122a Russell Rd	Aug 26, 17
		161 Russell Rd	Aug 26
		160 Russell Rd.	Aug 26
		2411 Austerman Dr	26 Aug
		2414 Aubur Park.	Aug 26
		2800 Aubur Park	Aug 26

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Printed name	Signature	Address	Comment	Date
		802 Walsh Cr+		2014/8/29
		826 Walsh		Aug 30/14
		826 Walsh Ct		Aug 30/14
		3574 Colton St.		Aug 30
		155 Nelson Cir.		Aug 30/14
		144 Nelson Cir		Aug 30/14

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Printed name	Signature	Address	Comment	Date
		8324 Cambria Valley		Aug 27/14
		8605 Cambria Valley		Aug 27/14
		883 Cambria Valley		Aug 27/14
		675 Society Gae		Aug 27/14
		681 Society Gae		Aug 28/14
		617 Society Gae		Aug 28

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Printed name	Signature	Address	Comment	Date
		488 William Dunn Newmarket ON		Aug 21/ 14
		466 Collinson Dunn Cres.		Aug 21/ 14
		468 William Dunn Cres.		Aug 22/ 14
		205 Norman Lees		Aug 22/ 14
		200 Victoria 149 Quaker Rd		Aug 22/ 14
				Aug 25/ 14

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Printed name	Signature	Address	Comment	Date
		872 Walsh Cst.		Aug 23/14
		72 NELSON CR.		Aug 23/14
		92 NELSON CR.		Aug 23/14
		1844 Austin Road Dr.		Aug 25/14
		193 Austin Road Dr.		Aug 25/14
		221 Appleton Road Dr		Aug 25/14

Over

236 Astinpaui

Aug 28/14



# Petition for a Splash Pad in Summerhill South-Newmarket

## At Armstrong Family Park

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Printed name	Signature	Address	Comment	Date
		721 Peter Hall Dr Newmarket L3X 2T1		2014 July 26
		768 Valley Green Trail Newmarket L3X 2V6		
		769 Valley Green Trail L3X 2V6		24/July
		771 Vaudreuil Trail L3X 2V6		"
		773 Valley Green Trail		
		775 Valley Green Trail		

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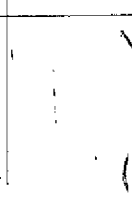
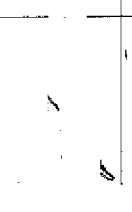
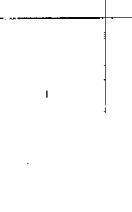

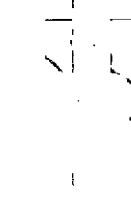
Printed name	Signature	Address	Comment	Date
		305 MARIONA CR.		07/20/14
		289 MARLIN CR.		07/18/14
		256 MARIONA CRES		07/18/14
		236 MARLIN CRES		07/18/14
		785 VALLEY GREEN TRAIL		07/20/14
		411 Heather Newmarket		07/28/14

# Petition for a Splash Pad in Summerhill South-Newmarket

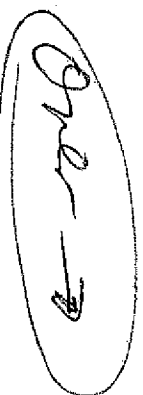
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Printed name	Signature	Address	Comment	Date
		405 Hewitt Cir		07/28/14
		425 Newton Circle		07/20/14
		3 Foxtail Ridge		07/31/14
		9 Foxtail Ridge		07/31/14
		24 Foxtail Ridge		07/31/14
		22 Foxtail Ridge		07/31/14

—10 Foxtail



No.	Date	Particulars
✓	1	8 Fosters
✓	1	100 wadd. P. red.

# Petition for a Splash Pad in Summerhill South-Newmarket

## At Armstrong Family Park

Petition summary and background: With the desire to have a splash pad in this neighbourhood where all residents can use without always having to travel by car to cool off during the hot summer months

Action petitioned for: We, the undersigned, are concerned citizens who urge our town leaders to designate a splash pad for southwest Newmarket in 2015

Printed name	Signature	Address	Comment	Date
		367 Hewitt Circle		August 11th 2014
		351 Hewitt Circle		Aug 14 2014
		305 Hewitt Circle		Aug 14/14
		333 Hewitt Circle		Aug 14
		346 Hewitt Circle		Aug 13/14
		213 Markie Cres.		Aug 15/14

# Petition for a Splash Pad in Summerhill South-Newmarket

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Printed name	Signature	Address	Comment	Date
		357 Ashbrook		Aug 9
		265 Ashbrook Newmarket		
		275 McBride cres		Aug 9
		290 McBride cres		Aug 9
		806 Walsby		Aug 9
		71 McLeod Circle		Aug 9/14

# Petition for a Splash Pad in Summerhill South-Newmarket

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Printed name	Signature	Address	Comment	Date
		56 Gladstone Ave		1/08/2014
		52 NELSON CIR		
		401 Hewitt Circle		Aug 8/14
		397 Hewitt Circle		Aug 5/14
		391 Hewitt Circle		Aug 5/14
		402 Hewitt Cir		Aug 5/14



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Printed name	Signature	Address	Comment	Date
1		416 Hewitt Circle		07/30/14
		390 Hewitt Circle		7/30/14
		382 Hewitt Circle		
		381 Hewitt Circle		7/30/14
		383 Hewitt Circle		7/30/14
		400 Hewitt Circle		7/30/14

Petition summary and background:	With the desire to have a splash pad in this neighbourhood where all residents can use without always having to travel by car to cool off during the hot summer months
----------------------------------	--

Action petitioned for: We, the undersigned, are concerned citizens who urge our town leaders to designate a splash pad for southwest Newmarket in 2015

Printed name	Signature	Address	Comment	Date
		277 McBurness Ave		Aug 31/14
		293 McBride Cres.		July 31, 2014
		32 Widdafield N. Mt		Aug 31/14
		8 Widdafield Aurora, IL		Aug 31/14
				Aug 31/14

*[Signature]*

Name	Address	Date
	268 Marine	Aug 8/14
	266 Marine	Aug 8/14
	260 Marine	Aug 8/14
	283 Marine	Aug 8/14
	257 Marine	Aug 8/14
	248 Marine	Aug 8/14
	232 Marine	Aug 8/14

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Printed name	Signature	Address	Comment	Date
		486 Hewitt Circle Newmarket		July 21/14
		482 Hewitt Circle		July 21/14
		488 Hewitt Circle Newmarket		July 21/14
		470 Hewitt Circle Newmarket		July 21/14
		461 Hewitt Circle		July 21/14
		450 Hewitt Circle		July 21/14

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Printed name	Signature	Address	Comment	Date
		407 COVENTRY HILL DR. N.		7/22/14
		418 COVENTRY		7/22/14
		425 COVENTRY		" "
		4131 COVENTRY HILL		" "
				" "
		458 Hewitt		" "
		460 Hewitt		" "

(Sue) →



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Printed name	Signature	Address	Comment	Date
		880 McBride Cres.	would be great for all the kids	July 17/14
		312 McBride Cres.	great idea - more activities for young kids is always better	July 17/14
		300 McBride Cr.		July 17/14
		771 Valley Grn Pl		July 19/14
		39 Nelson Corde	great!	July 19/14
		47 Nelson Circle	Awesome	July 19/14



# Petition for a Splash Pad in Summerhill South-Newmarket

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Printed name	Signature	Address	Comment	Date
		858 Cassie Rd Newmarket		Aug 19/14
		802 Cassie Rd. Newmarket		Aug 19/14
		145 Austin Blvd		
		201 Austin Blvd		Aug 20/14
		181 Austin Blvd		Aug 20/14
		56 Macdonald St		Aug 21/14

Councillor Sponga - THAT a staff report be prepared to review GO Train operations including east-west road connections, grade separations, speed within the downtown core, frequency of whistles at the train intersection located at Water Street, Timothy Street and Davis Drive and the implementation of a regulated Signaled Pedestrian Crossing at Water Street, Doug Duncan Drive and Fairy Lake.

TOWN OF NEWMARKET COUNCIL - EXTRACT - MONDAY, JULY 21, 2014					
	REF'D TO	COPY TO		REF'D TO	COPY TO
Mayor Tony Van Bynen			Development & Infrastructure Services, Commissioner of		
Reg. Councillor Taylor			Community Services, Commissioner of		
Councillor Vegh			Corporate Services, Commissioner of		
Councillor Kerwin			Planning & Building Services, Dir. of		
Councillor Twinney			Recreation & Culture, Dir. of		
Councillor Hempen			Human Resources, Dir. of		
Councillor Sponga			Engineering Services Dir. of		
Councillor Di Muccio			Public Works Services, Dir. of		
Councillor Emanuel			Financial Services, Dir. of		
			Legal Services, Dir. of		
CAO			Legislative Services, Dir. of		
OTHER:			Corporate Communications, Dir. of		
			Chief Building Official		
PENDING AGENDAS: COW			Economic Development Officer		
COUNCIL			Information Technology, Dir. of		
JCC			Fire Chief		
			Purchasing Manager		
Letter: File:			ORIGINAL REPORT IN DEPARTMENT BINDER	√	

5. a) THAT Development and Infrastructure Services - Planning and Building Services Report 2014-33 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-13-29, 345-351 Davis Drive be received and the following recommendations be adopted:

i) THAT the Application for a Zoning By-law Amendment submitted by 1738357 Ontario Limited for lands municipally known as 345-351 Davis Drive be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified together with comments from 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 Andrew Fernacik, Walker, Nott, Dragicevic Assoc. Limited 90 Eglinton Avenue East Suite 970 Toronto ON M4P 2Y3 be notified of this action.



**PLANNING AND BUILDING SERVICES**  
 Town of Newmarket      www.newmarket.ca  
 395 Mulock Drive      planning@newmarket.ca  
 P.O. Box 328, STN Main      T: 905.953.5321  
 Newmarket, ON L3Y 4X7      F: 905.953.5140

July 21, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES –  
 PLANNING REPORT 2014-33**

TO:              Committee of the Whole

SUBJECT:      Proposed Zoning By-law Amendment  
                  345-351 Davis Drive  
                  1738357 Ontario Limited  
                  File No: D 14-NP-13-29

ORIGIN:        Application Submitted to the Planning Department

**RECOMMENDATIONS**

**THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2014-33 dated July 21, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-13-29 be received and that the following recommendations be adopted:**

- 1. THAT the application for a Zoning By-law Amendment submitted by 1738357 Ontario Limited for lands municipally know as 345-351 Davis Drive be referred to a public meeting;**
- 2. AND THAT following the public, the issues identified, together with comments from 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 Andrew Fernacik, Walker, Nott, Dragicevic Assoc. Limited, 90 Eglinton Avenue East, Suite 970, Toronto, Ontario, M4P 2Y3, be notified of this action.**

**COMMENTS**

**1. Purpose of the Report**

The purpose of this report is to recommend that the above noted application for a Zoning By-law Amendment to permit a 40 unit stacked townhouse development at 345-351 Davis Drive be referred to a public meeting.

## 2. Location and Surrounding Land Use

The subject property is located on the north side of Davis Drive, approximately mid-distance between Vincent Street (east) and Hillview Drive (west) and is municipally known as 345 and 351 Davis Drive. The property has an area of 0.32 ha (0.79 acres), a frontage on Davis Drive of 44.09 m (144.65 ft.) and a depth of 69.78 m (228.93 ft.). The property is municipally known as 345 Davis Drive is currently vacant. There is an existing vacant house on 351 Davis Drive.

The surrounding land uses are:

- East: A commercial use (Toast Tai Chi Centre) and a combination of Commercial and residential uses fronting on Vincent Street.
- North: The rear yards of the residential neighbourhood fronting on Amelia Street
- West: A place of worship and a mix of residential and commercial uses
- South: A commercial strip mall use.

See attached **Location Map**.

## 3. Proposal

1738357 Ontario Limited has submitted an application for a Zoning By-law Amendment to permit two stacked Townhouse developments for a total of 40 units and having a gross floor area of 3,982.6 m<sup>2</sup> and a density of 1.35 FSI. The maximum height proposed is 13.7 m (3 storeys). Underground parking is proposed. A unit mix of four 1-bedroom plus den, thirty-two 2-bedroom units and four 3-bedroom units is proposed.

The Zoning By-law Application proposes to increase the density, reduce the frontage requirements and reduce the side yard setback requirements from what is currently required by the zoning by-law.

Access is proposed onto Davis Drive at the easterly side of the property. This access would be a right-in and right-out access.

See Detailed Plan. The complete set of plans and supporting documents filed in support of this application can be viewed through the following link to the Town's web site:

<http://www.newmarket.ca/en/townhall/plannotic.asp#345-351DavisDrive>



#### 4. Related Applications

##### a) Site Plan Application D11 NP 13 29

Concurrent with the filing of the Zoning By-law Application, a Site Plan Application has been filed. Once the Zoning By-law application is advanced to the appropriate stage, the Site Plan application will be processed.

#### 5. Preliminary Review

##### a) Newmarket Official Plan Considerations

The subject property is designated Urban Centre and is identified within the Yonge Street Regional Centre area. The Urban Centre designation permits a broad range of residential, commercial, office and institutional uses. Densities for residential uses are established in Section 4.4 as follows:

- a residential density of 30-125 units per net hectare;
- a maximum Floor Space Index (FSI) of 1.0 in Phase 1 (prior to the preparation of the Urban Centres Secondary Plan); and greater than 1.0 through appropriate studies;
- a target of approximately 60-250 persons and jobs per hectare in Phase 1 (Section 4.4 - Table 1).

Section 4.4.3 provides that increased densities from those identified above may be permitted through a zoning by-law amendment, provided supporting studies are submitted that demonstrate that the proposed development will not create an unacceptable level of traffic, will be compatible with the existing surrounding development and in conformity with the intent of the applicable provisions of the Official Plan.

This application has provided the requisite studies (subject to the comments below) to support an increase in density in accordance with the above provisions.

The general policies of the Urban Centres also directs that:

- provide for a transition with Stable Residential Areas (Policy 4.2.2 b)
- a safe pedestrian environment be provided (Policy 4.2.2 c)
- provide good access and circulation (Policy 4.2.2 d)
- a high quality of urban design (Policy 4.2.3)
- provide maximum pedestrian, bicycle, vehicular connectivity and route choices (Policy 4.2.4).

In addition, there are a number of other Official Plan policies that apply to the consideration of the form and function of the proposed zoning-by-law amendment application, including:

- Section 3.10.2 - Affordable Housing;
- Section 12.0 - Urban Design and Compatibility Policies (including but not limited to urban design principles, vehicular and pedestrian connectivity, common areas, safety, sustainability in design, transit amenities, and urban centre character);
- Section 16.1.6 Recreational needs and park dedication; and

- Section 15.0, Transportation Network which includes accessibility and streetscaping.

The above is not meant to be an exhaustive list of the provisions of the Official Plan, but aims to illustrate several of the main considerations.

**b) Region of York Official Plan**

The subject property is designated "Urban Area" in the Region of York Official Plan. Several Regional policies apply and will be identified in part through Regional comments.

**c) Growth Plan for the Greater Golden Horseshoe(Growth Plan)**

The Growth Plan for the Greater Golden Horseshoe does not specifically designate the subject lands as they are outside the Provincial Urban Growth Centre, however, the general intensification policies apply. The Town's Official Plan is in conformity with the Growth Plan and provides for intensification as addressed above. The recently adopted Secondary Plan addresses the intensification policies of the Growth Plan and the Regional Plan in detail.

**d) The Big Move - Regional Transportation Plan**

The subject property is located on the Rapid Transit way along Davis Drive and is between two mobility hubs identified at the GO-train station and at the Yonge Davis Provincial Urban Growth Centre. The proposed development proposes additional density to sustain the investment in rapid transit and is within walking distance of the GO-Train station Gateway Hub.

**e) Provincial Policy Statement (2014)**

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 the PPS. The proposed Zoning By-law Amendment is impacted by a number of provisions including Section 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns, Section 1.4 Housing, Section 2.2 Water with respect to protecting the quality and quantity of municipal drinking water and Section 1.8 Energy and Air Quality with respect to promotion of alternative and renewable energy. Subject to the issues below, consistency with the PPS is expected to be achievable.

**f) Official Plan Amendment 10 - Newmarket Urban Centres Secondary Plan (Secondary Plan) - Adopted June 23, 2014**

Through the consideration of this application, regard should be had to the policies of the Secondary Plan, including but not limited to, the density and height policies, Affordable Housing (Policy 6.4.3), Urban Design and Sustainability (Policy 7.0), Block Structure and Street Network (Policy 8.0), Transportation and Mobility( Policy 9.0), Parks, Open Space and Natural Heritage (Policy 10.0), and Servicing including underground hydro facilities (Policy 13.0).



The subject property is within the Low Density designation on Schedule 4: Height and Density. The height of the proposed Townhomes is 13.7 m (3 storeys), while the proposed density is 1.35 FSI. The proposed height and density are within the range that is identified for the Low Density designation in the Secondary Plan.

A private Road/Lane is identified between Vincent Street and Hillview Drive. This connectivity has not been considered by the current proposed application.

