



Town of Newmarket

Agenda

Committee of the Whole - Electronic

Date: Monday, December 7, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Notice

At this time, the Municipal Offices remain closed to the public. This meeting will be streamed live at newmarket.ca/meetings.

Public Input

Individuals who wish to submit input to Council in relation to an item on this agenda have the following options available.

1. Email your correspondence to clerks@newmarket.ca by end of day on Wednesday, December 2, 2020. Written correspondence received by this date will form part of the public record; or,
2. Make a live remote deputation by joining the virtual meeting using the Town's videoconferencing software and verbally provide your comments over video or telephone. To select this option, you are strongly encouraged to pre-register by emailing your request and contact information to clerks@newmarket.ca.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Presentations & Recognitions

*4.1. Draft 2021 Operating and Capital Budgets

Note: Mike Mayes, Director of Financial Services/Treasurer will be in attendance to provide a presentation on this matter. This item is related to item 6.1.

1. That the presentation provided by Mike Mayes, Director of Financial Services/Treasurer regarding the Draft 2021 Operating and Capital Budgets be received.

5. Deputations

6. Consent Items

***6.1. Draft 2021 Operating and Capital Budgets**

1. That the report entitled Draft 2021 Operating and Capital Budgets dated December 7, 2020 be received; and,
2. That the Draft 2021 Operating Budget with expenditures of \$136,820,270 be approved, which is comprised of the following components:
 - a. \$68,756,971 for Town purposes, including a \$300,000 Contingency
 - b. \$17,322,399 for Central York Fire Services (Newmarket's share)
 - c. \$3,690,895 for the Newmarket Public Library
 - d. \$30,000 for the Main Street District Business Improvement Area (BIA)
 - e. \$19,646,000 for the Water Rate Group
 - f. \$22,164,000 for the Wastewater Rate Group
 - g. \$2,410,960 for the Stormwater Rate Group
 - h. \$2,799,045 for the Building Permit Rate Group
3. That a Capital Spending Authority of \$42,400,000 be established, being \$37,900,000 for 2021 and \$4,500,000 for 2022; and,
4. That costs for the COVID-19 pandemic outlined in this report in excess of the Contingency, be funded by the Rate Stabilization Reserve; and,
5. That staff be directed to prepare option for 2021 Financial Relief Measures to be presented to Council in January, 2021; and,
6. That the draft 2021 Operating and Capital Budgets be forwarded to the Council meeting of December 14, 2020 for final approval; and
7. That Council authorize the Director of Financial Services/Treasurer to:
 - a. Make any necessary adjustments within the total approved budget to reflect organizational changes and any other reallocation of costs.
 - b. Accept and adjust the budget for new provincial and/or federal funding provided there is no tax levy impact; and,
8. That staff be authorized and directed to do all things necessary to give effect

to this resolution.

6.2. 2021 Fees and Charges Overview

1. That the report entitled 2021 Fees & Charges Overview dated December 7, 2020 be received for information.

6.3. 2021 User Fees and Charges General

1. That the report entitled 2021 User Fees and Charges General dated December 7, 2020 be received; and,
2. That the attached Schedules "D", "E", "F", marked as the Town of Newmarket 2021 Public Works Services, Engineering Services and Legislative Services – General Fees, respectively, be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.4. 2021 Water and Wastewater Rates

1. That the report entitled 2021 Water and Wastewater Rates dated December 7, 2020 be received; and,
2. That the attached Schedule A being the Town of Newmarket Water and Wastewater Rates be approved and adopted by by-law; and,
3. That the rates come into full force and effect on January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.5. 2021 Stormwater Rates

1. That the report entitled 2021 Stormwater Rates dated December 7, 2020 be received; and,
2. That the attached Schedule A being the Town of Newmarket Stormwater Rates be approved and adopted by by-law; and,
3. That the rates come into full force and effect on January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.6. Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final

Recommendations

Note: This item was deferred from the October 26, 2020 Committee of the Whole meeting. A memorandum concerning the additional notice provided to property owners is attached.

1. That the memorandum regarding Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations dated December 7, 2020 be received; and,
2. That the report entitled Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations dated October 26, 2020 be received; and,
3. That the attached Official Plan Amendment No. 25 be adopted; and,
4. That Staff be directed to forward the attached Official Plan Amendment No. 25 to the Regional Municipality of York for approval; and,
5. That upon Regional approval of Official Plan Amendment No. 25, Staff be directed to bring the attached Zoning By-law Amendment to a future Council meeting for approval; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.7. Zoning By-law Amendment – 693-713 Davis Dr (Briarwood)

1. That the report entitled Zoning By-law Amendment – 693-713 Davis Drive (Briarwood) dated December 7, 2020 be received; and,
2. That the application for a Zoning By-law Amendment, as submitted by Briarwood Developments Limited for 693-713 Davis Drive, be approved, and that staff be directed to present the Zoning By-law Amendment, including the necessary Holding provisions, to Council for approval; and,
3. That Council direct the Director of Planning & Building Services and the Municipal Solicitor, or her designate, to enter into one or more agreements on behalf of the Town pursuant to Section 37 of the Planning Act to secure community benefits and any matters required as a legal convenience; and,
4. That Council direct the Director of Planning & Building Services and the Director of Finance, or their designate, to enter into a DC Deferral Agreement, once all of the requirements of the Town's Policy for the Deferral of Payment of Development Charges & Planning Application Fees within the Urban Centres have been met; and,
5. That servicing allocation for 339 units (662 people) be granted in accordance with the Servicing Allocation Policy and subsequent agreements; and,

6. That Briarwood (NWMKT) Inc. of 636 Edward Ave, Unit #14, Richmond Hill ON L4C3A5 be notified of this action; and,
7. That Candevcon Limited of 9358 Goreway Drive, Brampton ON L6P0M7 be notified of this action; and,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.8. Off-Street Parking Program

1. That the report entitled Off-Street Parking Program dated December 7, 2020 be received; and,
2. That Council adopts the proposed overnight parking exemption permit program; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

*6.9. INFO-2020-37: Newmarket Patio Program - 2020

Note: This report was placed on the agenda at the request of Councillor Kwapis.

The Strategic Leadership Team/Operational Leadership Team recommend:

1. That the Information Report entitled Newmarket Patio Program - 2020, dated November 30, 2020 be received.

6.10. Item 5.2 from the draft Central York Fire Service - Joint Council Committee meeting minutes of November 14, 2020: Renewal of Fire Dispatch Agreement

1. That Joint Council Committee recommend to Newmarket Council:
 - a. That Fire Services Report JCC-2020-11 dated November 24, 2020 entitled Renewal of Fire Dispatch Agreement be received; and,
 - b. That the Fire Chief be authorized to negotiate the renewal of the Fire Dispatch Agreement with Richmond Hill Fire and Emergency Services (RHFES); and,
 - c. That Council authorize the Mayor and Clerk to sign the Fire Dispatch Agreement between the City of Richmond Hill and the Town of Newmarket once the agreement has finalized and agreed upon by the two fire services.

6.11. Elman W. Campbell Museum Board Meeting Minutes of September 17, 2020

1. That the Elman W. Campbell Museum Board Meeting Minutes of September 17, 2020 be received.

6.12. Newmarket Public Library Board Meeting Minutes of October 21, 2020

1. That the Newmarket Public Library Board Meeting Minutes of October 21, 2020 be received.

7. Action Items
8. Notices of Motion
9. Motions Where Notice has Already been Provided
10. New Business
11. Closed Session (if required)
12. Adjournment

2021 Draft Operating and Capital Budgets

Presenter: Mike Mayes
and Andrea Tang
Date: December 7, 2020

modern
green
forward-thinking
inclusive
community
progressive
creative
smart
urban
innovative

Agenda

1. Updates
2. Overview
3. Community engagement
4. Budget impact
5. Next Steps



Updates

What has changed since November 9



Tax –supported Operating Budget revisions



- Service Delivery Responses, Nov. 16 CoW
 - Budget impact, up to \$630,000
- Operations Centre
 - Health & safety precautions, up to \$200,000
- Financial Relief Program extended to Jan. 31
 - Budget impact of \$83,000 per month
- Support for Local Businesses
 - \$50,000 in new funding



Reduction Option: Tax-supported Operating budget

	Preliminary Draft	Reduction option	Draft
<u>Base budget</u> To inflation rate	0.99%	- 0.49%	0.50%
<u>Contingency</u> Reduce to \$300,000	1.00%	- 0.52%	0.48%
<u>Infrastructure (ARF)</u> No change	1.00%	-	1.00%
Total	2.99%	- 1.01%	1.98%



Capital Program revisions

Program	2021 capital program	2022 capital program
Preliminary draft	\$ 17.0 million	-
Q3 Financial Update	+ \$ 3.2 million	+ \$ 2.7 million
Reallocations	- \$ 1.8 million	+ \$1.8 million
Draft	\$ 18.4 million	\$ 4.5 million
Unallocated provision	\$ 1.6 million	
Total budget	\$ 20.0 million	



Other Updates

- Fees and Charges

- No increase except for

Water / Wastewater	4%
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Stormwater	10%
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- Inflation / CPI

Current Toronto	0.4%
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Projections by the Ontario government:

2020	0.5%
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2021	1.7%
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Overview

2021 budget at a glance



Consolidated budgets:

Operating Budgets:	
Tax-supported – Town, Fire, Library, Mulock Farm, BIA	\$ 89.8 million
Rate-supported – water, wastewater, stormwater, building permits	47.0 million
	\$ 136.8 million
Capital budget	\$ 37.9 million
Total	\$ 174.7 million



Tax-supported operating budget by governance

	Town	CYFS	Library	Total
	In \$ millions			
Expenses	\$ 60.5	\$ 15.9	\$ 3.4	\$ 79.8
Reserve transfers	8.3	1.4	0.3	10.0
	\$ 68.8	\$ 17.3	\$ 3.7	\$ 89.8
Non-tax revenues	- 19.2	- 0.4	- 0.2	- 19.8
Tax levy	\$ 49.6	\$ 16.9	\$ 3.5	\$ 70.0



Rate-supported operating budgets by rate group

	Water	Wastewater	Stormwater	Building
	In \$ millions			
Expenses	\$ 16.6	\$ 18.4	\$ 1.4	\$ 2.8
Reserve transfers	3.0	3.8	1.0	-
	\$ 19.6	\$ 22.2	\$ 2.4	\$ 2.8
Non-rate revenues	- 0.2	-	-	-
Rates	\$ 19.4	\$ 22.2	\$ 2.4	\$ 2.8



Funding for COVID-19

	January 1 to June 30 Range	July – Dec Estimate	2022 Estimate
Service Delivery Responses	\$ 400,000 to \$ 630,000	\$ 200,000	\$ 100,000
Operations Centre health & safety precautions	\$ 125,000 to \$ 200,000	\$ 75,000	\$ 50,000
Financial Relief Program	\$ 83,000 to \$ 500,000	\$ 250,000	\$ 150,000
Support for Local Businesses	\$ 0 to \$ 50,000	n/a	\$ 50,000
	\$ 608,000 to \$ 1,380,000	\$ 525,000	\$ 350,000
Contingency levy	\$ 300,000	n/a	\$ 300,000
Draw from Rate Stabilization Reserve	\$ 308,000 to \$ 1,080,000	\$ 525,000	\$ 50,000

July to December and 2022 provided for discussion purposes
Further analysis will be required



2021 Capital Budget and Capital Program



	Standard	Major	Total
	In \$ millions		
Additions in 2021	\$ 11.9	\$ 1.7	\$ 13.6
Approved in 2020	6.5	16.2	22.7
Program	\$ 18.4	\$ 17.9	\$ 36.3
Unallocated – 8%	1.6		1.6
Budget	\$ 20.0	\$ 17.9	\$ 37.9



2022 Capital Budget and Capital Program



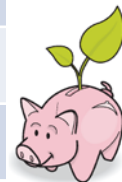
	Standard	Major	Total
	In \$ millions		
Additions in 2021	\$ 1.8	\$ 2.7	\$ 4.5
Approved in 2020	0.0	0.0	0.0
Program	\$ 1.8	\$ 2.7	\$ 4.5



Capital program by department



Area	Standard	Major	Total
(In \$ millions)			
CYFS	\$ 0.6	\$ 9.6	\$ 10.2
Engineering - capital projects	9.1		9.1
Engineering - transportation	0.5		0.5
IT	0.8		0.8
Library	0.2		0.2
Public Works – Facilities	1.2		1.2
Public Works – Parks	1.0		1.0
Public Works – Roads	3.2		3.2
Stormwater	0.5		0.5
Water / wastewater	0.3	8.3	8.6
Other	1.0		1.0
	\$ 18.4	\$ 17.9	\$ 36.3



Capital Program Funding by Category



	ARF	DC	General	Other	Total
	(in \$ millions)				
Mandatory	\$ 1.0	\$ 0.1	\$ 0.0	\$ 0.3	\$ 1.4
Replacement	9.2	1.2	0.3	11.0	21.7
Growth	1.1	7.8	0.1	3.4	12.4
Service Level Change				0.8	0.8
	\$ 11.3	\$ 9.1	\$ 0.4	\$ 15.5	\$ 36.3



Community engagement

What we heard



Survey Results

Priority	Result
Maintaining all services levels at the Town of Newmarket	# 1
Increase support for local businesses	# 2
1% Contingency Fund to plan ahead and manage unexpected challenges like COVID-19	# 3
Asset Replacement Fund (ARF) for Asset Management	# 4
Council Strategic Priorities	# 5
Investment in Recreation Programs for youth during COVID-19	# 6
Rank all priorities listed above equally	23%



Budget impact

What the budget means to residents



Budget Impact on Average Residential Property

	% increase	\$ increase
Property tax	1.98 %	\$ 42.86
Water / wastewater	4.00 %	\$ 49.44
Stormwater	10.00 %	\$ 4.21
Total		\$ 96.51

Based on an average single detached home with an assessment value of \$700,000, a 465 square metre lot, using 200 cubic metres of water per year



Monthly cost of services: average household



Your Town Tax Dollars at a Glance

Fire and Emergency
Services

\$49.89 PER MONTH



Public Library Services

\$11.17 PER MONTH



Roads, Bridges and
Sidewalks

\$29.38 PER MONTH



Community Programs
and Events

\$12.86 PER MONTH



Facilities, Park
and Trails

\$50.26 PER MONTH



Waste Management

\$10.09 PER MONTH



By-law and Licensing
Services

\$5.97 PER MONTH



Planning and
Development Services

\$14.54 PER MONTH



Water

\$50.33 PER MONTH



Wastewater

\$55.04 PER MONTH



Stormwater Charge

\$3.86 PER MONTH



2021 budget: Capital program highlights



- Skate Park \$2 million
- Trail and field lighting \$725,000
- Fire Station 4-5 \$7.1 million
- Firetrucks \$ 2.4 million
- Fleet replacements \$1.5 million
- Park Development – Glenway and Sundial



2021 budget: Capital program highlights



- Municipal Infrastructure and Road resurfacings - \$6.1 million
- Bridges and culverts program - \$500,000
- Traffic safety \$115,000
- Mulock Park Concept Master Plan



Next Steps

Schedule of upcoming activities



Coming in 2021

Re: 2021 budget:

- Reserve and reserve fund budget
- Budget consolidation for financial statements
- Quarterly updates
 - Operating results
 - Capital program adjustments



Action being taken to keep us fiscally responsible



Fiscal Strategy

- Reserve and reserve fund review
- Water & Wastewater financial plan updates
- Asset management Plans – core assets
- Procurement By-law update
- Growth revenue studies
 - Development Charges update
 - Initial Community Benefits Charges study





Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

2021 Fees and Charges Overview Staff Report to Council

Report Number: 2020-91

Department(s): Financial Services

Author(s): Anita Gibson, Sr. Financial Analyst

Meeting Date: December 7, 2020

Recommendations

1. That the report entitled 2021 Fees & Charges Overview dated December 7, 2020 be received for information.

Executive Summary

See below.

Purpose

The purpose of this report is to provide an overview of the reports related to 2021 fees and charges that have been presented to Council for approval.

Background

The annual update of fees and charges includes a review of market conditions, participation rates and external factors. The Service Pricing Policy (SPP), established in 2007, balances costs between user groups and taxpayers and allows for long-term financial sustainability.

In a regular business planning and budget cycle, the Town's fees and charges updates are submitted in two streams: fees for early approval in September (such as those for Recreation & Culture and Licensing); and the remaining fees in November or December. The goal is to have them become effective on January 1 of the new fiscal year.

For 2021, no general fee increase was proposed in consideration of the impact of the COVID-19 pandemic.

Discussion

There are a number of reports on fees and charges. They are split by legislative authority and governance into manageable sections. The following is a summary of the recommended fees and charges for 2021:

- Licensing Fees – no change. By-law 2019-52 as amended by-law 2020-09 will remain in effect.
- Recreation & Culture Fees – no change. By-law 2019-75 will remain in effect.
- Planning Act Fees – no change. By-law 2019-78 will remain in effect.
- Fire Services – no change. By-law 2019-79 as amended by By-law 2020-49 will remain in effect.
- Building Permit Fees – no change. By-law 2020-04 will remain in effect.
- General Fees (Corporate Services, Public Works and Engineering) – By-law 2019-79 will remain in effect with the exception of schedules D, E and F – there is a separate report entitled “2021 User Fees and Charges General Report”.
- Water and Wastewater Rates – a residential increase of 4% is detailed in a separate report entitled “2021 Water and Wastewater Rates Report”
- Stormwater Rates – an increase of 10% is detailed in a separate report entitled “2021 Stormwater Rates”.

