

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

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

## **Declarations of Pecuniary Interest**

## **Presentations & Recognitions**

1. Ms. Amber Chard, Senior Communications Officer to address the Committee - Town of Newmarket website and Economic Development website sneak peek presentation.

## **Deputations**

## **Consent Items (Items #2 to 15, 18 to 24)**

2. Correspondence from Mr. Denis Kelly, Regional Clerk dated March 27, 2015 p. 1 regarding National Access Awareness Week - May 31 to June 6, 2015.

Recommendations:

a) THAT the correspondence dated March 27, 2015 regarding National Access Awareness Week be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May 31 to June 6, 2015 as 'National Access Awareness 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)

3. Correspondence dated April 12, 2015 from the York Region Kairos Group p. 4 requesting June, 2015 be declared 'Aboriginal Month' in the Town of Newmarket.

Recommendations:

a) THAT the correspondence from the York Region Kairos Group be received and the following recommendations be adopted:

i) THAT the month of June, 2015 be proclaimed 'Aboriginal 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)

4. Newmarket Public Library Board Minutes of February 18, 2015. p. 5

The Newmarket Public Library Board recommends:

a) THAT the Newmarket Public Library Board Minutes of February 18, 2015 be received.

5. Site Plan Review Committee Minutes of April 20, 2015. p. 9

The Site Plan Review Committee recommends:

a) THAT the Site Plan Review Committee Minutes of April 20, 2015 be received.

6. Item 1 of the Site Plan Review Committee Minutes of April 20, 2015 regarding Application for Site Plan Approval - 470 Crossland Gate. p. 11

The Site Plan Review Committee recommends:

a) THAT application for Site Plan Approval to permit 74 townhouse units within 13 buildings on the subject lands be approved in principle and referred to staff for processing, subject to the following:

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

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

c) AND THAT Kerrigan Kelly of Groundwell Urban Planners, 30 West Beaver Creek Road, Unit 109, Richmond Hill, ON L4B 3K1 be notified of this decision.

7. Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015. p. 13

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 17, 2015 be received.

8. Item 5b) of the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015 regarding prepaid credit card. p. 18

The Operational Leadership Team recommends:

a) THAT the following recommendation be referred to staff:

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

a) THAT the Town provide the Main Street District Business Improvement Area Board of Management with a prepaid credit card in the amount of \$500.00.

9. Correspondence dated April 2, 2015 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Closed Meetings of Council Report. p. 19

Recommendation:

a) THAT the correspondence dated April 2, 2015 from Mr. Nigel Bellchamber, Amberley Gavel Ltd. regarding Closed Meetings of Council Report be received for information;

i) AND THAT the best practice recommendations outlined in Amberley Gavel Ltd.'s Closed Meetings of Council Report be adopted.

10. Development and Infrastructure Services - Planning and Building Services Report 2015-16 dated April 23, 2015 regarding parking and storage of recreational vehicles in residential zones. p. 28

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

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-16 dated April 23, 2015 regarding parking and storage of recreational vehicles in residential zones be received and the following recommendations be adopted:

i) THAT Council authorize a Zoning By-law Amendment process to amend the zoning provisions for the parking and storing of recreational vehicles in residential zones;

ii) AND THAT Options 2 and 3 listed in this report be presented to the public at the statutory public meeting;

iii) AND THAT following the public meeting, comments from the public, Committee and those received through agency and departmental circulation of the amendment, be addressed by staff in a comprehensive report to the Committee of the Whole;

iv) AND THAT Ms. Laurie Smith of 371 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action;

v) AND THAT Ms. Laura and Mr. Mike Kyte of 367 Burford Street, Newmarket, ON L3Y 6P9 be notified of this action.

11. Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street - Request to demolish a portion of a structure. p. 37

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

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street and the owners request to demolish a portion of the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendations be adopted:

i) THAT Council permit the demolition of the rear portion of 351 Timothy Street, a property listed on the Municipal Register of Non-Designated Heritage Properties of Interest;

ii) AND THAT Ms. Montana Harrington, 351 Timothy Street, Newmarket, ON L3Y 1P4 be notified of this action.

12. Development and Infrastructure Services Report - Engineering Services 2015-24 dated April 13, 2015 regarding Inflow and Infiltration Reduction Pilot Project. (Deferred from the April 13, 2015 Committee of the Whole meeting) p. 40

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

a) THAT Development and Infrastructure Services Report - ES 2015-24 dated April 13, 2015 regarding 'Inflow and Infiltration Reduction Pilot Project' be received and the following recommendations be adopted:

i) THAT the Mayor and Clerk be authorized to execute a Tri-Party Agreement to the satisfaction of the Chief Administrative Officer, the Commissioner of Development and Infrastructure Services, the Director of Engineering and the Town Solicitor, with York Region and with Marianneville Developments Limited/Kerbel Group Inc. for an Inflow and Infiltration Reduction Pilot Project based on the principles identified in this report;

ii) AND THAT staff report back as to the outcome of the Inflow and Infiltration Reduction Pilot Project;

iii) AND THAT a copy of this report and Council extract be forwarded to representatives of Marianneville Developments Limited/Kerbel Group Inc. and York Region.

13. Development and Infrastructure Services Report - Engineering Services 2015-28 dated April 1, 2015 regarding School Crossing Locations Request - Alexander Muir Public School. p. 47

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

a) THAT Development and Infrastructure Services Report – ES2015-28, dated April 1, 2015 regarding School Crossing Locations Request – Alexander Muir Public School be received and the following recommendations be adopted:

i) THAT Schedule IX (School Crossing Locations) of the Traffic By-law 2011-42, as be further amended by adding:

Ford Wilson Boulevard, south of Dowson Loop – Mid-Block

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

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Davis Drive to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

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

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Woodspring to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Davis Drive	Monday to Friday 7:00 a.m. to 6:00 p.m.

- iv) AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Dowson Loop to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

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

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Woodspring Avenue to Cheryl Mews Boulevard	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.

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

- c) AND THAT the Alexander Muir Public School administration and York Region District School Board be forwarded a copy of the Council extract.

14. Community Services Report - Economic Development 2015-16 dated May 4, p. 53  
2015 regarding Downtown Patios Pilot Project.

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

a) THAT Community Services Report - Economic Development 2015-16 dated May 4, 2015 regarding Downtown Patios Pilot Project be received and the following recommendations be adopted:

i) THAT Council endorse a 2015 pilot project of outdoor patios in downtown Newmarket between Millard Avenue and Water Street;

ii) AND THAT no more than 2 patios requiring the occupation of on-street parking be included in the pilot;

iii) AND THAT staff work with applicants to permit patios on the sidewalk and boulevard where possible;

iv) AND THAT applicants be required to complete an application form and other documents deemed necessary by staff;

v) AND THAT restrictions of the Licensing By-law, Road Occupancy Permit By-law and other regulations be waived where applicable to the satisfaction of staff;

vi) AND THAT the Main Street District Business Improvement Association be notified of this action.

15. Outstanding Matters List. p. 58

Recommendation:

THAT the Outstanding Matters List be received.

## **Action Items**

## **Correspondence & Petitions**

## **Reports by Regional Representatives**

## **Notices of Motion**

## **Motions**

## **New Business**

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

## **Public Hearing Matter – 7:00 p.m.**

16. Public Meeting Notice and Related Council Extract - Development and Infrastructure Services Report - Planning and Building Services 2015-07 dated March 12, 2015 regarding Application for Zoning By-law Amendment - 17844 Leslie Street. p. 65
17. Correspondence from Ms. Lisa Barrett, Ms. Lucia Benedict, Ms. Kay Chan and Mr. Mike Squires regarding Application for Zoning By-law Amendment - 17844 Leslie Street. p. 77

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

18. Ms. Charlene Myke to address the Committee to promote the Upper Canada Run to support Easter Seals. p. 81
19. Mr. Ian Proudfoot, Chair, Transition Committee - Newmarket Celebrates the Arts to address the Committee with a PowerPoint presentation. p. 82
20. Mr. John Blommestein to address the Committee regarding the correspondence from Amberley Gavel Ltd. with respect to Closed Meetings of Council Report. (Related to Item 9) p. 96
21. Ms. Laurie Smith to address the Committee regarding parking and storage of recreational vehicles in residential zones. (Related to Item 10) p. 97
22. Correspondence from Ms. Lee Ann Crilley regarding Application for Zoning By-law Amendment - 17844 Leslie Street. (Related to Item 16) p. 98
23. Correspondence from Mr. Kevin Clare regarding Application for Zoning By-law Amendment - 17844 Leslie Street. (Related to Item 16) p. 99
24. Correspondence from Ms. Ruth Routledge regarding Application for Zoning By-law Amendment - 17844 Leslie Street. (Related to Item 16) p. 101

## **Adjournment**



Regional Clerk's Office  
Corporate Services Department

March 27, 2015

Mr. Andrew Brouwer  
Director of Legislative Services and Town Clerk  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328  
Newmarket, ON L3Y 4X7

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
APR 08 2015		
M. Kelly		
A. Lyons		✓

Dear Mr. Brouwer:

**Re: National Access Awareness Week – May 31 to June 6, 2015**

Regional Council, at its meeting held on March 26, 2015, received the attached memorandum from Adelina Urbanski, Commissioner of Community and Health Services, and recognized May 31 to June 6, 2015 as National Access Awareness

Sincerely,

Denis Kelly  
Regional Clerk

Attach.

cc. Adelina Urbanski, Commissioner of Community and Health Services



Community and Health Services  
Office of the Commissioner

## Memorandum

TO: Members of Council  
FROM: Adelina Urbanski  
Commissioner of Community and Health Services  
DATE: March 26, 2015  
RE: **National Access Awareness Week - May 31 to June 6, 2015**

---

Since 2005, Council has affirmed its commitment to creating an accessible York Region by recognizing National Access Awareness Week with the community. York Region plans National Access Awareness Week activities in partnership with the Municipal Staff Reference Group which includes accessibility professionals from York Region, York Regional Police, local municipalities, hospitals and school boards.

I am writing to formally request that York Regional Council endorse May 31 to June 6, 2015, as National Access Awareness Week in The Regional Municipality of York. If approved, it is also requested that the Regional Clerk forward this letter to the Councils and Accessibility Advisory Committees of local municipalities for their information and consideration.

National Access Awareness Week was established in 1988 in response to a request from Rick Hansen following his Man in Motion World Tour. Its aim is to bring together, in a spirit of partnership, people with disabilities, organizations who serve them, business, labour and governments to affect meaningful changes in the daily living of people with disabilities.

Celebrations this year are especially noteworthy as 2015 marks the tenth anniversary of the *Accessibility for Ontarians with Disabilities Act, 2005*. For 10 years, public, private and non-profit organizations across Ontario have been working together to improve the everyday lives of people with disabilities.

March 26, 2015  
National Access Awareness Week-  
May 31 to June 6, 2015

York Region reflects these ideals in its strategic direction to foster inclusive and accessible communities. National Access Awareness Week offers an opportunity to celebrate the work that is being done across the Region to make programs and services more accessible for everyone.

---

Adelina Urbanski  
Commissioner of Community and Health Services

LD/LG/ph

Copy to: Denis Kelly, Regional Clerk  
York Region Municipal Staff Reference Group

Our York Region Kairos Group wishes to request that the month of June 2015 be declared "Aboriginal Month" in the Town of Newmarket, as follows:

**On behalf of Town of Newmarket , we hereby proclaim June 2015 as Aboriginal Month in the Town of Newmarket.**

#### Truth and Reconciliation Declaration

From May 31 to June 3, 2015, the Truth and Reconciliation Commission is holding its closing event in Ottawa.

As the Commissioners, participating churches and the Government of Canada turn their attention to the work of the Truth and Reconciliation Commission and to the release of its Final Report, it is timely and most appropriate that all citizens, individually and collectively, in the Town of Newmarket turn our hearts and minds to re-storying Canada's history.

The churches and religious orders which bear the legacy of abuse inflicted on children in the Indian Residential School system draw attention to the closing events of the Truth and Reconciliation in Ottawa and to the delegations to be attended by our leaders.

Momentum builds to strengthen the commitment to continue the work of reconciliation and to highlight the obligation to respond with integrity and commitment to the findings and recommendations of the Truth and Reconciliation Commission.

While the work of the Commissioners may come to a close in June, the work of truth-telling, healing, and the seeking of reconciliation and right relations does not. June 3 2015 marks a new beginning for and by all Canadians.

Going forward in Reconciliation we commit to the fair, just, equitable sharing of our town's abundant bounty of the Creator's beautiful gifts of water, land and air.

On behalf of York Region Kairos Group

Cherilyn Spraakman  
Tom Sagar  
Jane Sagar  
Dave Gordon  
Teresa Porter  
Marie Craig  
Linda Parsons  
Lori Yaccato



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

**Present:** Joan Stonehocker – Chair  
Tom Vegh – Vice Chair  
Kelly Broome-Plumley  
Tara Brown

**Regrets:** Michael Castro  
Wes Playter  
Joe Sponga

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

**The Chair called the meeting to order at 5:10 pm**

**1. Adoption of Agenda Items**

- a) Adoption of Regular Agenda
- b) Adoption of the Closed Session Agenda
- c) Adoption of Consent Agenda items

The Chair asked if there were any additions to the agenda. Two items were added under New Business.

**Motion 15.02.361**

**Moved by Kelly Broome-Plumley  
Seconded by Tara Brown**

**That Agendas a) to c) be adopted as amended.**

**Carried**

**2. Declarations**

None were declared.

**3. Consent Agenda Items:**

- a) Adoption of the Regular Board Meeting Minutes for Wednesday, January 21, 2015
- b) Adoption of the Closed Session Meeting Minutes for Wednesday, January 21, 2015

- 6**
- c) Strategic Operations Report for January, 2015
  - d) Library Statistical Data for January, 2015
  - e) Monthly Bank Transfer

**Motion 15.02.362**

**Moved by Tara Brown**  
**Seconded by Tom Vegh**

**That** Consent Agenda Item a) to e) be received as presented.

**Carried**

- 4. Motion to Convene into a Closed Session**  
There were no closed session items.

**5. Policies**

- a) Local History and Genealogy Policy  
The revised Local History and Genealogy Policy now gives further clarification on locally written material.
- b) Visiting Library Service Policy  
The revisions to the Visiting Library Service policy ensure that the policy reflects the current practice for this service.

**Motion 15.02.363**

**Moved by Tara Brown**  
**Seconded by Kelly Broome-Plumley**

**That** the Library Board approve the Local History and Genealogy Policy and the Visiting Library Service Policy as presented.

**Carried**

- c) Procurement By-Law 2015-01

In order to formalize the revised Procurement Policy approved by the Library Board on December 17, 2014 the Board repealed By-Law 2006-01 and replaced it with By-Law 2015-01.

**Motion 15.02.364**

**Moved by Tom Vegh**  
**Seconded by Tara Brown**

**That** the Library Board repeal Procurement By-law 2006-01 and approve the amended Procurement By-Law 2015-01 as presented.

**Carried**

## 6. Reports

- a) 2014 Business Plan Success Report

The Board reviewed the 2014 Business Plan Success Report.

### **Motion 15.02.364**

**Moved by Tara Brown**  
**Seconded by Tom Vegh**

**That** the Library Board receive the 2014 Business Plan Success Report as presented.

**Carried**

## 7. Business Arising

- b) Action List

The Board reviewed Action List

### **Motion 15.02.365**

**Moved by Kelly Broome-Plumley**  
**Seconded by Tara Brown**

**That** the Library Board receive the Action List as presented.

**Carried**

## 8. New Business

- a) Library Cards for Shelter Residents

The Library Board was asked to consider a pilot project for one year to provide limited library services for residents of temporary shelters.

### **Motion 15.02.366**

**Moved by Tom Vegh**  
**Seconded by Kelly Broome-Plumley**

**That** the Library Board approved a one-year pilot project to facilitate the issue of limited library cards to residents of temporary shelters.

**Carried**

b) 2015 Newmarket Chamber of Commerce Home Show

Board members were invited to participate at the Library's booth at the upcoming Newmarket Chamber of Commerce Home Show being held from Friday, March 27<sup>th</sup> to Sunday, March 29<sup>th</sup> at the Ray Twinney Complex.

**9. New Business**

There was no new business.

**10. Date(s) of Future Meetings**

The next regular Library Board meeting will be Wednesday, March 18, 2015 at 5:00 PM in the Library Board room

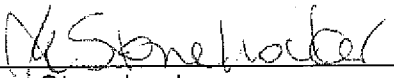
**11. Adjournment**

**Motion 15.02.367**

**Moved by Tom Vegh**

**Seconded by Kelly Broome-Plumley**

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

  
Joan Stonehocker  
Chair

  
Todd Kyle, CEO  
Secretary/Treasurer

The meeting of Site Plan Review Committee was held on Monday, April 20, 2015 at 2:00 p.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

**Members**

**Present:** Mayor Van Bynen  
Regional Councillor Taylor  
Councillor Bisanz  
Councillor Broome-Plumley  
Councillor Hempen  
Councillor Kerwin  
Councillor Sponga  
Councillor Twinney  
Councillor Vegh

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

**Accessibility**

**Advisory**

**Committee:** No members were present

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

Councillor Vegh in the Chair.

**1. APPLICATION FOR SITE PLAN APPROVAL  
470 CROSSLAND GATE – WARD 7  
(SOUTH OF DAVIS DRIVE, EAST OF BATHURST STREET)  
OUR FILE NO.: D11-NP1412  
MARIANNEVILLE DEVELOPMENTS LIMITED**

---

Application for Site Plan Approval to permit 74 townhouse units within 13 buildings on the subject lands.

Richard Zelinka of Zelinka Priamo Ltd., Joanne Barnett of Marianneville Developments Limited and Mark Inglis of York Urbanist were present to address the Committee.

Keith West of 311 Brimson Drive, NEWMARKET, ON L3X 1J1 addressed Committee and advised he supported a wider space for the entrance to the development.

Dave Sovran of 323 Crossland Gate, NEWMARKET, ON L3X 1B3 addressed the Committee and requested a copy of the Construction Management Report prior to its final approval.

**The Site Plan Review Committee recommends:**

- 1. That application for Site Plan Approval to permit 74 townhouse units within 13 buildings on the subject lands be approved in principle and referred to staff for processing, subject to the following:**
  - a. THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff;**
- 2. AND THAT Joanne Barnett of Marianneville Developments Limited, 3 – 26 Lesmill Road, TORONTO, ON M3B 2T5, be notified of this decision;**
- 3. AND THAT Kerigan Kelly of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, RICHMOND HILL, ON L4B 3K1, be notified of this decision.**

The meeting adjourned at approximately 2:28 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on May 11, 2015.