The list of additional policies of the Secondary Plan identified above will also be considered in the assessment of this application.

**g) Official Plan Amendment 11 - Newmarket's Active Transportation Network - Adopted June 23, 2014**

Through the consideration of this application, regard should be had to the policies and Schedules of OPA # 11, the Active Transportation Network.

Davis Drive is identified as a Primary Active Transportation Network within the Right-of-Way in conformity with the Regional Cycling Network in the Regional Official Plan (Map 10) and the Town's Official Plan (Schedule D On-Street Bike Lane Plan). However, the provision for a cycling facility and widened sidewalks on Davis Drive cannot be achieved within the current regional right-of-way. The additional land required to provide the necessary space to accommodate the cycling facility and wider sidewalks at the ground level is proposed to be secured through the provision for addition land along the Davis Drive right-of-way for the future burying of the Hydro services provided for through the Town's Secondary Plan. Therefore, the zoning application will need to consider and address the required setbacks from Davis Drive to ensure there is sufficient space for the future burying of the hydro and associated utilities and the associated surface considerations e.g., wider sidewalks and cycling facility. The dedication of the land and/ or an easement for the additional land should form part of the agreement with the applicant.

## **6 Comments Received (July 9, 2014)**

Region of York – Review under Consideration.

Newmarket Engineering Services – Engineering Services has provided the following comments.

The surface and underground driveways, ramps and parking areas appear to be designed appropriately subject to a number of safety and drainage considerations.

There are no elevators proposed and the underground ramp slopes do not allow for accessibility.

The intercom is outdoors and situated on a 6.2% slope. It is suggested that the intercom be in the covered portion of the ramp to provide weather protection and that the slope around the intercom be reduced if possible.

Traffic Impact Study (prepared by LEA Consulting Ltd., dated December 16, 2013).

- 1) Comments relating to the driveway access are deferred to York Region Transportation as Davis Drive is a Regional road.
- 2) Future Background Traffic Conditions - The report undertook this part of the exercise in a conventional sense. York Region / vivaNext undertook an Environmental Assessment (EA) which contained a traffic impact/transportation review component. Any discrepancies between the future background volumes in this report should be similar to the results of the EA, and be confirmed.

#### Site Servicing

- 1) Water Supply - The functional servicing report indicates that the development will be serviced from a 200mm watermain connected to the existing watermain on Davis Drive. A hydrant flow test should be conducted to confirm that the existing pressure is sufficient to meet domestic and fire flow demands. As noted in the Town of Newmarket Engineering Design Manual section D1.03 the fire flow requirement for townhouses is 10,000 L/min.
- 2) Sanitary Sewer – The proposed development will be serviced by a 150mm connection to a manhole located on property line. It is requested that the FSR be expanded to include comment on the capacity of the receiving sewer on Davis Drive.
- 3) Stormwater Management – The stormwater quantity control for the development will be provided by means of roof top and underground storage in the form of box culverts. Stormwater quality control will be provided by an oil grit separator designed to remove a minimum of 80% TSS. The above stormwater management concept is acceptable however as the site is located within a regulated area, LSRCA should be circulated for comment.
- 4) It appears from the survey that a portion of 333 Davis Drive (Bethel Church) drains toward the subject site. Comment is requested regarding the exclusion of this area from the pre-development stormwater drainage area.
- 5) As noted in the Geotechnical Investigation Report the adjacent property located at 355 Davis Drive has previously experienced an artesian condition which is also likely to affect the subject property. If the water table will be permanently lowered below the proposed underground structure a Hydrogeological study may be recommended and include discussion of impacts to adjacent properties.
- 6) The Town of Newmarket standards or OPS specifications should be cited. A separate detail sheet is required.

#### Functional Servicing Report

- 1) Clarify the calculation of catchment area 0.18ha as the summary table indicates the total area is 2508m<sup>2</sup> excluding 215m<sup>2</sup> of roof area.
- 2) Section 4.2.4 indicates side swales are to be provided. The detail on drawing L2 should be revised accordingly.



- 3) Figures 2 and 3 indicate an "R" value of 0.25 for grassed area and Table 2 and 3 indicates a value of 0.20, this discrepancy is required to be addressed.
- 4) Comment is requested regarding the basis of a runoff coefficient of 0.55 for pervious paved areas.
- 5) It is recommended that runoff coefficients be revised as per Table 1.07 of the MTO Drainage Management Manual.

#### Site Grading

- 1) The proposed grading for the subject site generally matches existing grades at the property limits to the east, west, and north and matches proposed grades for the vivaNext project on Davis Drive. It is suggested that a defined swale or similar be provided along the west limit of the site and a detail provided.
- 2) Retaining wall details will need to be provided as part of next site plan submission.
- 3) The applicant is requested to demonstrate that the overland flow route will not have an impact on the adjacent residential properties to the north particularly in the event the area drains become plugged.
- 4) As the proposed construction is close to the east and west property lines comment is requested on impacts to adjacent properties.

#### Environmental Review

- 1) A Phase One Environmental Site Assessment (ESA) was completed by Pinchin Environmental Limited in December 2013 in accordance with the procedures set out in CSA Standard Z768-01 Pinchin has concluded "nothing was identified that is likely to result in potential subsurface impacts at the site. As such, no subsurface investigation is recommended at this time". It should be noted that Pinchin has advised a response from the MOE has not yet been received. Pinchin is requested to provide an update on their request for response from MOE with the next submission.

We require that the Phase 1 ESA be signed and sealed and included.

#### Landscape Review

- 1) Landscaping comments to be provided by our Capital Projects Parks Development Coordinator under separate cover.

#### Sediment and Erosion Control

- 1) The proposed sediment and erosion control measures are generally acceptable. A separate sediment and erosion control drawing will be required with applicable details and notes. The specified silt fence detail should be replaced with the Town of Newmarket standard detail.

#### Estimated Cost of External Work

The proponent is required to provide separate detailed cost estimates for all work exterior to the building and landscaping to the Engineering Services Department. The cost estimates will enable us to conclude our comments with respect to the proposed Site Plan Agreement.

#### Construction Management Plan

The property owner is required to provide a Construction Management Plan (CMP) highlighting various aspects of concern that may arise throughout construction and proposed mitigating measures, which shall be incorporated during construction to ensure a safe and successful project. The plan, once deemed acceptable by the Director of Engineer Services shall be kept and maintained onsite by the contractor. The information contained in the report shall include:

- 1) Construction schedule
- 2) Working hours during construction
- 3) Noise during construction
- 4) Construction access and deliveries
- 5) Material storage
- 6) Construction staff parking
- 7) Dust control.

#### Composite Utility Plan

The applicant shall submit an overall composite utility plan signed by each utility representative. The composite utility plan should be provided as early as possible.

#### General Comments

- 1) The applicant is requested to provide specifics regarding construction along the west property line as it relates to the proposed setback of 0.45m.
- 2) Similar to the above, the applicant is requested to provide specifics relating to future maintenance activities along the west property line.

Newmarket Building Services – have no concerns with the Zoning Bylaw Amendment Application. However, the following issues will need to be addressed prior to consideration of the Building Permit:

- due to concerns identified in the Geotechnical Investigation with a high water table and artesian conditions on a neighbouring site, a more in-depth hydrogeological study to be carried out with specific recommendations on the design and measures to deal with hydrostatic pressure during construction and post occupancy.
- The new Building Code provisions will need to be addressed (2014 and provisions to come into effect in January 2015).

Lake Simcoe Region Conservation Authority - The Conservation Authority raise a number of concerns including:

- A water balance and phosphorous loading budget is required.
- The design should accurately address the final design for Davis Drive (YRRTC).
- Low Impact Development (LID) stormwater management strategies are encouraged on site.
- Ensure drainage is contained on site.
- Rationalize any discrepancies with respect to runoff coefficients.
- Demonstrate how the 100 year storm runoff coefficient was determined.
- Grading of the driveway should be undertaken to reduce drainage into the underground parking structure.



Central York Fire Services - CYFS has no objection to the application to amend the zoning by-law subject to the following:

- demonstration that the turn-around facilities will accommodate the expected loads for emergency vehicles;
- underground parking floor area size does not appear to be correct; and
- Confirm the gross floor area for Blocks 1 and 2.

Aiolos Engineering Corporation (Noise Peer Reviewer on behalf of the Town) –

- A detailed noise assessment is required (current assessment is considered a feasibility study only).
- The determination of noise levels from adjacent sources including Davis Drive and the conclusion that no physical barriers are required, is acceptable.
- The recommendation that the day-time noise level exceedances from Davis Drive traffic be addressed through central air conditioning and appropriate warning clauses in the appropriate agreement with tenants is acceptable.
- The following two issues are required to be addressed:
  - Whether the adjacent church to the west has roof-top units that could contribute to noise

York Region District School Board - no objections.

Hydro One – no comments or concerns at this time.

Enbridge - all costs of relocation services and/or easements will be responsibility of the applicant.

Bell - the applicant is required to confirm that the communication/telecommunication infrastructure is proposed both to and within the proposed apartment to serve the residents and to deliver emergency management services; and indicates that the cost of connection to such services will be at the developer's expense.

Canada Post - The owner/developer will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.

In addition, Canada Post also requests a number of conditions related to the site plan applications including:

- that the prospective home purchaser be advised that mail delivery will be from a designated Community Mailbox;
- a Community Mailbox be constructed on a concrete base pad per Canada Post specifications;  
 walk-way access to the mailboxes, including wheelchair access per municipal standards.

## 7. Preliminary Issues

The following preliminary issues address matters that are of a design and/or are of a technical basis that may impact the location of the proposed building and therefore the provisions of the proposed Zoning By-law Amendment.

1. Parks and Open Space - Has the application adequately addressed Parks and Open Space, including Urban Squares?
2. Internal Vehicular Flow - Is the internal vehicular flow and access at Davis Drive appropriate to meet the Town and the Regional requirements, including connectivity, private street/lane fine grain grid (to east and/or to the west), Mobility Plus vehicles, Emergency Services, moving and garbage pick-up, etc.?
3. Underground Hydro Facilities - Has the application made appropriate provision for the future burying of hydro and associated utilities and companion benefitting surface facilities e.g., wider sidewalks and cycling facilities on Davis Drive?
4. Grading - Is the proposed grading appropriate to ensure that there is appropriate grading transitions to the adjacent properties and Davis Drive and well as internal to the site and in particular to the underground parking?
5. Geotechnical Issues – Has the application adequately address the geotechnical issues related to high water table and potential artesian regime?
6. Stormwater Management - Has the Stormwater Management Plan adequately addressed the provisions of the Conservation Authority, Regional and Town requirement including but not limited to Low Impact Development and other measures aimed at increasing infiltration, improving water quality and quantity, reducing flooding and connection to the appropriate stormwater receptor?
7. Regulated area Under the Jurisdiction of the Conservation Authority - Has the application adequately addressed the requirements of the Conservation Authority?
8. Urban Design and Sustainability - Have the applicable Urban Design and Sustainability considerations as set out in the Secondary Plan been given appropriate consideration, e.g., shadow impacts, outdoor amenity space, streetscapes and boulevards, energy and water conservation, etc.?
9. Affordable Housing - Has the requirements of the Regional Plan and the provisions of the Secondary Plan been appropriately address with respect to affordable housing?
10. Servicing - Has the servicing of the site been adequately addressed?

The above issues will be address in conjunction with the outstanding comments and the public input following the statutory public meeting.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

#### *Well-planned and Connected*

- furthering the provisions of the Official Plan

#### *Well-equipped & Managed*

- provides for varied housing types, affordability and densities

#### *Living well by:*

- implementing traffic and growth management strategies

### **CONSULTATION**

Consultation has been carried out with Internal and external agencies as addressed above. The recommendation of this report refers the application to a statutory public meeting as required by the *Planning Act*.

### **HUMAN RESOURCE CONSIDERATIONS**

None applicable to this report.

### **BUDGET IMPACT**

The Town will receive the planning application and development charges fees following the 36 month deferral and will receive increased tax revenue.

No Capital budget implications are anticipate.

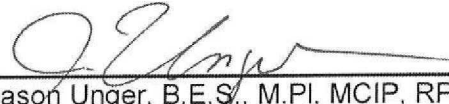
### **CONTACT**

For more information on this report, contact Marion Plaunt, Senior Planner, Policy at 905 953-5300 Ext. 2459 or at [mplaunt@newmarket.ca](mailto:mplaunt@newmarket.ca).






Marion Plaunt, MES, MCIP, RPP  
Senior Planner – Policy  
Planning & Building Services



Jason Unger, B.E.S., M.PI, MCIP, RPP  
Assistant Director of Planning  
Planning & Building Services