Conclusion

Unless otherwise stated, all changes will be effective January 1, 2021.

Business Plan and Strategic Plan Linkages

The adoption of the 2021 Fees and Charges is in alignment with Council’s strategic priority of long-term financial sustainability.

Consultation

Advertisement on the Town of Newmarket’s website has been provided in accordance with the Town’s Procedure By-law and distribution of the Committee of the Whole agendas. In addition, notice has been given through advertisement on the Town Page of the local newspaper in advance of Council’s consideration. These fees and charges are being presented as part of the Committee of Whole meeting scheduled for December 7, 2020.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Fees and charges have been factored into the upcoming 2021 budget proposals. Further information on this will be available as part of the budget process.

The individual reports will recommend fees and charges that should allow them to achieve their cost recovery targets.

Attachments

None

Approval

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

Esther Armchuk, LL.B
Commissioner of Corporate Services

Contact

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



Town of Newmarket
395 Mulock Drive P.O. Box 328,
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Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

2021 User Fees and Charges General Staff Report to Council

Report Number: 2020-92

Department(s): Financial Services

Author(s): Mike Mayes, Director, Financial Services/Treasurer

Meeting Date: December 7, 2020

Recommendations

1. That the report entitled 2021 User Fees and Charges General dated December 7, 2020 be received; and,
2. That the attached Schedules "D", "E", "F", marked as the Town of Newmarket 2021 Public Works Services, Engineering Services and Legislative Services – General Fees, respectively, be approved and adopted by by-law; and,
3. That the fee adjustments come into full force and effect as of January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

See below.

Purpose

The purpose of this report is to advise that all fees and charges are not recommended to increase for 2021. However, there are recommended new fees introduced effective January 1, 2021 for Engineering Services, Legislative Services and the water - bulk rate (Public Works) will increase by 4% which is in accordance with the Water 6 Year plan.

Background

All rates and fees are reviewed annually and adjusted in accordance with the Annual Budget review process and application of the Service Pricing Policy. Based on the Service

Pricing Policy, fees and charges are categorized by user and type of service. Target cost recovery levels are established and user fees and charges are to be adjusted accordingly. The proposed user fee charges vary depending upon the services provided.

In consideration of the COIV-19 pandemic, the target increase was 0% for 2021.

Discussion

All Departments (Schedule A): No change is proposed to the fees.

Financial Services (Schedule B): No change is proposed to the fees.

Procurement Services (Schedule B): No change is proposed to the fees.

Information Technology (Schedule B): No change is proposed to the fees.

Legal Services (Schedule C): No change is proposed to the fees.

Public Works Services (Schedule D): No change is proposed to the fees with the exception of the Water – Bulk Rate to increase by 4.0%.

Engineering Services (Schedule E): No change is proposed to the existing fees. A new fee has been introduced for Technical Resubmission after the Third Submission.

Legislative Services – General Fees (Schedule F): No change is proposed to the existing fees. A new fee has been introduced for Commissioning of Documents for Non-Residents and Marriage License fee for Non-Residents.

Conclusion

Schedules A to F represent general fees and charges levied by the municipality that are not linked to specific legislation other than the general provisions of the Municipal Act 2001.

Business Plan and Strategic Plan Linkages

The adoption of the 2021 Fees and Charges is in alignment with Council's strategic priority of long-term financial sustainability.

Consultation

Advertisement on the Town of Newmarket's website has been provided in accordance with the Town's Procedure By-law and distribution of the Committee of the Whole agendas. In addition, notice has been given through advertisement on the Town Page of the local newspaper in advance of Council's consideration. These fees and charges are being presented as part of the Committee of Whole meeting scheduled for December 7, 2020.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Operating Budget: Increases or changes to the fees and charges are limited to cost recovery.

Capital Budget: Not applicable.

Attachments

Schedule D – Public Works

Schedule E – Engineering Services

Schedule F – Legislative Services – General Fees

Approval

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

Esther Armchuk, LL.B
Commissioner, Corporate Services

Contact

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

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE D**

Department: Public Works

Effective Date: January 1, 2021

SERVICE PROVIDED	UNIT OF MEASURE	2021 Base Fee	2021 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2020 FEE BEFORE TAX	TOTAL 2021 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Parks									
Installation of Banners on Main & Water	Each	\$685.84		Y	\$685.84	\$685.84	\$89.16	\$775.00	0.0%
Installation of Banners at all other locations	\$50.00/hour for each staff person plus 15% admin fee to a max. \$550.00	TBD	15%	N	TBD	TBD		TBD	
Public Tree Preservation Bylaw application inspection/review fee	Each tree	\$400.00		Y	\$400.00	\$400.00	\$52.00	\$452.00	0.0%
Tree value for trees on public lands proposed for removal as per the Public Tree Preservation Bylaw	200% of the Actual Cost + 15% Admin. Fee + HST	TBD	15%	Y	TBD	TBD	13%	TBD	
Tree removal for trees on public lands	minimum \$750.00 plus HST or Actual Cost + 15% Admin. Fee + HST	min \$750	possible 15%	Y	min \$750	min \$750	13%	TBD	
Stump removal on public lands	minimum \$250.00 plus HST or Actual Cost + 15% Admin. Fee + HST	min \$250	possible 15%	Y	min \$250	min \$250	13%	TBD	
Tree planting on Town-owned Lands	Each	\$402.65		Y	\$402.65	\$402.65	\$52.34	\$455.00	0.0%
Appeal permit refusal to Director	Each		\$50.00	Y	\$50.00	\$50.00	\$6.50	\$56.50	0.0%
Appeal permit refusal after re-consideration to Committee of Appeals	Each		\$566.37	Y	\$566.37	\$566.37	\$73.63	\$640.00	0.0%
Gate Application and Inspection	Each	\$103.88	\$15.58	Y	\$119.47	\$119.47	\$15.53	\$135.00	0.0%
Celebration Programs									
Celebration Tree (Planting Included)	Each	\$402.65		Y	\$402.65	\$402.65	\$52.34	\$454.99	0.0%
Veteran's Memorial Walkway Stones (Large)	Each	\$330.00		N	\$330.00	\$330.00		\$330.00	0.0%
Veteran's Memorial Walkway Stones (Small)	Each	\$165.00		N	\$165.00	\$165.00		\$165.00	0.0%
Celebration Bench	Each	\$1,200.00		N	\$1,200.00	\$1,200.00		\$1,200.00	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE D**

Department: Public Works

Effective Date: January 1, 2021

SERVICE PROVIDED	UNIT OF MEASURE	2021 Base Fee	2021 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2020 FEE BEFORE TAX	TOTAL 2021 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Sewer									
Inspection Fee for Res.& ICI San. Service Installed by Owner	per residential unit	\$157.75	\$23.66	Y	\$181.41	\$181.41	\$23.58	\$205.00	0.0%
Removal of blockages in sanitary sewer lateral (if on private property)	Per Inspection	TBA from Contract	15%	Y	TBD	TBD	13%	TBA from Contract	
Sanitary Connection Application	Per application		\$119.47	Y	\$119.47	\$119.47	\$15.53	\$135.00	0.0%
CCTV Lateral Inspection	Clean out to main line	\$200.00		Y	\$200.00	\$200.00	\$26.00	\$226.00	0.0%
Backwater Valve Test Report Fee (Annually for Severe and Moderate Hazard - Every five years for minor Hazard)	Per Test Submitted	\$21.24		Y	\$21.24	\$21.24	\$2.76	\$24.00	0.0%
Cross Connection Control Survey Report Fee (Every five Years with Report Submission)	Per Test Submitted	\$42.48		Y	\$42.48	\$42.48	\$5.52	\$48.00	0.0%
Initial Admin for Cross Connection Survey	Per Test Submitted		\$58.41	Y	\$58.41	\$58.41	\$7.59	\$66.00	0.0%
Late Fee - Cross Connection Survey	Per Test Submitted	\$15.04		Y	\$15.04	\$15.04	\$1.96	\$17.00	0.0%
Late Fee - Test Report	Per Test Submitted	\$15.04		Y	\$15.04	\$15.04	\$1.96	\$17.00	0.0%
Water									
Water Hydrant flow test not related to existing site plan agreements	per test	\$169.29	\$25.39	Y	\$194.69	\$194.69	\$25.31	\$220.00	0.0%
Anti-Tampering Devices -Hydrant/Valve	Each	\$137.17		Y	\$137.17	\$137.17	\$17.83	\$155.00	0.0%
Watermain Connection Service Line for Residential Water Service (by Town)	Per visit	\$454.02	\$68.10	Y	\$522.12	\$522.12	\$67.88	\$590.00	0.0%
Water Turn on/Shut-off (working hours)	Per Visit	\$19.24	\$2.89	Y	\$22.13	\$22.13	\$2.88	\$25.00	0.0%
Water Turn on/Shut-off (after hours)	Per Visit	\$76.95	\$11.54	Y	\$88.49	\$88.49	\$11.50	\$100.00	0.0%
Repair/Replace Anti-Tampering device Hydrant or valve	Hydrant	\$508.85		Y	\$508.85	\$508.85	\$66.15	\$575.00	0.0%
	Valve	\$349.56		Y	\$349.56	\$349.56	\$45.44	\$395.00	0.0%
Inspection Fee for Residential Water Service Installed by Owner	Per Visit	\$134.67	\$20.20	Y	\$154.87	\$154.87	\$20.13	\$175.00	0.0%
Water Valve Operating After Hours – related to developments	Per Visit	\$450.17	\$67.53	Y	\$517.70	\$517.70	\$67.30	\$585.00	0.0%
Water - Bulk Rate	Per liter			N	\$0.005186	\$0.005393		\$0.005393	4.0%
Water - Bulk Collection Account set up	Per Account		\$22.12	Y	\$22.12	\$22.12	\$2.88	\$25.00	0.0%
Installation of Hydrant Meter Deposit/Fee		\$2,000.00		N	\$2,000.00	\$2,000.00		\$2,000.00	0.0%
Water Connection Application	Per application		\$119.47	Y	\$119.47	\$119.47	\$15.53	\$135.00	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE D**

Department: Public Works

Effective Date: January 1, 2021

SERVICE PROVIDED	UNIT OF MEASURE	2021 Base Fee	2021 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2020 FEE BEFORE TAX	TOTAL 2021 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Water Meters									
Installed by Builder/Plumber	16x13 (5/8"x 1/2")	\$411.50		Y	\$411.50	\$411.50	\$53.50	\$465.00	0.0%
Installed by Builder/Plumber	16x19 (5/8"x3/4")	\$411.50		Y	\$411.50	\$411.50	\$53.50	\$465.00	0.0%
Installed by Builder/Plumber	19 (3/4")	\$429.20		Y	\$429.20	\$429.20	\$55.80	\$485.00	0.0%
Installed by Builder/Plumber	25.0 (1")	\$446.90		Y	\$446.90	\$446.90	\$58.10	\$505.00	0.0%
Installed by Builder/Plumber	38 (1-1/2")	\$2,314.16		Y	\$2,314.16	\$2,314.16	\$300.84	\$2,615.00	0.0%
Installed by Builder/Plumber	50 (2")	\$2,730.09		Y	\$2,730.09	\$2,730.09	\$354.91	\$3,085.00	0.0%
75 Compound (3") Installed by Developer	(including cost of strainers)	\$4,579.65		Y	\$4,579.65	\$4,579.65	\$595.35	\$5,175.00	0.0%
100 Compound (4") Installed by Developer	(including cost of strainers)	\$7,207.96		Y	\$7,207.96	\$7,207.96	\$937.03	\$8,144.99	0.0%
100 Fire Rated (4") Installed by Developer	(including cost of strainers)	\$15,144.00		Y	\$15,144.00	\$15,144.00	\$1,968.72	\$17,112.72	0.0%
150 Compound (6") Installed by Developer	(including cost of strainers)	\$9,973.45		Y	\$9,973.45	\$9,973.45	\$1,296.55	\$11,270.00	0.0%
150 Fire Rated (6") Installed by Developer	(including cost of strainers)	\$20,159.29		Y	\$20,159.29	\$20,159.29	\$2,620.71	\$22,780.00	0.0%
200 Compound (8") Installed by Developer	(including cost of strainers)	\$19,035.40		Y	\$19,035.40	\$19,035.40	\$2,474.60	\$21,510.00	0.0%
200 Fire Rated (8") Installed by Developer	(including cost of strainers)	\$30,181.42		Y	\$30,181.42	\$30,181.42	\$3,923.58	\$34,105.00	0.0%
250 Compound (10") Installed by Developer	(including cost of strainers)	\$24,566.37		Y	\$24,566.37	\$24,566.37	\$3,193.63	\$27,760.00	0.0%
250 Fire Rated (10") Installed by Developer	(including cost of strainers)	\$34,915.93		Y	\$34,915.93	\$34,915.93	\$4,539.07	\$39,455.00	0.0%
Water Meter Testing up to 1"	Per Test	\$227.01	\$34.05	Y	\$261.06	\$261.06	\$33.94	\$295.00	0.0%
Missed Water Meter Appointment Fee	Per Unit	\$31.39	\$4.71	Y	\$36.10	\$36.10	\$3.90	\$40.00	0.0%
Meter Seal - Return Visit	Per Unit	\$157.75	\$23.66	Y	\$181.41	\$181.41	\$23.58	\$205.00	0.0%
Meter - Installation of MXU Smart point only	Per Unit	\$107.73	\$16.16	Y	\$123.89	\$123.89	\$16.11	\$140.00	0.0%
Solid Waste and Recycling									
White Goods (freezer, stove, etc.)		\$14.16		Y	\$14.16	\$14.16	\$1.84	\$16.00	0.0%
Commercial & Industrial/Apartment Wheel Carts	64 gallon	\$154.87		Y	\$154.87	\$154.87	\$20.13	\$175.00	0.0%
	95 gallon	\$168.14		Y	\$168.14	\$168.14	\$21.86	\$190.00	0.0%
Composters	Standard Size	\$17.70		Y	\$17.70	\$17.70	\$2.30	\$20.00	0.0%
Large Items	(furniture, mattress, etc.)	\$14.16		Y	\$14.16	\$14.16	\$1.84	\$16.00	0.0%
Recycling Blue Box	Each	\$8.85		Y	\$8.85	\$8.85	\$1.15	\$10.00	0.0%
Garbage Bag Tags (Sold in Package of 5)		\$15.00		N	\$15.00	\$15.00		\$15.00	0.0%
Special Refuse Cleanup		\$80.80	\$12.12	Y	\$92.92	\$92.92	\$12.08	\$105.00	0.0%
Source Separated Organics (SSO)	Large Bin	\$17.70		Y	\$17.70	\$17.70	\$2.30	\$20.00	0.0%
	Kitchen Bin	\$5.75		Y	\$5.75	\$5.75	\$0.75	\$6.50	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE D**

Department: Public Works

Effective Date: January 1, 2021

SERVICE PROVIDED	UNIT OF MEASURE	2021 Base Fee	2021 Admin Fee	SUBJECT TO HST YES/NO	TOTAL 2020 FEE BEFORE TAX	TOTAL 2021 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Roads									
Municipal Consents	Regular Service		\$500.00	N	\$500.00	\$500.00		\$500.00	0.0%
Fire Route/Handi Cap Signs	Each	\$39.82		Y	\$39.82	\$39.82	\$5.18	\$45.00	0.0%
Street Name/Stop Signs, Hardware & Post	Each	\$495.57		Y	\$495.57	\$495.57	\$64.42	\$560.00	0.0%
Anti-Idling Signs	Each	\$44.25		Y	\$44.25	\$44.25	\$5.75	\$50.00	0.0%
Road Occupancy Permit(ROP)	Each	\$69.56	\$10.43	N	\$80.00	\$80.00		\$80.00	0.0%
Road Occupancy-RUSH	Each	\$113.04	\$16.96	N	\$130.00	\$130.00		\$130.00	0.0%
ROP Revision or Extension	Each	\$39.13	\$5.87	N	\$45.00	\$45.00		\$45.00	0.0%
Post Construction Inspection for Security Release	Per application	\$119.47		Y	\$119.47	\$119.47	\$15.53	\$135.00	0.0%
ROP Road Degradation (Life Cycle Losses)									
Road surface < 2 years	Per m ²	\$50.00		N	\$50.00	\$50.00		\$50.00	0.0%
Road surface between 2 years and 3 years	Per m ²	\$40.00		N	\$40.00	\$40.00		\$40.00	0.0%
Road surface between 4 years and 5 years	Per m ²	\$30.00		N	\$30.00	\$30.00		\$30.00	0.0%
Road surface between 6 years and 10 years	Per m ²	\$20.00		N	\$20.00	\$20.00		\$20.00	0.0%
Road surface > 10 years	Per m ²	\$15.00		N	\$15.00	\$15.00		\$15.00	0.0%
Aerial Crane Trespass	Per Month	\$472.79	\$89.16	Y	\$561.95	\$561.95	\$73.05	\$635.00	0.0%
Curb Cut – by Town Contractor	per cut	\$261.64	\$39.25	Y	\$300.89	\$300.89	\$39.12	\$340.00	0.0%
Curb Cut - without Approval (Conforms with zoning by law)	per cut		\$79.65	Y	\$79.65	\$79.65	\$10.35	\$90.00	0.0%
Curb Cut – without Approval (Does not Conform with zoning by law) (Cost to reinstate/correct damage)	Actual Cost	Actual Cost	30%	Y			13%	Actual cost + Admin + HST	
Road Closure Without Intersection Closure (Including rolling closure)	Per application	\$35.40		Y	\$35.40	\$35.40	\$4.60	\$40.00	0.0%
Road Closure Including Intersection	Per application	\$181.42		Y	\$181.42	\$181.42	\$23.58	\$205.00	0.0%
Temporary Designated Smoking Areas									
Signage and first receptacle	per event, per day	\$50.00		N	\$50.00	\$50.00		\$50.00	0.0%
Each additional receptacle	per event, per day	\$25.00		N	\$25.00	\$25.00		\$25.00	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE E**