---

Dated

---

Director, Planning & Building Services

**1. APPLICATION FOR SITE PLAN APPROVAL  
470 CROSSLAND GATE – WARD 7  
(SOUTH OF DAVIS DRIVE, EAST OF BATHURST STREET)  
OUR FILE NO.: D11-NP1412  
MARIANNEVILLE DEVELOPMENTS LIMITED**

---

Application for Site Plan Approval to permit 74 townhouse units within 13 buildings on the subject lands.

Richard Zelinka of Zelinka Priamo Ltd., Joanne Barnett of Marianneville Developments Limited and Mark Inglis of York Urbanist were present to address the Committee.

Keith West of 311 Brimson Drive, NEWMARKET, ON L3X 1J1 addressed Committee and advised he supported a wider space for the entrance to the development.

Dave Sovran of 323 Crossland Gate, NEWMARKET, ON L3X 1B3 addressed the Committee and requested a copy of the Construction Management Report prior to its final approval.

**The Site Plan Review Committee recommends:**

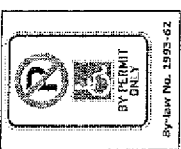
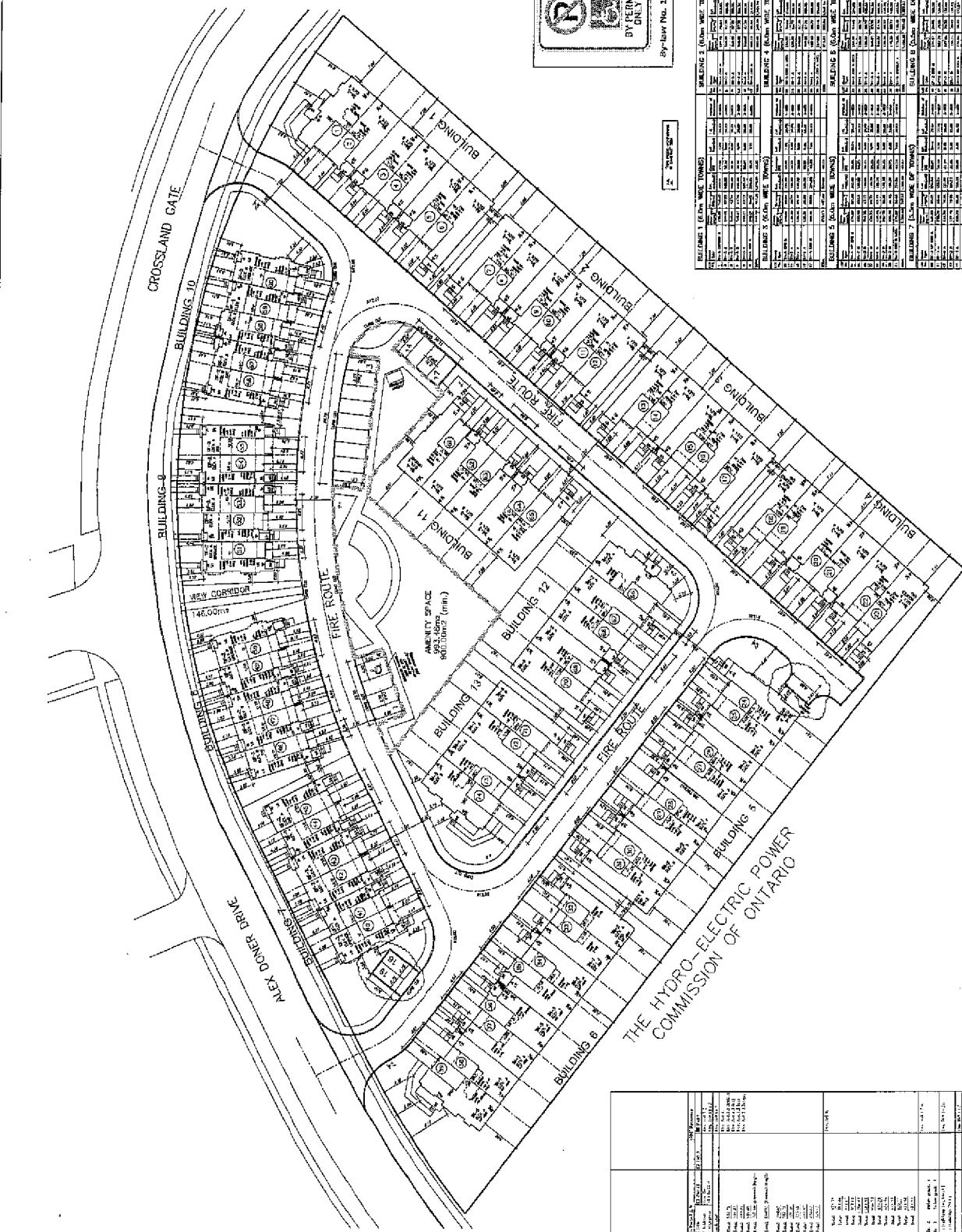
- 1. That application for Site Plan Approval to permit 74 townhouse units within 13 buildings on the subject lands be approved in principle and referred to staff for processing, subject to the following:**
  - a. THAT the preliminary review comments provided to the applicant be addressed to the satisfaction of Town Staff;**
- 2. AND THAT Joanne Barnett of Marianneville Developments Limited, 3 – 26 Lesmill Road, TORONTO, ON M3B 2T5, be notified of this decision;**
- 3. AND THAT Kerigan Kelly of Groundswell Urban Planners, 30 West Beaver Creek Road, Unit 109, RICHMOND HILL, ON L4B 3K1, be notified of this decision.**

The meeting adjourned at approximately 2:28 p.m. The next regular meeting of the Site Plan Review Committee is expected to be held on May 11, 2015.

April 21, 2015  
Dated

  
Director, Planning & Building Services

NOTES:  
1. ALL DIMENSIONS ARE IN METERS.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
3. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.  
4. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.  
5. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.  
6. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.  
7. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.  
8. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.  
9. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.  
10. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.



By-law No. 1993-62

**SITE PLAN SUBDIVISION**  
 THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE SUBMITTER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Building	Area (sq. m)	Volume (cu. m)	Height (m)	Number of Units	Number of Floors	Number of Stairs	Number of Elevators	Number of Entrances	Number of Exits	Number of Windows	Number of Doors	Number of Vents	Number of Pipes	Number of Wires	Number of Cables	Number of Antennas	Number of Masts	Number of Towers	Number of Poles	Number of Signs	Number of Billboards	Number of Other Structures
Building 1	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 2	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 3	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 4	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 5	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 6	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 7	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 8	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 9	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 10	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 11	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 12	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Building 13	1000	1000	10	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

Item	Quantity	Unit	Value
1	1	sq. m	1000
2	1	sq. m	1000
3	1	sq. m	1000
4	1	sq. m	1000
5	1	sq. m	1000
6	1	sq. m	1000
7	1	sq. m	1000
8	1	sq. m	1000
9	1	sq. m	1000
10	1	sq. m	1000
11	1	sq. m	1000
12	1	sq. m	1000
13	1	sq. m	1000

Item	Quantity	Unit	Value
1	1	sq. m	1000
2	1	sq. m	1000
3	1	sq. m	1000
4	1	sq. m	1000
5	1	sq. m	1000
6	1	sq. m	1000
7	1	sq. m	1000
8	1	sq. m	1000
9	1	sq. m	1000
10	1	sq. m	1000
11	1	sq. m	1000
12	1	sq. m	1000
13	1	sq. m	1000

Item	Quantity	Unit	Value
1	1	sq. m	1000
2	1	sq. m	1000
3	1	sq. m	1000
4	1	sq. m	1000
5	1	sq. m	1000
6	1	sq. m	1000
7	1	sq. m	1000
8	1	sq. m	1000
9	1	sq. m	1000
10	1	sq. m	1000
11	1	sq. m	1000
12	1	sq. m	1000
13	1	sq. m	1000

THE HYDRO-ELECTRIC POWER  
 COMMISSION OF ONTARIO

Tuesday, March 17, 2015 at 7:30 PM  
Community Centre - 200 Doug Duncan Drive

The meeting of the Main Street District Business Improvement Area was held on Tuesday, March 17, 2015 in Community Centre - 200 Doug Duncan Drive, Newmarket.

Members Present: Elizabeth Buslovich  
Anne Martin  
Olga Paiva  
Carmina Pereira  
Jackie Playter  
Siegfried Wall  
Glenn Wilson

Absent: Councillor Sponga  
Rory Rodrigo

Staff Present: Chrisanne Finnerty, Council/Committee Coordinator  
Ted Horton, AMCTO Intern

The meeting was called to order at 7:37 p.m.

Glenn Wilson in the Chair.

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

None.

### **Disclosure of Pecuniary Interests**

None.

### **Approval of Minutes**

1. Main Street District Business Improvement Area Board of Management Minutes of February 24, 2015.

Moved by: Carmina Pereira  
 Seconded by: Siegfried Wall

THAT the Main Street District Business Improvement Area Board of Management Minutes of February 24, 2015 be approved.

**Carried**

## **Presentations**

2. Future Advertising in snapd Publication - Ms. Lori Woodyatt, Director of Operations - snapd.

Ms. Lori Woodyatt addressed the Committee regarding advertisements in snapd. She provided background information on snapd's involvement with Main Street and the Main Street District Business Improvement Area Board of Management and summarized the events that the publication covers in the area of Main Street and Riverwalk Commons. She further provided an overview of the services provided by snapd as part of the advertising fee paid by the BIA and requested that the Main Street District Business Improvement Area Board of Management continue to maintain its monthly advertising expenditure. Discussion ensued regarding distribution, online services and placement of the Main Street ad in the publication.

Moved by: Jackie Playter  
 Seconded by: Siegfried Wall

THAT the presentation by Ms. Lori Woodyatt, snapd regarding future advertising in snapd be received.

**Carried**

3. Outdoor Patio Proposal Presentation - Mr. Ted Horton, AMCTO Intern.

Mr. Ted Horton addressed the Committee with a PowerPoint presentation regarding Outdoor Patios. He summarized the different types of outdoor patios, challenges and benefits specific to the Main Street area and addressed some preliminary space, parking, distribution, liability, safety, noise, servicing and design concerns. Discussion ensued regarding the project origin, potential timeframes for a pilot project, eligible business, size restrictions and parking concerns.

Moved by: Elizabeth Buslovich  
 Seconded by: Olga Paiva

THAT the presentation by Mr. Ted Horton, AMCTO Intern regarding Outdoor Patios be received.

**Carried**

Moved by: Olga Paiva  
 Seconded by: Elizabeth Buslovich

THAT a pilot project for outdoor patios be further investigated.

**Carried**

## **Items**

### **4. Upcoming Events Updates**

#### **a) \* Car Show Event - June 27**

The Car Show Event update was deferred to the April 21, 2015 meeting.

#### **b) \* Canada Day Event - July 1**

Elizabeth Buslovich provided a verbal update regarding the Canada Day Event. Discussion ensued regarding vendor notification, social media advertising and increasing exhibitor fees by \$10.00.

Moved by: Elizabeth Buslovich  
 Seconded by: Anne Martin

THAT the Canada Day exhibitor fees be increased from \$50.00 to \$60.00 for a 10x10 vendor space.

**Carried**

## **New Business**

### **a) The Chair provided the minutes of the Marketing Subcommittee Meeting of Monday, March 16, 2015 for receipt by the Committee.**

Moved by: Siegfried Wall  
 Seconded by: Elizabeth Buslovich

THAT the Marketing Subcommittee Minutes of March 16, 2015 be received.

**Carried**

- b) The Chair advised that there are some concerns with the operation of the current Gmail and Facebook accounts. Discussion ensued regarding the implementation of a new Gmail account and new Facebook page and related costs.

Moved by: Olga Paiva  
 Seconded by: Siegfried Wall

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

- a) THAT the Town provide the Main Street District Business Improvement Area Board of Management with a prepaid credit card in the amount of \$500.00.

**Carried**

- c) The Chair advised that he has communicated with the current webmaster regarding the BIA website and registered domains. As a result of that conversation, he has registered a GoDaddy account to host a new Main Street District Business Improvement Area Board of Management webpage and is seeking support to transfer the four domain names ([www.mainstreetnewmarket.ca](http://www.mainstreetnewmarket.ca); [www.mainstreetnewmarket.com](http://www.mainstreetnewmarket.com); [www.newmarketmainstreet.ca](http://www.newmarketmainstreet.ca); and [www.newmarketmainstreet.com](http://www.newmarketmainstreet.com)) to the Main Street District Business Improvement Area Board of Management for use with the GoDaddy account.

Moved by: Carmina Pereira  
 Seconded by: Elizabeth Buslovich

THAT the four Main Street domain names be released to the Main Street District Business Improvement Area Board of Management for use with the GoDaddy account;

AND THAT the Chair be reimbursed by the Town for the domain transfer fee.

**Carried**

- d) Jackie Playter advised that she has heard that there may be a Soapbox Derby proposed to take place on Main Street in October.
- e) Anne Martin suggested that the Main Street District Business Improvement Area Board of Management review current directional signage for Main Street as the signs are small and review locations and rejuvenation of the existing signage in order to direct traffic to Main Street. Discussion ensued regarding changes as a result of the Viva project, and conducting an informal sign inventory.

### Adjournment

Moved by: Carmina Pereira  
Seconded by: Elizabeth Buslovich

THAT the meeting adjourn.

### Carried

There being no further business, the meeting adjourned at 9:23 p.m.

April 21, 2015  
Date

  
Glenn Wilson, Chair

Item 5b) of the Main Street District Business Improvement Area Board of Management Minutes of March 17, 2015.

- b) The Chair advised that there are some concerns with the operation of the current Gmail and Facebook accounts. Discussion ensued regarding the implementation of a new Gmail account and new Facebook page and related costs.

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

- a) THAT the Town provide the Main Street District Business Improvement Area Board of Management with a prepaid credit card in the amount of \$500.00.



Amberley Gavel Ltd.

April 2, 2015

Andrew Brouwer,  
 Director of Legislative Services/Town Clerk  
 Town of Newmarket,  
 395 Mulock Drive, P.O. Box 328, STN Main  
 Newmarket, ON  
 L3Y 4X

CORPORATE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
APR 15 2015		

Re: Alleged improperly closed meetings of the Council of the Town of Newmarket on December 10, 2014 and of Council as Committee of the Whole on January 26, 2015.

Dear Mr. Brouwer:

Attached is our report into allegations of improperly closed meetings of Council as noted above.

This report is to be made public by Council, and in order to do so we suggest that it be placed on the agenda of the next meeting of Town Council.

We thank you for your co-operation and that of other Town staff and in providing us with information relevant to the preparation this report.

Sincerely yours,

Nigel Bellchamber  
 Amberley Gavel Ltd.

**REPORT TO  
THE CORPORATION OF THE TOWN OF NEWMARKET REGARDING THE  
INVESTIGATION OF THE MEETINGS OF COUNCIL FOR THE TOWN OF  
NEWMARKET IN CLOSED SESSION OF COUNCIL  
ON DECEMBER 10, 2014 AND AS COMMITTEE OF THE WHOLE  
ON JANUARY 26, 2015**

**I. COMPLAINT**

The Corporation of the Town of Newmarket ("Town") received a complaint about a closed session of Town Council on December 10, 2014 and a Special Meeting of the Committee of the Whole for Town Council ("Committee of the Whole") in closed session held on January 26, 2015. The essence of the complaint is that the holding of these closed meetings were in contravention of the open meetings provision of the *Municipal Act, 2001*<sup>1</sup>, as amended by Bill 130<sup>2</sup> ("*Municipal Act*" or "*Act*").

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

**II. JURISDICTION**

The Town appointed Local Authority Services (LAS) as its closed meeting investigator pursuant to section 239.2 of the *Municipal Act*.

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

**III. BACKGROUND**

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

---

<sup>1</sup> S.O. 2001, c. 25.

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

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

Section 239 reads in part as follows:

**Meetings open to public**

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

**Exceptions**

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

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

The *Act* also provides for closed sessions of a council, board, or committee when engaged in educational or training purposes:

- (3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
  - 1. The meeting is held for the purpose of educating or training the members.
  - 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

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

#### **IV. INVESTIGATION**

Since the two complaints engaged substantially the same or similar matters, we determined that they would be investigated together.

Documents provided by the Town and reviewed during the course of the investigation included the Agenda and Minutes of the Open and Closed Sessions of Council on December 10, 2014 and of the Special Committee of the Whole Meeting on January 26, 2015, documents received during the Closed Session on January 26, 2015, and other relevant documentation. The video for the Open Session on December 10, 2014 was also viewed.

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

#### **BACKGROUND**

##### **(a) Agenda for the Meeting of Council on December 10, 2014**

The Agenda for the December 10, 2014 meeting shows that the meeting was in the form of a "Council Workshop" which was to commence at 9:00 a.m. in open session. A "Notice" was placed at the top of the Agenda which indicated that:

**In accordance with the Town's Procedure By-law, no decisions are to be made but rather this meeting is an opportunity for Council to have informal discussion regarding various matters.**

The Agenda contained the following item:

##### **5. Educational/Training Session - Bus Tour – 1:00 p.m. – 4:00 p.m.**

##### **Recommendation:**

**THAT the Council Workshop resolve into Closed Session for the purpose of an educational/training session under Section 239(3.1) of the Municipal Act, regarding strategic matters and inter-municipal relations.**

##### **(b) Minutes of the Meeting of Council on December 10, 2014**

The Minutes for Council Workshop on December 10, 2014 indicate that the workshop commenced at 9:13 a.m. in open session. At 12:30 p.m., the meeting went into closed session. Council immediately recessed for lunch and then resumed in closed session at 1:15 p.m. The workshop went back into open session at 4:25 p.m. and was adjourned. There was no reporting out from the closed session.

(c) **Minutes for the Closed Meeting of Council on December 10, 2014**

The Minutes for the closed session of the Council Workshop show that seven Members of Council, accompanied by thirteen members of staff, went on a bus tour of the municipality. Staff updated Council about sixteen sites in the municipality, including their significance to the municipality. No decisions were made in closed session, other than to resolve back into open session at 4:25 p.m.