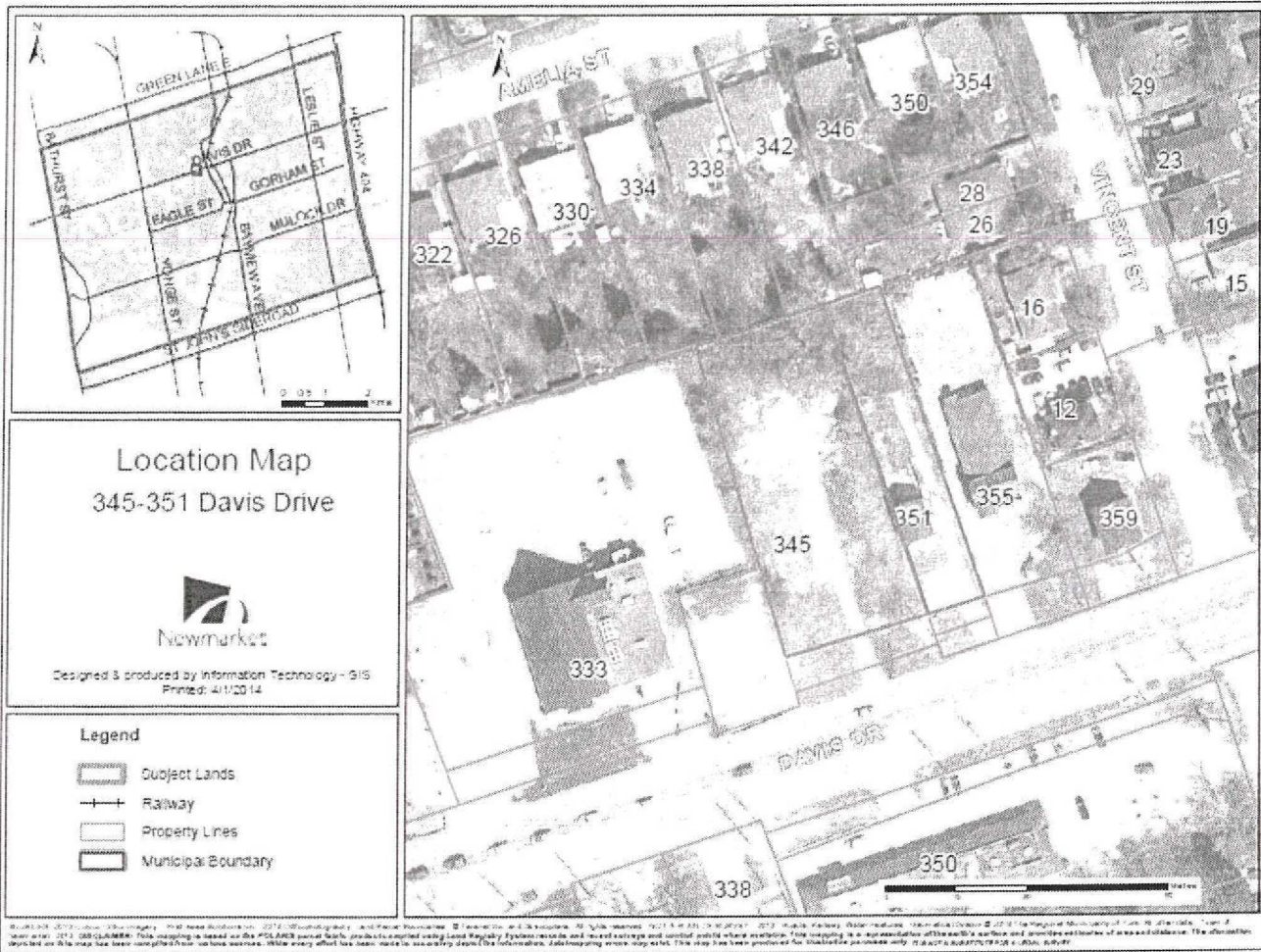


Richard Nethery, B.E.S., MCIP, RPP  
Director of Planning & Building Services



Rob Prentice  
Commissioner  
Development and Infrastructure Services

## Location Map



1133 PLAN LOT 7 LOT 24

DAVIS DRIVE

DOWNEY DRIVE

PROPOSED DEVELOPMENT

EXISTING DEVELOPMENT

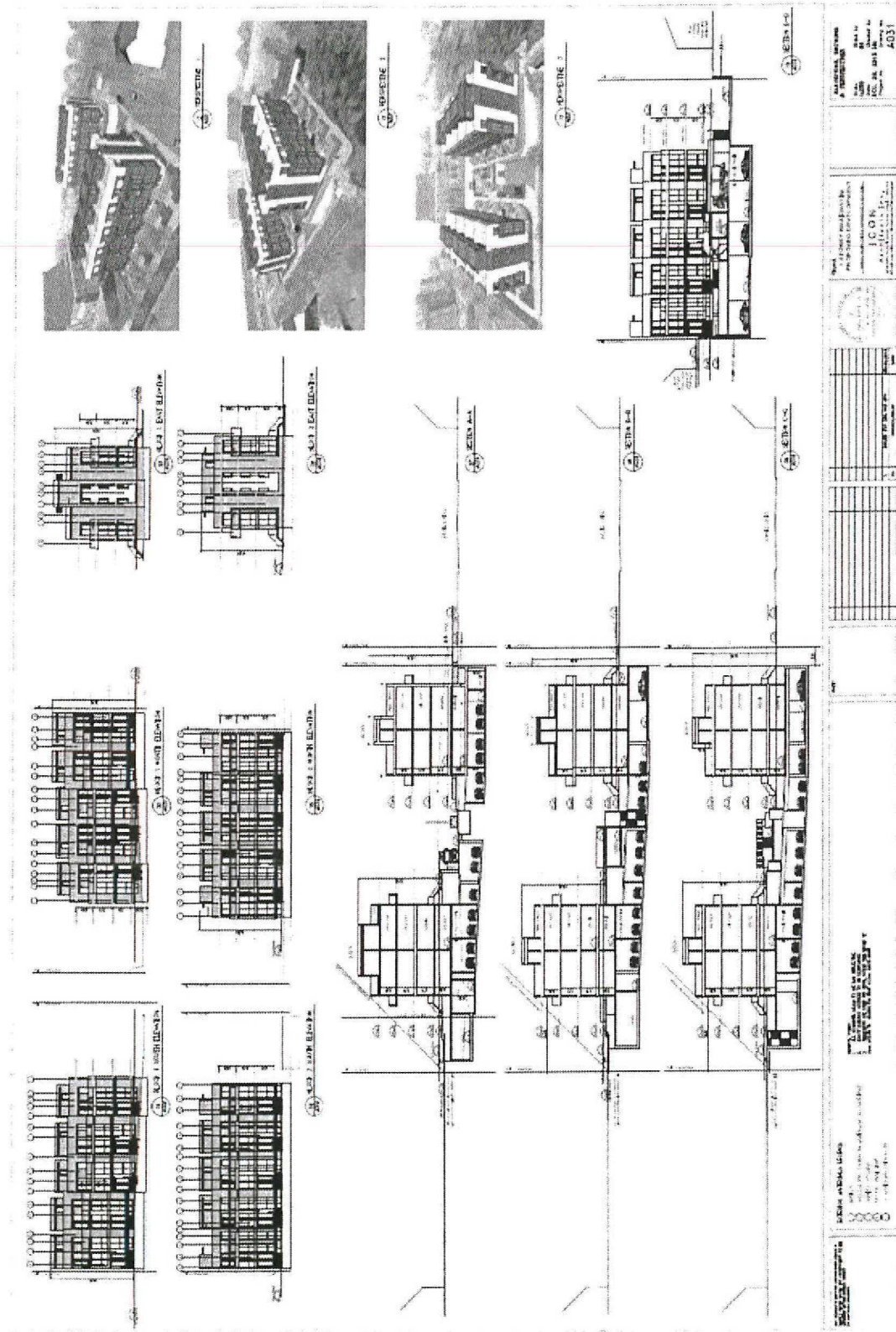
TOTAL DEVELOPMENT

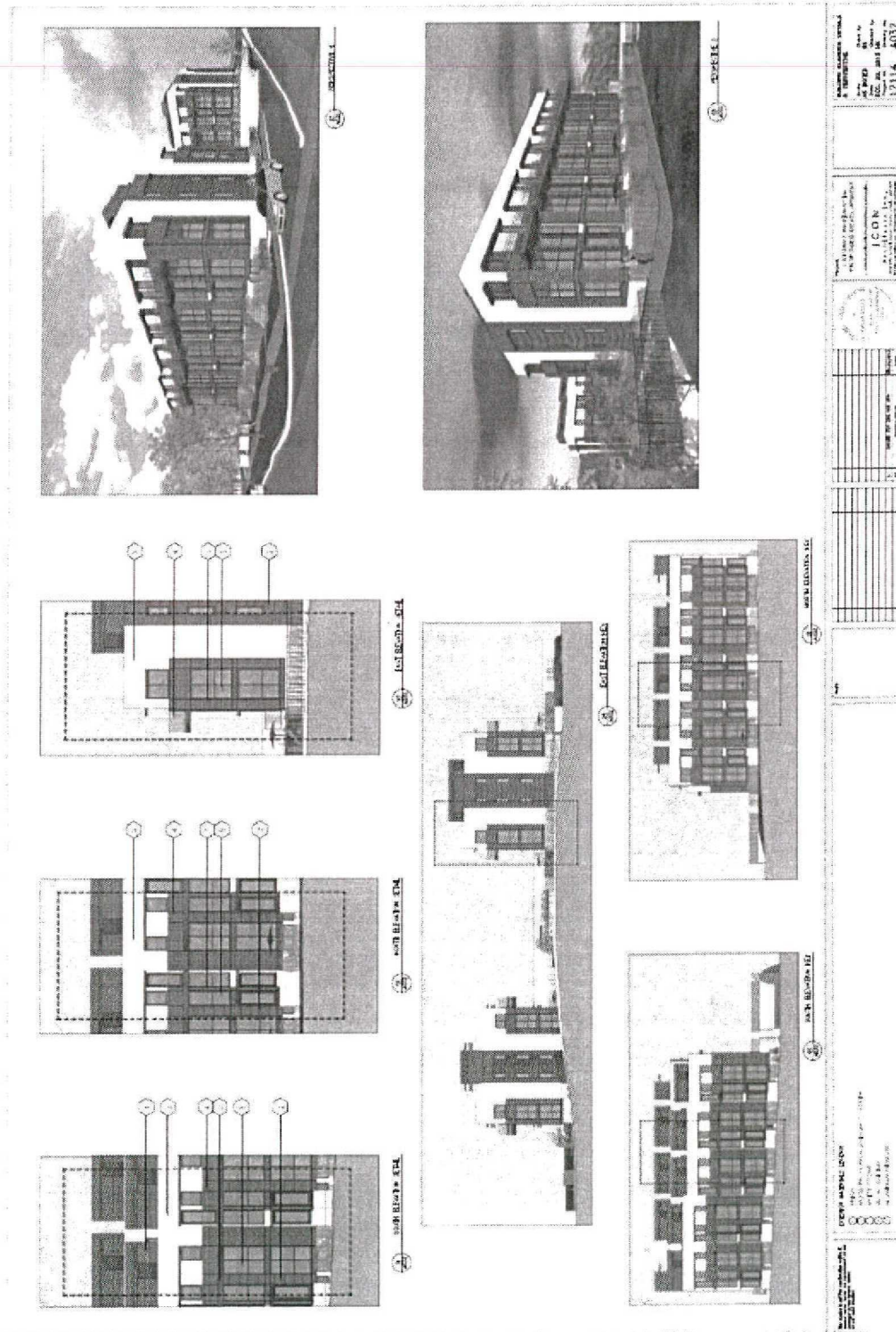
12/14/2014

12114 A011



Elevations







Planning and Building Services

TOWN OF NEWMARKET

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

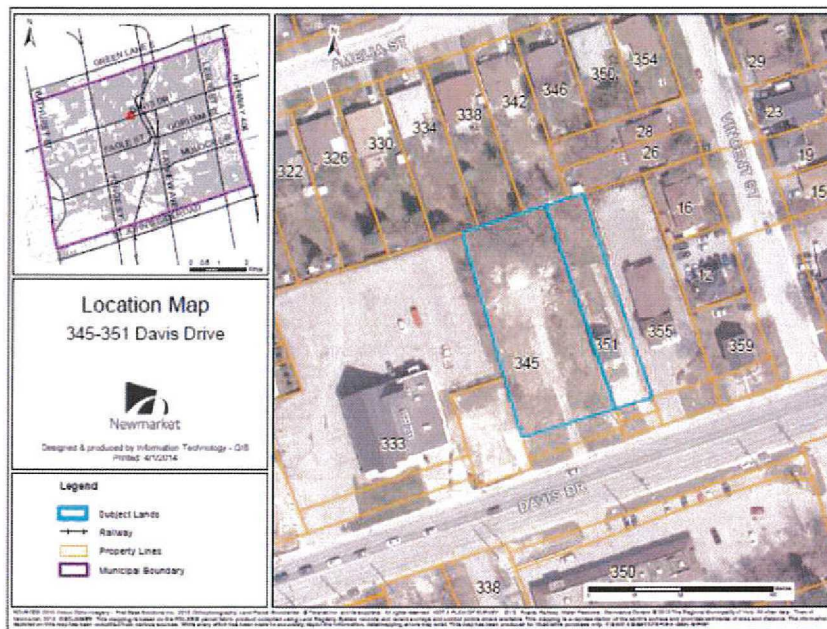
905.953.5321

**PUBLIC MEETING CONCERNING A  
PROPOSED ZONING BY-LAW AMENDMENT (D14 NP 13 29)**

**TAKE NOTICE** that the Council of the Corporation of the Town of Newmarket will hold a Public Meeting on:  
**MONDAY, SEPTEMBER 22, 2014 AT 7:00 P.M.**

in the **Council Chambers at the Municipal Offices, 395 Mulock Drive**, to consider a proposed Zoning By-Law Amendment under Section 34 of the Planning Act, RSO 1990, c. P. 13 as amended.

The owner, 1738357 Ontario Ltd. has submitted a Zoning By-law Amendment application to amend the Zoning By-law provisions at 345 and 351 Davis Drive to permit a 40 unit stack townhouse development consisting of two, 20 unit blocks and having a height of approximately 13.7 m (3 storeys). The Zoning amendment proposes to increase the density, and reduce the front and side yard setbacks from what is required by the Zoning By-law.



**ANY PERSON** may attend the public meeting to make written or verbal representation either in support of or in opposition to the proposed Zoning By-Law Amendment. If you wish to use the Town's audio/visual system, please contact the Clerk's Office not later than noon on the day of the meeting to make the appropriate arrangements. Should you be unable to attend the public meeting, your written submission will be received up to the time of the meeting.

**IF YOU WISH TO BE NOTIFIED** of the adoption of the proposed Zoning By-Law Amendment, you must make a written request to the Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN MAIN, NEWMARKET, ON, L3Y 4X7.

**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting or make written submissions to the Town of Newmarket before the by-law is passed; the person or public body is not entitled to appeal the decision of the Town of Newmarket to the Ontario Municipal Board.

**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting, or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there is reasonable grounds to do so.

**ADDITIONAL INFORMATION** relating to the proposed Zoning By-law Amendment is available for inspection between 8:30 a.m. and 4:30 p.m. Monday to Thursday and between 8:30 a.m. and 4:00 p.m. on Fridays at the Municipal Offices, 395 Mulock Drive, Newmarket. Details of the amendment can be view on the Town's web site at:  
<http://www.newmarket.ca/en/townhall/plannotic.asp#345-351DavisDrive>.

Dated August 29, 2014

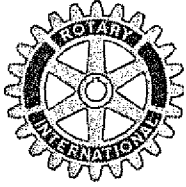
Direct any inquiries to the  
Planning Department 905-953-6321  
Please refer to File No. D14 NP 13 29

**Councillor Twinney:**

**That the Ontario Government consider the appropriate legislative amendments to the *Municipal Act, 2001* to permit telephone or video conference participation by appointed members of municipal accessibility advisory committees required by the *Accessibility for Ontarians with Disabilities Act, 2005*;**

**And that this resolution be circulated to the Hon. Kathleen Wynne, Premier of Ontario; Hon. Brad Duguid, Minister of Economic Development, Employment and Infrastructure; Hon. Ted McMeekin, Minister of Municipal Affairs and Housing; Mr. Chris Ballard, MPP; municipalities in York Region, Durham Region, Halton Region, City of Toronto and the Association of Municipalities of Ontario.**

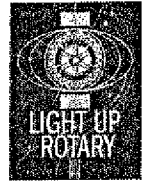




## THE ROTARY CLUB OF NEWMARKET. ONTARIO

*c/o The Best Western Voyageur Place Hotel*

*17565 Yonge Street,  
Newmarket, Ontario L3Y 5H6*



TO: Mayor Van Bynen  
Town of Newmarket

September 15, 2014

The Rotary Club of Newmarket, along with 34,000 other Rotary clubs around the world, are committed to the eradication of Polio worldwide. Since the global initiative began more than 25 years ago, Rotary has raised more than \$1 billion dollars and committed countless volunteer hours to fight the disease. Globally, we are "this close" to seeing a total eradication. There are only three countries where the wild polio virus has never been stopped: Afghanistan, Nigeria and Pakistan.

More than 2.5 billion children have been immunized against polio. Polio anywhere continues to be a risk to children everywhere.

The Rotary Club of Newmarket respectfully requests that the Town of Newmarket join communities around the world to declare October 24<sup>th</sup> World Polio Day in the Town of Newmarket.

With warm Rotary regards,

A handwritten signature in cursive script that reads "Lynn Bird".

Lynn Bird  
President  
Rotary Club of Newmarket

Email: [newmarketrotaryclub@gmail.com](mailto:newmarketrotaryclub@gmail.com) Twitter: @RotaryNewmrktON

Website: [www.NewmarketRotary.ca](http://www.NewmarketRotary.ca)



**CANADIAN SOCIETY OF RESPIRATORY THERAPISTS**  
**SOCIÉTÉ CANADIENNE DES THÉRAPEUTES RESPIRATOIRES**

September 15, 2014

Honourable Tony Van Bynen  
 Mayor, City of Newmarket  
[mayor@newmarket.ca](mailto:mayor@newmarket.ca)

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
SEP 15 2014		

Dear Mr. Van Bynen:

The Canadian Society of Respiratory Therapists (CSRT) celebrates Respiratory Therapists Week, October 26 to November 1, 2014. This week-long celebration serves to recognize respiratory therapists (RTs); educate the public about the varied roles of respiratory care and responsibilities of RTs; and to increase the recognition of the significant contribution made by RTs who are responsible for the well-being of individuals who suffer from asthma, COPD (emphysema) and other respiratory illnesses within the community and in hospital settings.

Respiratory therapists are specialists in airway management, and the treatment of respiratory related conditions, educating patients and their families regarding their respiratory condition and associated treatments. RTs are instrumental in saving lives. They work in a variety of high risk areas including intensive care units, emergency departments, operating rooms, neonatal nurseries and home care.

Respiratory therapists are responsible for among other things, the treatment of patients who have experienced trauma or are in surgery or intensive care units; assisting in cardiopulmonary resuscitation (CPR); stabilization high-risk patients being moved by air or ground; providing support in high risk deliveries of babies who experience difficulty breathing.

As an RT serving the community of **Newmarket** it is an honor for me to request, on behalf of RTs, that the city of **Newmarket** consider proclaiming October 26 to November 1, 2014, Respiratory Therapists Week, in recognition of the valuable role of respiratory therapist within the community.

Sincerely,

Mary Bayliss RRT, MA

[mbayliss@southlakeregional.org](mailto:mbayliss@southlakeregional.org)



**Lake Simcoe Region**  
conservation authority

*A Watershed for Life*

Sent by E-mail: [mplaunt@newmarket.ca](mailto:mplaunt@newmarket.ca)

September 15, 2014

File No: D14-NP13-29  
IMS File No.: PZOA439C3

Ms. Marion Plaunt, MES, MCIP, RPP  
Senior Planner - Policy  
Planning and Building Services  
Corporation of the Town of Newmarket  
395 Mulock Drive, Box 328, STN Main  
Newmarket, ON L3Y 4X7

Dear Ms. Plaunt:

**Re: Notice of Public Meeting Concerning a Proposed Zoning By-law Amendment  
1738357 Ontario Ltd.  
345 and 351 Davis Drive  
Town of Newmarket, Regional Municipality of York**

Thank you for circulating the above-noted application to the Lake Simcoe Region Conservation Authority (LSRCA) for our review. The LSRCA has reviewed this application in accordance with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 under the *Conservation Authorities Act*. We understand the applicant is proposing to rezone the subject lands from the existing Regional Urban Centre (UC-R) and site-specific Regional Urban Centre (UC-R-86) Zones to a site specific Regional Urban Centre (UC-R-xx) Zone to permit the construction of a 40 unit stacked townhouse development consisting of two 3-storey, 20-unit blocks on the site. We also understand the proposed zoning will allow for an increase in density and reduced front and side yard setbacks.

Based on our review, the LSRCA is satisfied from a watershed management perspective that this application is consistent with the intent of the PPS, is in conformity with the LSPP, and that all the relevant environmental policies would not be offended. On this basis, the LSRCA has no further requirements as they relate this Zoning By-law Amendment application.

With respect to the proposed site alteration and future development of this site, we note that conformity with the Settlement Area policies of the LSPP related to Stormwater Management, grading/drainage, and erosion and sedimentation control can be demonstrated and achieved through the related Site Plan Application (Town File: D11 NP13-29) process currently underway. We note our comments relating to this Site Plan Application dated March 11, 2014 are still valid (attached).