Department: Engineering Services

Effective Date: Jan 1, 2021

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAX	2021 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Development Services							
Subdivision Design Standard Manual	Each	Y	\$ 99.84	\$ 99.84	\$ 12.98	\$ 112.82	0.0%
Site Alteration Permit	Owner Occupied Residential	N	\$ 268.96	\$ 268.96	\$ -	\$ 268.96	0.0%
	All Other Types of Property	N	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00	0.0%
Engineering Checking & Inspection (40% of the Engineering Fees shall be provided at the 1st Engineering Submission)							
Site Plans handled fully in house	6% of the value of all site works and services outside of the buildings including earthworks	Y	min. \$1,435	min. \$1,435	min. \$186.55	min. \$1,621.55	N/A
Site Plans in which the Town's Checking Consultant is providing the design review and field monitoring services.	3% Admin Fee of the value of outside works and services including earthworks plus Engineering Services Fee for the design review and field monitoring services for the Town's Checking Consultant. (A deposit for the Town's Checking Consultant estimated by the Town is required).	Y	min. \$1,435	min. \$1,435	min. \$186.55	min. \$1,621.55	N/A
Subdivisions - Town's Checking Consultant provides the design review and field monitoring services.	3% Admin Fee of the value of outside works and services including earthworks plus Engineering Services Fee for the design review and field monitoring services for the Town's Checking Consultant. (A 2.75% deposit of the value of outside works and services including earthworks for the Town's Checking Consultant is required).	Y	3% Admin Fee + 2.75% deposit for checking consultant	3% Admin Fee + 2.75% deposit for checking consultant		3% Admin Fee + 2.75% deposit for checking consultant+HST	
Overhead incurred for checking Consultant Invoicing	15% Admin Fee	Y	15% Admin Fee	15% Admin Fee		15% Admin Fee +HST	

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE E**

Department: Engineering Services

Effective Date: Jan 1, 2021

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAX	2021 FEE BEFORE TAX	HST AMOUNT	TOTAL FEE	% INCREASE
Other Services							
Emergency Work Performed for Developer or Other	Minimum or Actual	Y	minimum \$1,068.33 plus HST or Actual Cost + 15% Admin. Fee + HST	minimum \$1,068.33 plus HST or Actual Cost + 15% Admin. Fee + HST		minimum \$1,068.33 plus HST or Actual Cost + 15% Admin. Fee + HST	0.0%
Coordination/administration of private works in Town contract or as part of private works in Region contract.	Minimum or Actual	Y	\$211.11 minimum + HST or Actual Cost + 15% Admin. Fee + HST	\$211.11 minimum + HST or Actual Cost + 15% Admin. Fee + HST		\$211.11 minimum + HST or Actual Cost + 15% Admin. Fee + HST	0.0%
Coordination/administration of Regional works within Town contracts	18% Admin. Fee + HST	Y	18% Admin. Fee + HST	18% Admin. Fee + HST		18% Admin. Fee + HST	0.0%
Property Information – Assumed/ Unassumed + Release Cert. If requested & available	Per application	Y	\$ 183.47	\$ 183.47	\$ 23.85	\$ 207.32	0.0%
Property Information	(legal, environmental, compliance)	Y	\$ 183.47	\$ 183.47	\$ 23.85	\$ 207.32	0.0%
Consultant's request for traffic counts (ATR or TMC)	Each	Y	\$ 127.86	\$ 127.86	\$ 16.62	\$ 144.48	0.0%
Preparation of "Pre-servicing Agreement"	Each	Y	\$ 2,050.00	\$ 2,050.00	\$ 266.50	\$ 2,316.50	0.0%
Site Plan Inspection for Security Release After the First Request	Each	Y	\$ 447.41	\$ 447.41	\$ 58.16	\$ 505.58	0.0%
Technical Resubmission After the Third Submission	Each	Y		\$ 2,900.00	\$ 377.00	\$ 3,277.00	NEW

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2021

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAXES	2021 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
VITAL STATISTICS							
Death Registration	each	N	\$ 32.00	\$ 32.00	\$0.00	\$32.00	0.0%
GENERAL ADMINISTRATION							
Municipal Information - Liquor Application	each	N	\$ 182.00	\$ 182.00	\$0.00	\$182.00	0.0%
Municipal Letter Special Occasion - Liquor	each	N	\$ 51.00	\$ 51.00	\$0.00	\$51.00	0.0%
Local Planning Appeal Tribunal Appeal Fee	each	N	\$ 173.00	\$ 173.00	\$0.00	\$173.00	0.0%
General Administration	each	N	\$ 56.00	\$ 56.00	\$0.00	\$56.00	0.0%
Certificate of Compliance for each property which has had a Property Standard Order	each	N	\$ 126.00	\$ 126.00	\$0.00	\$126.00	0.0%
Certificate of Compliance for each property which has not had a Property Standard Order	each	N	\$ 63.50	\$ 63.50	\$0.00	\$63.50	0.0%
Certificate of Compliance for each property which has had an Order and charges have been laid	each	N	\$ 263.00	\$ 263.00	\$0.00	\$263.00	0.0%
Certificate of Compliance for interior common area(s) which have had a Property Standards Order	each	N	\$ 126.00	\$ 126.00	\$0.00	\$126.00	0.0%
Certificate of Compliance for interior common area(s) which have not had an Order	each	N	\$ 63.50	\$ 63.50	\$0.00	\$63.50	0.0%
Certificate of Compliance for interior common area(s) which have had an Order and charges have been laid	each	N	\$ 263.00	\$ 263.00	\$0.00	\$263.00	0.0%
Certificate of Compliance for accessory building(s) or other structure(s) which have had a Property Standards Order	each	N	\$ 126.00	\$ 126.00	\$0.00	\$126.00	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2021

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAXES	2021 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
Certificate of Compliance for accessory building(s) or other structure(s) which have not had an Order	each	N	\$ 63.50	\$ 63.50	\$0.00	\$63.50	0.0%
Certificate of Compliance for accessory building(s) or other structure(s) which have had an Order and charges have been laid	each	N	\$ 256.25	\$ 256.25	\$0.00	\$256.25	0.0%
Property Standards Appeal Fee	each	N	\$ 177.00	\$ 177.00	\$0.00	\$177.00	0.0%
Property Standards Reinspection Fee	each	N	\$ 182.00	\$ 182.00	\$0.00	\$182.00	0.0%
Private Parking Administration Fee	each	N	\$ 110.00	\$ 110.00	\$0.00	\$110.00	0.0%
By-law Reinspection Fee	each	N	\$ 79.00	\$ 79.00	\$0.00	\$79.00	0.0%
Garbage Administration(large articles)	each	N	\$ 58.00	\$ 58.00	\$0.00	\$58.00	0.0%
Animal Control - Appeal	each	N	\$ 128.00	\$ 128.00	\$0.00	\$128.00	0.0%
Licensing Appeal	each	N	\$ 128.00	\$ 128.00	\$0.00	\$128.00	0.0%
NOISE							
Noise Exemption Application	each	N	\$ 75.00	\$ 75.00	\$0.00	\$75.00	0.0%
Noise Permit Fee for one day Event		N	\$ 25.50	\$ 25.50	\$0.00	\$25.50	0.0%
Noise Permit Fee for two to five day Event	each	N	\$ 61.50	\$ 61.50	\$0.00	\$61.50	0.0%
Noise Permit Fee for Construction - 1 day	each	N	\$ 79.00	\$ 79.00	\$0.00	\$79.00	0.0%
Noise Permit Fee for Construction - under 6 months	each	N	\$ 153.75	\$ 153.75	\$0.00	\$153.75	0.0%
Noise Permit Fee for Construction - over 6 months	each	N	\$ 230.50	\$ 230.50	\$0.00	\$230.50	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2021

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAXES	2021 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
POOLS							
Permit Fee - Above Ground Pool	each	N	\$ 177.00	\$ 177.00	\$0.00	\$177.00	0.0%
Permit Fee - Hot Tub	each	N	\$ 177.00	\$ 177.00	\$0.00	\$177.00	0.0%
Permit Fee - Inflatable Pool	each	N	\$ 177.00	\$ 177.00	\$0.00	\$177.00	0.0%
Permit Fee - In Ground Pool	each	N	\$ 177.00	\$ 177.00	\$0.00	\$177.00	0.0%
Permit Fee - Ponds	each	N	\$ 177.00	\$ 177.00	\$0.00	\$177.00	0.0%
SIGNS							
Sign By-law Exemption Fee	each	N	\$ 182.00	\$ 182.00	\$0.00	\$182.00	0.0%
Ground Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Fascia Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Mural Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Projecting Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Construction Information Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Hoarding Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
New Home Development Sign	each	N	\$ 118.00	\$ 118.00	\$0.00	\$118.00	0.0%
Development Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Subdivision Development Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Portable Sign	each	N	\$ 118.00	\$ 118.00	\$0.00	\$118.00	0.0%
Mobile Sign	each	N	\$ 118.00	\$ 118.00	\$0.00	\$118.00	0.0%
Inflatable Sign	each	N	\$ 468.00	\$ 468.00	\$0.00	\$468.00	0.0%
Banner Sign	each	N	\$ 118.00	\$ 118.00	\$0.00	\$118.00	0.0%
Election Sign Permit Fee	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Election Sign Removal	per sign	N	\$ 25.00	\$ 25.00	\$0.00	\$25.00	0.0%
Billboard Sign	each	N	\$ 1,762.00	\$ 1,762.00	\$0.00	\$1,762.00	0.0%
Billboard Sign Renewal	every 5 years	N	\$ 588.00	\$ 588.00	\$0.00	\$588.00	0.0%
Variance Fee - Staff Review	per review	N	\$ 294.00	\$ 294.00	\$0.00	\$294.00	0.0%
Variance Fee - Committee	per review	N	\$ 588.00	\$ 588.00	\$0.00	\$588.00	0.0%
Sign Removal	each	N	\$ 177.00	\$ 177.00	\$0.00	\$177.00	0.0%
Lens Replacement	each	N	\$ 234.00	\$ 234.00	\$0.00	\$234.00	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2021

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAXES	2021 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
Sign Fees for Yonge St. until December 31, 2020							
Ground Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Fascia Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Mural Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00	0.0%
Projecting Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Construction Information Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Hoarding Sign	each	N	\$ 400.00	\$ 400.00	\$0.00	\$400.00	0.0%
New Home Development Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Portable Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Mobile Sign	each	N	\$ 80.00	\$ 80.00	\$0.00	\$80.00	0.0%
Inflatable Sign	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Banner Sign	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
Billboard Sign	each	N	\$ 1,500.00	\$ 1,500.00	\$0.00	\$1,500.00	0.0%
Billboard Sign Renewal	every 5 years	N	\$ 500.00	\$ 500.00	\$0.00	\$500.00	0.0%
Variance Fee - Staff Review	per review	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Variance Fee - Committee	per review	N	\$ 500.00	\$ 500.00	\$0.00	\$500.00	0.0%
Sign Removal	each	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Commissioning of Documents (except foreign pensions) - resident	per document	Y	\$ 21.00	\$ 21.00	\$2.73	\$23.73	0.0%
Commissioning of Documents (except foreign pensions) - non-resident	per document	Y	\$ 23.10	\$ 23.10	\$3.00	\$26.10	NEW
Certification of Town Documents	per document	Y	\$ 6.00	\$ 6.00	\$0.58	\$6.58	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2021

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAXES	2021 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
PARKING ENFORCEMENT							
Parking Enforcement Private Special Events (minimum 3 hours)	per hour	N	\$ 53.25	\$ 53.25	\$0.00	\$53.25	0.0%
Parking Enforcement Charities & Non-Profit Organizations (minimum 3 hours)	per hour	N	\$ 38.00	\$ 38.00	\$0.00	\$38.00	0.0%
Parking Enforcement Filming (minimum 3 hours)	per hour	N	\$ 64.50	\$ 64.50	\$0.00	\$64.50	0.0%
PARKING EXEMPTIONS							
Parking Exemption - 24 - hour period		N	\$ 5.00	\$ 5.00	\$0.00	\$5.00	0.0%
Parking Exemption - 5 - day period		N	\$ 15.00	\$ 15.00	\$0.00	\$15.00	0.0%
FILMING PERMIT							
Administration Fee		N	\$ 132.00	\$ 132.00	\$0.00	\$132.00	0.0%
Film Permit Fee	each	N	\$ 448.00	\$ 448.00	\$0.00	\$448.00	0.0%
Administration Fee - private property		N	\$ 153.00	\$ 153.00	\$0.00	\$153.00	0.0%
Municipal Property Fee	if applicable	N	\$ 279.00	\$ 279.00	\$0.00	\$279.00	0.0%
Contribution to Main Street District BIA if filming within designated BIA		N	\$ 1,000.00	\$ 1,000.00	\$0.00	\$1,000.00	0.0%
Security Deposit - No Special Effects	each	N	\$ 1,500.00	\$ 1,500.00	\$0.00	\$1,500.00	0.0%
Security Deposit - Minor Special Effects	each	N	\$ 5,000.00	\$ 5,000.00	\$0.00	\$5,000.00	0.0%
Security Deposit - Special Effects	each	N	\$ 20,000.00	\$ 20,000.00	\$0.00	\$20,000.00	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2021

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAXES	2021 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
FENCE							
Application for Fence Variance	each	N	\$ 287.00	\$ 287.00	\$0.00	\$287.00	0.0%
Request for an Appeal to the Appeal Committee	each	N	\$ 574.00	\$ 574.00	\$0.00	\$574.00	0.0%
Administration fee for fail to Appear to Hearing	each	N	\$ 100.00	\$ 100.00	\$0.00	\$100.00	0.0%
REGISTRATION OF ACCESSORY DWELLING UNITS							
Application (Non-refundable)	each	N	\$ 250.00	\$ 250.00	\$0.00	\$250.00	0.0%
Lost identification plate	each	N	\$ 10.25	\$ 10.25	\$0.00	\$10.25	0.0%
Registration Letter (Resale)	each	N	\$ 20.50	\$ 20.50	\$0.00	\$20.50	0.0%
Accessory Dwelling Unit Appeal	each	N	\$ 102.50	\$ 102.50	\$0.00	\$102.50	0.0%
MARRIAGES							
Marriage Licence (resident)	each licence	N	\$ 150.00	\$ 150.00	\$0.00	\$150.00	0.0%
Marriage Licence (non-resident)	each licence	N	\$ 165.00	\$ 165.00	\$0.00	\$165.00	NEW
Civil Marriage Solemnization Service Fee	per service	Y	\$ 450.00	\$ 450.00	\$58.50	\$508.50	0.0%
Witness Fee	per person	Y	\$ 58.00	\$ 58.00	\$7.54	\$65.54	0.0%
Rehearsal Fee for offsite	per service	Y	\$ 86.00	\$ 86.00	\$11.18	\$97.18	0.0%
Marriage Licence/Cermony package	per service	Y	\$ 555.00	\$ 555.00	\$72.15	\$627.15	0.0%
Recording/Videotaping a ceremony or celebration	per service	Y	\$ 25.00	\$ 25.00	\$3.25	\$28.25	0.0%
Renewal of vows celebration package	per service	Y	\$ 450.00	\$ 450.00	\$58.50	\$508.50	0.0%
Administration fee to be charged for change of wedding/celebration date within 7 days		Y	\$ 30.00	\$ 30.00	\$3.90	\$33.90	0.0%
Administration fee to be charged for cancellation before consultation		Y	\$ 58.00	\$ 58.00	\$7.54	\$65.54	0.0%

**TOWN OF NEWMARKET
2021 USER FEES
SCHEDULE F**

Department: Legislative Services- General Fees

Effective Date: Jan 1, 2021

Note: Shaded areas indicate fees regulated or established by either Provincial legislation or third party.