(d) **Agenda of the Meeting of the Special Committee of the Whole on January 26, 2015**

The Agenda for the January 26, 2015 Special Committee of the Whole Meeting indicates that Committee of the Whole would be going into closed session to hear a presentation from the Director of Legal Services "regarding proposed or pending acquisition and/or disposition of land – Strategic Properties".

(e) **Minutes of the Special Meeting of Committee of the Whole on January 26, 2015**

The Minutes for Special Committee of the Whole meeting on January 26, 2015 indicate that Committee of the Whole went into closed session at 1:53 p.m. as follows:

**THAT the Special Committee of the Whole resolve into a Closed Session for the purpose of discussing proposed or pending acquisition and/or disposition of land regarding Strategic Properties across the Town of Newmarket.<sup>3</sup>**

The Meeting went back into open session at 5:01 p.m. and was then adjourned. There was no reporting out from the closed session.

(f) **Minutes for the Closed Special Meeting of Committee of the Whole on January 26, 2015**

The Minutes for the closed session of the Special Committee of the Whole show that the Director of Legal Services provided Members of Council with a presentation about various properties that the municipality was attempting to acquire or dispose of. Various directions were given to staff in the form of resolutions. Committee of the Whole made two substantive decisions about a particular property while in closed session.

---

<sup>3</sup> Although not strictly required by the *Municipal Act*, the resolution to go into closed session does not cite the authority under the *Act* for the holding of a closed meeting. In this case, it would have been authorized under section 239(2)(c).

## V. ANALYSIS AND FINDINGS

### (a) The Closed Meeting of Council on December 10, 2014

The Clerk advised that the meeting was closed to the public merely for practical reasons in that Council would be on a *bus*, and not in their regular meeting location. Both the Clerk and the Director of Legal Services, who were present during the tour, confirmed that there was no discussions or decisions that materially advanced the business of the municipality or that set the ground for future decision making.

The bus tour was part of the orientation program for Members of Council. Its purpose was to give Members of Council, especially those who were new to Council, a physical view of the various properties of significance to the municipality.

The Clerk felt that he had to schedule this as a closed meeting since the Members of Council would be travelling together as a group; in other words, there would be a quorum of Council on this particular tour. However, Members of Council were clearly given notice that no decisions would be made and Members of Council abided by that notice.

Although Council resolved to go into closed session at 12:30 p.m., the closed session did not start until 1:15 p.m. Members of Council were given a period of 45 minutes, from 12:30 p.m. to 1:15 p.m., to have lunch and to conduct other business in their offices during this recess. Lunch was served for Members of Council and staff in the Council Chambers. The Deputy Clerk was in the Chambers for the lunch recess, along with other Clerk's staff, and she confirmed that individuals came in and out during that period of time and that no Town business was discussed.

The Clerk indicated that the vote to go into closed session was done before the recess out of procedural convenience. It would have been more difficult, and time consuming, to have Council return to the Council Chambers in open session after lunch and then recess into closed session. However, the resolution to have a closed session has to be done in open session. As such, it was more convenient and orderly to have the meeting recess into closed session just before lunch and have Members of Council return at the beginning of the bus tour in closed session.

Amberley Gavel does not feel that a lunch recess, even if the gathering is closed to the public, is automatically deemed to be a "meeting" just because Members of Council are together having lunch. The real issue is not about the gathering or the format, but about whether or not the business of the municipality is being discussed in a material sense. The Deputy Clerk, who was in the room the whole time, indicated that no Town business was discussed.

The Clerk indicated that no member of the public had shown an interest in attending the tour after the public agenda was posted. Further, the Clerk indicated that there was no reason why members of the public or the media could not have been on the tour. (Indeed, the bus driver could be characterized as a “member of the public” and he is shown as a “guest” in the minutes.) The Clerk further advised that the list of properties that had been visited was posted on the Town’s website on the following day.

The *Act* provides for closed sessions of a council when engaged in educational or training purposes if the meeting is held for the purpose of educating or training the members and if, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council. We have found that both conditions were satisfied. The bus tour was for the purpose of educating Members of Council about properties that were significant to the municipality and no Member of Council discussed or otherwise dealt with a matter in a way that materially advanced the business or decision-making of Council. Hence, we have found that Council was not in breach of the *Municipal Act* by being in closed session during this portion of the workshop.

**(b) Closed Special Meeting of Committee of the Whole on January 26, 2015**

The Director of Legal Services advised that she was providing Members of Council with a “high-level overview” of various properties that the municipality was in the process of acquiring or disposing of. This was an extension to Council’s orientation program, particularly for the new Members of Council who may have had no prior knowledge of these potential or pending acquisitions or dispositions. She was not seeking any direction or resolution from Committee of the Whole as a consequence of her presentation.

Having reviewed the Minutes of the Closed Meeting and the presentation materials provided by the Director of Legal Services, we have concluded that Committee of the Whole was properly in closed session on January 26, 2015 to discuss matters relating to the proposed or pending acquisition or disposition of land by the municipality.

However, Special Committee of the Whole made two decisions, by resolution, on a particular property while in closed session, with respect to negotiations about the property.<sup>4</sup>

Those decisions were more than just “procedural” in nature or “directions to staff”, as are permitted by the *Municipal Act*. Given the precise wording of the particular resolutions, we believe that Committee of the Whole would have been better to merely give the appropriate direction to staff rather than take a vote on the two matters.

<sup>4</sup> It would be improper, for Amberley Gavel to discuss in this report the detailed substance of the closed meeting discussions, since disclosure would offend the principle of confidentiality that closed meetings protect. In addition, to do so would allow complainants and other third parties to receive information through a closed meeting investigation that they would otherwise not be privy to; that is not the function of a closed meeting investigation. That is not to say that the complainant in this instance was attempting to do that, but rather that the possibility could be contemplated in other instances.

This is particularly true in circumstances where staff are not asking for direction as a result of a “high-level overview” presentation.

We are not concluding that these two resolutions were illegal votes under the *Municipal Act*; rather, we are cautioning Council to craft all resolutions as directions to staff rather than what could be read to be substantive and binding decisions, unless such resolutions are merely procedural in nature.

## **VI. CONCLUSION**

Amberley Gavel has concluded that Council did not breach the open meetings requirement of the *Municipal Act* in closing its workshop to the public on December 10, 2014 in order to travel by bus to strategic sites. We have also concluded that Council did not breach the open meetings requirement of the *Municipal Act* in closing its Special Committee of the Whole Meeting to the public on January 26, 2015. We have, however, cautioned Council about making what appear, by their wording, to be substantive decisions in closed session rather than directions to staff or other officers.

## **VII. RECOMMENDATIONS**

As a result of the investigation, we offer several suggestions in accordance with best practices. Although not strictly required by the *Municipal Act*, these recommendations enhance openness and transparency:

- (a) THAT, when resolving to go into closed session, the Town Council, its committees, and local boards cite the applicable section of the *Municipal Act* which permits the holding of a closed session.
- (b) THAT the Town Council, its committees, and local boards report out from its closed session stating the general nature of the matters discussed in closed session.
- (c) THAT Town Council, its committees, and local boards not make substantive decisions in closed session. All matters should be worded as directions to staff or other officers.



April 23, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES  
PLANNING AND BUILDING SERVICES - PLANNING REPORT 2015-16**

TO: Committee of the Whole

SUBJECT: Parking and Storage of Recreational Vehicles in Residential Zones

ORIGIN: Deputation to Council and Council resolution

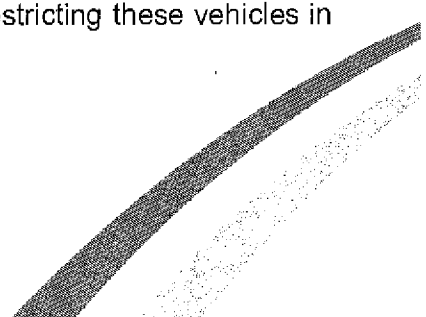
---

**RECOMMENDATIONS**

1. **THAT Development and Infrastructure Services/Planning & Building Services Report 2015-16 dated April 23, 2015 regarding parking and storage of recreational vehicles in residential zones be received and the following recommendations be adopted:**
  - i. **THAT Council authorize a Zoning By-law amendment process to amend the zoning provisions for the parking and storing of recreational vehicles in residential zones;**
  - ii. **AND THAT Options 2 and 3 listed in this report be presented to the public at the statutory public meeting;**
  - iii. **AND THAT following the public meeting, comments from the public, Committee, and those received through agency and departmental circulation of the amendment, be addressed by staff in a comprehensive report to the Committee of the Whole;**
  - iv. **AND THAT Laurie Smith of 371 Burford Street, Newmarket, ON, L3Y 6P9, be notified of this action;**
  - v. **AND THAT Laura and Mike Kyte of 367 Burford Street, Newmarket ON, L3Y 6P9, be notified of this action.**

**BACKGROUND**

Committee of the Whole received a presentation on January 12, 2015 regarding the current restrictions in the Zoning By-law on the ability of residents to park recreational vehicles on residential driveways. This report discusses these types of restrictions in general, what the current restrictions are, the approaches used by other municipalities, and the options that the Town might consider for restricting these vehicles in Newmarket.



## **COMMENTS**

### **Current recreational vehicle parking restrictions**

The current zoning standards date back to Newmarket's earlier comprehensive Zoning By-law 1979-50.

Currently residents in Newmarket can park one recreational vehicle, less than 7 metres long, in their driveway for a maximum of 72 hours in any one calendar month. When recreational vehicles are stored internally, they must be entirely contained in the building. In zones R1 and R2, recreational vehicles, less than 7 metres long, can be stored in a side or rear yard for any length of time all year long.

The Town's Zoning By-law defines a recreational vehicle as follows:

- 1) a vehicle or trailer which may provide short term occupancy that is intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes or other similar travel vehicles but does not include a mobile home; and/or
- 2) boats, personal watercraft, snowmobiles, all terrain vehicles and other similar vehicles used for recreational pursuits.

The intent of these restrictions is to limit the ability of residents to store recreational vehicles of certain dimensions to their side or rear yards or temporarily on their driveways.

The arguments for such restrictions tend to rely on concerns of safety, aesthetics, or parking demand. Residents may be concerned that larger vehicles restrict sightlines for pedestrians and drivers and increase the likelihood of an accident. Residents may also dislike the appearance of recreational vehicles being parked for extended periods in their neighbourhoods. The visual appearance of the streetscape is an issue and acceptability is subject to individual preferences. Residents may also be concerned that allowing recreational vehicle parking on driveways will lead to excessive on-street parking.

The arguments against such restrictions tend to rely on property rights, necessity, and improper regulations. Residents may object to being prevented from using their property as they see fit by being prohibited from parking their vehicles there. Other residents may make frequent use of their boats or trailers and find the need to pay for additional storage and to frequently fetch the recreational vehicle to their home for loading or unloading is burdensome.

### **Comparators**

Many other municipalities have similar restrictions. The specific restrictions vary, based on zoning classifications, with zones that tend to have larger lot sizes typically permitted slightly larger vehicles. A set of example comparators are set out in Appendix A. Most municipalities appear to regulate recreational vehicles based on size and location on the lot. There are a few who have time limits on parking on the driveway, either hours per month or by season.

## Discussion and Options

There are four options Council could pursue:

1. Maintain current zone standards and do not implement any changes.
2. Amend the zone standards to remove the 72 hour parking restriction per month and replace it with 4 calendar days.
3. Amend the zone standards to remove the 72 hour parking restriction per month and replace it with seasonal parking.
4. Remove the zone standards from the zoning by-law and have no restrictions on parking recreational vehicles in residential zones.

Staff are recommending that Council authorize a Zoning By-law amendment process be undertaken and that Options 2 and 3 be presented to the public for input.

Option 2 is considering replacing the temporary parking on driveway for 72hrs per month with permissions to temporarily park a recreational vehicle in the driveway for four calendar days a month.

Option 3 is considering replacing the temporary parking on driveway for 72hrs per month with the ability to park one recreational vehicle seasonally. The type of vehicle would be restricted to one which could be used in that season. For instance a snowmobile could be parked on the driveway from November to March and a boat or camper trailer could be parked from April to October. This option would require defining "summer recreational vehicle" and "winter recreational vehicle".

Staff are also proposing other technical revisions to the current standards. A complete list is found in Appendix 'B'. The current standards date back to Newmarket's earlier zoning by-law from 1979. The general wording requires some updating. Also, there has been some confusion with the definitions and terms used in the zone standards, specifically regarding utility trailers and trailers used for hauling recreational vehicles. Staff would take this time to address these issues as well.

With the changes proposed there would still be a limitation of one recreational vehicle which could be stored on the property or temporarily parked on the driveway. Residents would still be permitted to store one recreational vehicle in their side or rear yard. Residents could still store recreational vehicles in their garages, so long as it is wholly contained within the structure. Some of the other proposed revisions would include adding a minimum setback from curbs and sidewalks. This would address the concerns about sight lines.

## Implications and Impacts

### **Option 1**

Staff do not recommend pursuing Option 1 as it is very difficult to enforce the current zoning provision of temporary parking for 72 hours a calendar month. Enforcement of this restriction requires an enforcement officer to monitor a property continually to determine when the 72 hours has been exceeded. The implications of not making any changes to the current standards are further aggravation for staff and residents as it does not address the difficulties in enforcement nor does it address the concerns raised by residents at the January 12 meeting.

**Options 2 and 3**

Staff are recommending taking Options 2 and 3 to the public to determine which method of regulating recreational vehicles is favoured by Newmarket residents. It is staff's opinion that some form of regulation is required as not all residents want to have recreational vehicles parking in their neighbourhood for the reasons mentioned above. On the other hand, there does need to be some ability for land owners to store, maintain, load and unload their recreational vehicles. It is not possible to satisfy everyone based on the diverse opinions around this subject matter. The challenge is to find a compromise between the needs of the property owner for ready access to their vehicle while respecting the interests of adjacent neighbours for a safe and visually acceptable streetscape. Zoning By-law regulations endeavor to find a balance.

Both of these options increase the amount of time a recreational vehicle could be parked on a driveway. The current provisions allow about 3 days a month of temporary parking of a recreational vehicle on a driveway. The proposed changes would allow for 4 days a month or a whole season (several months). The temporary parking of a recreational vehicle on a driveway allows for the maintenance and/or loading and unloading of the vehicle (i.e. doing a small repair to a boat or loading up the camper trailer before leaving for vacation). Staff are recommending increasing the length of time residents can temporarily park a recreational vehicle in a driveway as it is acknowledged that most properties in town cannot accommodate a recreational vehicle in their side yard. Over the last 20 years or so lots have become smaller and houses closer together. Based on current zone standards of 1.2m or 1.8m sideyard setbacks for single detached dwellings few houses built in the last few decades have a side yard big enough to accommodate a small recreational vehicle (i.e. snowmobile or personal watercraft) let alone a medium to large sized recreational vehicles (i.e. a camper trailer, a boat on a trailer, or a motor home).

Appendix B provides some sample wording which could be presented to the public, should a Zoning By-law amendment process be authorized.

**Option 4**

Staff do not recommend removing all restrictions as there are resident concerns regarding parking recreational vehicles in residential zones. By-law enforcement officers deal with complaints regarding neighbours parking recreational vehicles throughout the year. Staff estimate there are approximately 90 complaints a year regarding recreational vehicles; dealing with these complaints currently takes a substantial amount of time as the zoning provisions are difficult to enforce, as discussed above. Removing all restrictions would mean there would not be any way staff could deal with the complaints when they are received. As discussed above there are benefits to placing some balanced restrictions and limitations on parking recreational vehicles in residential zones.

**BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The proposed Zoning By-law amendment will support the Community Strategic Plan by being *Well-Balanced*.

**CONSULTATION**

By-law Services has been consulted in the preparation of this report.

**HUMAN RESOURCE CONSIDERATIONS**

None.

**BUDGET IMPACT**

None.

**CONCLUSION**

There are some issues with the current zoning standards for parking recreational vehicles in residential areas. It is recommended that a Zoning By-law amendment process be undertaken to review and revise the current standards.

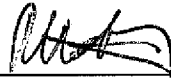
Attachments: Comparison chart of municipalities' restrictions on recreational vehicles  
Possible wording to present to the public at a statutory public meeting

**CONTACT**

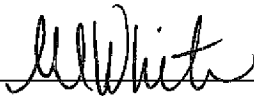
For more information on this report, contact: Meghan White, Planner, at 905-953-5321, ext 2458; [mwhite@newmarket.ca](mailto:mwhite@newmarket.ca)



Commissioner, Development and Infrastructure  
Services



Director, Planning & Building Services



Planner

**APPENDIX 'A'**

Comparison chart of municipalities' restrictions on recreational vehicles:

<b>Municipality</b>	<b>Permitted driveway</b>	<b>Restrictions</b>
<b>Newmarket</b>	Yes	Only permitted in R1 or R2 zones up to 7m in length exclusive of hitch or tongue in driveway up to 72 hours in any 1 calendar month. Permitted in interior side yard to the rear of the front wall of the main building. Setbacks 7.6 metres from the exterior or rear lot line for corner lots
<b>Mississauga</b>	Yes	Allow parking in driveway up to 5.2m in length/ 2m in height , plus setbacks Or up to 7m in length or 3m in height in driveway up to 72 hours a month
<b>East Gwillimbury</b>	No	2 vehicles side or rear yard, with required setbacks
<b>Georgina</b>	No	Storage not permitted, officer discretion(maintenance/cleaning) to enforce on complaint basis Boats – only permitted in interior side yard or rear yard, up to 8m length 2.5m height
<b>Whitchurch-Stouffville</b>	No	1 permitted in rear yard only
<b>Aurora</b>	No	2 vehicles, rear or interior side yard no longer than 7.5m in length
<b>Bradford/West Gwillimbury</b>	Yes	Up to 6.5m in length 2.7m height front or exterior yard Rec. vehicle, In rear up to 10m in length 4m in height + 1m setback
<b>Leamington</b>	Yes	Permitted in driveway from April to October. Offseason must be stored in internal side yard and or required rear yard + setbacks
<b>Oshawa</b>	Yes (Drivable RV)	Up to 6m length 2.6m height in driveway Anything towable - Allowed in interior side yard driveway
<b>Pickering</b>	Yes	Up to 6.7 m length and 2.6m height must be on driveway in front yard or Side or rear must not exceed 8m length 3.5m height
<b>Kingston</b>	No	Up 8.2m length in interior side or rear yard + setbacks

Municipality	Permitted driveway	Restrictions
Orangeville	Yes	Maximum length 7m, maximum height 3.5m. Also permitted in rear and side yard
Burlington	No	Permitted seasonally. Maximum height 1.82m to 3.65m
Vaughan	No	Permitted in the rear and side yard
Barrie	Yes	No restrictions
Guelph	Yes	Permitted on driveway maximum 48 hrs. Permitted in garage, rear or side yard with 1m setback
Cambridge	Yes	Permitted in rear or side yard with 1.2m setback. Permitted on driveway from April to October.