Page 1 of 2

120 Bayview Parkway, Box 282  
Newmarket, Ontario L3Y 4X1

Tel: 905.895.1281 1.800.465.0437  
Fax: 905.853.5881

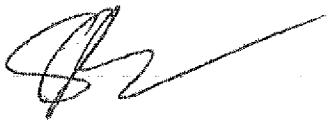
Web: [www.LSRCA.on.ca](http://www.LSRCA.on.ca)  
E-Mail: [Info@LSRCA.on.ca](mailto:Info@LSRCA.on.ca)

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September 15, 2014  
File No: D14-NP13-29  
IMS File No.: PZOA439C3  
Ms. Marion Plaunt  
Page 2 of 2

Please advise us of your decision in this matter. If you have any questions regarding the above, please do not hesitate to contact the undersigned. Please reference the above mentioned file number in future correspondence.

Regards,



Sara Brockman, MCIP, RPP  
Development Planner

SB/ph

Encl. (4 pgs.)

c Mr. Andrew Ferancik (Applicant), Walker, Nott, Dragicevic Associates Limited, e-mail: [admin@wndplan.com](mailto:admin@wndplan.com)  
Ms. Linda Traviss, Town of Newmarket, e-mail: [ltraviss@newmarket.ca](mailto:ltraviss@newmarket.ca)



**Lake Simcoe Region**  
conservation authority

*A Watershed for Life*

Sent by email: [admin@wndplan.com](mailto:admin@wndplan.com)

March 11, 2014

File No.: 12.598  
IMS File No.: PSPC1466C1 and PZOA439

Mr. Andrew Ferancik  
Senior Associate  
Walker, Nott, Dragicevic Associates Limited  
90 Eglinton Avenue East, Suite 701  
Toronto, ON M4P 2Y3

Dear Mr. Ferancik:

**Re: Zoning By-law Amendment and Site Plan Application**  
**345-351 Davis Drive**  
**Town of Newmarket**  
**Regional Municipality of York**  
**1738357 Ontario Limited**  
**WND File No: 12.598**

Thank you for circulating the above-noted application to the Lake Simcoe Conservation Authority (LSRCA) for our review. It is our understanding that the purpose and effect of this proposal is the development of a 40 unit stacked townhouse building with associated amenities.

We have reviewed the following documents as part of this circulation:

- EMC Group Limited, Functional Servicing Report, Proposed Residential Development, proposed 3 Storey Buildings, 1738357 Ontario Limited, 345-351 Davis Drive, Town of Newmarket, File 212153, December 2013
- EMC Group Limited, Site Servicing and Grading Plan, 345-351 Davis Drive, Town of Newmarket, Regional Municipality of York, Project No. 212153-SSG, revision date December 18, 2013
- ICON Architects Inc. 3-storey Residential Proposed Development, 345-351 Davis Drive, Newmarket, ON, Project No. 12114, December 20, 2013:
  - Site Plan, Drawing A011
  - Floor Plans, Drawing A021
  - Floor Plans & Fire Truck Path, Drawing A022
  - Elevations, Sections and Perspectives, Drawing A031
  - Building Elevation Details and Perspective Drawing A032

Page 1 of 4

120 Bayview Parkway, Box 282  
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Proud winner of the International Thiess Riverprize | Member of Conservation Ontario

March 11, 2014  
File No.: 12.598  
IMS File No.: PSPC1466C1 & PZOA439  
Mr. Ferancik  
Page 2 of 4

The LSRCA has reviewed these applications in accordance with the natural heritage and natural hazard policies of the Provincial Policy Statement (PPS) and the Lake Simcoe Protection Plan (LSPP) as major development.

Based on our review, the following comments should be addressed prior to any approval of these applications:

Stormwater Management

1. The Functional Servicing Report should make reference to the various manuals and guidelines which are to be followed in the preparation of the design of this site.
2. This site is considered major development under the Lake Simcoe Protection Plan. The provisions of section 4.8-DP must be addressed. A water balance and a phosphorus loading budget must be provided.
3. Ensure that all drawings are based on the final design of the current improvements being made to Davis Drive.
4. We would encourage the proponent to incorporate Low Impact Development (LID) stormwater management strategies on this site.
5. The orifice plate detail on drawing SSG requires notes regarding a permanent and tamper proof installation.
6. Ensure drainage is contained to this site and that positive drainage is provided along the east and west property boundaries, such that drainage is not blocked.
7. The Lake Simcoe Region Conservation Authority (LSRCA) requires post development flows to be controlled to pre-development flows for all storm events from the 1:2 year to the 1:100 year event. The proposal only controls to the 5 year pre-development flow.
8. Use the IDF curves for the Town of Newmarket and provide supporting information in the FSR.
9. Section 4.2.1 of the FSR is excluding drainage area (0.085ha) in the pre-development. Include this and revise all calculations.



March 11, 2014  
File No.: 12.598  
IMS File No.: PSPC1466C1 & PZOA439  
Mr. Ferancik  
Page 3 of 4

10. Figures 2 and 3 of the FSR indicate the runoff coefficient for grass to be 0.25, but Table 3 Post Development is using 0.20. Revise Table 3 and all calculations.
11. Figure 3 and Table 3 Post Development indicate the runoff coefficient for pervious pavers to be 0.55. Please model this with a runoff coefficient of 0.80, as there is no guarantee that the openings will not become clogged and proper maintenance will occur. Revise all calculations.
12. Demonstrate how the 100 year runoff coefficients were determined. We recommend coefficients be increased as per the MTO Design Chart 1.07.
13. Oil/grit separator sizing must use the 'Fines' particle size distribution. The rainfall should be Toronto (or close to Newmarket) and not Thunder Bay. Provide in the FSR and on the drawings an alternative OGS now and provide all sizing calculations and proof of acceptance by NJDEP. Providing an alternative now will alleviate the need for further review at a later date.
14. Demonstrate on the drawing how and where the area drains (AD) connect and drain. Include this explanation in the FSR.
15. Demonstrate on the drawing how and where Block 2 drains. Include this explanation in the FSR.
16. Figure 3 indicates that a large area will drain to the rear of the site as overland flow and exit onto the neighbouring properties. Demonstrate that post development flows are being controlled to pre-development levels and that additional volume/duration of flow will not impact neighbouring properties. We recommend that all impervious areas drain to the front of the site.
17. We suggest that consideration be given to changing the grading of the driveway such that the catch-basins before the entrance to the underground parking are eliminated and that location become a high spot. The driveway could grade toward the double catch-basins at the front of the site. This may reduce the amount of water which could enter the underground parking, should a blockage in the system ever occur.

March 11, 2014  
File No.: 12.598  
IMS File No.: PSPC1466C1 & PZO439  
Mr. Ferancik  
Page 4 of 4

Erosion and Sediment Control

18. A separate sediment and erosion control drawing which illustrates the existing ground contours and proposed storm sewers should be provided at the detail design stage.

19. Ensure the sediment controls are installed within the proposed site boundaries and not on neighbouring lands.

If you have any questions regarding the above noted comments, please do not hesitate to contact the undersigned. Please reference the above mentioned file numbers in future correspondence.

Sincerely,



Lisa-Beth Bulford  
Development Planner

LBB/ph

c. Linda Traviss, Town of Newmarket (ltraviss@newmarket.ca)

**241**  
**Deputation and Future Notice Request Form**

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

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

Subject:

Date of Meeting:  Agenda Item No.:

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**PLANNING AND BUILDING SERVICES**

Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

September 22, 2014

**Addendum Report****DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES –  
PLANNING REPORT 2014-42**

TO: Committee of the Whole

SUBJECT: Proposed Zoning By-law Amendment  
212 Davis Drive  
Green and Rose Developments Inc.  
File No: D 14-NP-14-04

ORIGIN: Application Submitted to the Planning Department

**RECOMMENDATIONS**

THAT Development and Infrastructure Services/Planning & Building Services - Planning Report 2014-42 dated September 22, 2014 regarding Proposed Zoning By-law Amendment Application D 14-NP-14-04 be received and that the following recommendations be adopted:

1. THAT Council support the Zoning By-law amendment in accordance with the Zoning By-law and Holding provisions as recommended in Revised Appendix A - Recommended Zoning By-law.
2. AND THAT the applicant be advised that a Reference Plan is required to be submitted to the Town prior to Site Plan Approval, which identifies as a minimum, the land to be conveyed to the Town for the future Minor Collector across the southerly limit of 212 Davis Drive; all easements including the easement for the future burying of hydro and related infrastructure (a minimum of a 3 m wide easement along the Davis Drive frontage and space for the future burying of switch gear to replace the current dip pole on the frontage of the property), easements for servicing including, e.g., water, waste water and storm water.
3. AND THAT Council direct staff and legal counsel to continue to work with the proponent, the commenting agencies toward the resolution of any outstanding issue as identified in Planning Report 2014-40 prior to the lifting to the "Holding" provisions and finalization of Site Plan Approval.
4. AND THAT Council direct staff and legal counsel, as part of Site Plan process, to enter into a Site Plan Agreement addressing applicable outstanding issues generally as outlined, but not limited to, those identified in Appendix B.

5. **AND THAT servicing allocation be granted to this development from the Urban Centres assignment in the amount of 439 people (225 apartment units).**
6. **AND THAT Brad Rogers of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, Ontario L4B 3K1 and Daniel Berholz, Green and Rose Developments Inc. 156 Duncan Mills Road, Unit 12, Toronto, Ontario, M3B 3N2, be notified of this action.**

## **COMMENTS**

### **1. Purpose of the Report**

The purpose of this report is to recommend a Revised Appendix A - Recommended By-law for the Zoning By-law Amendment proposed to permit a 15 storey, 225 unit rental apartment building at 212 Davis Drive, subject to the relief and Holding provisions set out in the Recommended Revised By-law in Appendix A.

The aim of the revisions is to provide flexibility for the applicant and the Town to resolve any outstanding issues in conjunction with the lifting of the Holding provisions and the Site Plan process.

Modifications have been made to:

- the minimum and maximum setbacks to ensure flexibility for the consideration of the elevation and grading of the structures and access to the future Minor Collector located across the southern periphery of 212 Davis Drive;
- provide flexibility for the height of the podium structure across the frontage of the building;
- include maximum total lot coverage for accessory structures (parking structure).

Those sections of the Recommended By-law that have been modified are identified by grey highlighting.

A revised Appendix A is attached – Revised Appendix A - Recommended By-law.

Revisions to Appendix B – Site Plan Agreement are also attached to represent the continued dialogue with the applicant.

## **Conclusion**

Many of the above issues will be addressed through the lifting of the Holding provisions and the Site Plan Process. The attached revised By-law has been drafted with significant flexibility in order that these issues may be appropriately addressed without an amendment to the By-law, and subject to the removal of “Holding” provisions.

Appendix D attached demonstrates the effect of the Recommended By-law.



## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The proposed application addresses the following Strategic Directions:

### *Well-planned and Connected*

- furthering the provisions of the Official Plan
- improved inter-connectivity and interaction amongst neighbours and neighbourhoods

### *Well-equipped & Managed*

- provides for varied housing types, affordability and densities

### *Living well by*

- implementing traffic and growth management strategies.

## **CONSULTATION**

Consultation has been carried out with the applicant, internal and external agencies, and Legal Services.

## **HUMAN RESOURCE CONSIDERATIONS**

None applicable to this report.

## **BUDGET IMPACT**

The Town will receive the planning application, Building Permit and Development Charges fees following the 36 month deferral. The Town will also receive increased tax revenue from the new development.

### **Capital Budget**

Parkland fees will be applied to the acquisition and development of parkland and the development charges will contribute to the future Minor Collector located at the rear of the property as identified in the Newmarket Urban Centres Secondary Plan.

## **CONTACT**

For more information on this report, contact Marion Plaunt, Senior Planner, Policy at 905 953-5300 Ext. 2459 or at [mplaunt@newmarket.ca](mailto:mplaunt@newmarket.ca).



Marion Plaunt, MES, MCIP, RPP  
Senior Planner – Policy  
Planning & Building Services



Jason Unger, B.E.S., MPI, MCIP, RPP  
Assistant Director of Planning  
Planning & Building Services



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



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

## List of Attachments

Revised Appendix A	Recommended By-law
Appendix B	List of Matters to be Included in the Site Plan Agreement
Appendix C	See Planning Report 2014-40 (September 22, 2014)
Appendix D	Schematic Illustrating the Effect of the Recommended By-law



**REVISED**

**APPENDIX A**

**RECOMMENDED BY-LAW**

CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2014-XX

A BY-LAW TO AMEND BY-LAW NUMBER 2010-40 BEING A ZONING BY-LAW.

WHEREAS it is deemed advisable to amend By-law Number 2010-40;

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

THAT By-law Number 2010-40, be and the same is hereby further amended by:

1. Delete from Schedule “A”, Map No.10, the UC-R-51 Zone on Part of Lot 4, Registered Plan 32, Town of Newmarket and municipally addressed 212 Davis Drive, and substituting therefore the:

Regional Urban Centre (H)UC-R-124 Exception Zone

as shown more particularly on Schedule “X” attached hereto, and forming part of this By-law.

2. Adding the following regulations relating to the UC-R zone to Section 8.1.1 List of Exceptions:

Exception 124	Zoning (H)UC-R-124	Map 10	By-Law Reference 2014-XX	File Reference D14-NP-14-04
i)	Location: 212 Davis Drive - South side of Davis Drive.			
ii)	Legal Description: Lot 4, Registered Plan 32, Town of Newmarket (PIN 03602-0347(LT)).			
iii)	Prohibited Uses: waste disposal sites within the meaning of Part V of the Environmental Protection Act, large (more than 10,000 L) non-agricultural source material storage facilities, commercial fertilizer storage facilities, pesticide storage facilities, road salt storage facilities, fuel storage, DNAPLs storage (chemicals typically used by drycleaners), and organic solvent storage.			
iv)	Development Standards:			
			(H)UC-R-124	
	<b>(a) Min. Yard Setbacks</b>			
	<u>Apartment:</u>			
	From Front Lot Line (Davis Drive)		Min. 3.0 m <sup>1</sup>	
	<u>Apartment:</u>		Min. 4.5 m	
	From West Lot Line			
	<u>Parking Structure:</u>			
	From Rear Lot Line as measured from the northerly limit of the future Minor Collector ROW:		Min. 3 m from the future Minor Collector right of way. <sup>2</sup>	
	<u>Above Ground Parking Structure:</u>			
	From East Lot Line		Min. 3 m	
	<u>Above Ground Parking Structure</u>			
	From West Lot Line		Min. 6 m	
	<u>Parking Structure Ramp</u>			

<sup>1</sup> The 3 m easement, in favour of the Town, is established for the future burying of the overhead hydro lines on Davis Drive and will provide the necessary above ground space for facilities including future cycling facility and wider sidewalks on Davis Drive.

<sup>2</sup> The future Minor Collector ROW is to be dedicated to the Town and will have a minimum width of 20 m.

From the West Lot Line	Min. 2.9 m
<b>(b) Max Yard Setback</b> <u>Apartment:</u> From Front Lot Line (Davis Drive)	Max. 15 m
<u>Above Ground Parking Structure:</u> From West Lot Line	Max. 9.6 m (excluding any ramps)
<b>(c) Maximum Total Lot Coverage for all Accessory Structures</b>	30 %
<b>(d) Max. Floor Space Index:</b>	2.0 FSI based on the <i>net lot area</i> of the property that is the subject of the zoning amendment as described below in provision (v).
<b>(e) Min. Floor Space Index:</b>	1.5 FSI based on <i>net land area</i> described below in provision (v).
<b>(f) Max. Height of apartment :</b> Where height is in metres and storeys, the measurement in metres shall prevail.	46 m (15 storeys)
<b>(g) Podium Structure :</b> Maximum Height of an enclosed or open <i>podium structure</i> located on Davis Drive frontage Minimum Height of an enclosed or open <i>podium structure</i> located on Davis Drive frontage Minimum step back Minimum frontage	Max. 10 m Min. 4.2 m Min. 3.0 m Min. two-thirds the width of the frontage of the apartment facing Davis Drive.
<b>(h) Apartment Ground Floor Height:</b>	Min. 4.0 m Max. 4.5 m
<b>(i) Minimum Parking Requirement:</b>	1.0 per apartment unit and 0.1 per apartment unit for visitor parking
<b>(j) Minimum width of entrance to future Minor Collector at the rear of 212 Davis Drive</b>	6.7 m

- v) *Net lot area* shall be calculated based on the entire property at the time of application of the By-law amendment (April 28, 2014), inclusive of the public Minor Collector across the rear of 212 Davis Drive and all private internal streets/lanes and the land included in the easements for underground hydro utilization across the frontage of Davis Drive.
- vi) *Podium Structure* means the lower part of the apartment building that is designed to break up the front façade and define the street edge. The podium refers to the overall structure that extends beyond the front wall of the tower portion of the building.
- vii) Special note (\*3) of Section 6.4.1 shall not apply.
- viii) Sections 6.4.2 (notes \*2-5) pertaining to terracing and setbacks shall not apply.
- ix) No provision of this by-law shall be deemed to be contravened by reason of any land division or the conveyance of a parcel(s) upon which a building(s) is erected provided that all of the standards of this by-law are met for the lands as a whole.