SERVICE PROVIDED	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAXES	2021 FEE BEFORE TAXES	HST AMOUNT	TOTAL FEE	Increase
Administration fee to be charged for cancellation after consultation		Y	\$ 172.00	\$ 172.00	\$22.36	\$194.36	0.0%
Cancellation of ceremony the day of/no show		Y	\$ 450.00	\$ 450.00	\$58.50	\$508.50	0.0%
Cancellation of witnesses		Y	\$ 50.00	\$ 50.00	\$6.50	\$56.50	0.0%
LOTTERY LICENCES							
Bingo	% from OLG	N				% from OLG	
Nevada	3% of the prize value	N				3% of the prize value	
Raffle	3% of the prize value	N				3% of the prize value	
ELECTION CANDIDATE NOMINATIONS							
	Mayor	N			\$0.00	\$0.00	0.0%
	Regional Councillor	N			\$0.00	\$0.00	0.0%
	Councillor	N			\$0.00	\$0.00	0.0%
FREEDOM OF INFORMATION							0.0%
Application	each	N			\$0.00	\$0.00	0.0%
Photo Copies	per page	N			\$0.00	\$0.00	0.0%
Disks	per disk	N			\$0.00	\$0.00	0.0%
Manually Searching Records \$7.50 per ¼ hour	per hour	N			\$0.00	\$0.00	0.0%
Preparation of Record of Disclosure	per hour	N			\$0.00	\$0.00	0.0%
Developing a Computer Program \$15.00 per ¼ hour	per hour	N			\$0.00	\$0.00	0.0%



Town of Newmarket
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Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

2021 Water and Wastewater Rates Staff Report to Council

Report Number: 2020-93

Department(s): Financial Services

Author(s): Anita Gibson, Sr. Financial Analyst

Meeting Date: December 7, 2020

Recommendations

1. That the report entitled 2021 Water and Wastewater Rates dated December 7, 2020 be received; and,
2. That the attached Schedule A being the Town of Newmarket Water and Wastewater Rates be approved and adopted by by-law; and,
3. That the rates come into full force and effect on January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

See below.

Purpose

The purpose of this report is to propose adjustments to the Town's Water and Wastewater Rates in 2021. The average residential increase is 4.00%.

Background

Based on the Service Pricing Policy, water and wastewater rates are categorized as Consumer Goods. The categorization establishes a cost recovery target level of 100% to recover the full cost of providing the service to the municipality; also, Ontario's Water Opportunities Act, 2010 requires a municipal water sustainability plan.

The ability of a municipality to establish water and wastewater rates is prescribed under the Municipal Act. The proposed water and wastewater rate increases are in line with the Town's 2017 Six Year Water and Wastewater Financial Plan approved by Council in [Corporate Services – Financial Services Report 2017-30](#).

The Town of Newmarket recognizes that some taxpayers are experiencing difficulty in making payments during the Covid crisis. The Town took immediate action at an Emergency Council meeting on March 18, 2020. On May 1, 2020 water & wastewater rates were reversed back to 2019 levels as part of the [Financial Relief Program – Financial Services Report 2020-28](#).

Tiered Water Rates

The Town entered the first phase of implementing the new tiered water rate structure in 2017. The tiered rate structure means that those with larger water meters pay a larger monthly fee. The rate structure helps ensure fairness when it comes to water and wastewater rate charges. The tiered rate structure phased-in is helping make water and wastewater more affordable for residences and small businesses. The tiered rates have been phased in over 4 years. The last year for the tiered rate structure is 2021, which has been extended an additional year due to the 2020 Financial Relief Program.

Since implementing the rate structure, there has been a minor uptake from businesses reducing their meter size. Reducing the meter size results in businesses paying a lower monthly fixed rate while saving the Town maintenance costs of a larger meter.

Cost Drivers

The water and wastewater utilities are subject to many cost drivers. The main drivers for the increases are:

- A 2.9% increase in Regional charges for the treatment and distribution of water and the collection and treatment of wastewater (as of April 1, 2021);
- A 4.9% increase to the Town's annual Asset Replacement Fund contribution amount for long-term financial sustainability;
- Conservation measures and weather have resulted in a less constant stream of revenue;
- Costs related to additional flushing and swabbing of the water system

The result of these cost drivers are reflected in the attached rate change for 2021.

The Smart Meter replacement project will help the Town better measure water consumption. This planned replacement is expected to commence in 2021.

Discussion

The proposed fee adjustments include an increase in consumption fees of 0% for water and 7.8% for wastewater. Wastewater repairs and maintenance, including CCTV program

continues to put a strain on the budget and therefore an increase to wastewater rates is proposed. The proposed water monthly fixed fee will remain at \$16.13, and the wastewater monthly fixed fee will increase by \$1.38 to \$19.02.

The tiered rate phase-in for monthly meter increases for water and wastewater is on average 33% and 43%, respectively. The tiered fixed rate transition will be completed in 2021.

Conclusion

Impact of Water and Wastewater Rate Changes in 2021

	Annual Consumption	2019 Average Bill	2021 Average Bill	Change
2" Residential and Non-Residential Customer	200 m ³	\$1,216	\$1,265	4.0%
2" Industrial, Institutional, Commercial Customer	4,600 m ³	\$21,076	\$22,775	8.1%
3" Industrial, Institutional, Commercial Customer	6,900 m ³	\$32,526	\$35,429	8.9%
4" Industrial, Institutional, Commercial Customer	22,000 m ³	\$96,767	\$103,335	6.8%

Business Plan and Strategic Plan Linkages

This report supports the Council Strategic priority of Long-term Financial Sustainability by aligning rate adjustments with multi-year operating and capital plans, as demonstrated by the 6-Year Water and Wastewater Financial Plans adopted by Council in 2017.

Consideration has been given to the recommendations of the Fiscal Strategy:

- Set water rates according to Newmarket's needs
 - Full cost recovery continues to be the target and Asset Replacement requirements are being reviewed and updated
- Commission or carry out a comprehensive rate-setting study that covers water and wastewater rates
 - An update of the 6-year Financial Plans is scheduled for 2021

Consultation

The Municipal Act stipulates public notice requirements for changes to Water and Wastewater Rates. Advertisement on the Town of Newmarket's website has been provided in accordance with the Town's Procedure By-law and distribution of the Committee of the Whole agendas. In addition, notice has been given through advertisement in the Town Page of the local newspaper in advance of Council's consideration.

The proposed changes have been discussed as part of the 2021 budget process.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Operating Budget: There is no impact on the tax base. The proposed fee adjustments include changes to the monthly fixed charge for water and wastewater and increases to consumption fees for wastewater only.

For an average resident consuming 200 cubic metres of water per year, the increase will be 4.0% or \$49. Average increases for non-residential properties range from 6.8% to 8.9%, depending on meter size.

Attachments

Schedule A – 2021 Water and Wastewater Rates

Approval

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

Esther Armchuk, LL.B
Commissioner of Corporate Services

Contact

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

TOWN OF NEWMARKET
2021 USER FEES
Schedule A - Water and Wastewater Rates

Effective Date: January 1, 2021

	Rates as of December 31, 2019		Rates as of January 01, 2021		Change
	per 100 cubic feet	per cubic metre	per 100 cubic feet	per cubic metre	%
Water					
Volumetric Rate	\$ 5.484	\$ 1.936	\$ 5.484	\$ 1.936	0.0%
Flat rate - no meter, monthly	\$ 69.25		\$ 69.25		0.0%
Basic charge, monthly	\$ 16.13		\$ 16.13		0.0%
2" Meter Monthly Charge	\$ 97.00		\$ 129.00		33.0%
3" Meter Monthly Charge	\$ 182.00		\$ 242.00		33.0%
4" Meter Monthly Charge	\$ 303.00		\$ 403.00		33.0%
6" Meter Monthly Charge	\$ 807.00		\$ 807.00		0.0%
8" Meter Monthly Charge	\$ 1,290.00		\$ 1,290.00		0.0%
10" Meter Monthly Charge	\$ 1,855.00		\$ 1,855.00		0.0%
Wastewater					
Volumetric Rate	\$ 5.996	\$ 2.117	\$ 6.464	\$ 2.282	7.8%
Flat rate - no meter, monthly	\$ 67.71		\$ 72.99		7.8%
Basic meter charge, monthly	\$ 17.64		\$ 19.02		7.8%
2" Meter Monthly Charge	\$ 106.00		\$ 152.00		43.4%
3" Meter Monthly Charge	\$ 198.00		\$ 285.00		43.9%
4" Meter Monthly Charge	\$ 331.00		\$ 475.00		43.5%
6" Meter Monthly Charge	\$ 882.00		\$ 951.00		7.8%
8" Meter Monthly Charge	\$ 1,411.00		\$ 1,521.00		7.8%
10" Meter Monthly Charge	\$ 2,029.00		\$ 2,187.00		7.8%
Average Bill by Meter Size	Annual Consumption		2019	2021	Change
<2" Residential and Non-Residential Customer	200 m3		\$1,216	\$1,265	4.0%
2" Industrial, Institutional, Commercial Customer	4,600 m3		\$21,076	\$22,775	8.1%
3" Industrial, Institutional, Commercial Customer	6,900 m3		\$32,526	\$35,429	8.9%
4" Industrial, Institutional, Commercial Customer	22,000 m3		\$96,767	\$103,335	6.8%



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

2021 Stormwater Rates Staff Report to Council

Report Number: 2020-94

Department(s): Financial Services

Author(s): Anita Gibson, Sr. Financial Analyst

Meeting Date: December 7, 2020

Recommendations

1. That the report entitled 2021 Stormwater Rates dated December 7, 2020 be received; and,
2. That the attached Schedule A being the Town of Newmarket Stormwater Rates be approved and adopted by by-law; and,
3. That the rates come into full force and effect on January 1, 2021; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

See below.

Purpose

The purpose of this report is to propose adjustments to the Town's Stormwater rates for 2021.

This report recommends rate increases of 10.0% as per the 2017 Six-Year Stormwater Financial Plan to better finance the protection of homes and businesses from the adverse effects of excessive stormwater.

Background

A stormwater charge was established in 2017 to provide a fair, transparent and dedicated funding source to help protect homes and businesses from possible flooding due to excessive stormwater.

The Municipal Act, 2001, S.O. 2001 authorizes a municipality to enact by-laws imposing fees and charges pertaining to a stormwater system pursuant to sections 9, 10, 11 and 391 of the Act.

The recommendation contained within [Report 2017-30](#), being the 2017 Six-Year Stormwater Financial Plan, were adopted. The rates approved in the plan for 2021 are being recommended for adoption in this report.

Discussion

The stormwater utility is subject to cost drivers. The main drivers for the increases are:

- Meeting immediate capital replacement needs;
- Building a reserve to replace assets when they reach the end of their useful life;
- Managing increased runoff due to more severe weather patterns;
- Reducing phosphorus runoff to meet rising environmental standards

Conclusion

The attached schedule represents the proposed increase in stormwater rates and fees.

The investment required for capital is growing. The 6-Year Financial Plan needs to be reviewed and updated with that in mind.

Business Plan and Strategic Plan Linkages

This report supports the Strategic Pillar of Long-term Financial Sustainability by aligning rate adjustments with multi-year operating and capital plans, as demonstrated by the 6-Year Stormwater Financial Plan adopted by Council in 2017.

Consideration has been given to the recommendations of the Fiscal Strategy:

- Commission or carry out a comprehensive rate-setting study that covers stormwater rates
 - An update of the 6-year Financial Plans is scheduled for 2022

Consultation

Advertisement on the Town of Newmarket's website has been provided in accordance with the Town's Procedure By-law and distribution of the Committee of the Whole agenda.

Human Resource Considerations

Not applicable to this report.

Budget Impact

This report recommends increasing stormwater rates by 10.0% in 2021.

Attachments

Schedule A – 2021 Stormwater Rates

Approval

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

Esther Armchuk, LL.B
Commissioner of Corporate Services

Contact

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

TOWN OF NEWMARKET
Schedule A - Stormwater Rates

Effective Date: January 1, 2021

Rates	Average Percent Impervious	2020 Per Square Metre Charge	2021 Per Square Metre Charge	Increase	
Low Runoff Level Group	9%	\$ 0.018511	\$ 0.020362	\$ 0.001851	10.0%
Medium Runoff Level Group	44%	\$ 0.090498	\$ 0.099548	\$ 0.009050	10.0%
High Runoff Level Group	88%	\$ 0.181062	\$ 0.199168	\$ 0.018106	10.0%
Median Charge	Area in Square Meters	2020 Charge	2021 Charge	Increase	
Low Runoff Level Group	478	\$ 8.85	\$ 9.74	\$ 0.89	10.0%
Medium Runoff Level Group	465	\$ 42.08	\$ 46.29	\$ 4.21	10.0%
High Runoff Level Group	561	\$ 101.58	\$ 111.74	\$ 10.16	10.0%
Regulatory Fees					
Stormwater Credit Application Fee	\$50.00				

Memorandum

Urban Centres Secondary Plan Official Plan Amendment and Zoning By-law Amendment

December 7, 2020

The Urban Centres Secondary Plan Official Plan and Zoning By-law Amendments were deferred to the December 7, 2020 Committee of the Whole meeting for staff to give additional notices regarding the proposed changes. As directed by Council on November 2, 2020, staff gave additional notices on November 12, 2020 to owners and owners within 120 metres of the following properties:

- 200 Lancaster Avenue
- 22 Bolton Avenue
- 23 Bolton Avenue
- 27 Lundy's Lane
- 432 Davis Drive
- 11 Main Street South

These additional notices (see Attachment 1), which describe the effects of the proposed amendments on the above noted properties, are supplementary to the statutory public notice requirement that was fulfilled on July 2, 2020.

Furthermore, staff are working with the planning consultant representing the property owner of 460 Davis Drive regarding the proposed land use designation and zoning of the lands. The proposed amendments concerning 460 Davis Drive have been deferred. Staff will provide a final recommendation regarding the designation and zoning of 460 Davis Drive in the future.

For more information on this Memorandum, please contact Jason Unger, Director of Planning & Building Services, at 905-895-5193.

Attachment (1)

Town-Initiated Technical Amendments to the Urban Centres Secondary Plan and Zoning By-law 2019-06

The Town of Newmarket has initiated technical amendments to the Urban Centres Secondary Plan (Secondary Plan) and Zoning By-law 2019-06. The draft amendments were presented at the July 27, 2020 statutory public meeting and considered by Committee of the Whole on October 26, 2020. Below are some supplementary information regarding the effects of the proposed amendments on 200 Lancaster Avenue. The information contained here are intended to provide further details in addition to the staff report and draft amendments available on the Town's website. The statutory public notice requirement for the proposed amendments has been fulfilled.

Proposed Changes to Zoning By-law 2019-06

The property is designated "Mixed Use" in the Urban Centres Secondary Plan and zoned "Site-Specific (1) (SS(1))" in Zoning By-law 2019-06. The site-specific exception "permits residential development as allowed under the R1-D Zone of Section 4, Section 5 and Section 6.2 of Zoning By-law 2010-40". The R1-D Zone in Zoning By-law 2010-40, as amended, permits uses such as single detached dwellings; bed and breakfast; home occupation, and private home daycare subject to other provisions of the by-law.

To implement the "Mixed Use" designation of the Urban Centres Secondary Plan, which permits a wide range of residential and commercial uses, the proposed zoning by-law amendment will remove the property from "SS1 Zone" and rezone it to "Mixed Use 1 (MU-1) Zone". The MU-1 Zone permits residential uses such as apartment; live-work units; stacked townhouse and townhouse, subject to conditions; and a range of non-residential uses including, but not limited to, art gallery; office; financial institution; personal service shop, and retail stores.

Upcoming Meeting

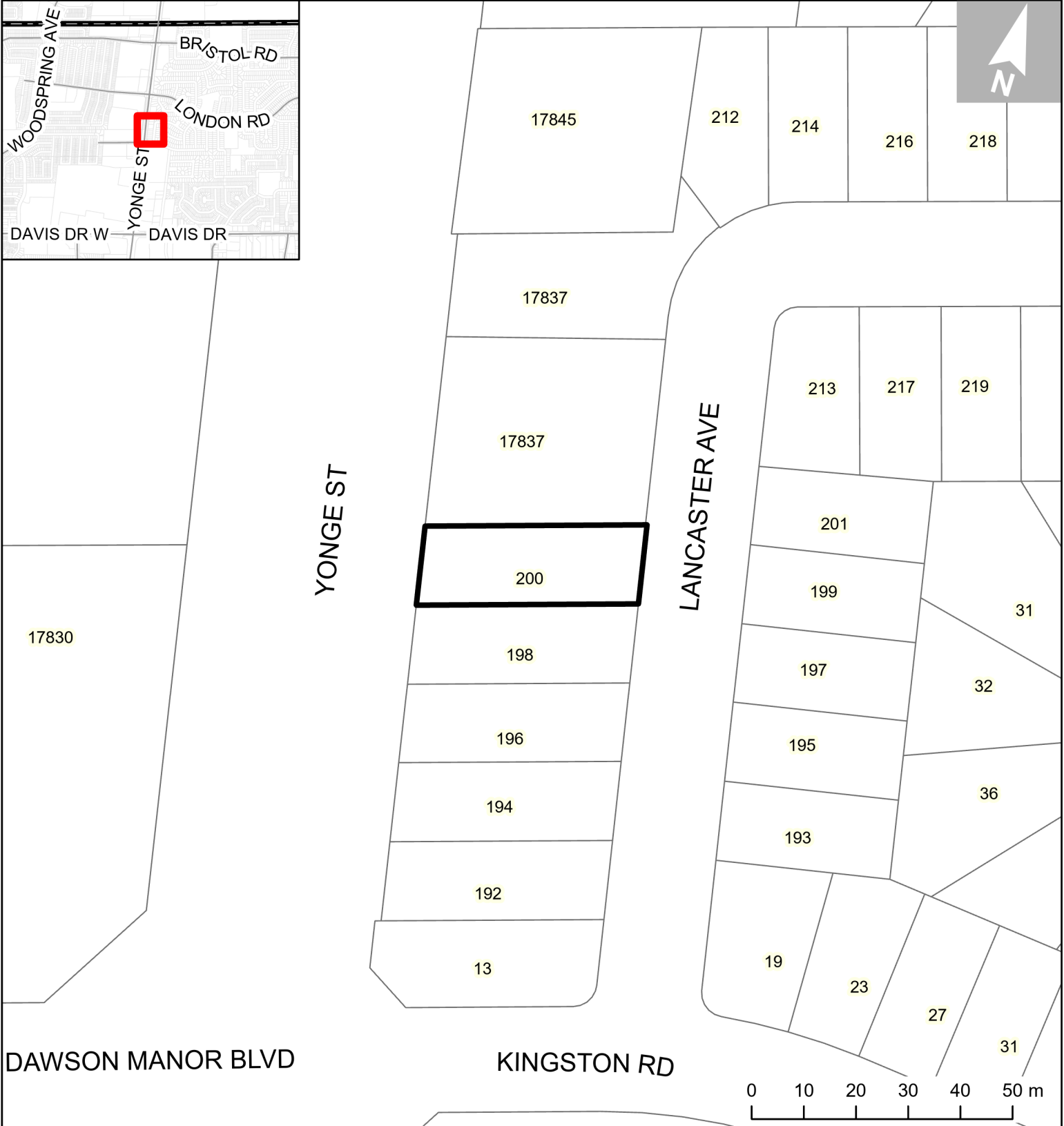
The staff report and proposed amendments are available at newmarket.ca/meetings under Agenda for the October 26, 2020 Committee of the Whole – Electronic. The proposed amendments will be considered by Committee of the Whole on **December 7, 2020**. If you wish to submit input to Council regarding these amendments, please email written comments to clerks@newmarket.ca by Wednesday, December 2, 2020 or make a live remote deputation at the December 7, 2020 meeting.