## **APPENDIX 'B'**

Possible wording to present to the public at a statutory public meeting

Recreational Vehicles means:

- 1) a vehicle or trailer which may provide short term occupancy that is intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes or other similar travel vehicles but does not include a mobile home; and/or
- 2) boats, personal watercraft, all terrain vehicles and other similar vehicles used for recreational pursuits.
- 3) a trailer designed to carry any of the items listed in Sections 1) and 2) of this definition.

Utility Trailer:

Means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and is capable of being used for the transport of goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

Remove Section 5.8.2 and replace it with:

### **5.8.2 Recreational Vehicles and Utility Trailers in a Residential Zone**

The following regulations apply to the parking and storage of recreational vehicles and utility trailers on lots within any Residential Zone:

- i. Only 1 recreational vehicle or utility trailer may be externally parked on a lot, up to a maximum length of 7 metres exclusive of hitch or tongue.
- ii. Where the recreation vehicle or utility trailer is stored internally, such vehicle or trailer must be wholly contained within the dwelling unit or private garage or carport.
- iii. The required parking spaces for the use on the lot must be satisfied.
- iv. No recreational vehicle or utility trailer may be parked on a driveway within 1 metre of a sidewalk or curb.
- v. No recreational vehicle or utility trailer may be parked on a driveway without being affixed with a valid license plate or being located on a trailer affixed with a valid license plate.
- vi. No recreational vehicle or utility trailer may be parked in a side or rear yard within 1 metre of a fence or property line.
- vii. No recreational vehicle or utility trailer is permitted to park in the front yard, unless it is on a driveway, subject to the provisions listed above.
- viii. Notwithstanding the above, in the case of a lot where the exterior side and/or rear lot line abuts a street or a 0.3 metre reserve, parking or storage may be permitted in the exterior side yard or rear yard but not closer than 7.6 metres from the exterior or rear lot line.

**OPTION 2**

- ix. Notwithstanding 5.8.2 iii, no more than 1 recreational vehicle or utility trailer may be temporarily parked or stored on a driveway for no more than 4 different days, consecutive or not, within the same calendar month. For greater clarification, if the recreational vehicle or utility trailer is observed in the driveway for any amount of time, it is deemed to have been there for 1 of the four different days during the calendar month.

**OPTION 3**

- ix. Notwithstanding 5.8.2 iii, no more than 1 summer recreational vehicle or utility trailer may be temporarily parked or stored on a driveway between April 1 and October 31.
- x. Notwithstanding 5.8.2 iii, no more than 1 winter recreational vehicle or utility trailer may be temporarily parked or stored on a driveway. No winter recreational vehicle may be parked on a driveway between November 1 and March 31.

New definitions required:

Summer recreational vehicle: TBD

Winter recreational vehicle: TBD



COMMUNITY SERVICES/PLANNING & BUILDING SERVICES  
TOWN OF NEWMARKET  
395 Mulock Drive  
P.O. Box 328  
Newmarket, ON L3Y 4X7

www.newmarket.ca  
info@newmarket.ca  
905.895.5193

April 23, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES - REPORT 2015-17**

TO: Committee of the Whole

SUBJECT: 351 Timothy Street  
Request to demolish a portion of a structure listed on the Municipal Register of Non-Designated Heritage Properties

ORIGIN: Planning and Building Services

---

**RECOMMENDATIONS**

THAT Development and Infrastructure Services/Planning and Building Services Report 2015-17 dated April 23, 2015 regarding 351 Timothy Street and the owners request to demolish a portion of the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendation(s) be adopted:

1. THAT Council permit the demolition of the rear portion of 351 Timothy Street, a property listed on the Municipal Register of Non-Designated Heritage Properties of Interest;
2. AND THAT Montana Harrington, 351 Timothy Street Newmarket, ON L3Y 1P4 be notified of this action.

**COMMENTS**

The owner of 351 Timothy Street has indicated a desire to demolish the rear addition of the existing dwelling (see appendix 1). The property is listed on the Town's Municipal Register of Non-Designated Properties in accordance with the Ontario Heritage Act. Currently, the demolition of all or part of a building that is listed requires Council's approval.

A home inspection has identified structural issues with the foundation and roof which need repair and/or replacement. The owner intends to build a replacement structure on the same footprint and provide an exterior treatment that would be in keeping with the heritage nature of the original dwelling and the street.

351 Timothy, a two storey wood frame residence with a vinyl clad exterior, was built in 1905. The rear addition was erected at an unknown date. The main residence has a steep gable roof, symmetrical windows and a projecting 3-bay window on the front façade. As it would appear the historical value is in the main dwelling structure, staff have no objection to the demolition of the rear portion of the existing dwelling at 351 Timothy Street. The normal and usual building permit process would be required.

**COMMUNITY CONSULTATION**

While there is no legislative requirement to do so, the Heritage Newmarket Advisory Committee have been circulated the proposal and have no objection to the demolition of the rear portion of the dwelling.

**BUDGET IMPACT (CURRENT AND FUTURE)**

There are no budget impacts associated with the recommendations 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)



Commissioner, Development  
& Infrastructure Services



Director of Planning & Building Services



Senior Planner - Community Planning

## Appendix 1

## Photographs of Existing rear Addition





**ENGINEERING SERVICES**  
**Town of Newmarket**  
395 Mulock Drive  
P.O. Box 328, STN Main  
Newmarket, ON L3Y 4X7

www.newmarket.ca  
engineering@newmarket.ca  
T: 905 895.5193  
F: 905 953 5138

**April 13, 2015**

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
ENGINEERING SERVICES 2015-24**

TO: Committee of the Whole

SUBJECT: Inflow and Infiltration Reduction Pilot Project

ORIGIN: Director, Engineering Services

---

**RECOMMENDATIONS**

**THAT Development and Infrastructure Services Report – ES 2015-24 dated April 13, 2015 regarding “Inflow and Infiltration Reduction Pilot Project” be received and the following recommendations be adopted:**

- 1. THAT the Mayor and Clerk be authorized to execute a Tri-Party Agreement to the satisfaction of the Chief Administrative Officer, the Commissioner of Development and Infrastructure Services, the Director of Engineering and the Town Solicitor, with York Region and with Marianneville Developments Limited / Kerbel Group Inc. for an Inflow and Infiltration Reduction Pilot Project based on the principles identified in this report;**
- 2. AND THAT staff report back as to the outcome of the Inflow and Infiltration Reduction Pilot Project;**
- 3. AND THAT a copy of this report and Council extract be forwarded to representatives of Marianneville Developments Limited / Kerbel Group Inc. and York Region.**

**BACKGROUND**

In anticipation of the forecasted growth within York Region, an Individual Environmental Assessment (IEA) for the Southeast Collector (SEC) sanitary trunk sewer to expand the regional sewer system was initiated in 2005. The SEC trunk sewer is an important and necessary component of infrastructure to serve the future growth in the Region and the IEA was approved by the Ministry of the Environment (MOE) on March 31, 2010.



A series of conditions were imposed by the MOE as part of the IEA approval, which include the requirements for the Region and local municipalities to develop solutions to actively reduce inflow and infiltration (I/I) in both the regional and municipal sanitary systems by 10 percent by 2031. As a result, York Region has requested that local municipalities, as part of the assignment of the annual servicing allocation, partner with the Region to: 1) continue to seek out the sources of I/I; 2) adopt standards and guidelines to reduce I/I in new developments and within existing systems; and 3) develop funding and cost sharing principles to address future remediation projects.

### WHAT IS INFLOW AND INFILTRATION?

Inflow and infiltration is “clean” water (i.e., not sanitary sewage) that enters the sanitary sewer or “wastewater” system during rain and snowmelt events, as well as seepage into the system from the surrounding groundwater. Such water adds to the burden of sewage treatment plants, because it adds into the plant a significant volume of water that does not need to be treated. The additional water also taxes the local sanitary sewer mains by increasing the volume of flow through the pipes, often to the point of surcharge. This increases the risk of sewage back-ups and also reduces the capacity of the pipes to accept flow from new developments being proposed upstream.

**FIGURE 1: I/I Sources**  
(Source: York Region Website)

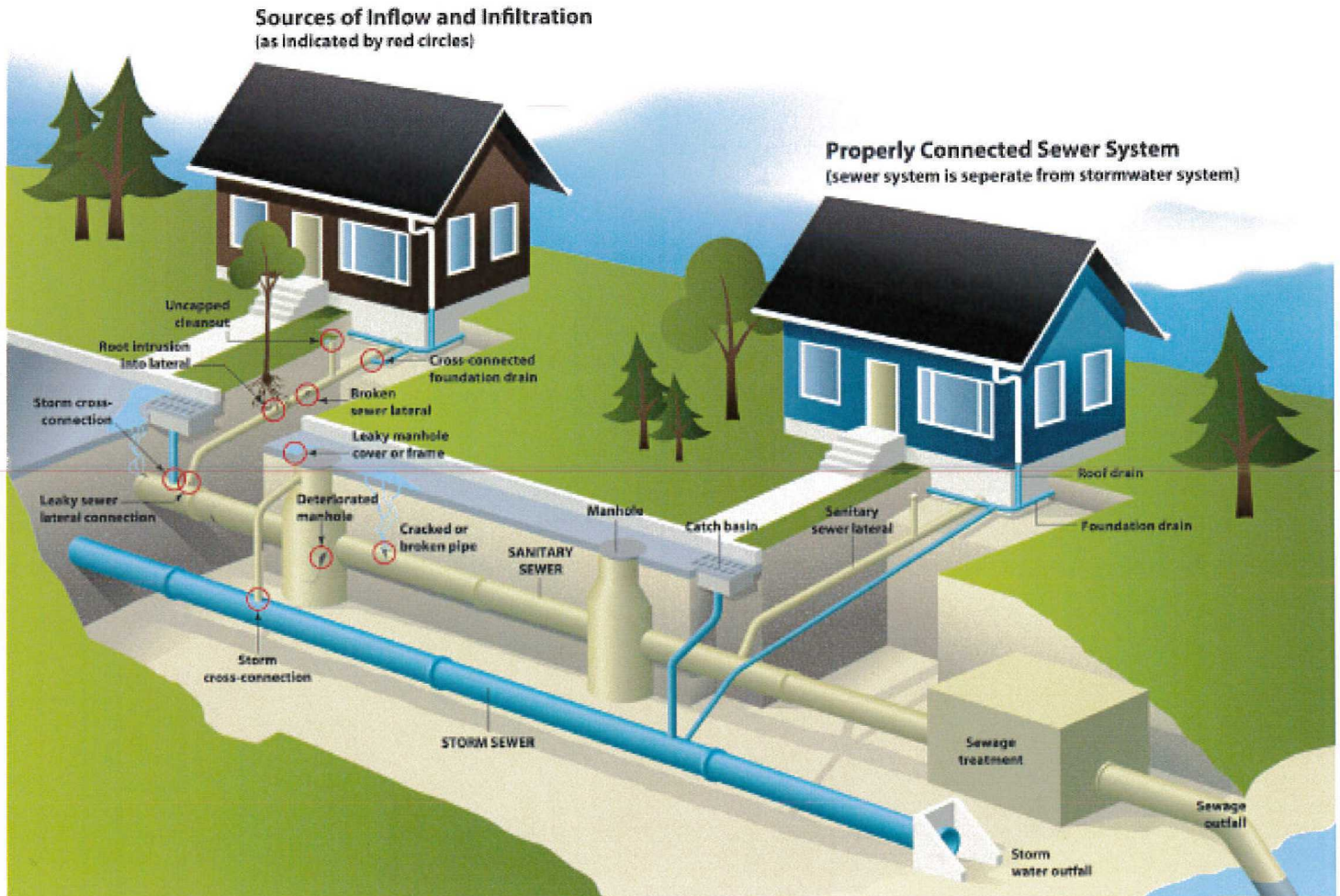


Figure 1 (above) shows a schematic of inflow and infiltration sources. "Inflow" can result from unsealed manhole covers, roof drain downspouts or sump pumps that are connected directly into the sanitary sewer instead of the storm sewer, or catchbasins and storm sewers that are connected directly into the sanitary sewer. "Infiltration" occurs through cracks and faulty joints in the pipes and manholes, resulting in groundwater seepage. In general, inflow and infiltration into the sanitary system is lower when the mains are newer; however, as the sewage infrastructure ages and the system deteriorates, the rate of inflow and infiltration into the system increases.

#### I/I REDUCTION PILOT PROJECT:

Although Newmarket has not had an opportunity to participate in an Inflow and Infiltration Reduction Pilot Project yet, four other local municipalities in York Region have. The City of Markham, the City of Vaughan, the Town of Aurora and the Town of Richmond Hill have already executed Tri-Party Agreements with York Region and a private sector partner or Landowners Group (LG). All four have successfully embarked upon or completed work programs and remediation works for Inflow and Infiltration Reduction Pilot Projects identical to the one being proposed in Newmarket. In all four cases, the same "Tri-Party Agreement" legal document was used to forge a partnership between the local municipality, York Region and a private sector / LG partner. Table 1 below shows a summary of the pilot projects in other local municipalities, including the potential allocation assignment and the name of the LG who participated in the project.

**Table 1**

#### **York Region Inflow and Infiltration Reduction Pilot Projects Summary**

<b>MUNICIPALITY</b>	<b>LANDOWNERS GROUP</b>	<b>STATUS OF AGREEMENT</b>	<b>POTENTIAL CAPACITY ASSIGNMENT (person-units)</b>
Markham	Upper Unionville Inc.	Executed (June 2011)	2500
Vaughan	Huntington Landowners Trustee Inc.	Executed (Sept. 2012)	4600
Aurora	Aurora 2C Landowners Group Inc.	Executed (Sept. 2012)	3300
Richmond Hill	North-East Leslie Landowners Group Inc.	Executed (May 2013)	2232
<b>TOTAL CAPACITY RECOVERED AS OF MARCH 2015</b>			<b>7400+</b>

An I/I Reduction Pilot Project requires the execution of a “Tri-Party Agreement” between the Town, York Region and a LG. The LG must be willing to fund 100 percent of the project costs. There is no cost to either York Region or to the Town. The LG hires, at its own expense, a qualified consulting engineer and also pays the costs of an additional engineering consultant who will act as a peer reviewer on behalf of the municipality and York Region to verify the works done by the LG and its consultant. The works involve monitoring the municipal sanitary sewer (wastewater) system throughout the Town (i.e., not necessarily in the areas that the LG is developing) and conducting standardized tests to determine areas within the Town’s sanitary sewer network where there is high inflow and infiltration occurring.

Once the sources of I/I have been identified, a “work program” is prepared by the LG and its consultant to conduct the works required to remove/remediate the I/I sources. The work program is presented to the Town and to York Region for approval. The remediation being proposed can be as extensive as re-lining sections of sewer mains or lining manholes that show excessive infiltration. It can also involve disconnecting sources of inflow such as roof drains / downspouts or private catchbasins from the sanitary main and re-connecting them properly into the storm sewer instead, if desired. Any work being proposed by the LG and their engineering consultant is subject to review and approval by York Region and the Town, in concert with the peer reviewer. There is no cost to the Town or Region for any of the construction works or for any engineering services by the LG’s consultant or the peer reviewer. Prior to conducting any works, the LG must submit a letter of credit for a sufficient amount to serve as remediation guarantees for all of the works that the LG is obligated to undertake in the work plan and for rectification of any deficiencies. This way, the Town is protected against the possibility of deficiencies or unsatisfactory/incomplete work. The LG must also provide adequate liability insurance, to the satisfaction of the Town. Once the work program has been concluded, subsequent flow monitoring will reveal how much I/I has been removed from the sanitary sewer system as a result of the project.

In exchange for assuming all of the costs to complete an approved monitoring and work program under the I/I Reduction Pilot Project, the Town, and ultimately the LG, earns additional units of capacity allocation for the LG’s development. The additional allocation is calculated at a 2:1 ratio (i.e. for every 2 person-capacity units that are eliminated from the system as a result of the work program, the Town earns 1 person-capacity unit to allocate back to the LG for the development project). This helps the Town as much as the LG, as it frees up some additional capacity units for the Town to allocate to other developments to meet its growth needs as required. In essence, the work done by the LG at the LG’s cost, adds to the capacity allocation bank of the Town. The number of units allocated to any project is usually equivalent to the balance between the number of units that have already been allocated by the Town and the number of units that will be required to bring the project to full build-out.

The Marianneville Developments Limited / Kerbel Group Inc. (the “LG”) has approached the Town of Newmarket and expressed its interest to undertake and fund an I/I Reduction Pilot Project in a letter of intent dated June 12, 2014 (see attachment). The LG is proposing to use the services of two qualified engineering consultants (Cole Engineering and Civica Infrastructure Inc.), who are experienced in inflow and infiltration works and have provided the engineering services for similar pilot projects with other local municipalities in York Region. Town Staff has held preliminary discussions with York Region regarding the possibility of the project going ahead, if endorsed by Council. York Region is very interested in moving this project forward, as it will improve the sanitary sewer system and will help them meet the stringent requirements of MOE’s IEA for the South-East Collector Trunk Sewer.

The overall benefits of entering into an I/I Reduction Pilot Project have been proven by other local municipalities in York Region who have participated in similar pilot projects. More specifically, the program will:

- Improve the level of service and capacity in the local sanitary sewer system by reducing I/I;
- Improve the level of service and capacity in the local systems by reducing I/I;
- Help improve the overall capacity of the YDSS (York District Sanitary Sewer);
- Reduce environmental impact associated with cross connections between sanitary and storm sewer systems;
- Create additional allocation for new development, in particular, if allocation becomes scarce in future years;
- Allow the potential to focus the pilot project to high priority areas;
- Allow the Town to concentrate its I/I CCTV Camera Inspections on other areas of the Town;
- Expedite the I/I reduction in the Town system at the Landowner Group's costs;
- Create a more efficient overall sanitary sewer system;
- Help satisfy MOE approval condition for the Southeast Collector IEA;
- Reduce total volume of sewage being treated at the treatment plant.