3. AND THAT all other provisions of By-Law 2010-40, as amended, shall apply to the lands subject to this By-law.

4. Adding the following provisions to Section 8.2.1 List of Holding Provisions:



By-law No.	Property Description	Permitted Uses Until the Holding Provision Removed	Conditions for Removal of the "H"	Date Enacted
2014-XX	212 Davis Drive Part of Lot 4, Registered Plan 32, Town of Newmarket	<p>No person within the lands zoned (H)UC-R-124 shall erect, alter or use any land, buildings or structures for any purpose except for those uses which existed on the date of passing of this By-law. Any grading, filling or works necessary to fulfill the requirements of testing for and/or site remediation required to obtain approval for Record of Site Condition and/or to provide approved servicing, shall be permitted.</p> <p>Furthermore, no changes, extension or enlargement of the uses which existed on the date of passing of this By-law shall occur unless an amendment to this By-law or removal of the '(H)' prefix, as identified in the next column, is approved by Town Council and the By-law comes into full force and effect.</p> <p>However, the Holding provision will not prevent any remediation or testing as addressed above, or any testing related to related to Source Water Protection and/or in-ground and above ground services, if deemed appropriate and desirable by the Town.</p>	<p><b>1. Grading:</b></p> <p>That prior to lifting the "H" it shall be demonstrated to the satisfaction of the Town that the proposed grading and elevation of the proposed building and parking structure achieve appropriate vehicle and pedestrian connectivity to the future Minor Collector at the rear, and appropriately connect and transition to the surrounding properties, including Davis Drive.</p> <p><b>2. Conveyance of the Minor Collector and Hydro Easement along the frontage of Davis Drive:</b></p> <p>That prior to the lifting of the "H", that the Owner shall enter into an agreement with the Town for the conveyance of the space required for the future Minor Collector across the rear of 212 Davis Drive and the 3 m easement and associated facilities at the Davis Drive frontage and the necessary agreements executed with the Town, and applicable agencies.</p> <p><b>3. Sanitary Sewage Conveyance:</b></p> <p>That prior to lifting the "H" it shall be demonstrated to the satisfaction of the Town that there is sufficient existing sanitary sewer conveyance capacity available, or through a</p>	



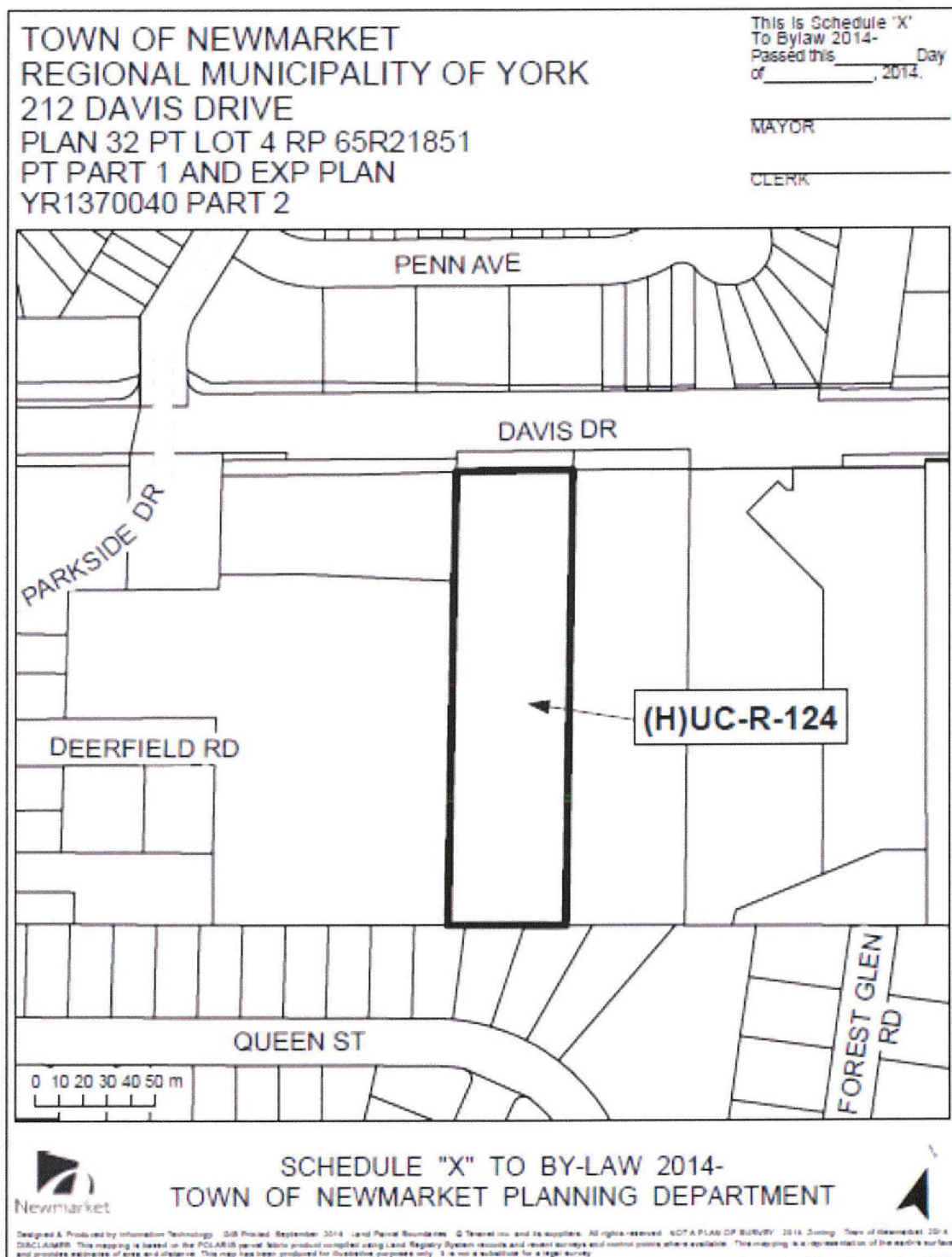
By-law No.	Property Description	Permitted Uses Until the Holding Provision Removed	Conditions for Removal of the "H"	Date Enacted
			<p>detailed calculation, demonstrate that water conservation measures will achieve the same end and that there will be no downstream adverse impacts.</p> <p><b>4. Record of Site Condition:</b></p> <p>That prior to lifting the "H" a Record of Site Condition shall be filed in accordance with the Town's Official Plan. (Policy 10.4.7 a))</p> <p><b>5. Stormwater:</b></p> <p>That prior to lifting the "H" a detailed storm water management plan shall be submitted to the satisfaction of the Town, the Region and the Lake Simcoe Region Conservation Authority.</p> <p><b>6. Servicing Conveyance:</b></p> <p>That prior to the lifting of the "H" provision for municipal services and access shall be to the satisfaction of the Town and the necessary agreements executed with the Town.</p> <p><b>7. Source Water Impact and Assessment Mitigation Plan:</b></p> <p>That prior to lifting the "H" a Source Water Impact and Assessment Mitigation Plan shall be required to have received approval from the Region of York demonstrating that any construction activities, including any dewatering or groundwater depressurization will not interfere with quantity and quality of groundwater of the municipal well(s).</p> <p><b>8. Site Plan Agreement:</b></p>	

By-law No.	Property Description	Permitted Uses Until the Holding Provision Removed	Conditions for Removal of the "H"	Date Enacted
			<p>That prior to lifting the "H" a Site Plan Agreement has been entered into between the Town and the Owner of the lands and the performance security contemplated therein posted.</p> <p><b>9. Official Plan:</b></p> <p>That prior to lifting the "H", all relevant provisions of the Official Plan have been complied with.</p>	

ENACTED THIS                      DAY OF                      , 2014

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk



## **APPENDIX B**

### **LIST OF MATTERS TO BE INCLUDED IN THE SITE PLAN AGREEMENT**

#### **Transportation**

1. That the owner agrees that the Minor Collector road identified on Schedule 5 in the Newmarket Urban Centre Secondary Plan (June 23, 2014) and located across the rear of 212 Davis Drive shall be a public street and will be dedicated to the Town with the Town providing a Development Charges Credit in an amount to be determined through an agreement. The final width of the Minor Collector Right of Way will be determined once the Town has determined the final grade of said street. The street will be conveyed to the Town as described above and an up to date survey provided to the Town and registered on title.
2. That the Town agrees that the construction of the minor collector across the rear of 212 Davis Drive will not be the responsibility of the owner.
3. That the owner agrees to work with the Town to provide provision for future connectivity through the site to the future Minor Collector to the rear and to the adjacent lands through:
  - i. a private drive aisle connection between Davis Drive to the future Minor Collector located at the rear of 212 Davis Drive;
  - ii. a sidewalk connection to the proposed park to the east if and only if the Town develops the park;
  - iii. the space available for future potential pedestrian connection to the west; and
  - iv. an agreement that a future easement may be entered into with the Town to establish a private street west of the proposed development on the periphery of the subject property.

#### **Underground Hydro**

4. That the owner agrees that a 3 m easement will be dedicated to the Town to accommodate the future undergrounding of hydro along the Davis Drive frontage subject to an agreement with the Town.
5. That the owner agrees that an area of approximately 4 m x 5 m in size, in close proximity to the 3 m hydro easement and proposed hydro dip pole, be established for a future easement in favour of Newmarket Hydro or appropriate body for a pad mount transformer, which will replace the existing dip pole structure.



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**Affordable Housing**

6. That the owner agrees to provide a minimum of 25 % of the rental accommodation within the affordability benchmark for rental housing in accordance with the Region of York criteria for affordability for moderate to low income households by, as a minimum, providing 25 % of the units at market rent to York Region under the Region's Rent Subsidy Program.

**Open Space and Connectivity**

7. That the owner agrees to provide a detailed landscape plan, to the satisfaction of the Town, for all lands outside the apartment and parking structures, including: a) any area that may become available with the placement of the existing watercourse located on the northeast corner of the property in a culvert; and b) for the second story of the parking structure.
8. That the owner agrees to provide a detailed design of the connection between Davis Drive and the future Minor Collector, to the satisfaction of the Town.
9. That the owner enter into an appropriate agreement with the owners of 230 Davis Drive to ensure that a minimum of one sidewalk at the joint entrance to the subject properties (212 and 230 Davis Drive) is provided, in addition to the sidewalk access proposed on the subject property.
10. That a detailed landscape and driveway access plan be submitted for the joint access at 230 Davis Drive to the satisfaction of the Town.

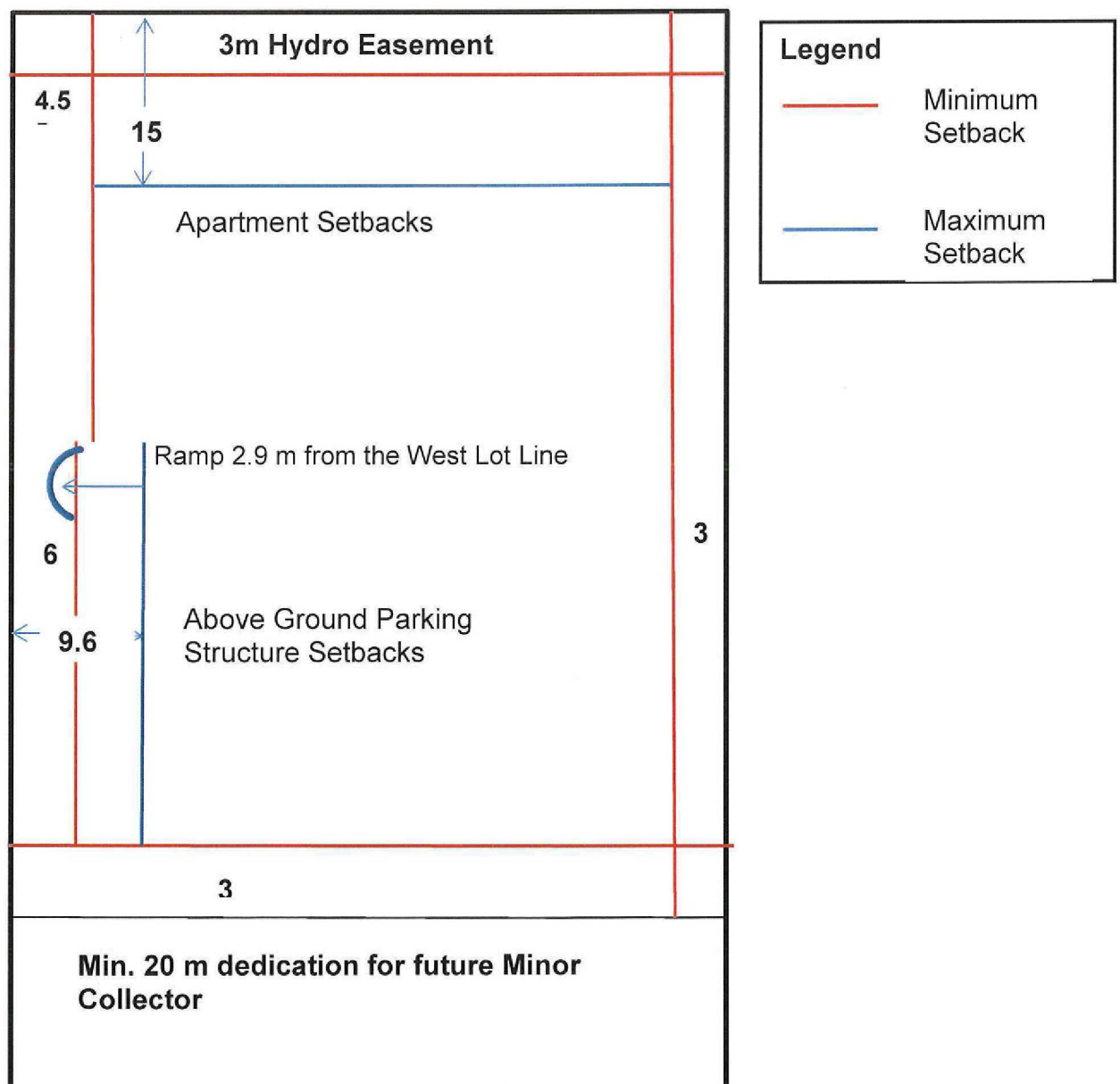
**Sustainability**

11. That the owner agrees to implement sustainability measures required by the policies of the municipal official plans, policies and guidelines and will give serious consideration to the sustainability measures encouraged by these plans and policies. Sustainability measures include, but are not limited to:
  - Implement grey water recycling to meet 50 % of the projected demand for toilets and urinals.
  - Implement reflective roofing or landscaped/green roofs on all rooftops exclusive of the areas used for mechanical equipment.
  - Design the buildings to be solar ready.
  - Make best commercial effort to provide for 40 % of the energy requirements to be purchased from alternative energy sources, or off-site renewable energy sources.
  - Design lighting and circulation/ventilation to meet or exceed energy efficient standards in effect at the time.
  - Ensure all appliances and water fixtures are low demand or low flow.
  - Design and implement three-stream waste management.
  - Design and building to accept advance communication technology e.g., conduit and wiring that meets or exceeds the minimum industry standard for advance communication e.g., broadband.