Additional Information

If you have any questions or require additional information, please contact Phoebe Chow, Senior Planner – Policy, at pchow@newmarket.ca.

Location Map

200 LANCASTER AVE



 Subject Lands

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Information Technology - GIS
Printed: 2020-11-09.

Town-Initiated Technical Amendments to the Urban Centres Secondary Plan and Zoning By-law 2019-06

The Town of Newmarket has initiated technical amendments to the Urban Centres Secondary Plan (Secondary Plan) and Zoning By-law 2019-06. The draft amendments were presented at the July 27, 2020 statutory public meeting and considered by Committee of the Whole on October 26, 2020. Below are some supplementary information regarding the effects of the proposed amendments on 22 Bolton Avenue, 23 Bolton Avenue and 27 Lundy's Lane. The information contained here are intended to provide further details in addition to the staff report and draft amendments available on the Town's website. The statutory public notice requirement for the proposed amendments has been fulfilled.

Proposed Changes to the Urban Centres Secondary Plan

Currently, the southern portions of 22 Bolton Avenue and 27 Lundy's Lane have density permission of "Medium-High" (minimum 4-storeys and maximum 12-storeys; 2.0 to 2.5 FSI), while the northern portions have density permission of "Low Density" (minimum 2-storeys and maximum 6-storeys; 1.5 to 2.0 FSI).

The proposed amendments will revise the Height and Density Schedule of the Urban Centres Secondary Plan to permit "Medium-High" density all the way to the northern limits of both properties (minimum 4-storeys and maximum 12-storeys; 2.0 to 2.5 FSI).

Proposed Changes to Zoning By-law 2019-06

The properties at 22 Bolton Avenue, 23 Bolton Avenue and 27 Lundy's Lane are zoned MU-1, which permits minimum 1.5 FSI to maximum 2.0 FSI in Zoning By-law 2019-06. To be in conformity with the Medium-High Density permissions in the Secondary Plan, which permits 2.0 to 2.5 FSI on these properties, the proposed zoning by-law amendment will rezone these properties to MU-2, which will have the same density permissions as the Secondary Plan.

Upcoming Meeting

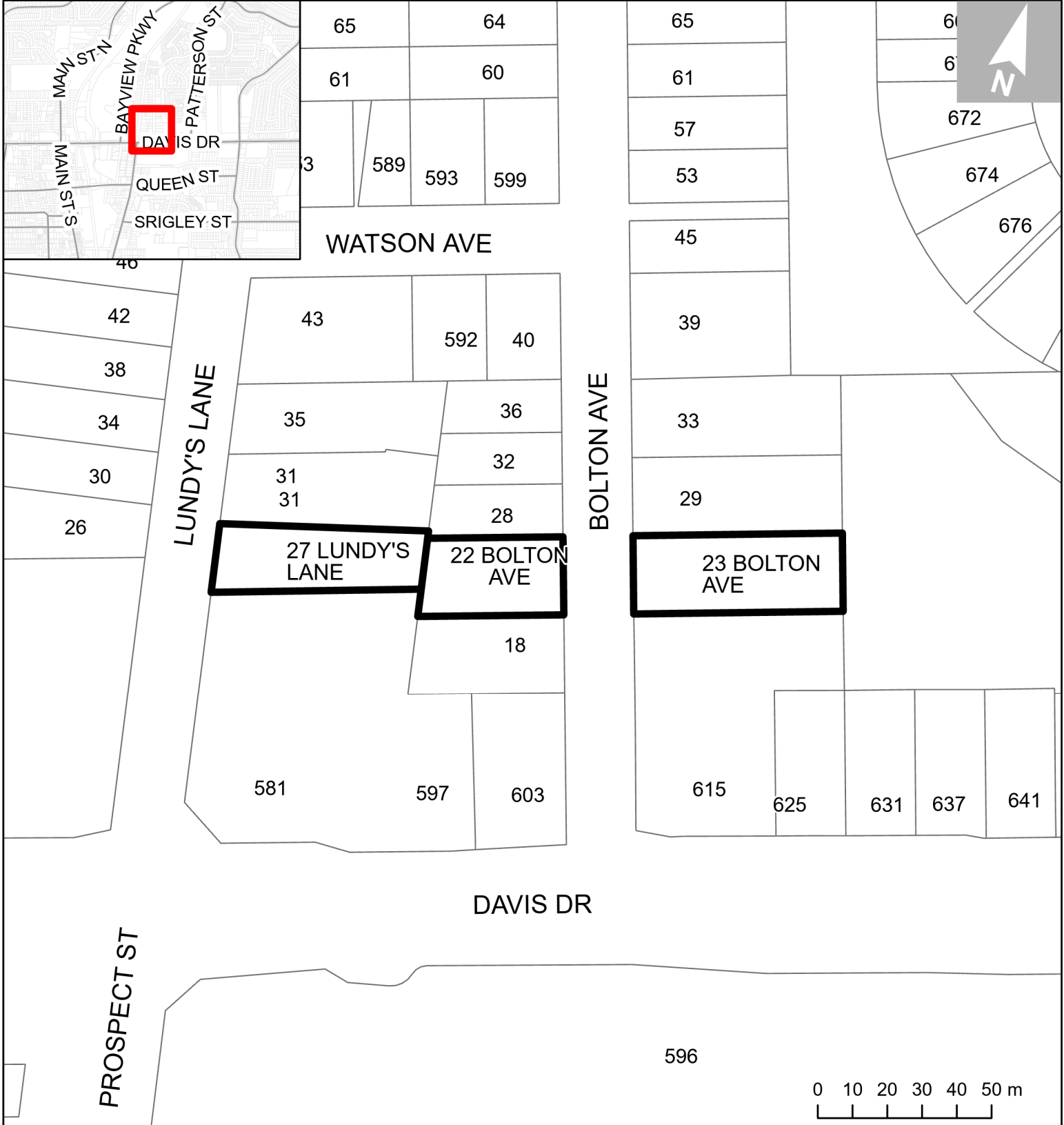
The staff report and proposed amendments are available at newmarket.ca/meetings under Agenda for the October 26, 2020 Committee of the Whole – Electronic. The proposed amendments will be considered by Committee of the Whole on **December 7, 2020**. If you wish to submit input to Council regarding these amendments, please email written comments to clerks@newmarket.ca by Wednesday, December 2, 2020 or make a live remote deputation at the December 7, 2020 meeting.

Additional Information

If you have any questions or require additional information, please contact Phoebe Chow, Senior Planner – Policy, at pchow@newmarket.ca.

Location Map

22, 23 BOLTON AVE and 27 LUNDY'S LANE



Subject Lands

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Printed: 2020-11-09.

Town-Initiated Technical Amendments to the Urban Centres Secondary Plan and Zoning By-law 2019-06

The Town of Newmarket has initiated technical amendments to the Urban Centres Secondary Plan (Secondary Plan) and Zoning By-law 2019-06. The draft amendments were presented at the July 27, 2020 statutory public meeting and considered by Committee of the Whole on October 26, 2020. Below are some supplementary information regarding the effects of the proposed amendments on 432 Davis Drive and 11 Main Street South. The information contained here are intended to provide further details in addition to the staff report and draft amendments available on the Town's website. The statutory public notice requirement for the proposed amendments has been fulfilled.

Proposed Changes to the Urban Centres Secondary Plan

432 Davis Drive and 11 Main Street South are currently designated "Parks and Open Space" in the Urban Centres Secondary Plan and there are no density assigned to those lands. The proposed amendment will update appropriate schedules of the Urban Centres Secondary Plan to redesignate the eastern half of 432 Davis Drive and all of 11 Main Street South as "Mixed Use" to permit Medium Density, which allows building height between 3 and 8 storeys and 1.5 to 2.0 FSI.

Upcoming Meeting

The staff report and proposed amendments are available at newmarket.ca/meetings under Agenda for the October 26, 2020 Committee of the Whole – Electronic. The proposed amendments will be considered by Committee of the Whole on **December 7, 2020**. If you wish to submit input to Council regarding these amendments, please email written comments to clerks@newmarket.ca by Wednesday, December 2, 2020 or make a live remote deputation at the December 7, 2020 meeting.

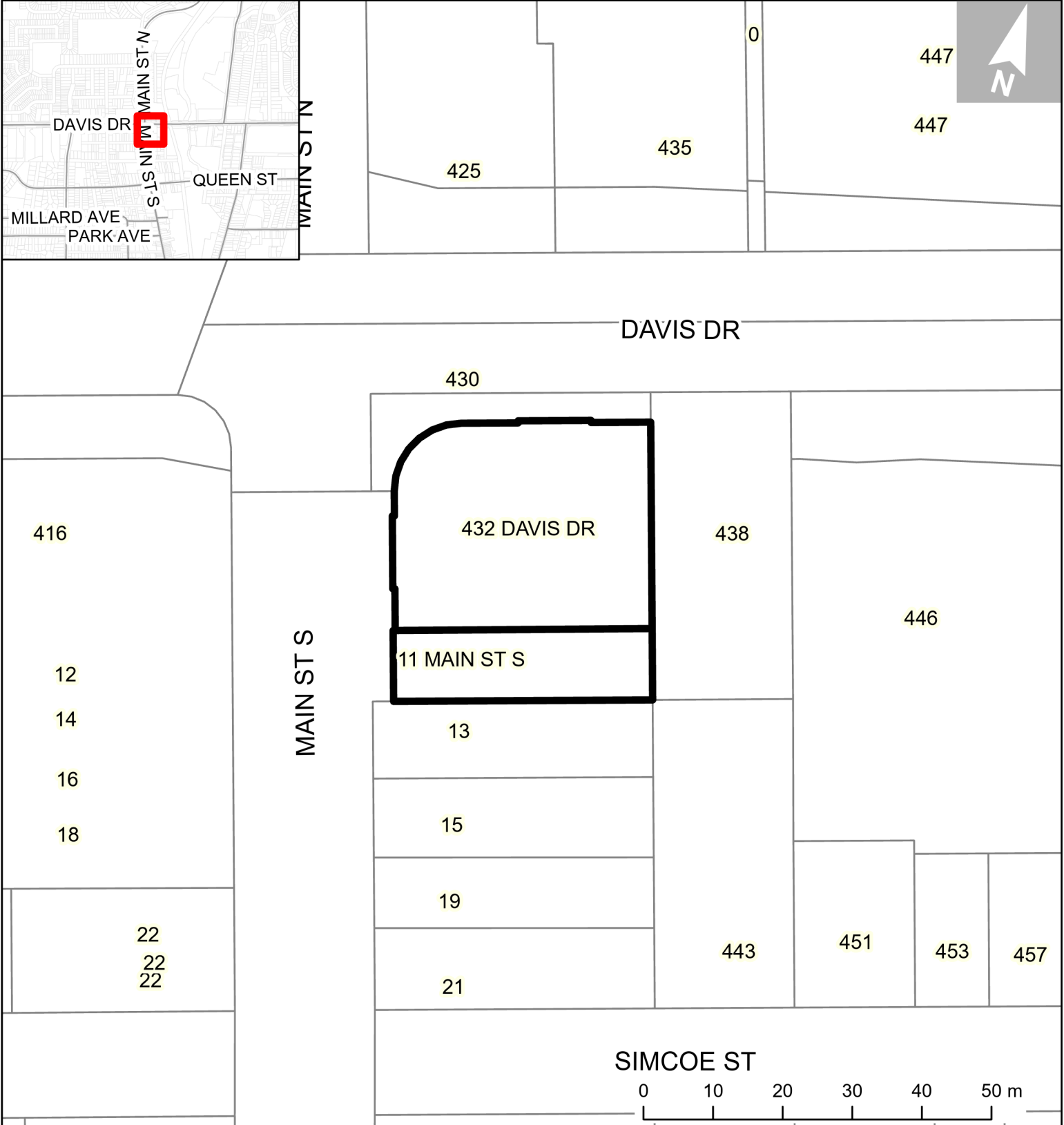
Additional Information

If you have any questions or require additional information, please contact Phoebe Chow, Senior Planner – Policy, at pchow@newmarket.ca.

Attachment: Location Map

Location Map

432 DAVIS DR and 11 MAIN ST S



 Subject Lands

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Printed: 2020-11-09.



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Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations Staff Report to Council

Report Number: 2020-75

Department(s): Planning and Building Services

Author(s): Phoebe Chow, Senior Planner - Policy

Meeting Date: October 26, 2020

Recommendations

1. That the report entitled Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations dated October 26, 2020 be received; and,
2. That the attached Official Plan Amendment No. 25 be adopted; and,
3. That Staff be directed to forward the attached Official Plan Amendment No. 25 to the Regional Municipality of York for approval; and,
4. That upon Regional approval of Official Plan Amendment No. 25, Staff be directed to bring the attached Zoning By-law Amendment to a future Council meeting for approval; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

The Urban Centres Secondary Plan and Zoning By-law came into effect in 2015 and 2019, respectively. The proposed technical amendments are necessary to provide clarity and to correct inconsistencies between and within these documents.

The proposed changes were circulated to internal departments and external agencies for review. The draft amendments were also presented at a Statutory Public Meeting on

July 27, 2020. All comments received have been addressed in this report and/or in the attached Official Plan Amendment and Zoning By-law Amendment.

Purpose

The purpose of this report is to recommend adoption of the attached Official Plan Amendment (OPA No. 25) and to seek Council's direction to forward the same to York Region for approval. In addition, this report also seeks direction from Council that upon the approval of OPA No. 25, staff be directed to bring the attached Zoning By-law Amendment to a future Council meeting for approval.

Background

The Urban Centres Secondary Plan (Secondary Plan) came into effect on April 30, 2015. Subsequently, the Town prepared a zoning by-law for the secondary plan area and Zoning By-law 2019-06 came into effect on June 10, 2019. When applying these policies and zoning provisions to development proposals in the Urban Centres, staff have identified a number of technical amendments that are necessary to implement the vision and intent of the Secondary Plan and Zoning By-law 2019-06. The majority of the proposed changes were outlined in [staff report 2019-85](#). A statutory public meeting was held on July 27, 2020.

Discussion

The proposed Official Plan Amendment and Zoning By-law Amendment are attached to this report as Attachments 1 and 2. The following subsections summarizes the proposed amendments.

Proposed Official Plan Amendment

The proposed changes to the Official Plan (Urban Centres Secondary Plan) are described in Part A - Preamble of OPA No. 25 in Attachment 1. Generally, the proposed changes can be summarized as follows:

- Revise language to align with Provincial and Regional planning documents or to clarify intent of policies;
- Revise designations of certain properties to clarify intended development permissions in supporting the goal of the Secondary Plan;
- Add new policy to permit temporary stand-alone surface parking lots within the Regional Healthcare Centre, subject to the following:
 - Obtaining Council's approval for a temporary zoning by-law;
 - Providing a Built Out Demonstration Plan to show how the development will not preclude full built-out in accordance with the Secondary Plan in the future; and,

- Provide adequate screening from the public street;
- Update schedules to reflect current Lake Simcoe Region Conservation Authority's Floodplain mapping; and,
- Refine land use designations and density permissions for a limited number of identified properties.

Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment (see Attachment 2) can be summarized in Table 1 below:

Table 1 Summary of Proposed Zoning Changes

Clerical
<ul style="list-style-type: none"> • Correct the effective date and by-law number of other by-laws referenced in Section 1.9 Transition Clause and Section 1.10 Repeal of Former By-law sections.
Update definitions and diagrams to clarify terms in the by-law
<ul style="list-style-type: none"> • Update the definition of Floor Space Index to align with the proposed definition of "Land Area" in OPA No. 25, and • Update the diagram that describes the definition of Daylighting Triangle to provide clarity.
Clarify permitted uses, minimum setbacks and parking requirements
<p><u>Permitted Uses</u></p> <ul style="list-style-type: none"> • Add "Place of Assembly" and "Medical Office" as permitted uses in Mixed Use Zone, and • Remove "Convenience Store" as permitted use in Institutional Zone. <p><u>Parking</u></p> <ul style="list-style-type: none"> • Clarify the number of required carpooling parking spaces for non-residential uses; • Add parking requirements for Retirement Residence, and • Clarify that parking spaces can only be permitted in side yard or rear yard for lots front onto Davis Drive or Yonge Street. <p><u>Podium Height</u></p> <ul style="list-style-type: none"> • Clarify podium height requirements based on the overall height of the particular building. <p><u>Setbacks</u></p> <ul style="list-style-type: none"> • Clarify setback requirements from Yonge Street or Davis Drive and in corner lot situation, setback from the other public street, and • Replace and add diagrams to clarify setback requirements.

Revise zoning to conform with the Secondary Plan
<p><u>22 and 23 Bolton Avenue and 27 Lundy's Lane</u></p> <ul style="list-style-type: none"> • Rezone all three properties from “Mixed Use 1 (MU-1) Zone” to “Mixed Use 2 (MU-2) Zone” to be in conformity with the density permission in OPA No. 25. <p><u>460 Davis Drive</u></p> <ul style="list-style-type: none"> • Rezone the northern half of the property from “Mixed Use 1 (MU-1)” to “Open Space 2 (OS-2). The southern half of the property will remain as MU-1 Zone. The proposed zoning will be in conformity with OPA No. 25. <p><u>200 Lancaster Avenue</u></p> <ul style="list-style-type: none"> • Rezone the entire property from “Site-Specific (1) (SS(1)) Zone” to “Mixed Use 1 (MU-1) Zone” to be in conformity with the Mixed Use designation in the Secondary Plan.
Holding Zones
<ul style="list-style-type: none"> • Remove Holding (H) Zone from lands that have been identified in the Secondary Plan in the locations of future private road/laneways.
Update Schedules/Maps
<ul style="list-style-type: none"> • Reflect current Lake Simcoe Region Conservation Floodplain mapping; • Align zoning and height permissions with Secondary Plan Land Use and Density permissions, and • Remove holding provisions on lands that have identified to provide future private street/laneways.

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Conclusion

The proposed amendments to the Urban Centres Secondary Plan and Zoning By-law 2019-06 address a number of technical issues that have been identified since these documents came into effect. The amendments are intended to provide greater clarity and consistency to guide development in the Urban Centres.

Business Plan and Strategic Plan Linkages

- Extraordinary Places and Space
- Vibrancy on Yonge, Davis and Mulock

Consultation

- The proposed draft amendments were circulated to commenting agencies for review.

- The statutory public meeting was held on July 27, 2020.
- Staff met with various landowners and interested parties and gathered their input on the proposed amendments. All comments received to date and staff's recommendations have been summarized in the following subsections.
- As per Council's direction, supplementary information packages were sent to local councillors where the proposed amendments may be of increased interest.

Public Comments

Comments received from members of the public and how they have been addressed are summarized in Table 2 below.

Table 2 Comment Matrix - Public Comments

Comment received	Staff's Recommendation
Do not refine the Natural Heritage Systems (NHS) designation on the Criterion north site (north of Mulock Estate)	The proposed refinement to the NHS designation is to align the designation with the existing zoning. The existing Open Space (OS-3) Zone boundary on the property was based on a Natural Heritage Assessment that determined the limits of the woodland, which was reviewed by the Lake Simcoe Region Conservation Authority. The Natural Heritage Assessment also recommended an additional 3m buffer to be protected. The proposed NHS designation boundary will include the woodland and the 3m buffer.
Revise OPA No. 25 to require new development to <u>address</u> recommendations from the Community Energy Plan in a Sustainability Development Report, instead of requiring new development to <u>implement</u> recommendation from the Community Energy Plan	Staff have no objection to this comment and revision has been made to OPA No. 25.
Provide additional language to clarify uses permitted by the zoning-by are permitted prior to the removal of Holding (H) zone	Staff have no objection to this comment and revision has been made to the draft Zoning By-law Amendment.

Comment received	Staff's Recommendation
Private Street/Laneway policy is overly prescriptive in that it requires new private access to provide connectivity within the Urban Centres	Staff acknowledge that not all private laneways/streets will provide connectivity to adjacent properties. The intent of this policy applies to the private streets/laneways as shown on Schedule 5. Revision has been made to OPA No. 25 to clarify the intent.
Carpooling parking space requirement is overly prescriptive for uses that are smaller in nature. Staff should consider a threshold under which carpooling parking space requirement would not be applicable	Uses that are required to provide carpooling spaces include: financial institution, hospital, library, medical clinic, medical office building, medical/dental laboratory, office, elementary school, secondary school, or post-secondary school. Given the size of these facilities and the parking that would be required, staff is of the opinion that the existing carpooling requirement (minimum of 2 carpooling spaces) can be achieved.

Regional Comments

Regional staff are generally supportive of the proposed OPA. Table 3 below outlines the Region's comments and how they have been addressed.

Table 3 Comment Matrix - Regional Comments

Region's Comment	Staff's Recommendation
Incorporate parking management policies and standards	Parking management policies already existing in the Secondary Plan. No further amendments are required.
Make reference to the Region's Financial Incentives for Complete Communities to promote rental housing	Section 6.4.4 Rental Housing has been amended by adding reference to the Region's incentive program.
Clarify the proposed designations for 432 and 439 Davis Drive	Staff have clarified the proposed designations and Regional staff have no further comments.
Language should be added with respect to Major Transit Station Areas (MTSA)	While staff agrees that MTSA's are important parts of the Urban Centres, it would be more appropriate to include MTSA boundaries and policies after the

Region's Comment	Staff's Recommendation
	Regional Official Plan identifies the MTSA boundaries and policies.

Human Resource Considerations

None

Budget Impact

None

Attachments

Attachment 1 – Proposed Official Plan Amendment No. 25

Attachment 2 – Proposed Zoning By-law Amendment

Submitted by

Phoebe Chow, Senior Planner – Policy

Approved for Submission

Adrian Cammaert, Acting Manager, Planning Services

Jason Unger, Acting Director, Planning and Building Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

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**Amendment No. 25
to the
Town of Newmarket Official Plan**

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3. Schedules

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APPENDIX

Map 1 – Location Map

PART A THE PREAMBLE

The Preamble provides an explanation of the amendment, including the location and purpose of the proposed amendment, basis of the amendment and a summary of the changes to the Town of Newmarket Official Plan, but does not form part of this amendment.

1. Purpose of the Amendment

The purpose of this amendment is to amend policies and schedules of Section II of the Town of Newmarket Official Plan (OPA No. 10), also known as the Newmarket Urban Centres Secondary Plan (Secondary Plan) to:

- Clarify the original intent of the policies;
- Implement recommendations of recently approved planning documents;
- Update land use permissions or requirements to address inconsistency between policies; and
- Resolve mapping inconsistencies.

2. Location

The proposed amendments are made to the text and schedules of the Secondary Plan and are applied to the Secondary Plan area as shown on Map 1 to this amendment.

3. Basis

The majority of the Secondary Plan came into effect on April 30, 2015 save and except sections that were appealed to the Local Planning Appeal Tribunal (LPAT) (formerly Ontario Municipal Board). All appeals were subsequently dealt with by the LPAT and the Secondary Plan came into full force and effect on October 18, 2018. Since then, staff have identified a number of technical anomalies that should be addressed to guide development in the Secondary Plan area. More specifically, the proposed amendments aim to clarify intent of policies and schedules of the Secondary Plan and to achieve greater alignment between various sections of the Secondary Plan. In addition, Council has adopted other planning documents since 2015 which also necessitate changes to the Secondary Plan.

Item 1 Section 5.0 Land Use

- Revise the designation “Neighbourhood Parks and Open Space” to “Parks and Open Space” to be consistent with the term used in all schedules;
- Replace the term “natural heritage areas” with “Lands within the Natural Heritage System and identified significant natural heritage areas” to align with Provincial and Regional planning documents; and

- Revise Policy 5.3.4(ii)(e) Regional Shopping Centre Study Area to recognize the Mobility Hub Study has been completed and integration of transit to the GO bus terminal is no longer applicable.

Item 2 Section 6.4 Development Policies

- Amend Policy 6.4.4(i) Rental Housing to reference York Region’s Financial Incentives for Complete Communities, and
- Remove Policy 6.4.5(vi) General Building Height and Density (which speaks to where there is discrepancy between number of storeys and height in metres, height in metres identified on Schedule 4 shall prevail) because it is no longer needed. Numerical height values (metres) is proposed to be removed from Schedule 4 as part of this amendment.

Item 3 Section 7.3 Urban Design Policies

- Amend Policy 7.3.4(iv) Low-rise Residential Buildings to clarify which lot line setback shall be taken from;
- Revise Policy 7.3.5(i) High and Mid-rise Buildings to clarify that new public space or publicly accessible private space will be required as part of high and mid-rise development in accordance with the Town’s Parkland Dedication By-law;
- Delete Policy 7.3.5.1(vi) from the Podium section as the policy does not relate to podiums;
- Incorporate the term “district energy ready” and “electric vehicle ready” in Policies 7.3.7(xi) and (xii) to align with the adopted Community Energy Plan; and
- Add a policy and associated criteria to Section 7.3.12 to permit temporary surface parking area on lands fronting onto Davis Drive within the Regional Healthcare Centre.

Item 4 Section 8.3 Block Structure and Street Network Policies

- Amend Section 8.3.3 and Table 2 to reflect appropriate right-of-way width requirements, and
- Amend Section 8.3.4 to clarify that reduction of private laneway width may be permitted and the main purpose of private laneway is to provide access to properties that front onto Yonge Street or Davis Drive.

- Item 5 Section 8.3.7 North/South and East/West Network Study
- Amend Policy 8.3.7(i) to state that a north/south and east/west study road network study may be conducted in the future, separate from the Mobility Hub Study, while acknowledging that the study may draw from the Mobility Hub Study’s findings.
- Item 6 Section 9.3.3 Newmarket GO Rail Mobility Hub Study Area
- Revise Policy 9.3.3(ii) to recognize the completion of the Mobility Hub Station Area Plan and delete Policy 9.3.3(iii) as it is no longer required.
- Item 7 Section 10.0 Parks, Open Space and Natural Heritage
- Update designation of “Neighbourhood Parks and Open Space” to “Parks and Open Space” to be consistent with all schedules;
 - Replace the term “natural heritage areas” with “lands within the Natural Heritage System and identified significant natural heritage areas” to align with Provincial and Regional planning documents;
 - Specify in Policy 10.3.1(i) that parks and open space required for development in the Urban Centres shall be provided in accordance with the Town’s Parkland Dedication by-law;
 - Replace the term “urban squares” in Policy 10.3.1(v) with “open space”; and
 - Remove reference to “pioneer village” in Policy 10.3.2(ii)(c).
- Item 8 Section 13.3.4 Energy and Underground Utilities Policies
- Amend Policy 13.3.4(i) to acknowledge the completion of Community Energy Plan and that development applications must address applicable recommendations from the Community Energy Plan in Sustainable Development Reports
- Item 9 Section 16 Deferral
- Add 460 Davis Drive to Deferrals
- Item 10 Section 17.0 Glossary
- Add a definition for the term “District Energy Ready”
 - Add a definition for the term “Electric Vehicle Ready”, and

- Revise the definition of “Land Area” to exclude public streets conveyed to the Town or the Regional Municipality of York and parkland dedicated to the Town or a public authority as part of the Floor Space Index (FSI) calculation to incentivize these benefits.

Item 11 Schedule 3: Land Use

The following changes are proposed to Schedule 3: Land Use to provide updated mapping information, align with approved planning documents, provide clarity and recognize physical site conditions:

- Incorporate the updated 2019 floodplain mapping from the Lake Simcoe Region Conservation Authority (LSRCA);
- Remove the driveway at the Tannery Mall which was shown as local road;
- Remove the eastward extension of Penn Avenue from Main Street North to the driveway at Tannery Mall;
- Replace “Future Local Road” connection at Hillview Drive and Davis Drive with a Pedestrian Mews Connection symbol. The Future Local Road connection has been deemed unsuitable due to steep grades in the area;
- Rename “Planned Viva Rapidway Station” with “Existing and planned vivastation/curbside vivastation” to recognize that some stations have been constructed;
- Correct land use designation at 11 Main Street South from Parks and Open Space to Mixed Use;
- Refine limits of Parks and Open Space designation and Mixed Use designation for property at southeast corner of Main Street and Davis Drive;
- Update Natural Heritage System limits;
- Replace conceptual mobility hub station study area with the Newmarket GO Station Mobility Hub Study boundary;
- Refine the extent of the Parks and Open Space designation at 460 Davis Drive to the northern half of the property and redesignate the southern half of the property to Mixed Use, and
- Add “Subject to Section 16.0 Deferrals” at 460 Davis Drive.

Item 12 Schedule 4: Height and Density

In addition to changes listed in Item 11, which are also applicable to Schedule 4: Height and Density, the following changes are proposed to Schedule 4: Height and Density to provide clarity and allow appropriate flexibility in setting height permissions:

- Remove numeric height values (metres) as shown in Schedule 4 as exact value in metres are appropriate to be governed in zoning by-laws;
- Remove the portion of Franklin Street that does not exist;
- Extend Medium-High Density Designation to include full extents of 22 Bolton Avenue and 27 Lundy's Lane;
- Refine limits of Medium Density permission on property at the southeast corner of Main Street and Davis Drive, and
- Correct mapping at 11 Main Street South from Parks and Open Space to Medium Density.

Item 13 Schedule 5: Street Network

In addition to changes listed in Item 11, which are also applicable to Schedule 5: Street Network, the following changes are proposed to Schedule 5: Street Network:

- Remove the portion of Franklin Street that does not exist;
- Add "Existing Signal" symbol at existing entrance to the Upper Canada Mall on Yonge Street, north of the red "potential" light;
- Add "Potential Future Assessment for Signal" symbol at the intersection of Penn Avenue and Main Street North;
- Revise limits of green space for property at southeast corner of Main Street and Davis Drive to reflect revised designation as noted in Items 10 and 11;
- Remove green space at 11 Main Street South to reflect revised designation as noted in Items 10 and 11, and
- Add "Subject to Section 16.0 Deferrals" to 230 Davis Drive.

Item 14 Schedule 6: Parks, Open Space and Natural Heritage

In addition to changes listed in Item 11, which are also applicable to Schedule 6: Parks, Open Space and Natural Heritage, the following change are proposed to Schedule 6: Parks, Open Space and Natural Heritage for consistency purposes:

- Correct the “NP/OS” symbol to the corresponding label in the legend;
- Revise limits of green space for property at southeast corner of Main Street and Davis Drive to reflect revised designation as noted in Items 10 and 11;
- Remove green space at 11 Main Street South to reflect revised designation as noted in Items 10 and 11, and
- Add “Subject to Section 16.0 Deferrals” to 230 Davis Drive.

PART B THE AMENDMENT

The Amendment describes the additions, deletions and/or modifications to the Town of Newmarket Official Plan and constitutes Official Plan Amendment No. 25.

1. Format of the Amendment

Official Plan Amendment No. 25 consists of the following proposed modifications to the text and Schedules to Section II of the Newmarket Official Plan, also known as Newmarket Urban Centres Secondary Plan (Secondary Plan). Sections and Schedules of the Secondary Plan proposed for modifications are identified as “**Items**”.

Where additions to the existing text are proposed, they are identified in “**bold**”. Where the text is proposed to be deleted, it is shown in “~~striketrough~~”. Where appropriate, unchanged text has been included for context and does not constitute part of Official Plan Amendment No. 25.

2. Details of the Amendment

Item 1 Section 5.0 Land Use

- a) Revise land use designation “Neighbourhood Parks and Open Space” in Section 5.1 Introduction to “Parks and Open Space”.
- b) Revise the second last sentence in the last paragraph of Section 5.1 Land Use – Introduction as follows:

“Land uses within the Urban Centres also include potential school sites, a parks and open space system, and ~~natural heritage lands~~ **lands within the Natural Heritage System and identified significant natural heritage areas.**”
- c) Revise Policy 5.3.4(ii)(e) Regional Shopping Centre Study Area as follows:

“~~mobility hub study considerations including, but not limited to,~~ findings and recommendations in the *mobility hub study* including, but not limited to, integration of transit into the site and/or between this site and the Yonge-Davis **Drive** Rapidway, the ~~GO Bus~~ **Terminal** and GO-train Station in accordance with the Metrolinx Mobility Hub Guidelines;”
- d) Revise heading of Policy 5.3.6 to ~~Neighbourhood~~ **Parks and Open Space**.

Item 2 Section 6.4 Development Policies

- a) Revise Policy 6.4.4 Rental Housing as follows:

“Development of new rental accommodation will be promoted **through programs such as the Region’s Financial Incentives for Complete Communities to incentivize purpose-built rental housing**, and the retention of existing medium and high density rental housing stock will be encouraged in accordance with Policy 3.10.2 of the Official Plan.”