### **PUBLIC CONSULTATION**

No public consultation was undertaken in the preparation of this report. If the recommendations are approved, then the process would incorporate a public consultation plan.

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

- Well-equipped and managed: Efficient management of capital assets and municipal services to meet existing and future operational demands.

### **HUMAN RESOURCE CONSIDERATIONS**

There is no impact on current staffing levels.

### **IMPACT ON BUDGET**

There is no impact on budget to the Town of Newmarket, as all costs will be funded by the Landowner Group.

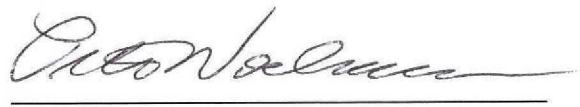
### **CONTACT**

For more information on this report, please contact Rachel Prudhomme at 905-895-5193 extension 2501; [rprudhomme@newmarket.ca](mailto:rprudhomme@newmarket.ca).

Prepared by:



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



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

**MARIANNEVILLE DEVELOPMENTS LIMITED**

June 12, 2014

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

Attention: **Mr. Bob Shelton**  
Chief Administrative Officer

Dear Mr. Shelton:

Re: **Infiltration (I-I) Reduction Study Pilot Project**  
**Marianneville Developments Limited**  
**Town of Newmarket**

The Marianneville Developers Group is pleased to be part of the growing community of Newmarket and is eager to build a new community that both the Town and Newmarket residents will be proud of. As a part of the development process we will require sanitary allocation from the Town prior to each phase of the development. However, we understand that there is insufficient near-term allocation available to match up with our proposed schedule. This affords both the Town and the Developer's Group an excellent opportunity to work together and achieve mutually beneficial goals.

The Region of York over the past four (4) years have been working on pilot projects with many local municipalities and developer groups to provide allocation ahead of the proposed schedule using a simple process of trading Inflow and Infiltration (I-I) Reduction for sanitary allocation. As we understand, this has not yet been completed with the Town of Newmarket and we therefore wish to submit ourselves as a partner with the Town to work with the Region on this project in the same manner. With a 2:1 ratio of I-I peak flow removed from the system to allocation given by the municipality we believe this will not only help us achieve our schedule, but also improve the Town's infrastructure, all at no cost to the Town.

We understand the risks involved in this endeavour both financially and otherwise, as well as the fact that outcome is not guaranteed. To minimize both the Town's and our risk, and to ensure a successful project outcome, we are partnering with Cole Engineering, the same firm that had been working on the other four (4) successful I/I projects completed within the Region. In light of the above, we formally request the Town's approval to initiate an Inflow and Infiltration (I-I) Reduction Study with the Town of Newmarket and the Region of York. In consideration of the Region's requirements, the Marianneville Developers Group would further request that this I-I Reduction Study be considered the Town of

KERBEL GROUP INC.

26 Lesmill Road, Unit 3, Toronto, Ontario M3B 2T5

Telephone: 416-733-2202

Fax: 416-733-3129

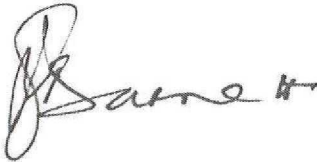
*Town of Newmarket  
Page 2 of 2  
June 16, 2014*

Newmarket's official Pilot project and that the same be secured by way of a confirmation letter or short form agreement with both the Town and Region, if required.

Thank you for considering this proposal and we await your timely response.

Yours truly,

**MARIANNEVILLE DEVELOPMENTS LIMITED**

A handwritten signature in black ink, appearing to read 'Joanne Barnett', with a stylized flourish at the end.

Joanne Barnett MCIP RPP  
Vice President, Planning Operations

c.: Rachel Prudhomme, Town of Newmarket  
Rick Bingham, Town of Newmarket  
Scott Cole, Cole Engineering Group Ltd.



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

April 1, 2015

**DEVELOPMENT & INFRASTRUCTURE SERVICES REPORT  
 ENGINEERING SERVICES 2015-28**

TO: Committee of the Whole

SUBJECT: School Crossing Locations Request – Alexander Muir Public School  
 File No.: T08 T.30 Ford Wilson

ORIGIN: Director, Engineering Services

**RECOMMENDATIONS**

THAT Development and Infrastructure Services Report – ES2015-28, dated April 1, 2015 regarding School Crossing Locations Request – Alexander Muir Public School be received and the following recommendations be adopted:

1. THAT Schedule IX (School Crossing Locations) of the Traffic By-law 2011-42, as be further amended by adding:
  - a. Ford Wilson Boulevard, south of Dowson Loop – Mid-Block
2. AND THAT Schedule X (No Parking) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Davis Drive to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

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

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	East	Woodspring to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Davis Drive	Monday to Friday 7:00 a.m. to 6:00 p.m.

4. AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by deleting the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Dowson Loop to Woodspring Avenue	Monday to Friday 7:00 a.m. to 6:00 p.m.

5. **AND THAT Schedule XI (No Stopping) of the Parking By-law 1993-62, as amended, be further amended by adding the following:**

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Ford Wilson Boulevard	West	Woodspring Avenue to Cheryl Mews Boulevard	Monday to Friday 7:00 a.m. to 6:00 p.m.
Ford Wilson Boulevard	East	Cheryl Mews Boulevard to Dowson Loop	Monday to Friday 7:00 a.m. to 6:00 p.m.

6. **AND THAT the necessary By-laws be prepared and submitted to Council for their approval;**
7. **AND THAT the Alexander Muir Public School administration and York Region District School Board be forwarded a copy of the Council extract.**

## **BACKGROUND**

Alexander Muir Public School is located on the southeast corner of Ford Wilson Boulevard and Woodspring Avenue. The school is a community public school opened in 2009. The school has a low percentage of their students transported by bus, and is currently served by a crossing guard at the corner of Woodspring Avenue and Ford Wilson Boulevard. The school's first bell is at approximately 8:00 a.m. and the dismissal bell is at 2:30 p.m. The catchment area is bounded by Yonge Street, Bathurst Street, Davis Drive, and a line along Alfred Smith Way to Bathurst Street towards the north. The crossing point would serve the several hundred homes on the west side of Ford Wilson Boulevard.

The initial request for a school guard location came from the Principal of Alexander Muir Public School in a letter dated September 16, 2013. The request was for a school crossing guard on Ford Wilson Boulevard at either Dowson Loop or Cheryl Mews Boulevard. The request stemmed from a parent survey undertaken as part of the York Region Public Health's initiative to improve healthy lifestyles through walking to school (Active and Safe Routes to School program). Full crossing guard studies were undertaken in the Fall of 2013, Spring of 2014 and Fall of 2014.

On November 27, 2014, Town staff attended a meeting at the school to discuss the crossing guard request with school representatives, school board officials and York Region Public Health representatives. It was confirmed that the school was promoting active transportation and was having a significant degree of success. However, some of the key elements of their program, such as 'walk-a-block' and a 'walking school bus', would still require crossing Ford Wilson Boulevard. This seemed to create some concern among parents, making them more uncertain about their willingness to participate.

The location and design of the school only affords one feasible frontage for access. Another factor to consider is the expected increase in population levels as a result of the Ardree Phase 3 subdivision (Sloss Court community) and the future development of Sundial Homes and Woodland Hills Phase 7 subdivisions (off of Bathurst Street). With this growth, it is expected that the school's population will also increase over the next several years.

## **COMMENTS**

A pedestrian count and gap study were undertaken as per the Town's Transportation Management Policy. As Dowson Loop and Cheryl Mews Boulevard are close to each other, the crossing point for the gap study was between the two roads. The actual crossing location can be either at Cheryl Mews Boulevard, at a mid-block location, or at the south side of Dowson Loop (please refer to the map on page 6 of this report).

The requirement for the minimum spacing distance from the existing right-of-way control (i.e., all-way stops or traffic signals) has been achieved, with the closest all-way stop control being located 175 metres away at the intersection of Ford Wilson and Clarissa Run. The number of children counted is the total number of children crossing as they arrive from both of these roads, since a crossing guard would serve children arriving from both areas. This study methodology has remained consistent in all three studies done to date.

The study's main focus is the number of children crossing the street and the available gaps in traffic that allow the children sufficient time to cross. All three studies showed a large enough number of children crossing the road, but also a sufficient number of traffic gaps that would allow such a large number of children to cross.

Despite the findings cited above, there is a growing safety concern as a result of: 1) the number of parked cars on Ford Wilson Boulevard, 2) the number of U-turns taken, and 3) the number of 3-point turns that were witnessed during the studies by drivers attempting to leave the area. One of the most dangerous manoeuvres that a driver of a vehicle can undertake in a school zone is reversing as is required for 3-point turns. Furthermore, drivers were trying to complete their 3-point turns as quickly as possible to avoid conflicts with other travelling vehicles, thereby adding to the safety concerns.

Even though the studies identified sufficient gaps to allow crossing without a crossing guard, Section D.3 of the Transportation Management Policy states:

"D.3 Irrespective of the gap study, if it is in the opinion of the review agency that a school crossing guard is warranted, due to engineering or safety considerations, then a reason behind the warrant must be documented".

Based on the safety considerations that have been identified above, it is recommended that a school crossing guard on Ford Wilson Boulevard between Dowson Loop and Cheryl Mews Boulevard be implemented prior to September 1, 2015. This will provide a safe and protected crossing location for the children of the community. To further improve safety, it is also recommended that a No Stopping Zone be implemented from Dowson Loop to Cheryl Mews Boulevard to deter any parking too close to the recommended crossing location.

Finally, it is recommended that a copy of this report be forwarded to the Alexander Muir Public School administration and to the York Region District School Board, and that the school administration encourage parents to prepare and plan for the crossing guard location for the new school year in September 2015.

## **PUBLIC CONSULTATION**

Engineering staff have been communicated with and consulted the school's administration, parent representatives, York Region Public Health staff, and the York Region School Board. Also, the Town's Transportation Management Advisory Committee (TMAC) has reviewed the results of the study and the recommendations being made, and is supportive of the recommendations.

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

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

## **HUMAN RESOURCE CONSIDERATIONS**

There may be an impact on staff levels which is further discussed under the Operating Budget section.

## **IMPACT ON BUDGET**

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

Typically, a school crossing guard costs approximately \$8,000.00 to \$10,000.00 per year. This new school crossing guard was not included in the 2015 budget because, at the time that budget was submitted, it was not known that the additional crossing guard would be required. Seeing that there are safety concerns that make it desirable to implement this new guard as of September 2015, the salary for the 4 month period from September 2015 to December 2015 will be covered using one, or a combination of, the following two strategies:

1. **Reallocation of Resources.** In the past, the Town has relocated school crossing guards based on need. Certain areas of the Town have seen a significant decline in school-age population levels and therefore, they may no longer need or meet the requirements for a school crossing guard. Because of this, over the past decade, the Town has successfully relocated a number of school crossing guards to better serve our changing needs.  
  
Staff is currently looking at a number of crossing guard locations to determine whether they are still needed or still meet the requirements. If an under-utilized location is found, then a report will be brought back to Council recommending a change in location to accommodate the request being made in this report. In this case, the current staffing level for crossing guards would remain constant and there would be no increase in the Operating Budget.
2. **Traffic Management Budget.** If the option cited in "1" above is not possible, then the Town will need to increase the current crossing guard staffing level by one. The de-annualized cost for one additional crossing guard from September to December 2015 could be funded through the existing 2015 Traffic Management Budget without severely impacting current traffic management service levels. A significant pedestrian safety issue such as this one that needs to be addressed in a timely way qualifies as a transitory traffic management expense for 2015 only. A request would then be made in the 2016 budget exercise to ensure the future continuance of this additional crossing guard.


### Capital Budget

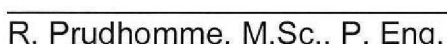
The required signage, pavement markings and boulevard works will be approximately \$5,000.00 or less, and can be accommodated in the existing Sidewalk/Curb and signage budgets.

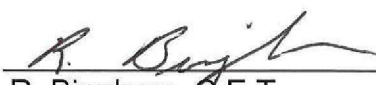
### CONTACT

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

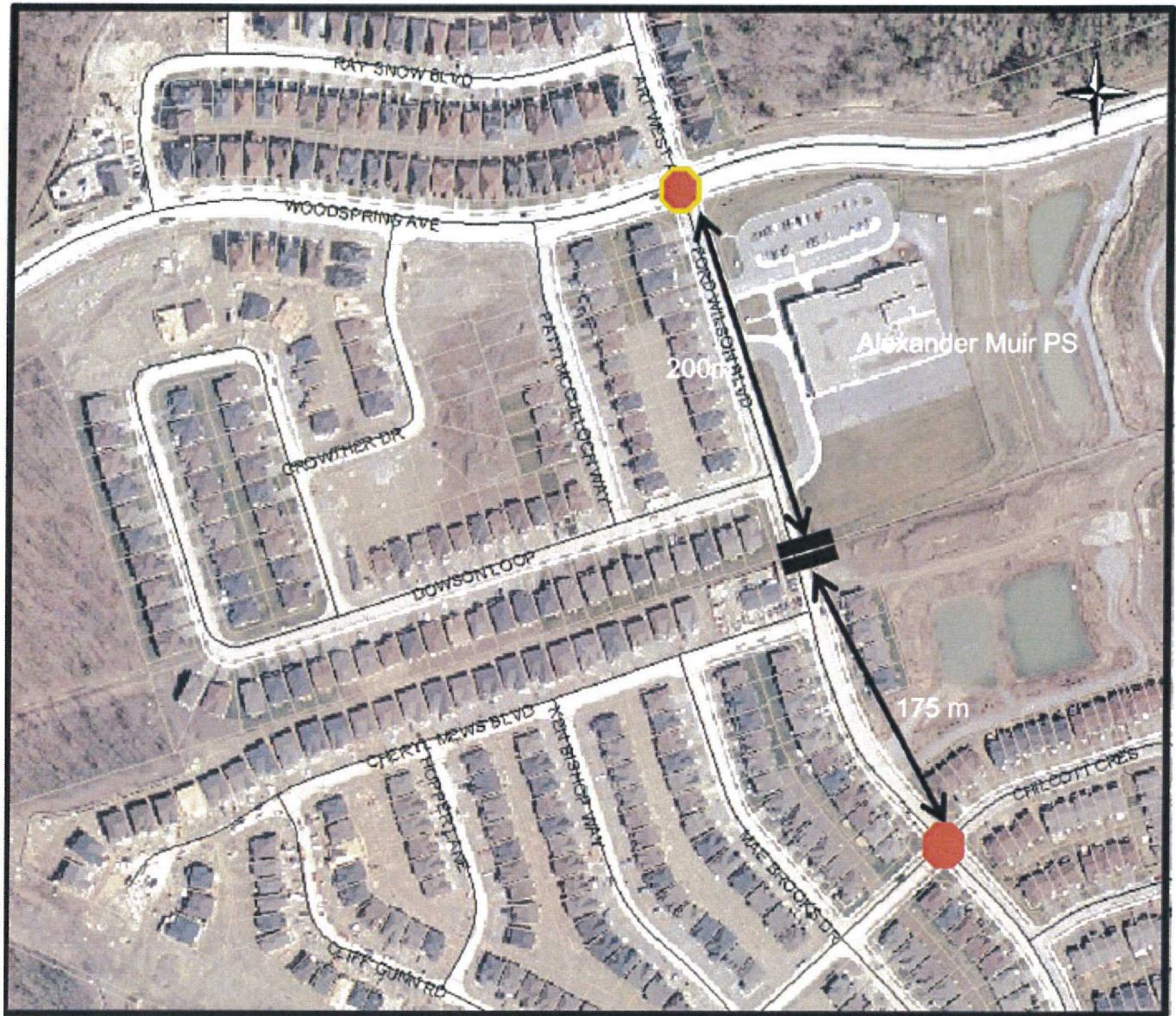
Prepared by:

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

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

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

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



Proposed School Crossing Location



Existing All-way Stop intersection



Existing All-way Stop intersection with an existing School Crossing Guard.

**Community Services - Economic Development Report 2015-16**

TO: Committee of the Whole  
DATE: May 4, 2015  
SUBJECT: Downtown Patios – Pilot Project  
ORIGIN: Community Services – Economic Development

---

**RECOMMENDATIONS**

**THAT Community Services - Economic Development Report 2015-16 dated May 4 regarding Downtown Patios Pilot Project be received and the following recommendation be adopted:**

- 1. THAT Council endorse a 2015 pilot project of outdoor patios in downtown Newmarket between Millard Avenue and Water Street;**
- 2. AND THAT no more than 2 patios requiring the occupation of on-street parking be included in the pilot;**
- 3. AND THAT staff work with applicants to permit patios on the sidewalk and boulevard where possible;**
- 4. AND THAT applicants be required to complete an application form and other documents deemed necessary by staff;**
- 5. AND THAT restrictions of the Licensing By-law, Road Occupancy Permit By-law, and other regulations be waived where applicable to the satisfaction of staff;**
- 6. AND THAT the Main Street District Business Improvement Association be notified of this action.**

**COMMENTS**

**Executive Summary**

The purpose of this report is to seek Council endorsement of a pilot project to permit up to two businesses to open patios that encroach onto municipally-owned property in downtown Newmarket. This is a positive change that will promote economic development, increase pedestrian activity, and make Main Street a more appealing destination. This report contains background information, a discussion of patio styles, and potential steps for implementation.

Following the Committee of the Whole meeting of April 4<sup>th</sup>, 2015, the Committee referred this matter to the Main Street District Business Improvement Association for further consultation. Staff met again with the BIA board at its April meeting, where the board endorsed the pilot project of no more than 2 patios requiring the occupation of on-street parking. The Board also discussed and indicated support for broader

encouragement of business use of the sidewalk and boulevard where it is possible to do so without intrusion into other uses. This will be the subject of further review by the BIA and staff.

### **Background**

Several Main Street businesses have historically placed informal seating arrangements adjacent to their storefronts in order to provide fair-weather seating for customers on an ad-hoc basis. These have occasionally been on private frontages and other times in the public right-of-way. During special events, permits have been issued for some businesses to expand their operations into the public right-of-way within certain limits. Recently, the Town has been approached to support the establishment of seasonal outdoor patios in the Main Street area.