## Appendix D

Schematic Illustrating the Effect of the Recommended By-law  
(Not to Scale and All Measurements are Shown in Meters)

## Davis Drive





# 345 | 351 Davis Drive

Zoning By-law Amendment | Official Plan Amendment | Site Plan Application

Public Meeting

Town of Newmarket, Ontario

September 22, 2014

258

- Andrew Ferancik, MCIP, RPP; *WND Associates Ltd.*
- Hoordad Ghandehari and Reza Eslami, *ICON Architects Inc.*
- Kenneth Chang, P. Eng., PTOE; *LEA Consulting*
- Henry Verbruggen, P. Eng.; *EMC Group Limited.*

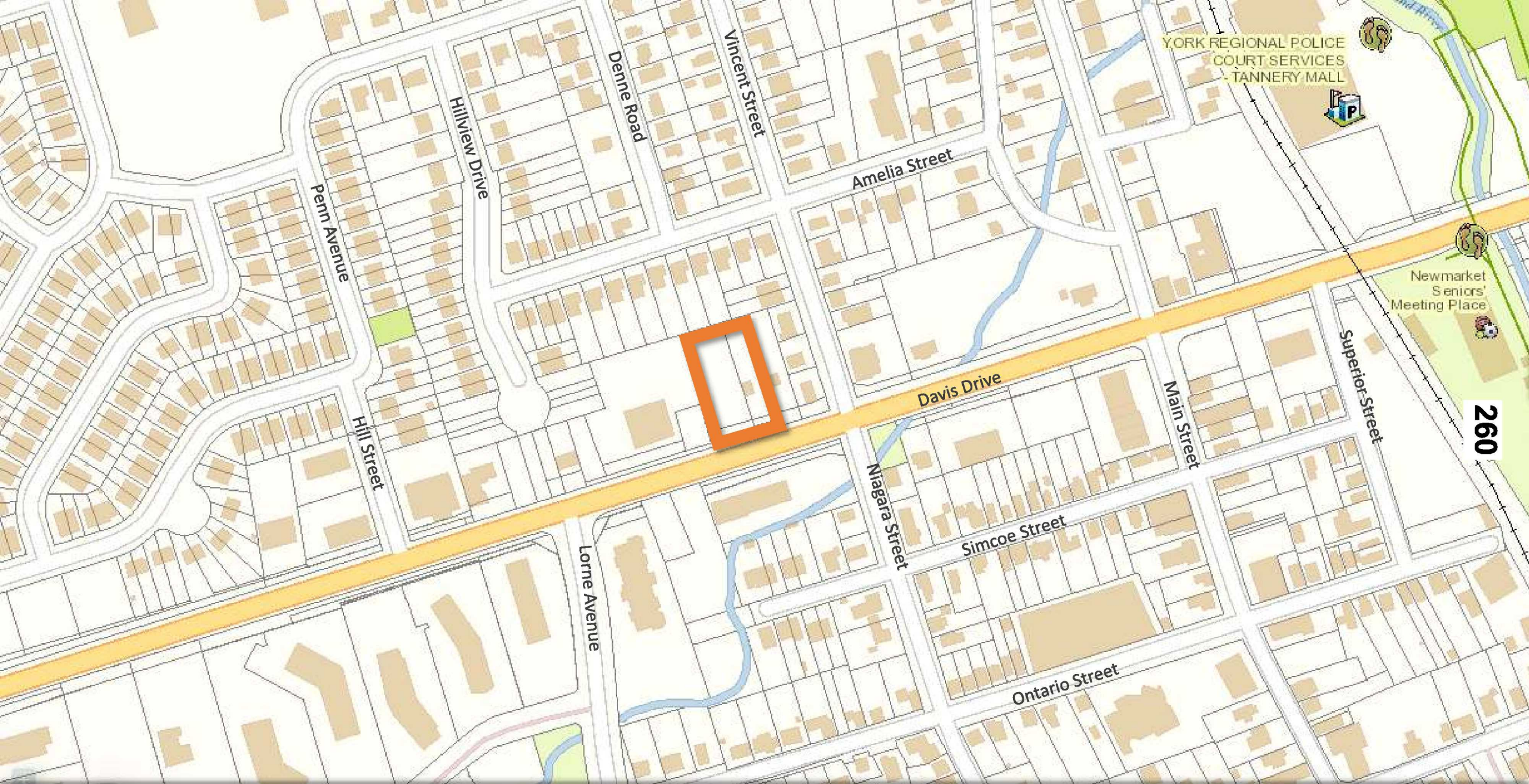
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**ICON Architects Inc**

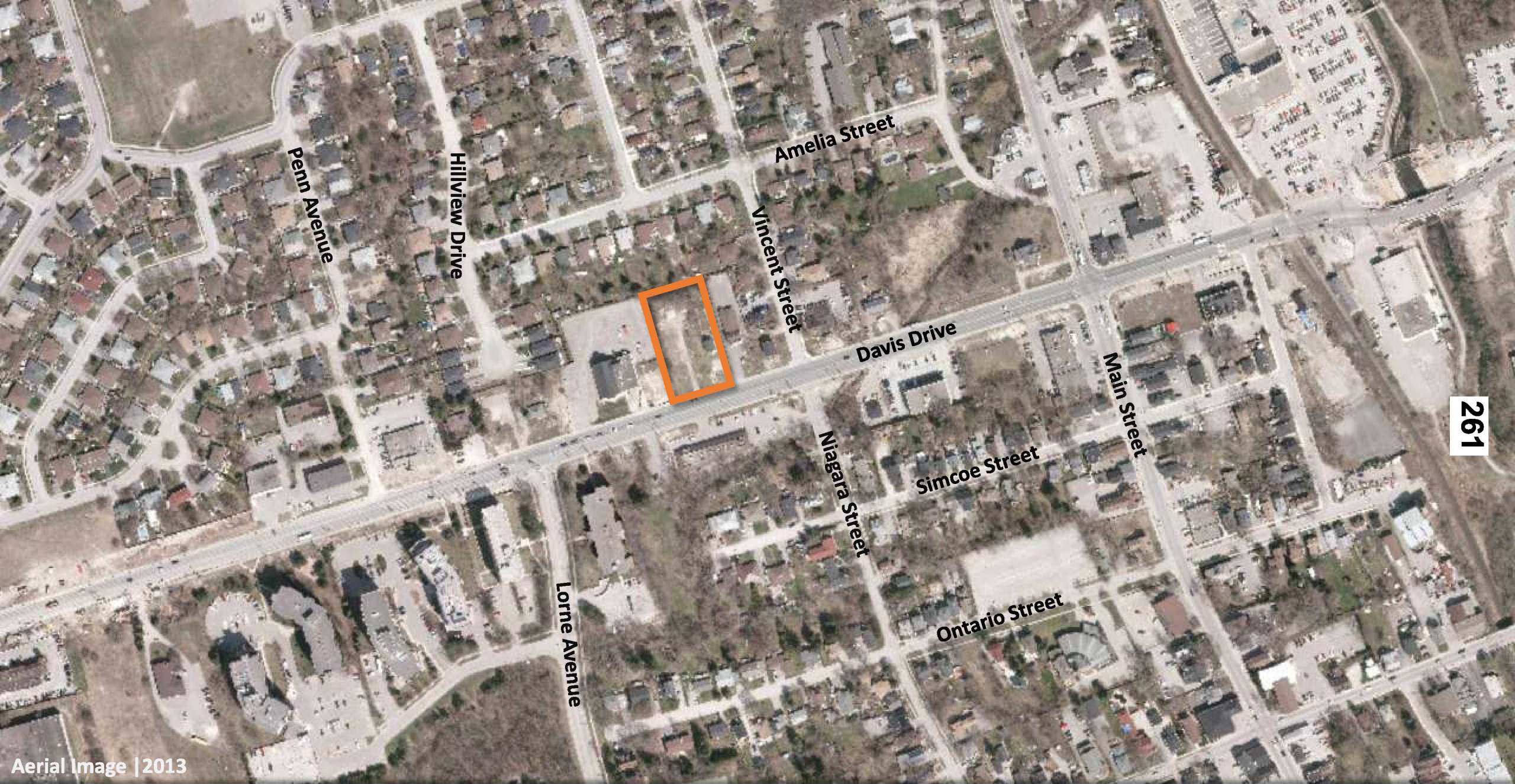


**CONTRIBUTING CONSULTANTS**









261

Aerial Image | 2013

AERIAL PHOTOGRAPH





# Site Photographs

262







264





265





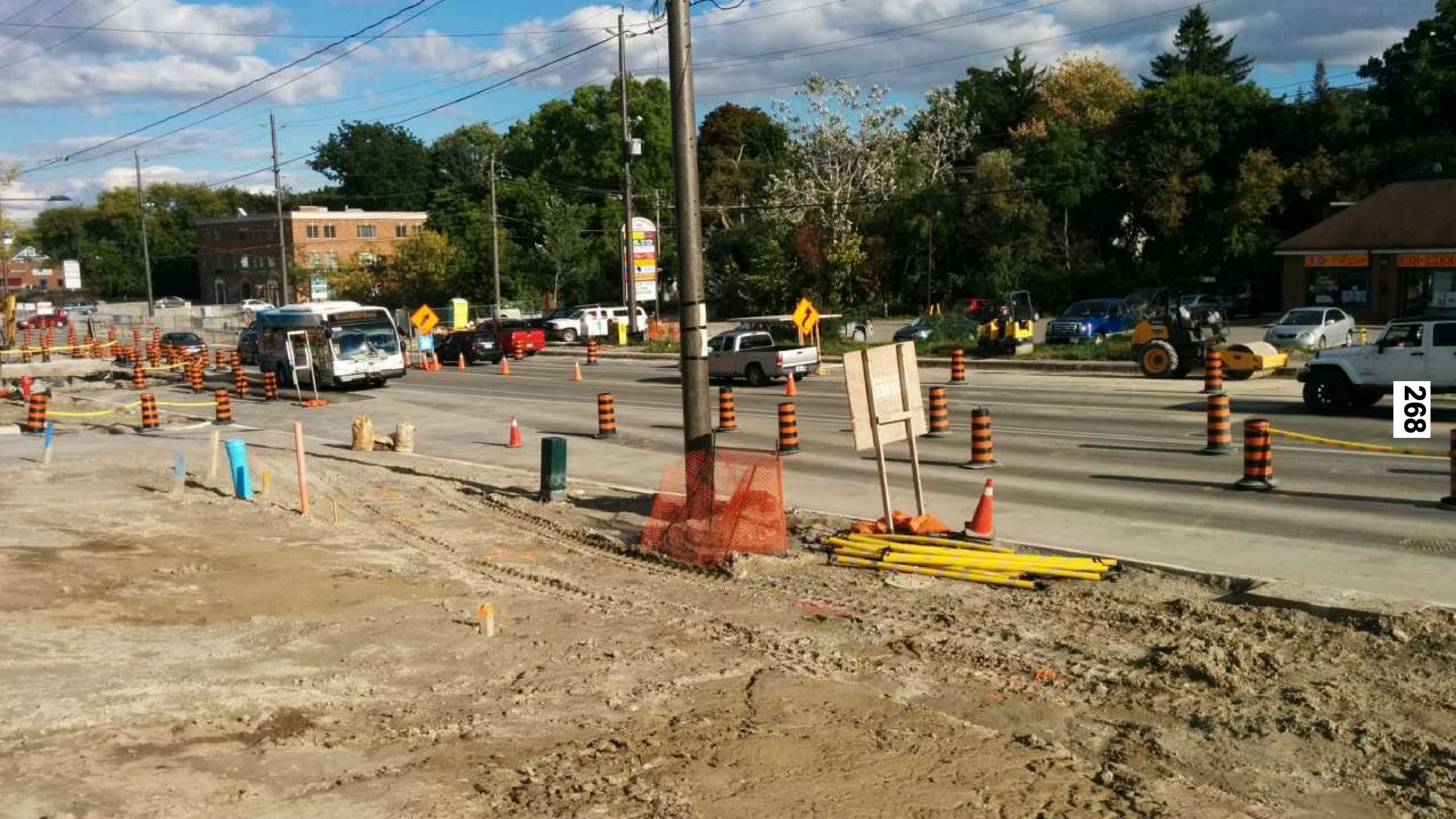
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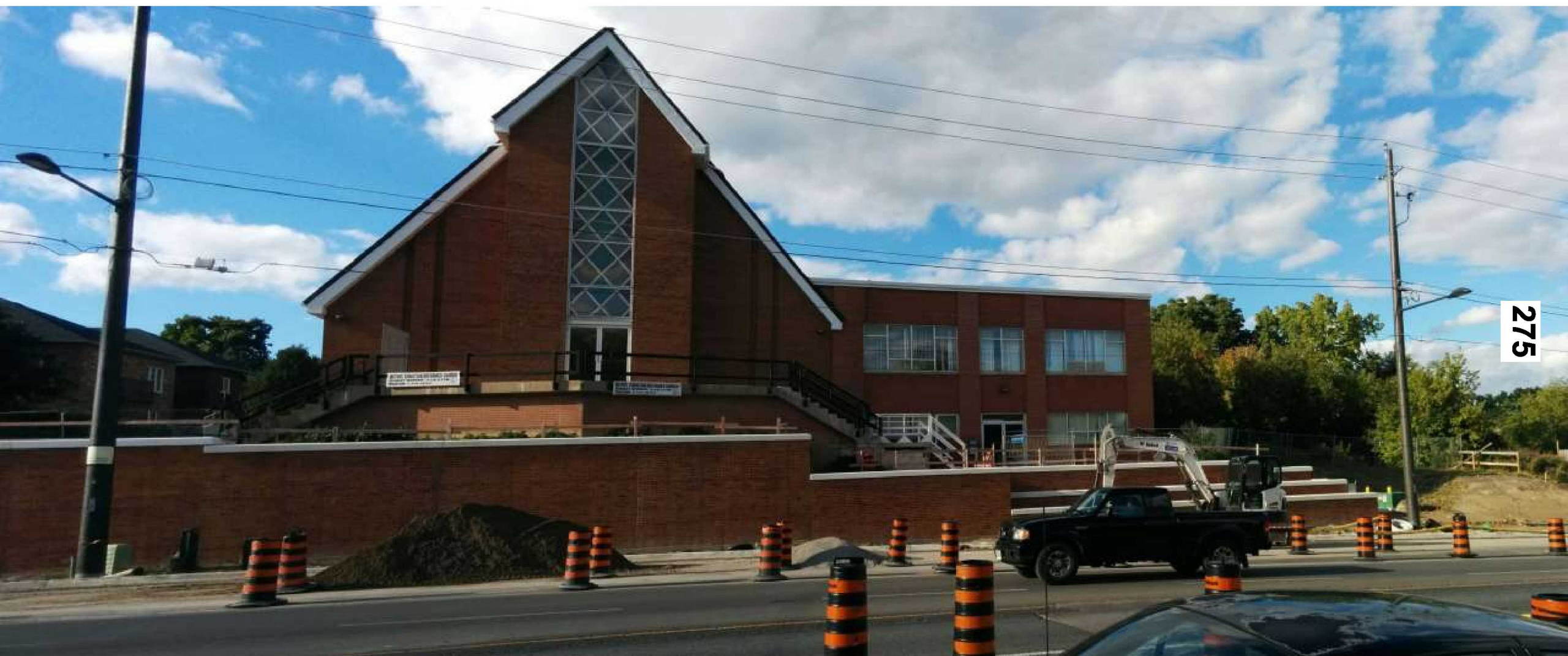
















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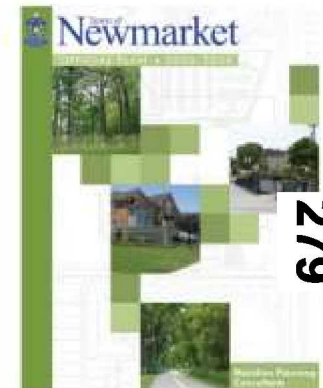
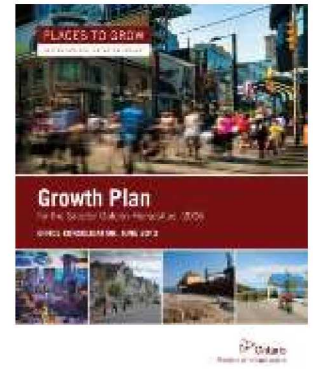
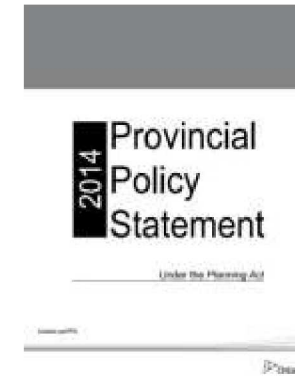
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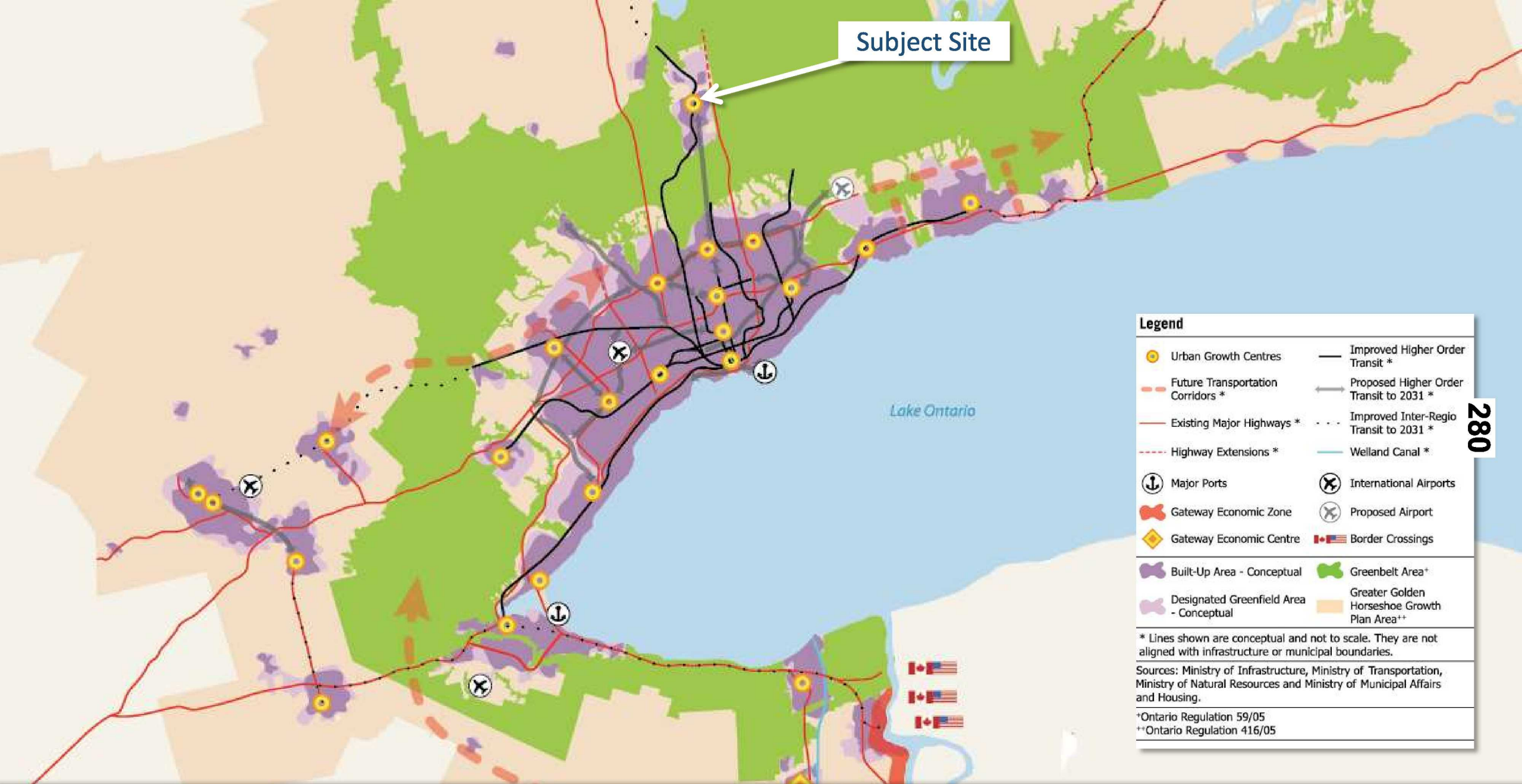
- **Provincial Policy Statement;** *Government of Ontario*
- **Growth Plan for the Greater Golden Horseshoe;** *Government of Ontario*
- **The Big Move;** *Metrolinx*
- **Newmarket Official Plan;** *Town of Newmarket*
- **Newmarket Urban Centers Secondary Plan;** *Town of Newmarket (adopted, not approved)*
- **Newmarket Zoning By-law 2010-40;** *Town of Newmarket*



279







Subject Site

**Legend**

- Urban Growth Centres
- Future Transportation Corridors \*
- Existing Major Highways \*
- Highway Extensions \*
- Major Ports
- Gateway Economic Zone
- Gateway Economic Centre
- Built-Up Area - Conceptual
- Designated Greenfield Area - Conceptual

- Improved Higher Order Transit \*
- Proposed Higher Order Transit to 2031 \*
- Improved Inter-Region Transit to 2031 \*
- Welland Canal \*
- International Airports
- Proposed Airport
- Border Crossings
- Greenbelt Area\*
- Greater Golden Horseshoe Growth Plan Area\*\*

\* Lines shown are conceptual and not to scale. They are not aligned with infrastructure or municipal boundaries.