- b) Delete Policy 6.4.5(vi) General Building Height and Density and renumber subsequent policies.

Item 3 Section 7.3 Urban Design - Policies

- a) Revise Policy 7.3.4(iv) Low-rise Residential Buildings as follows:

“Where at-grade residential ~~buildings~~ **units** front on a public or private street, setbacks of a minimum of 3 metres and a maximum of 5 metres from the property line will be required ~~to provide for a front yard transition between the front doors of private residences and the public sidewalk~~. The setback area should be designed to contain low decorative fencing and/or landscaping to distinguish the private space. Where lands are dedicated to the Town for the future burying of hydro, the setback is subject to Policy 13.3.4.”

- b) Revise Policy 7.3.5(i) High and Mid-rise Buildings as follows:

“Where *high* or *mid-rise* buildings are permitted, new public or publicly accessible private spaces such as parks, urban squares and plazas or forecourts will be required to be provided as part of the development **in accordance with the Town’s Parkland Dedication By-law.**”

- c) Delete Policy 7.3.5.1(vi) Podiums.

- d) Revise Policy 7.3.7(xi) Sustainability as follow:

“All commercial, institutional, mixed use and multi-unit residential buildings are encouraged to ~~consider options for district energy, and design features that would enable the future implementation of district energy~~ **be district energy ready and electric vehicle ready.**”

- e) Revise Policy 7.3.7(xii) Sustainability as follows:

“Applications for development in the Urban Centres will be required to include a Sustainable Development Report that describes how the applicant has endeavoured to incorporate any or all of the following, as deemed appropriate and applicable through the pre-application consultation process:

- a) energy efficiency measures;
- b) water conservation measures;
- c) *alternative energy* use and *Solar design strategy*;
- d) heat Island mitigation;
- e) indoor air quality enhancement;
- f) *Low Impact Development* (LID) stormwater management; ~~and~~
- g) solid and construction waste reduction and management-;
- h) **the level to which a proposed development is *district energy ready* or *electric vehicle ready* (if applicable).**”

- f) Add the following as Policy 7.3.12(ii) after Policy 7.3.12(i) Parking Facility Design and renumber subsequent policies:

“Notwithstanding Policy 7.3.12(i), surface parking may be permitted on lots fronting onto Davis Drive in the Regional Healthcare Centre character area as delineated in Schedule 2, provided that:

- a) **the surface parking area is temporary in nature and subject to a temporary use by-law;**
- b) **the applicant shall submit a *Built Out Demonstration Plan* as part of a temporary use by-law application; and**
- c) **the surface parking area is adequately screened from public street to the satisfaction of York Region and the Town.”**

Item 4 Section 8.3 Block Structure and Street Network

- a) Revise Policy 8.3.3(i) Minor Collectors and Local Roads as follows:

“New or upgraded streets identified as Minor Collectors on Schedule 5 will be designed with a mid-block right-of-way of a minimum of 20-~~23~~ **26** metres, with potential for increased ROW at intersections.”

- b) Revise Policy 8.3.3(ii) Minor Collectors and Local Roads as follows:

“New streets identified as Local Roads in Schedule 5 will be designed with a mid-block right-of-way of a minimum of 18-~~23~~ **21** metres, with potential for increased ROW at intersections.”

- c) Revise Policy 8.3.4(i) Private Roads/Lanes as follows:

“Private roads/lanes shown on Schedule 5 will generally be designed with minimum mid-block rights-of-way of approximately 16 metres. Any reductions in the planned width **may be permitted provided it is would require demonstration demonstrated**, to the satisfaction of the Town, that the planned function of the private street for vehicular and pedestrian access will be achieved.”

- d) Revise Policy 8.3.4(ii) Private Roads/Lanes as follows:

“In addition to the street network shown on Schedule 5, new private streets, laneways and pedestrian linkages may be required to support development and facilitate traffic and pedestrian circulation in the Urban Centres. Private streets, laneways and pedestrian linkages associated with new development **as shown on Schedule 5** will be designed to provide additional connectivity within the Urban Centres, **where appropriate**, and to **reduce vehicular movements provide access to properties that front onto Yonge Street and or Davis Drive**. This may require coordination across adjacent parcels as well as public easements to ensure continued access.”

- e) Revise Table 2: Right-of-way Requirements for Streets in the Urban Centres as follows:

Road Classification	Minimum ROW (mid-block section)
Minor Collector – Double Loaded with no on-street parking and with bike facility on the boulevard	22 – 25 metres
Minor Collector – Double Loaded with on-street parking on one side and with bike facility on the boulevard	24.6 – 28 23 metres
Minor Collector – Double Loaded with on-street parking on both sides and with bike facility on the boulevard	26 metres
Minor Collector – Single Loaded with no on-street parking and bike facility on the boulevard	20 – 24 metres

Local Street with no on-street parking and bike sharrow	18 –20 metres
Local Street with on-street parking on one side and bike sharrow	20.6 – 23 21 metres
Private Street or Laneway	Approx. 16 metres

Item 5 Section 8.3.7 North/South and East/West Network Study

Revise the last sentence in Policy 8.3.7(i) as follows:

“The study will include a detailed analysis to identify a preferred option for a direct connection between Prospect Street and Bayview Parkway and any necessary modifications to signalized intersections. ~~The study may be conducted in parallel with the Mobility Hub Station Area Plan referred to in Policy 9.3.3,~~ **Findings from the Mobility Hub Station Area Plan referred to in Section 9.3.3 may be used to inform the study.**”

Item 6 Section 9.3.3 Newmarket GO Rail Mobility Hub Station Area

a) Revise the first paragraph of Policy 9.3.3(ii) as follows:

“The Town of Newmarket ~~will encourage with Metrolinx to partner with the Town, the Region and other relevant partners to~~ **have** prepared a Mobility Hub Station Area Plan for the area around the Newmarket GO Rail Station, as **delineated** in Schedules 3, 4, 5 and 6. The Mobility Hub Station Area Plan ~~should~~ **has addressed as a minimum,** the following:”

b) Revise item d) under Policy 9.3.3(ii) as follows:

“integration between the GO Rail Station, the Rapidway, the future GO bus services and the ~~GO Bus Terminal;~~”

c) Delete Policy 9.3.3(iii).

Item 7 Section 10.0 Parks, Open Space and Natural Heritage

a) Revise the second bullet in the second last paragraph of Section 10.1 Parks, Open Space and Natural Heritage – Introduction as follows:

~~“7.2 hectares of new Neighbourhood Parks (excluding Natural Heritage Areas~~ **lands within Natural Heritage System and identified significant natural heritage areas**, floodplain and stormwater management ponds); and”

- b) Revise Policy 10.3.1(i) as follows:

“Development in the Urban Centres will provide for a parks and open space system that contributes to, enhances and connects to the broader parks and open space system **in accordance with the Town’s Parkland Dedication By-law.**”

- c) Remove reference to “pioneer village” in the fourth sentence in Policy 10.3.2(ii)(c) Neighbourhood Parks as follows:

“Consideration may be given to cultural heritage and civic uses ~~including, but not limited, to a pioneer village.~~”

- d) Revise Policy 10.3.1(v) as follows:

“In addition to the Parks and ~~Urban Squares~~ **Open Space** identified on Schedule 6, additional Neighborhood Parks and ~~Urban Squares~~ **Open Space** or enlargements to those identified on Schedule 6 will be achieved through parkland dedication in conjunction with development applications, in accordance with the Town’s Parkland Dedication By-law.”

Item 8 Section 13.3.4 Energy and Underground Utilities

Revise Policy 13.3.4(i) under Energy as follows:

“The Town ~~will~~ **has** developed a Community Energy Plan ~~that will include the Urban Centres.~~ **Applications for development within the Urban Centres shall address applicable recommendations of the Community Energy Plan in a Sustainable Development Report.**”

Item 9 Section 16.0 Deferrals

Add the following as Deferral 3:

3. 460 Davis Drive

The proposed Mixed Use designation for the southern portion of the lands known as 460 Davis Drive is deferred. Until the designation is established in the Secondary Plan through a site specific amendment, the Parks and Open Space designation at the time of the approval of the Secondary Plan and the applicable provisions in the Zoning By-law in effect at the time of the approval of OPA No. 25, shall apply.

Item 10 Section 17.0 Glossary

- a) Add the following definition of “District Energy Ready”:

“District Energy Ready – The physical structuring of buildings and internal areas as to enable future connection to a district energy system with minimal additional cost to the building owner.”

- b) Add the following definition of “Electric Vehicle Ready”:

“Electric Vehicle Ready – The inclusion of electric vehicle supply equipment rough in that conforms to section 86 of the electrical safety code to enable future installation of electric vehicle charging stations with minimal additional cost to the building owner.”

- c) Revise the definition of “Land Area” as follows:

“The land area to be used for calculating FSI shall include all land used for:

- buildings;
- off-street parking and servicing areas;
- **public streets conveyed to the Town or the Regional Municipality of York;**
- **parks and open space dedicated to the Town;**
- private streets and driveways;
- lands conveyed to the Town for underground hydro in accordance with Policy 13.3.4; and
- private landscaped areas, including private squares that are designed to be used by the public

but shall exclude all land used for:

- ~~public streets;~~
- ~~parks and open space that is dedicated to the Town;~~
- ~~natural heritage areas~~ **lands within the Natural Heritage System and identified significant natural heritage areas;**
- Floodplain and Hazard Lands, unless development exists or has been permitted by the Lake Simcoe Region Conservation Authority,
- schools; and
- public infrastructure such as hydro facilities and pumping stations.”

Item 11 Schedule 3: Land Use

Delete Schedule 3: Land Use and replace with the attached Schedule A to this amendment as Schedule 3 to the Secondary Plan.

Item 12 Schedule 4: Height and Density

Delete Schedule 4: Height and Density and replace with the attached Schedule B to this amendment as Schedule 4 to the Secondary Plan.

Item 13 Schedule 5: Street Network

Delete Schedule 5: Street Network and replace with the attached Schedule C to this amendment as Schedule 5 to the Secondary Plan.

Item 14 Schedule 6: Parks, Open Space & Natural Heritage

Delete Schedule 6: Parks, Open Space & Natural Heritage and replace with the attached Schedule D to this amendment as Schedule 6 to the Secondary Plan.