Studies indicate the desire and importance of supporting pedestrian-centric activities in the downtown. The 2001 Newmarket Historic Downtown Community Improvement Plan (CIP) noted a desire for covered sitting areas, more space for pedestrians, unique restaurants, and vibrant activity in the area. A 2009 survey of residents showed 58% wanted to see more restaurants and cafés in the downtown. A 2013 survey of residents indicated dining was the top reason for visiting downtown Newmarket. The same survey ranked expanding evening activities downtown as the most popular option for improving the area. Since the adoption of the CIP, the Town has invested in attractive streetscaping, façade renewal, building improvements, public facilities, parking, Riverwalk Commons, etc., in or near the downtown area.

### **Benefits**

Facilitating outdoor patios in the downtown area, particularly fronting onto Main Street, would have several benefits:

- A more attractive, vibrant downtown
- Expanded space for businesses to accommodate more customers
- Increased pedestrian and tourist activity
- Increased number of potential customers for non-restaurant businesses
- Improved dining experience

### **Opportunities**

Different types of patios are possible, images of which are available in the report that Committee of the Whole considered on April 4<sup>th</sup>, Community Services -Economic Development Report 2015-12. Depending on which businesses elect to apply to host a patio, staff will review each submission to determine which patio type is most appropriate.

### **Analysis**

Restaurant and café patios have proven popular and successful in many Ontario communities. Toronto and Ottawa have expanded their patio programs with municipalities such as Barrie, London, Markham, Collingwood, Sudbury, and Aurora beginning to encourage the practice. Issues they have dealt with and resolved as part of the approval process are identified below.

#### **Parking**

Increased customer traffic to the downtown area is a key component of business success. An on-street patio can be a more efficient use of space as a customer-traffic generator than as a parking space. A parking space occupied by a vehicle will convey, on average, 1.6 people to the area. A parking space occupied by an on-street patio can provide seating for as many as 20 additional customers. The economic

benefit of this increased activity is confirmed by a recent study that indicates businesses near such patios have seen 20% increases in sales and a 29% increase in local pedestrian traffic.

Should on-street patios be supported, staff will continue to enforce downtown parking bylaws and work toward the improvement of parking in the downtown area, including the opening of the market square parking area as well as reviewing the longer term parking requirements in the Main Street area.

#### Liability

Participating businesses will be required to maintain a minimum amount of liability insurance and name the Town of Newmarket as an additional insured party on their policy to prevent potential liability concerns for the Town. This is standard practice in other municipalities.

#### Safety

Changes to the right-of-way can cause concerns of safety and accessibility. Certain styles of patio can cause deviations in the expected pedestrian path, which can be a concern for residents with visual impairments. The Accessibility Advisory Committee will be consulted to make certain that downtown sidewalks remain accessible for all residents. Additionally, Central York Fire Services will be consulted to ensure that the movement of their vehicles and other emergency access concerns are addressed.

#### Noise

The Town has a noise by-law in place to restrict excessive noise typically requires patios to close at 11:00 PM. Research of comparator municipalities indicates that most with such patio programs require them to close after 11:00 PM. On the advice of the Main Street District Business Improvement Association, Staff have determined to further restrict patio operating hours to reduce concerns of noise by local residents. This will be reflected in the application that each patio operator will be required to sign. Town Staff will monitor feedback from residents and business owners to review the hours of operation for patios.

#### Appearance

Well-designed patios can contribute a great deal to the appearance of the downtown area. Urban design guidelines ensure that patio fencing and furniture are attractive and reflect the historic character of the downtown. The Heritage Conservation District Committee will be consulted to ensure that patio designs reflect the historic character of the neighbourhood.

#### **Process**

Staff has met to address the concerns of each department and begin to draft an application for potential applicants. This application will address each of the required elements listed below:

1. Valid liquor license (if premises are to be licensed)
2. Site plan with required design elements
3. Application fee
4. Liability insurance
5. Dates and times of operation
6. Accessibility design standards
7. Heritage design review
8. Application evaluation criteria

Staff will work with each applicant to attempt to develop a design that is appropriate to the specific site criteria and meets the needs of the applicant, residents, and local pedestrian and car traffic. The criteria

established by staff will be made available to applicants in the application package, and used to determine which patios will be selected to participate in the pilot project.

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

### **Official Plan**

The Official Plan supports the principles behind permitting and encouraging outdoor restaurant patio space. For instance, section 12.2.3 of the Official Plan underlines the need for pedestrian amenities as a way to ensure comfort outdoors, stating: ““Designing for pedestrian amenities should be informed by the following: [...] Comfortable outdoor gathering places, particularly in work and entertainment centres, can be created by designing for human scale and providing shelter and shade.” Similarly, 12.2.4 relates to the importance of usable common areas, saying: “Common areas such as plazas, parks, recreation areas and other outdoor spaces, create ‘breathing room’ – areas for rest and relaxation in our urban environment.” Outdoor seating, both public (in the form of benches along sidewalks) and private (in the form of restaurant and café patios) are an important part of this outdoor comfort.

### **Community Improvement Plan**

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

## **CONSULTATION**

This project has been presented to Engineering Services, Bylaw Services, Public Works Services, Planning Services, Building Services, and the Main Street District Business Improvement Association, which has indicated preliminary support for this initiative.

The Main Street District Business Improvement Association passed a resolution at its April 21, 2015 stating the following:

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

THAT the proposed outdoor patio pilot project for Main Street be approved by the Main Street District Business Improvement Area Board of Management for the 2015 summer season;

AND THAT the outdoor patio pilot project includes criteria of a 10 p.m. noise cut-off time;

AND THAT these recommendations be submitted to Council for formal adoption. “

## **HUMAN RESOURCE CONSIDERATIONS**

None.

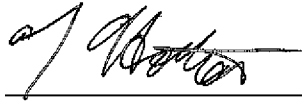
### **BUDGET IMPACT**

#### Operating and Capital Budgets (Current and Future)

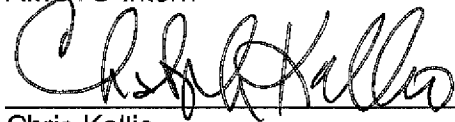
None or nominal.

### **CONTACT**

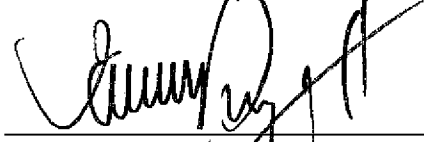
For more information on this report, contact Chris Kallio, Economic Development Officer,  
[ckallio@newmarket.ca](mailto:ckallio@newmarket.ca), ext. 2442.



Ted Horton  
AMCTO Intern



Chris Kallio  
Economic Development Officer



Ian McDougall  
Commissioner, Community Services



Newmarket

## TOWN OF NEWMARKET

### Outstanding Matters

Item Subject	Recommendation	Date to come back to Committee	Comments
1. 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>		Report and Lease arrangements to be reported back Successful proponent on hold, further information to follow update. Information Report forthcoming
2. 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>	May 4, 2015	Approach outlined in Joint CAO/Commissioner's Report 2015-01 dated February 10, 2015 and under report review by Task Force

Item Subject	Recommendation	Date to come back to Committee	Comments
3. Council - January 20, 2014 – Item 33	D & I Services Report – ES 2013-49 Checking Consultant Professional Consulting Services Contract Extension  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;  AND THAT staff report back to Council after a year and a half with options regarding the Checking Consultant Professional Consulting Services Contract.	Q2, 2015	
4. Council - May 5, 2014 – Item 54	THAT staff report back to Council on the implementation of improved signage and advertising for notification regarding Official Plan and Zoning By-law Amendments.	May/June 2015	
5. Council - May 5, 2014 – Item - 13	Marianneville Developments  THAT Council direct staff to organize a public meeting after the Ontario Municipal Board releases its written decision and within this term of Council, on what has been learned about the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Marianneville Developments Limited (Glenway) process and the effects of future development as York Region prepares for growth.	May/June 2015	Facilitated public meeting to be arranged
6. Council – June 23, 2014 – Item 3	Mr. Scott Cholewa regarding a petition for a splash pad in the Copper Hills subdivision (Ward 1).  THAT the deputation of Mr. Scott Cholewa regarding a petition for a splash pad in the Frank Stronach Park be received;  AND THAT the request for a splash pad in Frank Stronach Park be referred to the 2015 budget process and added to the Recreation Master Plan.	Q2, 2015	Item to be referred to as part of the Recreation Playbook process.

Item Subject		Recommendation	Date to come back to Committee	Comments
7.	Council - September 8, 2014 – Item 31	Gigabit Corridor Pilot Project  THAT staff provide a further report to Council with RFP results, including alternate options if necessary, implementation recommendations and budget impact.	Q2, 2015	RFP released January 6, 2015
8.	Council - September 8, 2014 – Item 32	Tom Taylor Crescent Proposed Walkway  THAT staff explore all options associated with alternate treatments including conveyancing and naturalization for that area and report back to Committee of the Whole.	Q2, 2015  See # 17	
9.	Council - September 29, 2014 – Item 32 Motion	Motion  THAT a staff report reviewing GO Train operations including east-west road connections, grade separations, speed within the downtown core, frequency of train whistles at the train intersections 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 be referred to the 2015 budget deliberations.	Q2, 2015	Referenced in Joint CAO/Commissioners Report 2015-01 dated February 10, 2015

Item Subject	Recommendation	Date to come back to Committee	Comments
10. Council – December 15, 2014 – Item 7	<p>Corporate Services Report - Financial Services 2014-36 dated November 24, 2014 regarding 2015 User Fees and Charges - Water and Wastewater Rates.</p> <p>a) THAT Corporate Services Report - Financial Services 2014-36 dated November 24, 2014 regarding 2015 User Fees and Charges - Water and Wastewater Rates be received and the following recommendations be adopted:</p> <p>i) THAT the attached Schedule 'A' being the Town of Newmarket Water and Wastewater Rates be approved and adopted by By-law;</p> <p>ii) AND THAT the Water and Wastewater Rate adjustments come into full force and effect as of January 1, 2015;</p> <p>iii) AND THAT staff be directed to update the 6-Year Water and Wastewater Financial Plan and to include further review of the rate structure in this update.</p> <p>a) THAT By-law 2010-40 as it relates to Recreational Vehicles be reviewed and that alternate options be investigated;</p> <p>b) AND THAT staff report back on alternate options in March or April, 2015.</p>	<p>Master Plan Update and 2015 Water Rate Review</p> <p>Q3, 2015</p>	
11. Committee of the Whole – January 12, 2015 – Item 3		May 4, 2015	

Item Subject	Recommendation	Date to come back to Committee	Comments
12. Committee of the Whole – January 12, 2015 – Item 15	<p>a) <b>THAT Joint Development and Infrastructure Services – Public Works Services and Corporate Services – Financial Services Report 2015-08 dated January 5, 2015 regarding 2015 Pre-Budget Approval for Vehicles and Equipment be received and the following recommendations be adopted:</b></p> <p>i) <b>THAT Council provides pre-budget approval for the equipment listed on Appendix 1 with the exception of all items years 2008 to 2011, excluding the three rotary mowers for health and safety reasons and the John Deere 3320 with transmission failure;</b></p> <p>ii) <b>AND THAT staff provide a report on the remaining items;</b></p> <p>iii) <b>AND THAT staff be authorized and directed to do all things necessary to give effect to these recommendations.</b></p>		<p><b>Addressed through the 2015 budget process and a review by the Auditor for best practices</b></p>
13. Committee of the Whole – January 12, 2015 – New Business Item f)	<p>Regional Councillor Taylor requested that staff prepare an Information Report reviewing the implications of all day GO Transit service from a municipal perspective and that the report address parking issues, specifically at the Tannery Mall and what can be done to expedite the process in the community, including coordination with other municipalities.</p>	Q2, 2015	
14. Committee of the Whole – March 23, 2015 – Item 18 – Main Street District Business Improvement Area Board of Management Minutes of November 18, 2014	<p><b>THAT</b> the request for an additional accessible parking space to be added to Main Street between Botsford Street and Timothy Street be referred to staff.</p>	Q3, 2015	<p>Analysis and Review to be undertaken</p>

Item Subject	Recommendation	Date to come back to Committee	Comments
<p>15. Council – March 30, 2015 – Item 32 Correspondence from the Town of Aurora regarding Interchange at Hwy. 404 and St. John's Sideroad.</p>	<p>THAT the ongoing request of the Town of Newmarket for a Mulock Drive full interchange at Hwy. 404 be supported;  AND THAT a third lane be constructed both northbound and southbound from the current termination in Aurora north to Green Lane.  Discussion ensued regarding preparation of a staff report and resolution at a later date.</p>	<p>TBD</p>	<p>Follow-Up correspondence sent April 23, 2015</p>
<p>16. Council – March 30, 2015 – Item 33 Corporate Services Report – Financial Services 2015-20 regarding Decision Packages and Infrastructure Levy.</p>	<p><b>THAT Council direct staff to bring back a report providing phasing options that allow for achieving Council enhancement priorities related to traffic mitigation, sidewalk plowing and CreateIT at Southlake while maintaining the Council motion to target a budgeted tax increase of 2% to 2.5%;</b></p> <p>a) AND THAT staff provide a report within 120 days on the use of the funds budgeted for the Business Development Officer;</p> <p>b) AND THAT staff advise of the recommended approach for realignment of the added resource and provide goals, timelines, implementation and projected outcomes for each of the next five years;</p> <p>c) AND THAT staff provide a report outlining the cost of increasing the frequency of the Community Survey to an annual basis for the period of 2015 to 2018;</p> <p>d) AND THAT staff provide a report within 90 days outlining the required resources, related costs and sources of funding available to implement a targeted marketing program to advance the redevelopment of Davis Drive properties for implementation by Q4 2015;</p> <p>e) AND THAT the report include how this can be accomplished without impacting the current and proposed economic development plans initiatives.</p>	<p>July, 2015</p> <p>June, 2015</p>	

Item Subject	Recommendation	Date to come back to Committee	Comments
17. Committee of the Whole – April 13, 2015 – Item 28 Joint Development and Infrastructure Services Report – Planning and Building Services and Engineering Services 2015-12 dated April 2, 2015 regarding a Proposed Trail from Yonge Street to Rita's Avenue.	THAT staff bring back a report with the intent of significantly reducing the impact that the trail will have on residents' properties by lessening the size and right-of-way of the path, preserving existing trees, plantings, privacy fence and low impact lighting.	Q2/Q3, 2015	
18. Council – April 20, 2015 – Item 7	THAT staff provide a report within six months related to internet voting.	October, 2015	


**PLANNING & BUILDING SERVICES**
**Town of Newmarket**

 395 Mulock Drive  
 P.O. Box 328, STN Main  
 Newmarket, ON L3Y 4X7

[www.newmarket.ca](http://www.newmarket.ca)
[planning@newmarket.ca](mailto:planning@newmarket.ca)

T: 905.953.5321

F: 905.953.5140

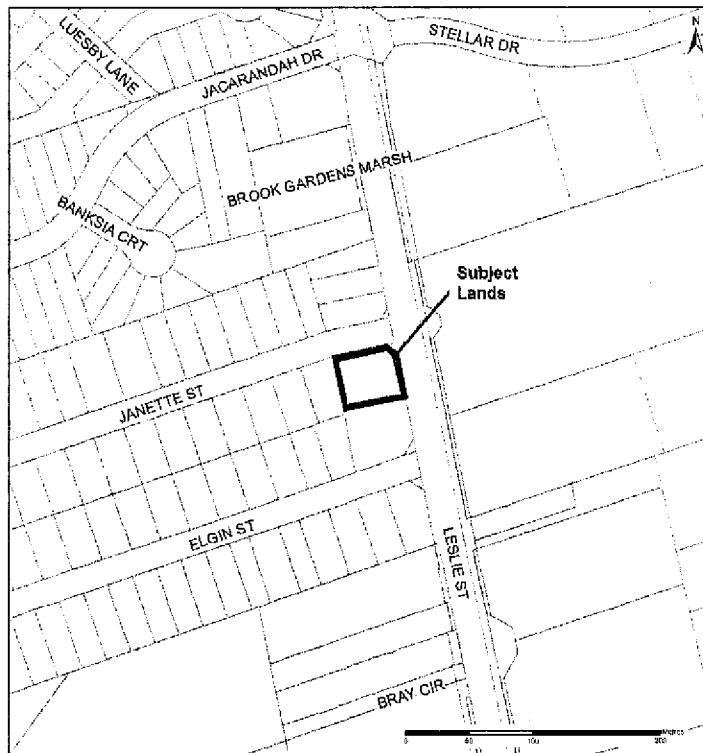
**PUBLIC MEETING CONCERNING A  
ZONING BY-LAW AMENDMENT**

**TAKE NOTICE** that the Council of the Corporation of the Town of Newmarket will hold a Public Meeting on:

**MONDAY MAY 4, 2015 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..

An application has been submitted for a Zoning By-Law Amendment for lands located at the southwest corner of Leslie Street and Janette Street, municipally known as 17844 Leslie Street. The net effect of this application is to permit a gas station with 4 pumps and associated convenience/take out restaurant store. Specifically, the applicant proposes a zoning change from the existing Service Commercial (CS) zone to Automotive Commercial (CA) zone.



**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 Amendments. 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 Amendments 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 Amendments is available for inspection between 8:30 a.m. and 4:30 p.m. on weekdays at the Municipal Offices, 395 Mulock Drive, Newmarket.

Dated April 14, 2015

Direct any inquiries to the  
 Planning Department 905-953-5321  
 Please refer to File No. D14-14-10

## TOWN OF NEWMARKET COUNCIL - EXTRACT - MONDAY, MARCH 30, 2015

	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	√	

22. Development and Infrastructure Services Report - Planning and Building Services 2015-07 dated March 12, 2015 regarding Application for Zoning By-law Amendment - 17844 Leslie Street.

a) THAT Development and Infrastructure Services Report - Planning and Building Services 2015-07 dated March 12, 2015 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:

i) THAT the Application for Zoning By-law Amendment, as submitted by 2398804 Ontario Inc. for lands being located at the southwest corner of Janette Street and Leslie Street be referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, 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 R. Ursini, Evans Planning Inc., 8481 Keele Street, Unit 12, Vaughan, ON L4K 1Z7 be notified of this action.