Sources: Ministry of Infrastructure, Ministry of Transportation, Ministry of Natural Resources and Ministry of Municipal Affairs and Housing.

\*Ontario Regulation 59/05

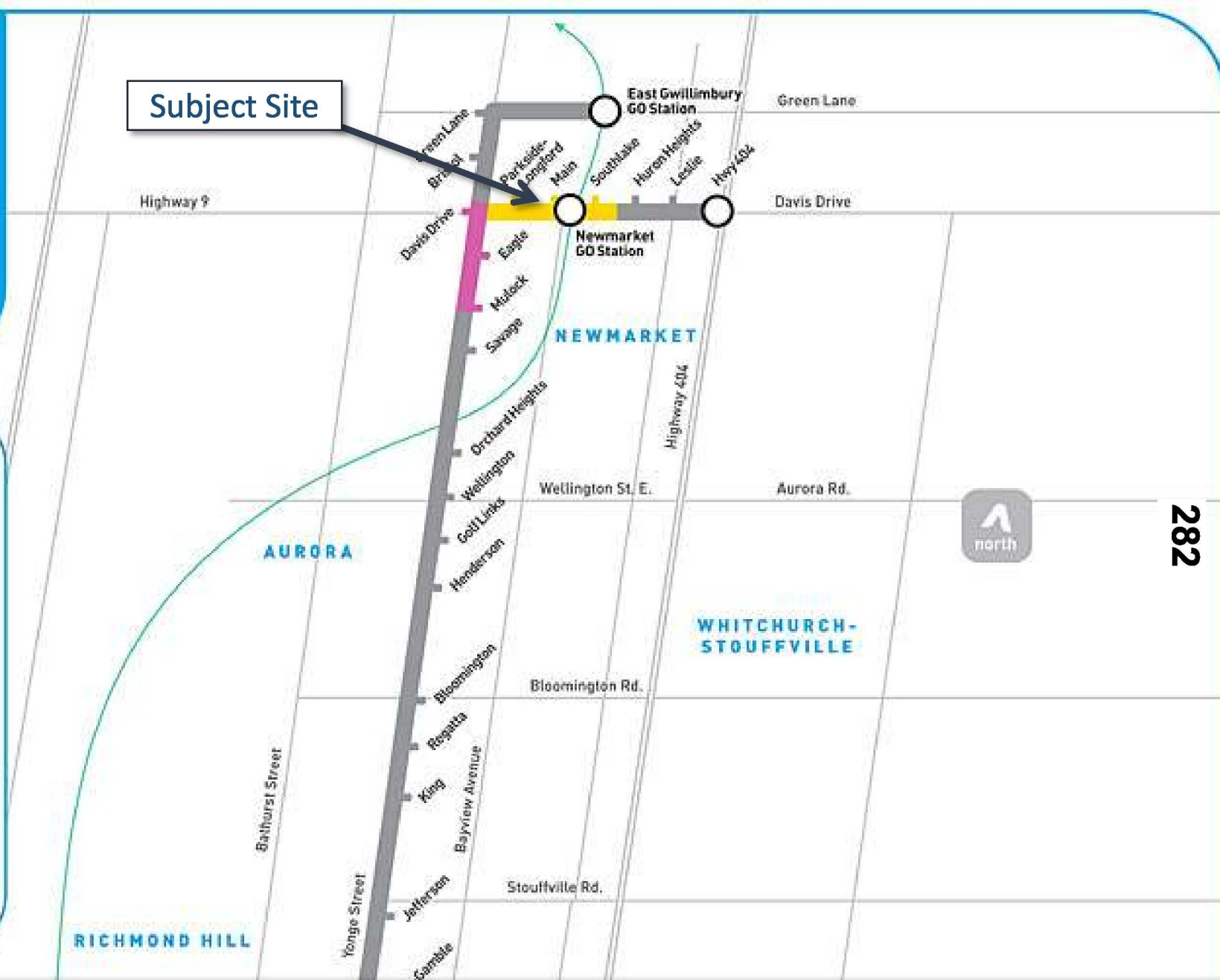
\*\*Ontario Regulation 416/05





THE BIG MOVE | 15 YEAR PLAN FOR REGIONAL RAPID TRANSIT

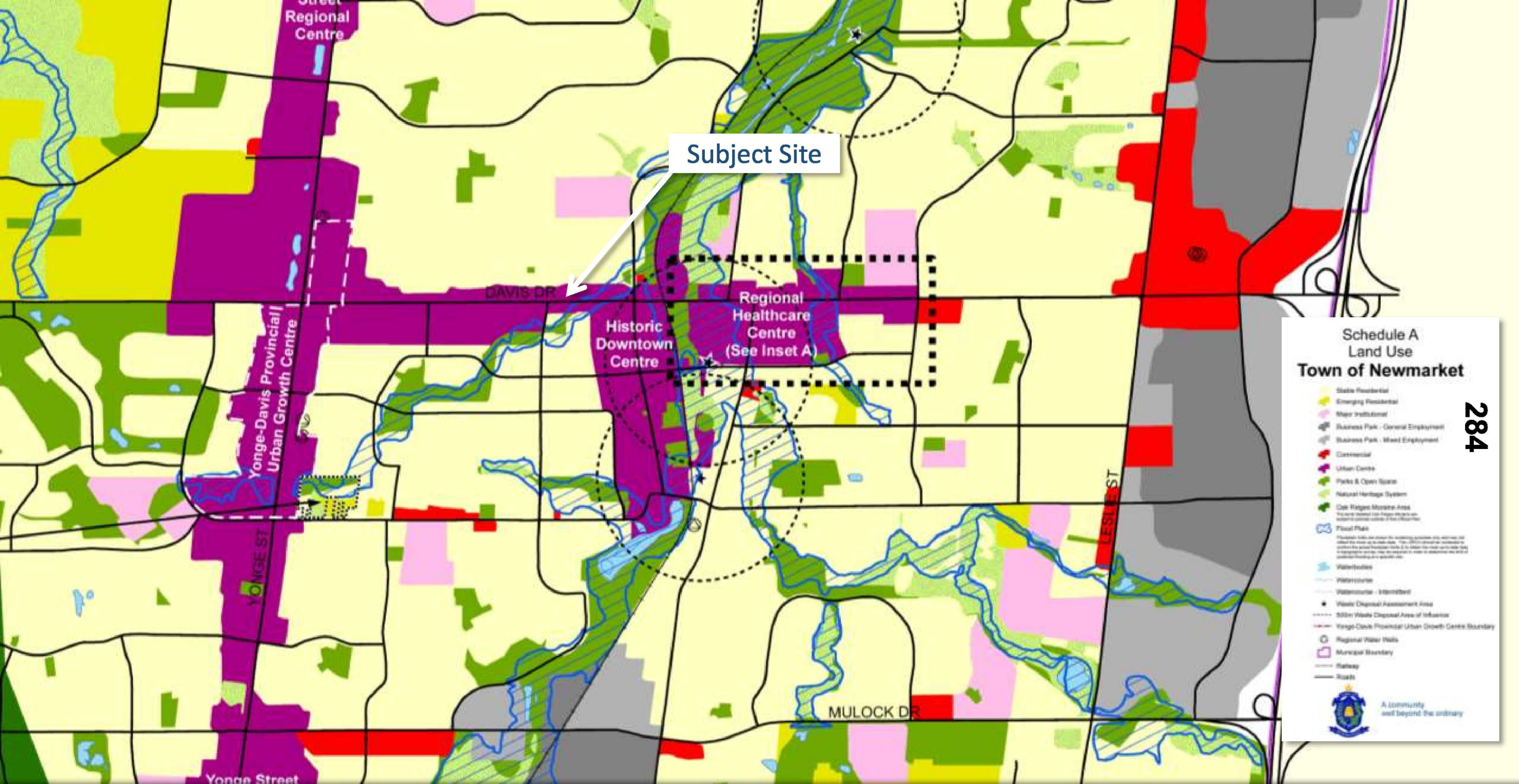
- Open Rapidway
- Rapidway Construction (2011-2014)\*
- Rapidway Construction (2011-2015)\*
- Rapidway Construction (2012-2016)\*
- Rapidway Construction (2014-2018)\*
- Rapidway Construction (2015-2019)\*
- Future Rapid Transit
- Spadina Subway Extension (2011-2016)\*
- Proposed Yonge Subway Extension
- Terminals
- GO Transit Rail Lines