In Favour: Mayor Van Bynen, Regional Councillor Taylor, Councillor Vegh, Councillor Kerwin, Councillor Twinney, Councillor Hempen, Councillor Broome-Plumley, Councillor Bisanz

Opposed: (None)  
(8 in favour, 0 opposed)

**Carried**



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

www.newmarket.ca  
planning@newmarket.ca  
905.953.5321

March 12, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT  
2015-07**

TO: Committee of the Whole

SUBJECT: Application for Zoning By-Law Amendment  
17844 Leslie Street  
Southwest Corner of Janette Street and Leslie Street  
2398804 Ontario Inc.  
File: D14-14-10

ORIGIN: Application Submitted to Planning and Building Services

---

**RECOMMENDATIONS**

THAT Development and Infrastructure Services/Planning and Building Services Report - Planning 2015-07 dated March 12, 2015 regarding Application for Zoning By-law Amendment be received and the following recommendations be adopted:

1. THAT the application for Zoning By-law Amendment, as submitted by 2398804 Ontario Inc. for lands being located at the southwest corner of Janette Street and Leslie Street be referred to a public meeting;
2. AND THAT following the public meeting, issues identified in this report, 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 Mr. R. Ursini, Evans Planning Inc. 8481 Keele Street Unit 12, Vaughan, ON L4K 1Z7 be notified of this action.

**COMMENTS**

**Location**

The subject lands are located on the southwest corner of Janette Street and Leslie Street, municipally known as 17844 Leslie Street. (See Location Map attached)

**Proposal**

2398804 Ontario Inc. have submitted an application for zoning bylaw amendment and site plan approval to replace the existing Service Commercial (CS) zone with the Automotive Commercial (CA) zone to permit a gas station with four pumps and associated convenience/food store.

### **Site Description**

- the Subject lands currently contain a one story automobile sales and repair shop consisting of a sales office and two repair bays. The site currently has a number of vehicles stored on site either for sale or awaiting repairs. We understand the site is also the former location of a gas station, Jim's Shell Service Limited, from approximately 1959 to 1992.
- total lot area is approximately 0.203 hectares with a frontage on Janette Street of  $\pm$  50 metres and a frontage on Leslie Street of  $\pm$  43 metres.
- the surrounding land uses are:
  - North: Existing single family residential
  - South: Existing Service Commercial (restaurants and convenience store)
  - West: Existing single family residential
  - East: Existing Mixed Employment uses

### **Preliminary Review**

#### **Site Plan**

The proposed site plan details access from both Leslie Street and Janette Street. The pumps are in a central location on site with the convenience and food store facing Leslie Street. A 6 metre landscape strip is proposed along the west side of the site and a 3 metre strip along the south side. All the existing trees located along the westerly boundary are intended to be preserved with a few trees central to the site being proposed to be removed. Eight visitor parking spaces are proposed on site including one accessible space. The applicant has applied for site plan approval which will be advanced at such time as the proposed land use has been established.

#### **Official Plan Considerations**

The Subject Property is designated Commercial on Schedule A - Land Use Plan to the Town's Official Plan. The main objectives of the Commercial designation is to accommodate retail and service commercial uses which would not be appropriate for the Urban Centre designations and to ensure that a broad range of commercial opportunities are provided for residents. Gas stations are not a permitted use within the Town's Urban Centre designations.

The proposal supports the objectives of the Urban Design and compatibility sections of the Official Plan by taking into consideration the size, scale and orientation of the building and providing areas dedicated for landscaping, open space and buffering. Buffering is discussed further below in this report.

With regard to vehicular and pedestrian connectivity, two driveway accesses are proposed for the site. Each is located as far as possible from the intersection of Leslie Street and Janette Street. It is not anticipated that the proposed accesses will conflict with any other traffic operations off site, nor encourage neighbourhood infiltration. The proposed development will create an attractive space for pedestrians to use, enhanced by landscaping along the street frontages. Although the primary use of the site will be oriented towards travelling automobiles, the site should be well connected to the local sidewalk network along Leslie Street. The redevelopment will promote a safe environment with proper lighting, and increased visibility for patrons.

It appears that based on the above, this proposal conforms to the intent of the 2006 Official Plan.

### Zoning Bylaw Considerations

The subject land is currently zoned Service Commercial (CS) by By-law 2010-40. The applicant is proposing to rezone the property to the Automotive Commercial (CA) Zone to permit a Motor Vehicle Service Station, convenience store and take-out food store.

For the purposes of the zoning by-law, Leslie Street would be considered the front lot line as it is the shortest lot line abutting a street. Some relief from the zoning by-law will be required to implement the plan as proposed. Specifically the applicant is requesting relief from the rear yard setback of 10.6 metres to 6 metres and a reduction in parking spaces from the required 9 spaces to 8 spaces. It would appear that the impacts of the requested relief from the zoning by-law are minor and will not impact the functioning of the site or compatibility with surrounding land uses as it will still allow for a significant buffer to the residential properties to the west. It should be noted that if Janette were to be deemed the frontage, the setbacks would comply with the zoning by-law.

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

3. In considering an amendment to the Zoning By-Law, Council shall be satisfied that:

a. the proposed change is in conformity with this Plan;

*A service station is a permitted use in the Commercial designation of the Official Plan*

b. the proposed use is compatible with adjacent uses, and where necessary, buffering is provided to ensure visual separation and compatibility between uses;

*It appears that the proposal is compatible with adjacent lands uses through the use of buffers with existing and augmented landscaping.*

c. potential nuisance effects upon adjacent uses are mitigated;

*Traffic impact appears to be negligible for this proposal. The submitted noise study has indicated that the proposal meets the MOE requirements for noise levels.*

d. adequate municipal services are available;

*Public Works and Engineering Services have provided comments relating to servicing indicating the site can be appropriately serviced.*

e. the size of the lot is appropriate for the proposed use;

*It appears the proposed use can be appropriately accommodated on site while implementing buffer areas and providing visitor parking.*

f. the site has adequate road access and the boundary roads can accommodate the traffic generated;

*Access to the proposed service station will be provided in the form of one full-movement driveway onto Janette Street, and a secondary driveway which is proposed to be a right-in-right-out access. It is not expected that the redevelopment of the Subject Land as proposed, will be of such significance that there will be impacts upon traffic operation of the street system or be the cause of extensive infiltration through the internal residential community. The westerly traffic movement along Janette Street is unlikely to be the primary direction of travel for future*

*visitors to the site, and as such, traffic infiltration directly relating to this project will be of minimal concern.*

- g. the on-site parking, loading and circulation facilities are adequate; and,  
*On site, the service station has been designed to function safely and optimize the opportunity for vehicular and patron movement. The site, as designed, can accommodate the fuel and other deliveries to the property. The requested reduction of one parking space is not deemed to be significant as the type of parking demand has a high turnover and a significant amount of patrons that use the store will park at the gas pumps.*
- h. public notice has been given in accordance with the *Planning Act*.  
*This report recommends that the proposal proceed to the required statutory public meeting in accordance with the Planning Act.*

### **Provincial Policy Statement**

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for the citizens of Ontario.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The redevelopment of an existing automobile sales and repair shop will efficiently utilize urban land with an appropriate use, thereby reducing the consumption of resources on undeveloped lands. The proposed service station will take advantage of existing municipal servicing connections and will utilize the existing road structure. Furthermore, Section 2.1.1 of the PPS identifies that natural features shall be protected for the long term. No significant features, species or habitat are located on or near the subject land.

The proposed development appears to be consistent with the provisions the Provincial Policy Statement.

### **Region of York Official Plan**

The Region of York Official Plan designates this area as "Urban Area" on Map 1 which permits commercial development. The Regional Official Plan contains policies that encourage and accommodate economic activities and provide a balance of residential and employment uses. The Regional OP requires a high standard of urban design complementing the area and providing pedestrian scale and connectivity through the use of landscaping, streetscaping and attractive buildings that are compatible with the surrounding land uses.

### **Departmental and Agency Comments**

**Public Works Services** have provided information relating to the location of water, sanitary and stormwater services for the site.

The Town has received comment from **Engineering Services** with regard to the following:

*Traffic and Parking*

As Leslie Street is a regional road York Region Transportation comments will be required regarding the proposed entrance onto Leslie Street. To date the Region have not provided their comments. Engineering Services have no objection to the reduction of the required parking from 9 to 8 spaces.

*Site Servicing*

Engineering Services acknowledge the site will be serviced using the existing water service from Janette Street.

The proposed development will be serviced by connecting to the existing 150mm service. We require that a manhole be provided at property line and all cleanouts replaced with manholes. The condition of the existing sanitary service to the main shall also be reviewed by the consultant. The slope and inverts of the sanitary service to the main shall be provided on the plan.

The stormwater quantity control for the development will be provided by means of an infiltration trench, storage within the structures and sewer and surface ponding. Discharge from the site to the proposed Leslie Street connection will be controlled using an orifice plate within a manhole. Stormwater quality control shall be provided by an oil grit separator designed to remove a minimum of 80% TSS. York Region must also comment on the storm connection as the sewer is in the regional right of way.

*Site Grading*

The current grading plan indicates that the building roof and the western portion of the site will drain onto adjacent properties. It is anticipated that this condition can be corrected during the site plan approval process to maintain stormwater on site.

The overland flow route for the rear portion of the site should be directed away from adjacent properties.

Retaining wall details including outlet and subdrain locations will be required during the site plan approval process.

*Environmental Review*

As per the Town's Official Plan, environmental site assessments shall be completed in accordance with O.Reg 153/04, as amended.

A Phase 1 Environmental Site Assessment (ESA) was completed by TankTek Environmental Services Limited in April 2014 in accordance with the procedures set out in CSA Standard Z768-01. As noted in the Phase 1 ESA the previous site use was a retail fuel facility with the current use being an auto garage facility. It was also noted that an oil/water interceptor is present on site. Based on the above, TankTek Environmental has recommended a Phase 2 ESA be completed. It is recommended that approvals be contingent upon addressing the results of the ESA's to the satisfaction of the Director of Engineering Services. If deemed desirable, the Holding provision can be used to ensure that any environmental concerns on the site are appropriately managed to Town and Ministry of the Environment standards.

**Noise Review**

The submitted noise study has undergone a peer review. The peer review has indicated that the Noise Impact Study is acceptable however a further report will be required at the site plan approval stage to assess the development details once they become final.

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

**COMMUNITY CONSULTATION POLICY**

A statutory public meeting will be required as part of the Planning Act requirements for the proposed changes to the zoning bylaw.

**BUDGET IMPACT (CURRENT AND FUTURE)**

Application fees have been received, and the Town will receive revenue from assessment fees from any land use decisions made on the subject properties. Should the application be referred to a public meeting, there will be the typical costs associated with providing notice and holding the public meeting.

**BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The redevelopment of this parcel of land in accordance with the Newmarket Official Plan and has linkages to the Community Strategic Plan as follows:

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

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

**Conclusion**

The subject application zoning bylaw amendment is sufficiently advanced to warrant its referral to a statutory public meeting.

**CONTACT**

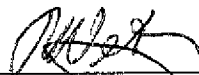
For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; [druggle@newmarket.ca](mailto:druggle@newmarket.ca)

**Attachments**

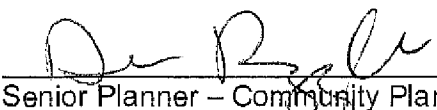
- 1 - Location Map
- 2 - Proposed Site Plan
- 3 – Proposed Landscape Plan
- 4 - Elevations



Commissioner Development and Infrastructure  
Services

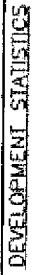


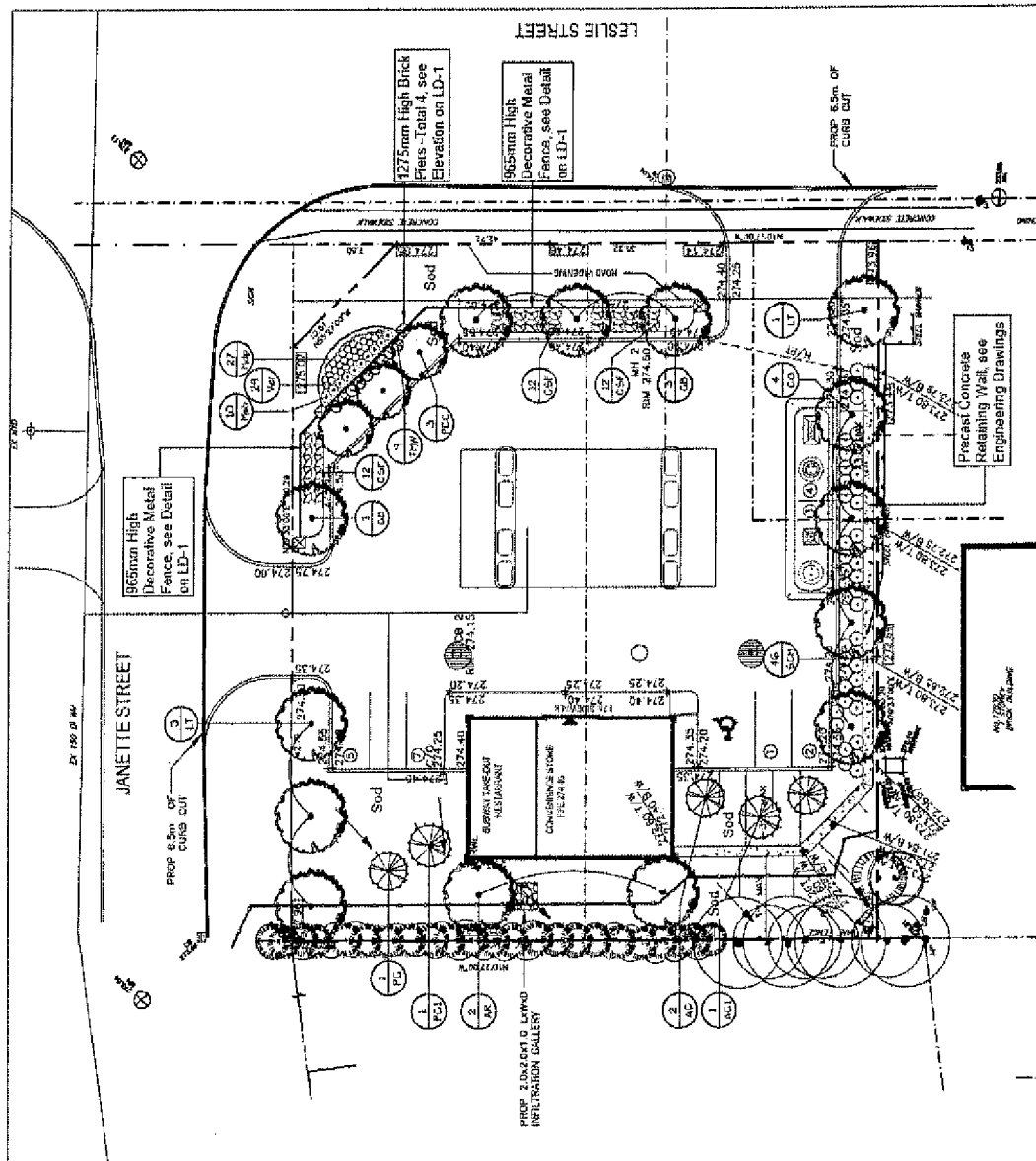
Director of Planning and Building Services



Senior Planner – Community Planning







$$\frac{3 \text{ Sulfur Hexafluoride}}{8401 \text{ Sulfur Hexafluoride}}$$

2  
N-10: 100,000,000

1. AGAIN ELEVATION  
SOUTH: 1120

7 EAST ELEVATION  
4437 SCALE 1:100

5 FLOOR PLAN BUILDING A  
SCALE = 1/8" = 1'-0"

[illegible]

---

**From:** [REDACTED]  
**Sent:** April-21-15 11:37 AM  
**To:**  
**Subject:** FW: gas station on Janette

---

**From:** Lisa Barrett I  
**Sent:** April-21-15 9:38 AM  
**To:** Ruggle, Dave  
**Subject:** gas station on Janette

Dear Sir:

I have negative views towards the proposed gas station you are planning to construct at the end of my street. This area is like a bit of a "cottage-like" area, with original '50s style wooden bungalows. Our backyards are park-like. People that have purchased homes on this street, like our quiet little cottage-like atmosphere and I feel that this proposed large-scale gas station will be a blight on our surroundings here.

I am vehemently opposed to this large-scale gas station being built this close to my home.

There are gas stations both at Davis & Leslie and Davis and Green Lane. I do not feel that a gas station within .5 kms from the four other gas stations is necessary. Have any studies been done regarding the need for a gas station in this location?

We plan to attend the town hall meeting on May 4th.

Kind regards,  
Lisa Barrett

April 20, 2015

Dear Dave Ruggle,

I appreciate the opportunity to share my concerns in regards to the zoning plan for a gas station on Janette Street and Leslie.

Janette Street is a quiet family neighbourhood. I have been a resident of this street for over 15 years and love the area. Travelling on busy Leslie Street and turning onto Janette Street you'll notice the quiet and peaceful surroundings of this street with its mature trees and friendly neighbours.

The proposed zoning of a gas station on Janette concerns me for the following reasons:

- Close proximity of gas station to residential dwellings: The planned gas station is an intrusion onto a long standing residential street with homes at very close proximity backing onto and surrounding the planned gas station.
- Traffic concerns: The planned one full movement driveway onto Janette Street will increase traffic and speed on our residential street and cause concern for safety of pedestrians and children. Gas stations by nature are "pit stops" that are busy and those who visit them seem always in a hurry to get out of there. Therefore, it is inevitable that, in time, people will travel west on Janette street and Janette will become a through street for traffic.
- Noise/Light pollution: Increase in noise pollution because of high traffic and related nuisance. Quiet enjoyment of home space will be impacted. The increase in noise pollution and light pollution will impact the quality of life we're used to living on this street.
- Health concerns caused by vaporized gas fumes

The proposed plan depicts several considerations provided to the developers to accommodate the gas station such as relief from zoning by-laws, I trust the town will also consider the health and well being of the long standing residents of Janette Street, some having lived on this street for over forty years. The gas station situated so close to family dwellings would drastically impact the quality of life of residents of this street. Hope the town will consider an alternate location for the gas station that would be better suitable for its needs as well as the needs of its surrounding neighbours.

Sincerely,

Lucia Benedict

**From:** KAY CHAN

**Sent:** April-18-15 2:29 PM

**79**

**To:** Planning

**Subject:** Re : Objection to a Zoning By - Law Amendment for lands located at 17844 Leslie Street Newmarket File No. D14 - 14 -10

To : Planning & Building Services  
Town of Newmarket  
395 Mulock Drive  
Newmarket On. L3Y 4X7

Date : 18 April 2015

Dear Sir ,

Objection to a Zoning By - Law Amendment for lands located at 17844 Leslie Street  
Newmarket File No. D14 - 14 -10

We refer to your Notice dated April 14, 2015 , we strongly object the above - named property to change to be a gas station with 4 pumps based on the following issues :

1) Safety Issue

Their lot is very close to the residential houses nearby and is just next to our building located at 17830 Leslie Street Newmarket .  
A gas station so close would be like a bomb next to our tenants as fire might be caused at any time.

2) Environmental Issue

Gas oil would cause condemnation to the land and damage would be very serious in the aspect of environmental issue.

Please kindly consider our objection and advise us as soon as possible if our objection by this email is not accepted.

Thank you very much for your kind attention.

God bless

For and on behalf of  
Sharing Co. Ltd.  
Kay Chan  
Director

---

**From:** Ruggle, Dave  
**Sent:** April-21-15 11:39 AM  
**To:**  
**Subject:** FW: Re Planning approval 17844 Leslie St. Newmarket.

---

**From:** mike squires  
**Sent:** April-20-15 9:46 PM  
**To:** Ruggle, Dave  
**Subject:** Re Planning approval 17844 Leslie St. Newmarket.

20/04/2015

Dave Ruggle, Senior Planner,

Back in early January of this year, I visited the planning office and spoke to you regarding the property line of the proposed development of 17844 Leslie St.

I have lived on Janette Street since 1974 and it is my belief and the belief of neighbours who have lived on the street since prior to the seventies, that to the west of this property (17844 Leslie St.), and running from Elgin St across Janette St. and continuing north, is a "Right of Way" which has been there from before the area was annexed from East Gwillimbury. I am told at one time a water tower was to be built just north of Janette close to this point.

The existing fence and tree line on the west side of the proposed development site indicates the true boundary of said property beyond which is the right of way and the first residential home on Janette Street.

Has the planning department been able to resolve this conundrum and determined what should happen to this parcel of land, which I believe rightfully belongs to the Town of Newmarket? If it's decided to sell this to the developer I have no problem with that, providing some compensation is paid by the developer. But consider too, there are other properties that border this parcel of land and they should have an opportunity to speak. If this development goes ahead as planned then I am of the opinion that this developer may be building on land owned by the town, and I also understand there is a law that property must be set back 4ft from the property line.

I look forward to your response.

Mike Squires



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

www.newmarket.ca  
 clerks@newmarket.ca  
 905.895.5193

### Request for Deputation

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

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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE: May 4<sup>th</sup>

AGENDA ITEM NO. \_\_\_\_\_ SUBJECT: Upper Canada Run to support Easter Seals.

NAME: Charlene Myke

ADDRESS: \_\_\_\_\_

Street Address

Town/City

Postal Code

PHONE: HOME: \_\_\_\_\_ BUSINESS: \_\_\_\_\_

FAX NO.: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

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

Easter Seals

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

To Promote the Run



# NEWMARKET *celebrates* THE aRTS

*Dedicated to promotion, facilitation, and enjoyment of the arts – a year long celebration bringing the community together in appreciation of the arts.*

82



# A History of Newmarket Celebrates the Arts...



# A History of Newmarket Celebrates the Arts...

The Newmarket Celebrates the Arts Gala Fundraiser is now entering its 7<sup>th</sup> year:

- Amount of money raised to date....\$193,400
- Amount of money granted out to local artists and organizations....\$186,455
- Number of grants given to local artists and event organizers....74
- The number of lives enhanced by the infusion of the arts in this community....COUNTLESS.

# Expanding the Newmarket Celebrates the Arts Brand...

A Transition Team was created to look at the existing Newmarket Celebrates the Arts Gala, explore the original vision of a community wide celebration of the arts and determine the future of the Newmarket Celebrates the Arts Brand:

- Committee was chaired by Ian Proudfoot, with support from Jackie Playter, Peter Sturup, Dave Peters, Pat Noble, Lindsay Burwash, Rick Koury and Colin Service
- Committee discussed transitioning the brand from a one night event to a year long celebration
- This concept supports key recommendations within the Cultural Master Plan around celebration and promotion of arts – a key strategic priority of Council.

# A Vision for the Future of Newmarket Celebrates the Arts...



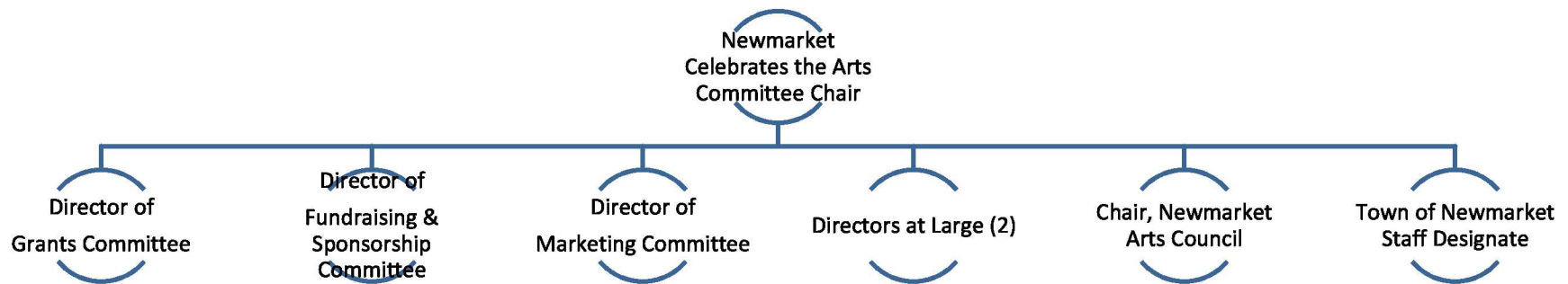
**The Newmarket Celebrates the Arts brand unites passionate community members in promoting and celebrating the arts.**

Objectives include:

- i) Leverage the brand of Newmarket Celebrates the Arts, creating greater value for sponsors while supporting the Cultural Master Plan.
- ii) Provision of grants to community events, and individual artists.
- ii) Creating awareness and promotion of opportunities to participate in and/or enjoy the arts in a year long celebration.

# A Newmarket Celebrates the Arts Board...

A board will be formed to achieve this vision for the future. The Newmarket Celebrates the Arts Board will be a volunteer Board, supported by Town of Newmarket Staff. There will be three committees of the board as outlined below. Each committee will serve to advance the vision and mission of the Board:



87



# Chair, Newmarket Celebrates the Arts Board

- Serves as the primary face of the Board
- Sets the agenda for all Board Meetings
- Chairs all meetings of the Board
- Ensures all Directors are performing their respective functions

88

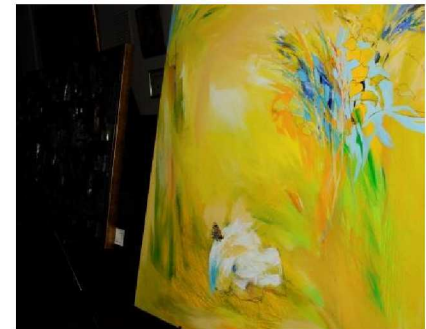


# The Roles of Each Committee...

## Grants Committee

Review, evaluate and disburse grants for the development of Newmarket artists, and Newmarket groups/organizations pursuing arts initiatives and events.

Actively engage the artistic community in applying for grants.



# The Roles of Each Committee...

## Fundraising & Sponsorship Committee

The fundraising portion of the committee will be responsible for the planning, preparation and execution of fundraising events including the signature event *Newmarket Celebrates the Arts Gala*.

The sponsorship portion of the committee will collaborate with other Town departments, such as the Mayor's Office and Recreation & Culture department, to assist with identifying potential sponsors and to assist in contacting the sponsors. As well, this committee will actively foster a positive relationship with sponsors ensuring generosity is well recognized and acknowledged.

06



# The Roles of Each Committee...

## Marketing Committee

Monitor and approve use of the Newmarket Celebrates the Arts Brand  
Develop promotional and collateral material for Newmarket Celebrates the Arts events.

Coordinate communications on behalf of NCAB in consultation with the Town of Newmarket.

Work with grant recipients to develop promotional campaigns.



# The Role of Town Staff...

## **Town of Newmarket Staff Support, Newmarket Celebrates the Arts**

- Ensures all issues concerning Town of Newmarket are considered and addressed appropriately
- Actively participates in the direction the Board is taking as a voting member of the Board
- Ensures that if the Board is moving in a direction contrary to the interests of the Town, appropriate steps are taken to correct the direction
- Provides support to the various committees as needed

# The Role of Newmarket Arts Council...

- Ensures all issues concerning Newmarket Arts Council are considered and addressed appropriately
- Actively participates in the direction the Board is taking as a voting member of the Board
- Ensures that if the Board is moving in a direction contrary to the interests of the Newmarket Arts Council, appropriate steps are taken to correct the direction
- Provides support to the various committees as needed

# Appointment Process...

- Board will be appointed by a nominating committee represented by the existing Board
- Board members will serve three year periods with half of the board to step down on alternate years
- Initial Board to be appointed by the Transition Committee

# For Council's Consideration...

## The following outline what Council is considering today:

- Support for the Vision of Newmarket Celebrates the Arts
- Appointment Process to the Newmarket Celebrates the Arts Board
- Branding appropriate Town Events as Newmarket Celebrates the Arts Events
- Approval for staff to support the Newmarket Celebrates the Arts Board

95



## Deputation and Further Notice Request Form

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

Please email to [clerks@newmarket.ca](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.:

☒ I wish to address Council / Committee

☐ I request future notification of meetings.

Name:

Organization / Group/ Business represented:

Address:

Postal Code:

Email:

Home Phone:

Business Phone:

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

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

Request for deputation and/or any written submissions and background information for consideration by either **97** Council or Committee of the Whole must be submitted to the Legislative Service's Department by the following deadline:

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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE: May 4th 2015 - COMMITTEE OF THE WHOLE  
AGENDA ITEM NO. \_\_\_\_\_ SUBJECT: PARKING + STORAGE OF RECREATIONAL VEHICLES  
IN RESIDENTIAL ZONES.  
NAME: LAURIE SMITH  
ADDRESS: BURFORD ST.  
Street Address  
NEWMARKET L3Y 6P9  
Town/City Postal Code  
PHONE: HOME: \_\_\_\_\_ BUSINESS: \_\_\_\_\_  
FAX NO.: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_  
NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable)

**BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION**

WOULD LIKE TO ADDRESS + MAKE COMMENT REGARDING  
PARKING + STORAGE OF RECREATIONAL VEHICLES IN RESIDENTIAL ZONES  
- PLANNING DEPARTMENT PLANNING REPORT 2015-16

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

**To:** Ruggle, Dave

**Subject:** Proposed Gas Station on Leslie and Janette Streets

Dear Mr. Ruggle,

My family and I are residents on Janette Street. After having viewed the Notice at the top of our street near Leslie and having heard from other concerned neighbours, I feel this proposal must be addressed.

We have concerns about having a gas station/convenience store/Subway at the top of our street for several reasons.

1. Too close proximity of the gas station to residential homes.
2. As ours is a residential street, having a gas station at the top of the street will absolutely have negative impacts due to more traffic, most of which consists of fast drivers, which is a cause of concern for safety for pedestrians and our children. As well, more light pollution due to constant activity at the gas station.
3. Increased noise due to traffic at all times of the day/night, which will impact the residents ability to enjoy their home space and peaceful evenings.
4. There is great concern of underground gas tanks and the health hazards they pose. As we are all down hill, the entire street is a risk of being exposed to fumes and/or gas leaks which would also get into the watershed that runs the length of our street.
5. Garbage pollution: unfortunately there are those who do not use available garbage receptacles. This will no doubt be noticed by our neighbours especially near the top of the street, and likely left to deal with clean up. Increase in garbage will also mean more problems with animals looking for food and likely mean more animals killed by the increase in cars.

If there were a gas leak or other environmental hazard, how would the issue be dealt with and by whom?

How do we ensure the safety of the residents of this street with a huge increase in traffic? Our quiet street will turn into another Elgin where you rarely see people out; where we will always be worried about our kids and fast drivers, which by the way, is epidemic.

It is worth noting that we already have a convenience store at the top of the street near Elgin and there are two gas stations within very close proximity to our street. Subway is also not far, being located near the Beer Store.

All in all, it is my deep feeling that this proposal be abandoned. No where else that I have noticed is there a gas station/convenience store location right next to a residential street. If we wish to sell our house one day, is there a guarantee that this won't adversely affect being able to sell at a good price?

With all of these shared concerns, I am not in support of this proposal and ask that it be abandoned.

Regards,

Lee Ann Crilley

Dear Mr. Ruggle,

Although we will be unable to make the meeting on May 4th, my family is 110% against the proposed changes to this intersection.

Among the reasons brought up by Lucia Ben's fliers (attached), our house is in front of a park (938 Janette) and the increase in traffic will only decrease the safety of all users. And to be honest, we still haven't figured out your no parking policy which causes people to park in front of our houses and forces the children to run across the street in front of parked cars. You are free to ask my 2 children or look at our security camera as proof.

In addition & in brief along with a few questions I fail to see the following:

- From Janette to Leslie north and Leslie North to Janette, having the proposed station will cause traffic chaos. Going safely north onto Leslie is hard enough with the traffic and TS Tech across the street. Using Jefferson to Elgin is even riskier given the blind hill.
- I personally see no need for a gas station or store since there are plenty north and south on Leslie - away from residential areas. While this a NIMBY deal, I fail to see the investment when there are- gas stations - convenience stores and a Subway all less than 1km away.
- We bought our house due to it's location and avoided Elgin due to the traffic-if the plan does go ahead, who will compensate property owners for the loss in property value? Having the gas station will only increase the traffic on Janette street as it would be the path of least resistance from the west.
- Is the city willing to pay for independent unbiased full property evaluations before and after and compensate for property losses and reduce taxes?
- If alteration to traffic were needed, who will pay for them? Hopefully not our taxes -especially when most people are against the proposal.
- Every other day, the city test the water at the sampling station in the park in front of our house and for a reason - Walkerton as one city worker told me. Is the city ready to start soil & air testing to protect the property owners prior to changes and for the life of the gas station and there after? Who will pay for this - hopefully not the taxpayers.
- Even though there are regulation for underground storage, may I remind you that in the past 10 years or so, 2 gas stations have vanished leaving major remedial work (ie Davis and Leslie which lasted 10+ years). I bet back when they built it they thought it would never happen as they would say today. I do not know the geomorphology of the area but I do know that water runs downhill - towards my property and the city's sewer system. Is the town ready to accept any and all responsibility & guarantee in writing that any property owners will be compensated for any damages or loss in property value?

Ms Ben has a petition which we are unable to sign on for right now but consider 4 additions to her list and 1 more from the cat if he were able to.

Warm regards,

Kevin Clare

# ATTENTION LESLIE/JANETTE & SURROUNDING AREA RESIDENTS

**Re: PROPOSED GAS STATION ON LESLIE AND JANETTE**

**There is a proposed plan for a gas station on Janette and Leslie. As residents of this area we are concerned with the potential impact of this on our homes and neighbourhood. We write this letter because there is an opportunity for residents to share our concerns with the Town of Newmarket Senior Planner.**

**Proposed Plan:**

- 4 Gas Dispensing Stations (8 pumps) to be situated on the premises of Janette & Leslie
- plus Convenience Store and Subway restaurant

**Concerns in regards to proposed plan for a Gas Station on Janette & Leslie:**

- Close proximity of gas station to residential dwellings!
- Traffic concerns: The planned one full movement driveway onto Janette Street will increase traffic and speed on our residential street and cause concern for safety of pedestrians and children.
- Noise Pollution: Increase in noise pollution because of high traffic & related nuisance. Quiet enjoyment of home space may be impacted because of constant activity at the gas station throughout the day and through the nights.
- Light Pollution: Planned increase in lighting for the continuous operation of gas station.
- Health concerns: Underground gasoline storage tanks and possible health hazards caused by vaporized gas fumes etc.

These are few of the concerns that my letter to the town planner will address. The more residents that share their concerns with the Town of Newmarket the more likely it will be heard. Please see the overleaf for email address of the Town of Newmarket senior planner. Please consider writing a letter and/or attending the town hall meeting on May 4th.

Please also consider signing your name to the Petition List we wish to present to the Newmarket City Council on May 4<sup>th</sup>. The link can be accessed by typing the following web address:

**[https://secure.avaaz.org/en/petition/Town\\_of\\_Newmarket\\_City\\_Council\\_Save\\_Newmarket\\_Residential\\_Neighbourhood/?nNUypjb](https://secure.avaaz.org/en/petition/Town_of_Newmarket_City_Council_Save_Newmarket_Residential_Neighbourhood/?nNUypjb)**

If I can be of any assistance please email me: [lucia.ben@sympatico.ca](mailto:lucia.ben@sympatico.ca)

Thank you

Concerned Neighbour

---

**From:** Ruggle, Dave  
**Sent:** April-29-15 9:47 AM  
**To:**  
**Subject:** FW: Proposed gas station at Leslie & Janette

---

**From:** RUTH ROUTLEDGE  
**Sent:** April-29-15 9:41 AM  
**To:** Ruggle, Dave  
**Subject:** Proposed gas station at Leslie & Janette

Dear Mr. Ruggles:

I wish to strongly protest the proposed gas station at Leslie St. & Janette St. I live at 1032 Elgin Street which is very close to this intersection, and have signed the community petition to that effect. **Please let me know what time the Town Hall meeting is on May 4 to which we are invited to attend.**

This neighborhood witnessed the mess created at Davis & Leslie when the tanks at that location began to leak. It was messy, lengthy and costly and was a perfect example of what should never happen.

If this were to go through, we would hear, smell, taste and witness that gas station for many years. We are at present, very well served by gas stations at Green Lane & Leslie, and 2 or 3 in very close proximity to the Davis Drive/404 intersection.

Traveling north on Leslie, with drivers trying to turn left into the station, will prove to be the cause of many actions, especially with the busy factory on the east of Leslie and its traffic jams in the morning and the evening. If a traffic light is also proposed at Leslie & Janette, it will be too close to the one already at Elgin & Leslie.

I strongly suggest that you turn this proposal DOWN.

Best wishes,

Ruth Routledge