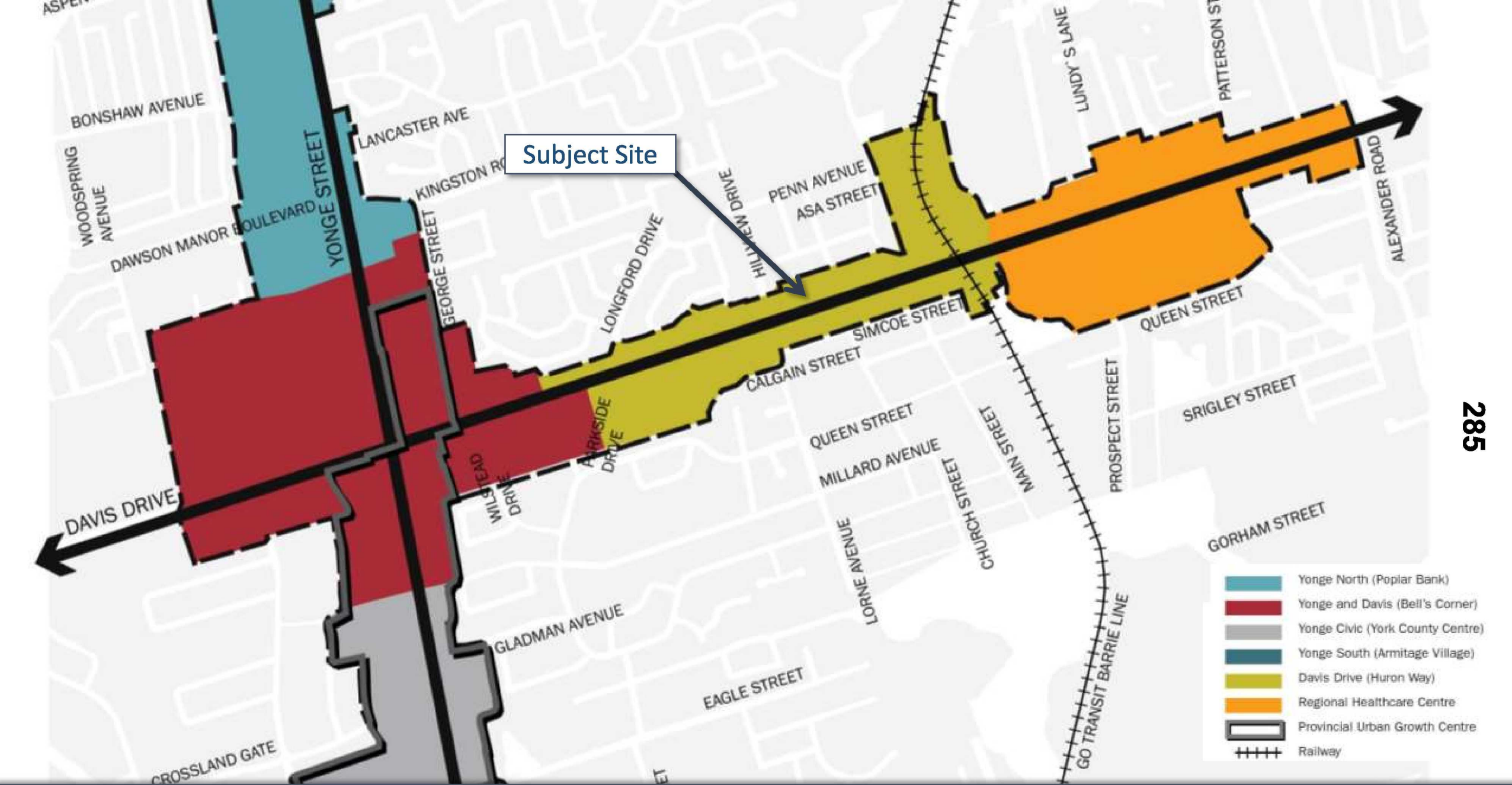




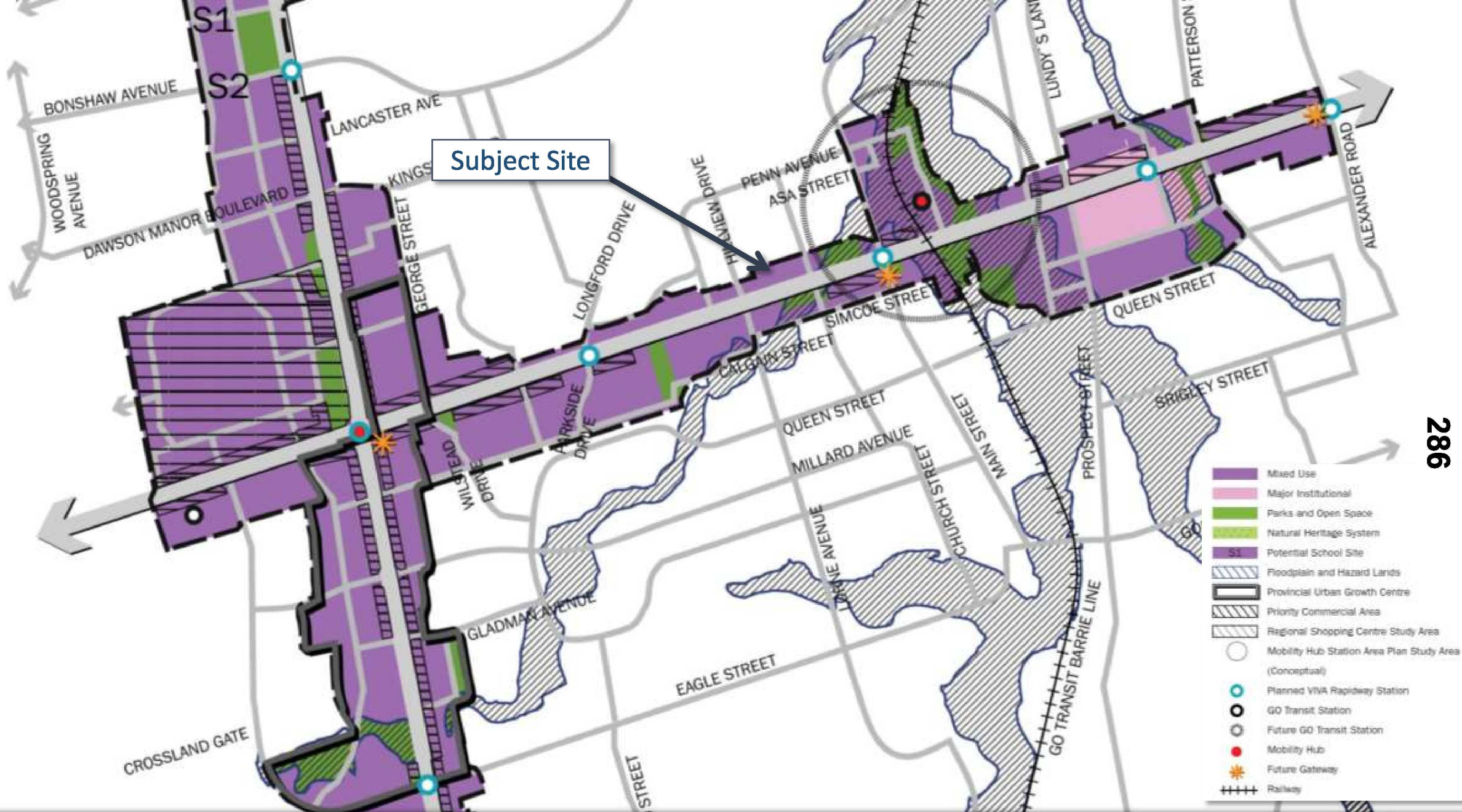




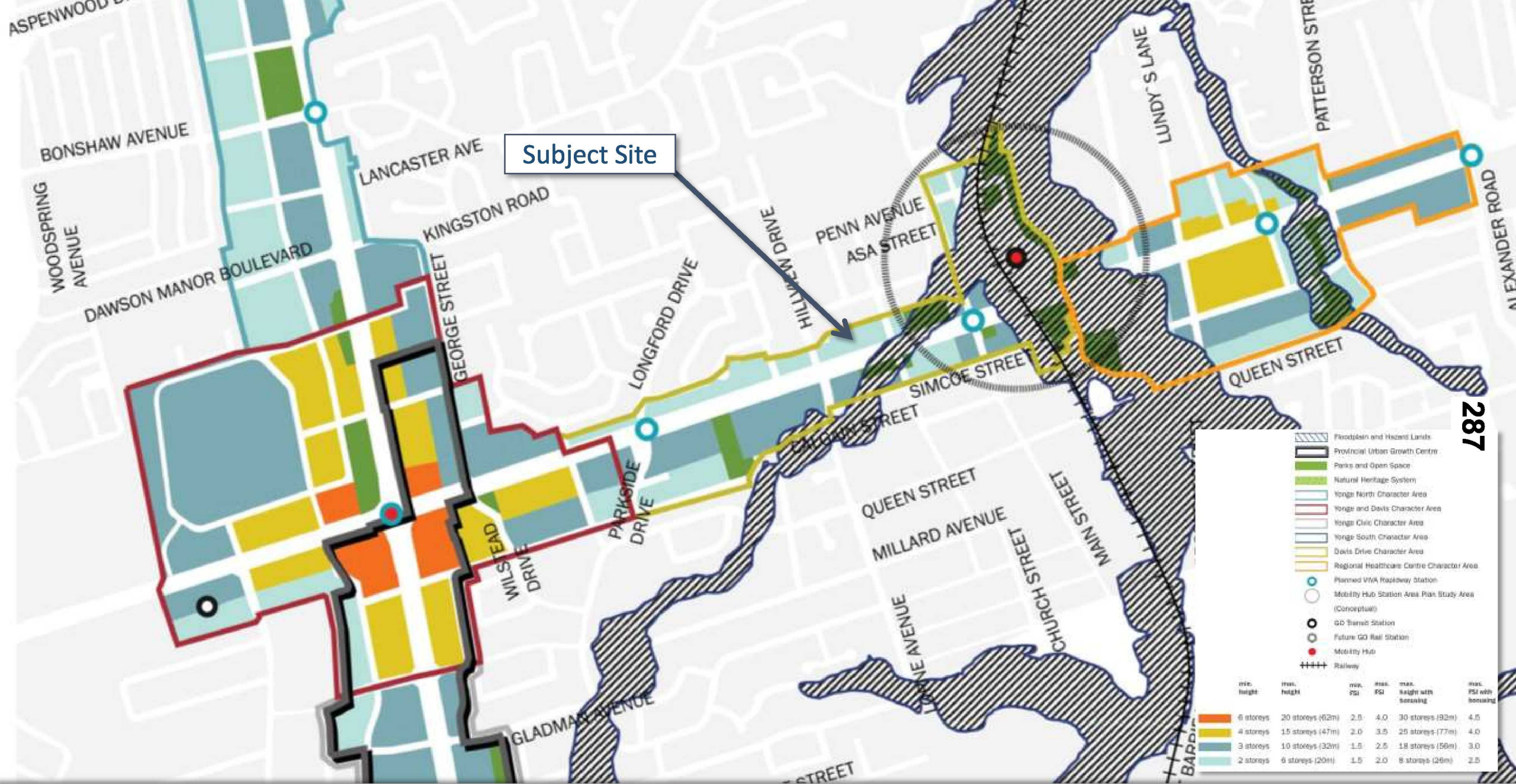




















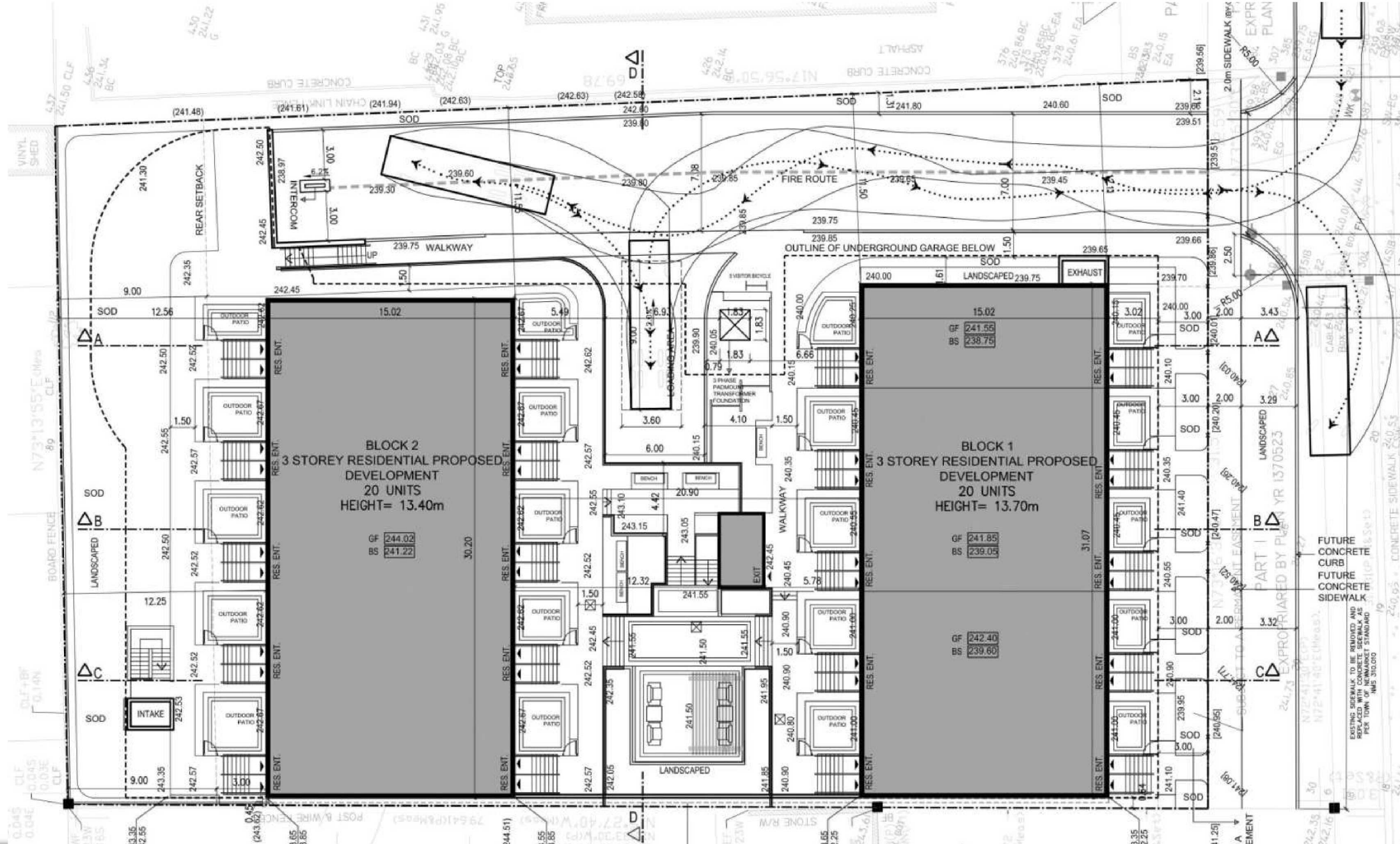
- 3-storey residential stacked back-to-back townhouse development
- 2 Buildings connected via underground parking
- 40-Units comprised of:
  - 4 *One Bedroom + Den units*
  - 32 *Two Bedroom units*
  - 4 *Three Bedroom units*
- Total gross-floor-area (GFA) of 3,982.6m<sup>2</sup> (42,868.3ft<sup>2</sup>)
- Floor space index (FSI) of 1.35
- 50 Underground Parking Spaces
- Contemporary architectural design

289

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THE PROPOSAL





DAVIS DRIVE

290

PROPOSED SITE PLAN





291





292

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293

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294

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295





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1. -Brick

2. - Wood Pattern

Aluminum Siding

3. - White Stone

4. - Metal Railing

5. - Aluminum Window



300

# PROPOSED ELEVATIONS & MATERIALS



*In summary, the proposed development:*

- Represents modest intensification within a designated Regional Intensification Corridor that is within proximity to the Newmarket Urban Growth Centre and Newmarket GO Station Mobility Hub, and along the new Davis Drive VIVA BRT route
- Represents sensitively designed intensification in the Urban Centre designation, which is one of the land use designations where intensification is anticipated by the Newmarket Official Plan
- Meets the general intent of the recently Council-adopted Newmarket Urban Centres Secondary Plan
- Will support the development of a mixed-use, complete community, through an increase in density, thus increasing the viability of local commercial and retail establishments in the vicinity
- Will have a pedestrian friendly street façade along Davis Drive that will encourage walking and enhance safety
- Represents a lower, ground-related scale of development within a context that is planned to accommodate heights up to 8 storeys on the north side of Davis Drive and 18 storeys on the south side of Davis Drive

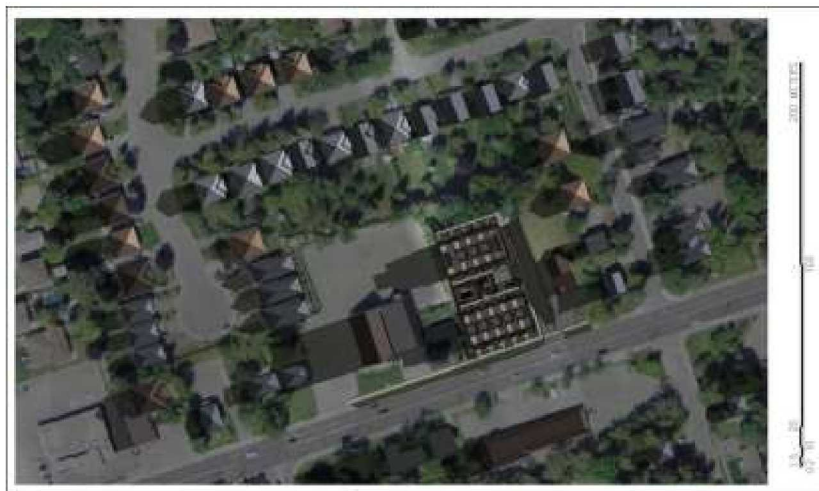
# Comments & Questions

302









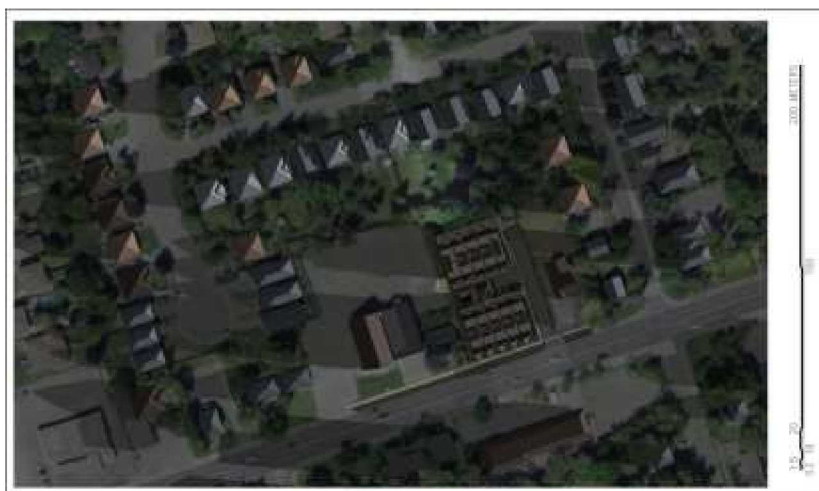
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ICON Architects Inc.  
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ICON Architects Inc.  
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ICON Architects Inc.  
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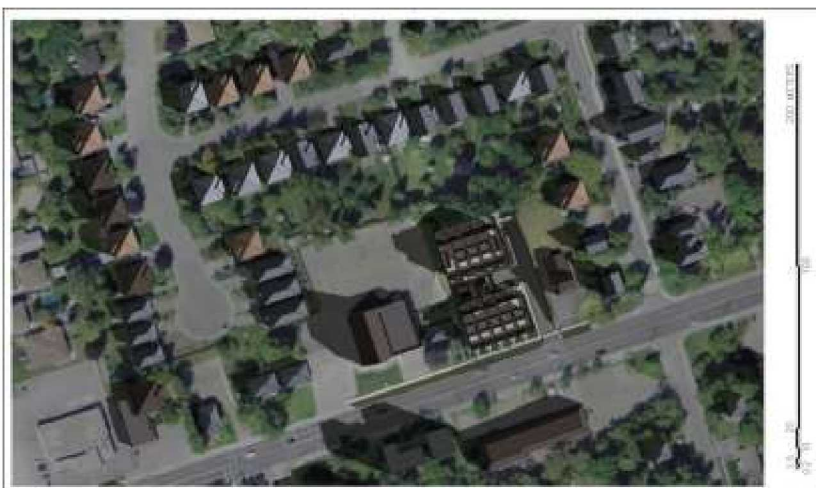
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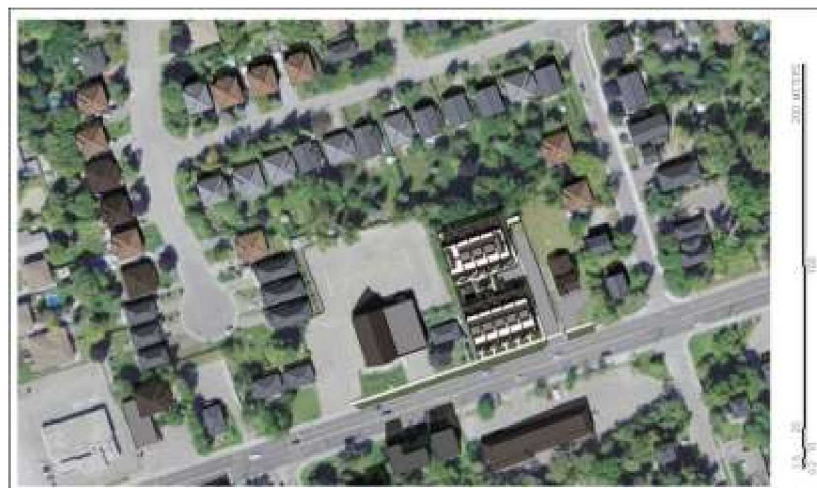
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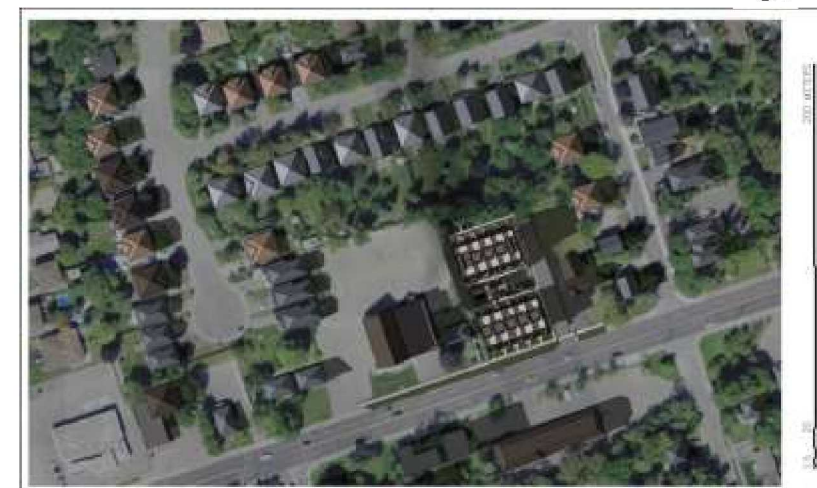
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