4. Schedules

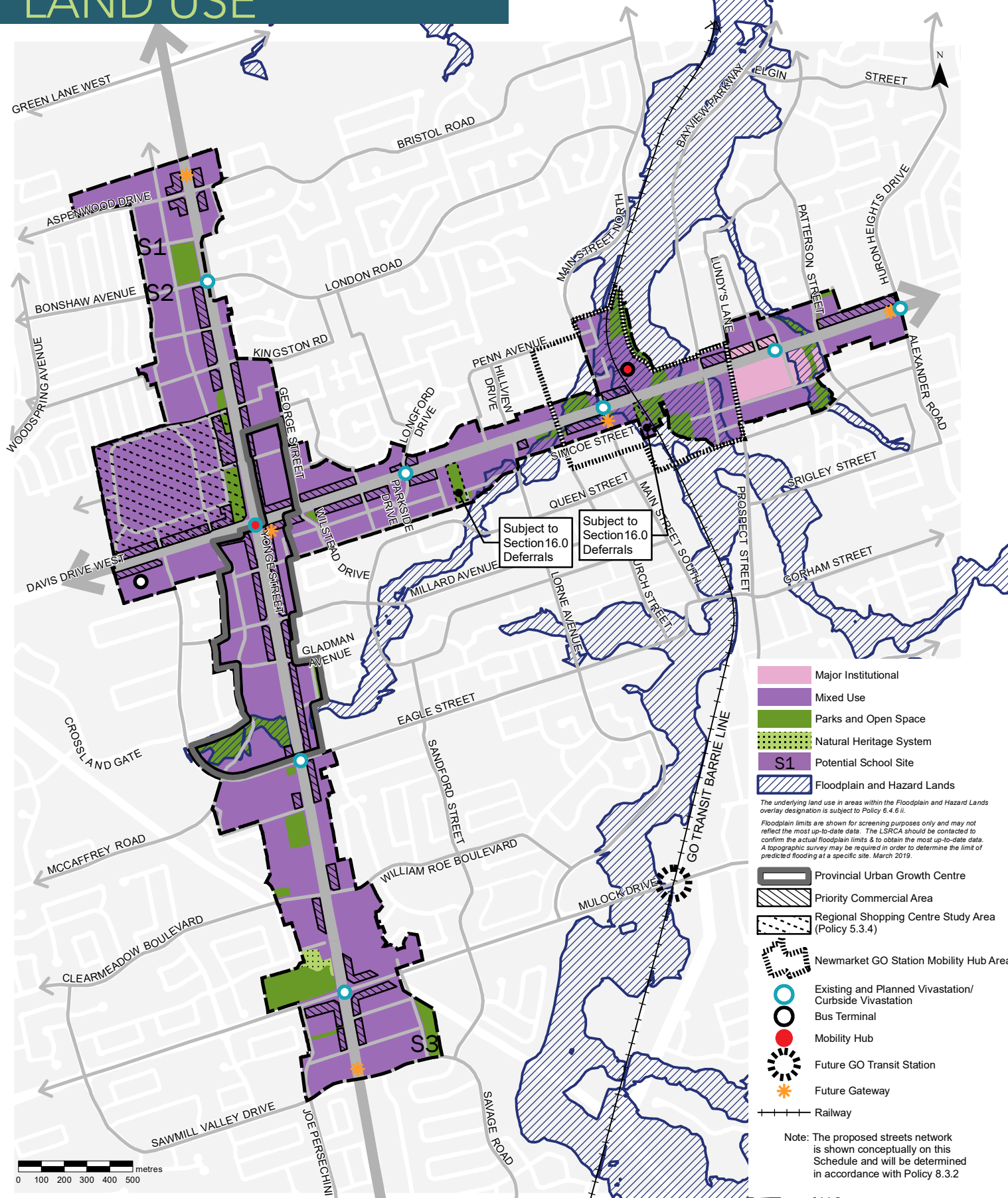
Schedule A – Schedule 3: Land Use

Schedule B – Schedule 4: Height and Density

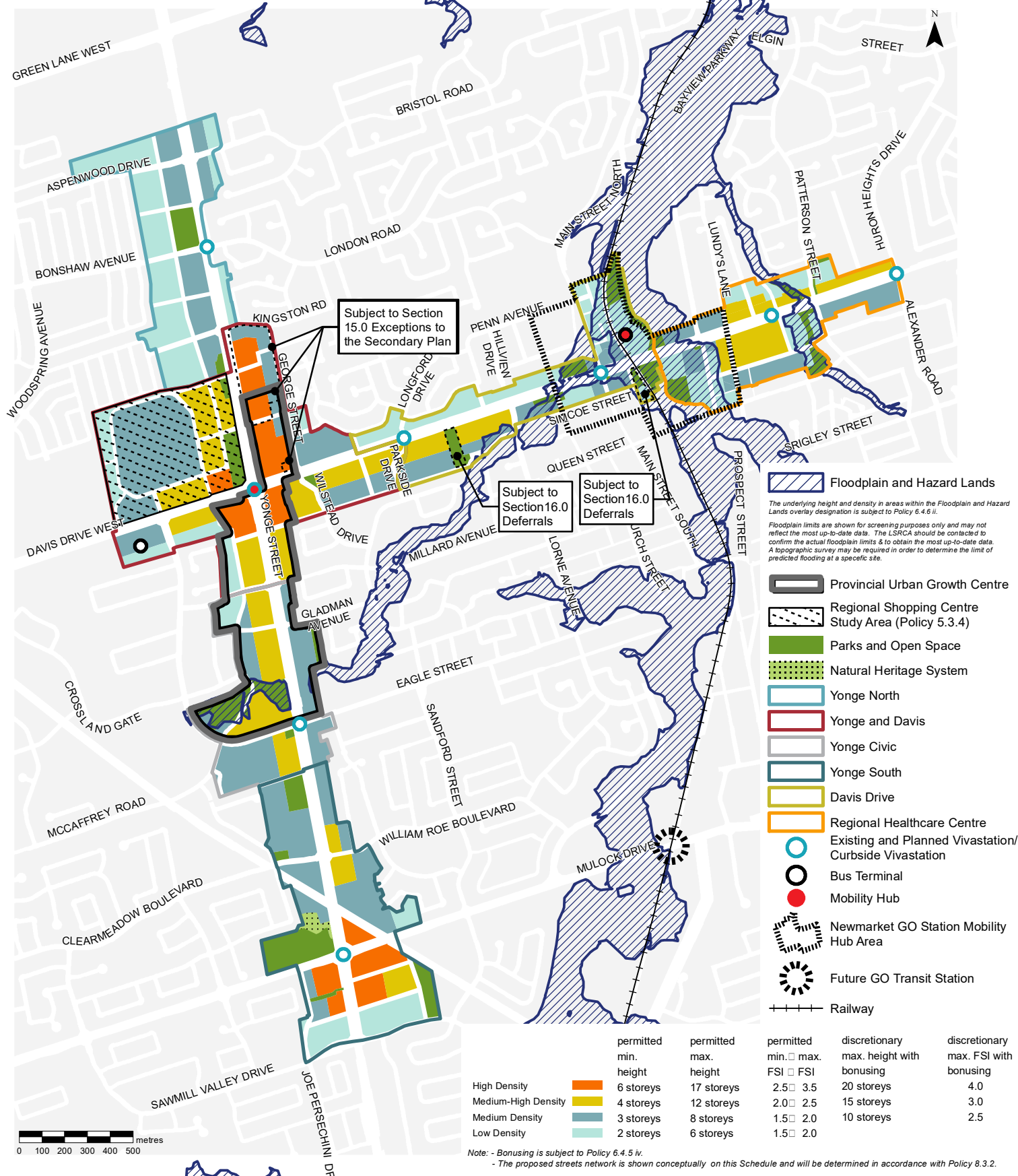
Schedule C – Schedule 5: Street Network

Schedule D – Schedule 6: Parks, Open Space & Natural Heritage

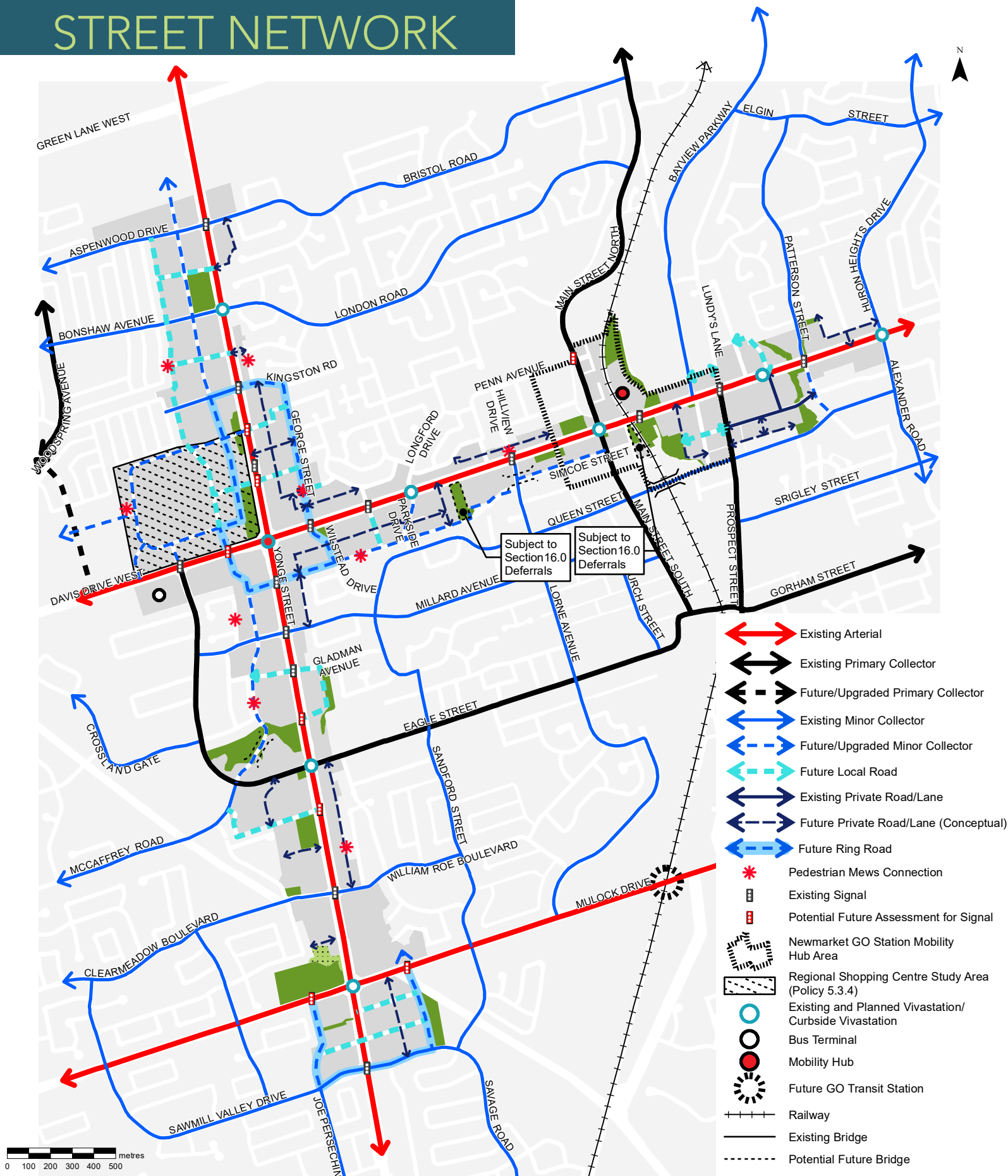
SCHEDULE 3: LAND USE



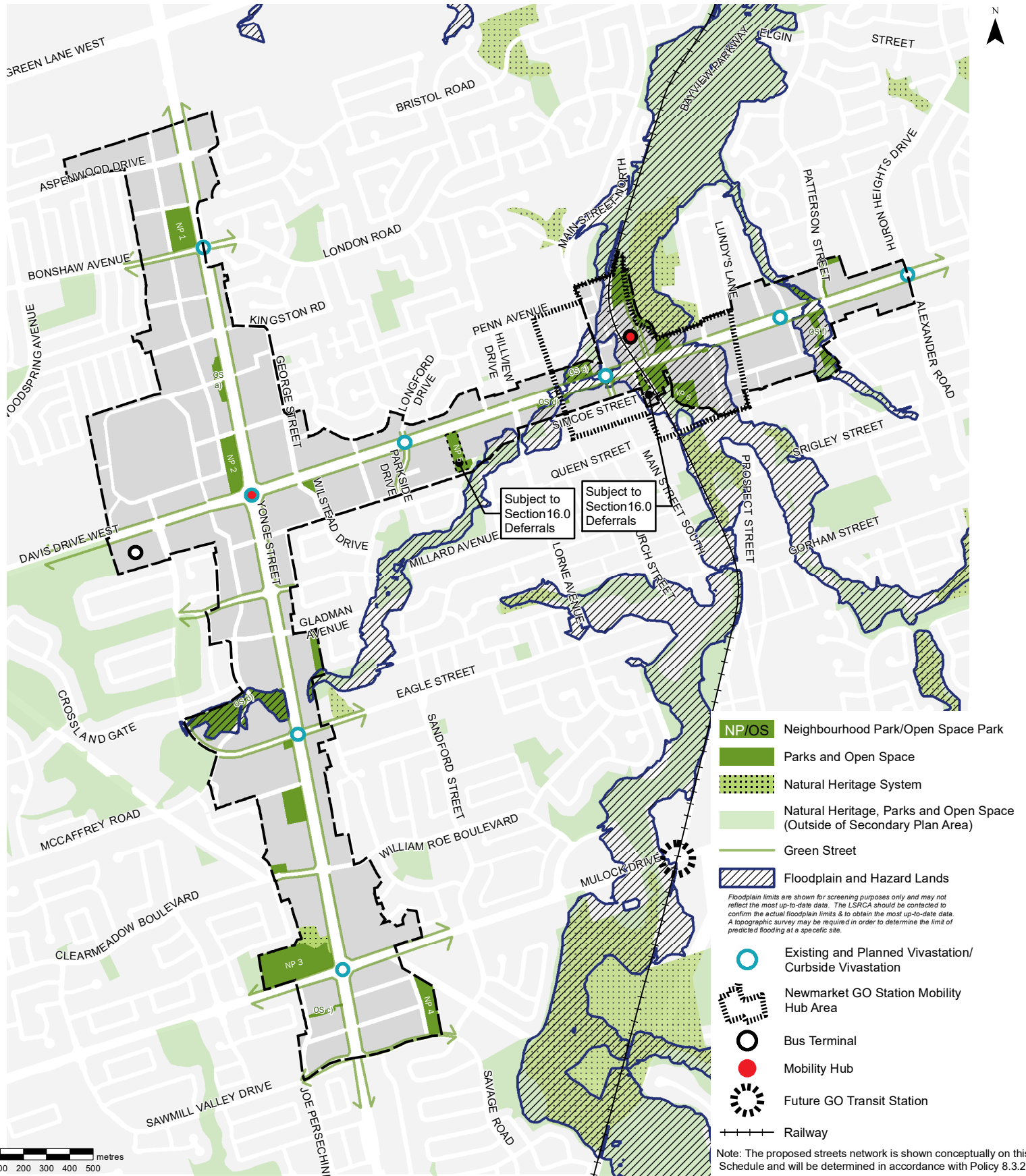
SCHEDULE 4: HEIGHT AND DENSITY



SCHEDULE 5: STREET NETWORK

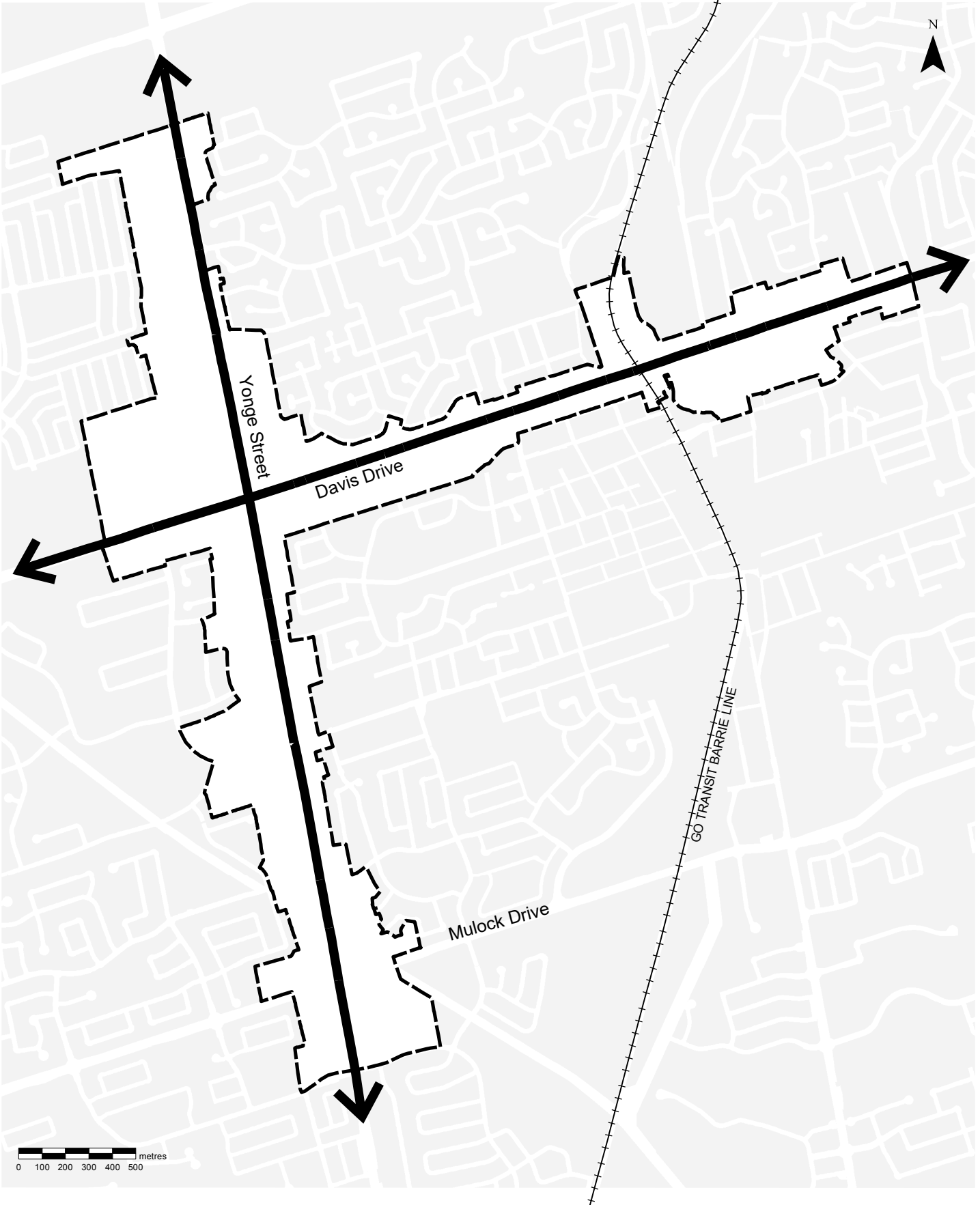


SCHEDULE 6: PARKS, OPEN SPACE & NATURAL HERITAGE



Appendix to OPA No. 25

Map 1 - Location Map



Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to amend By-law Number 2019-06 being a zoning by-law for the Urban Centres Secondary Plan area (Technical Amendment).

Whereas it is deemed advisable to amend By-law Number 2019-06;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That By-law Number 2019-06 is hereby amended by:

- a. Deleting the year “2017” in Provision 1.9.2 iii)a) Minor Variance Applications replacing it with “2018”.
- b. Revising the date “September 4th, 2018” in Provision 1.9.3 iii)b) to “September 24th, 2018”.
- c. Revising the by-law number “1989-96” in Provision 1.10 i)b) to “1981-96”.
- d. Deleting Diagram 3-6 under definition of Daylighting Triangle in Section 3 Definitions and replacing it with the diagram shown in Schedule 1 to this by-law.
- e. Adding the following text to the definition of Floor Space Index in Section 3 Definitions:

“For the purpose of calculating Floor Space Index, the following lands shall be excluded from *lot area*:

- Natural Heritage System and identified significant natural heritage areas;
- Floodplain and Hazard Lands, unless development exists or has been permitted by the Lake Simcoe Region Conservation Authority, and
- Public infrastructure such as hydro facilities and pumping stations.

For greater certainty, lands used for the following purposes shall be included as part of *lot area* when calculating Floor Space Index:

- off-street parking and servicing areas;
- private streets and driveways;
- public streets conveyed to the Town or the Regional Municipality of York;
- parks and open space dedicated to the Town or a public authority;
- lands conveyed to the Town for underground hydro
- private landscaped areas, including private squares that are designed to be used by the public.”

- f. Deleting the definition of “Width of Driveway” in Section 3.

- g. Deleting the words “which is designated on Schedule “F” to this By-law” in Section 4.12 Planned Width of Street Allowance and replacing them with the word “that”.
- h. Adding *Retirement Residence* to Section 5.3.1.2 Parking Standards – Non-Residential Uses and adding the following Minimum Off-Street Parking Requirement and Maximum Off-Street Parking Requirement for *Retirement Residence*:

Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
<i>Retirement Residence</i>	0.5 <i>parking space</i> per unit plus 0.25 <i>parking spaces</i> per unit for visitor	1.0 parking space per unit plus 0.25 parking spaces per unit for visitor

- i. Deleting the text in Section 5.3.1.4 Carpooling Parking Space for certain Non-residential Uses and replacing with the following:

“Notwithstanding Section 5.3.1.2 of this By-law, the required parking for developments involving *financial institution, hospital, library, medical clinic, medical office building, medical/dental laboratory, office, elementary school, secondary school, or post-secondary school* uses must provide carpooling *parking spaces* at a rate of 5% of the total required parking supply for any of these non-residential uses, but shall not be less than 2.0 spaces.”
- j. Adding “*Place of Assembly*” and “*Medical Office*” as permitted uses under Non-Residential Uses in Table 6.2.2.1 Mixed Use Zone Permitted Uses.
- k. Deleting the text of footnote 4 under Section 6.2.2.1 and replacing it with the following:

“Stand-alone surface *parking lot* shall not be located on *lots* that front onto Yonge Street or Davis Drive. Where a stand-alone surface *parking lot* is permitted, it shall be subject to Section 5.4.1 of this By-law.”
- l. Deleting the words “38.0 metres” after “at least 66% of the *Building* frontage above the” in Provision 6.2.4.2(ii)(a) Height – Podiums and replacing it with “podium height”.
- m. Deleting the text in Provision 6.2.4.2(ii)(b) Height – Podiums and replacing it with the following:

ii)b) “If a *building* with a height greater than 26.0 metres but less than 38.0 metres contains a podium, the podium shall not exceed 17.0 metres in height and the *building* above the podium shall be set back a minimum of 1.5 metres from the edge of the podium for a length of at least 66% of the *building* frontage above the podium height adjacent to the *public street*.”
- n. Deleting the text in Provision 6.2.4.5(i) Setback and replacing it with the following:

i) “Any *building* with a frontage on Yonge Street or Davis Drive shall be setback a minimum of 3.0 metres from the *lot line* that abuts Yonge Street or Davis Drive.”

- o. Adding the following text as Provision 6.2.4.5(ii) Setback and renumbering subsequent provisions:
 - ii) “Any *building* with a frontage on Yonge Street or Davis Drive, located on a *corner lot*, shall be setback a minimum of 3.0 metres from the *lot line* that abuts a *public street* other than Yonge Street or Davis Drive.”
- p. Deleting the text in the renumbered Provision 6.2.4.5 iv) and replacing it with the following:
 - iv) “The wall of any tall *building* located above the podium height in accordance with Provision 6.2.4.2 ii) shall be set back a minimum 12.5 metres from any *lot line* that does not abut a *public street*.”
- q. Deleting Diagram 6-3 in Section 6.2.4.5 Setback and replacing it with the diagram shown in Schedule 2 to this by-law as Diagram 6-3a.
- r. Adding the diagram shown in Schedule 3 to this by-law as Diagram 6-3b to Section 6.2.4.5 Setback.
- s. Deleting the text in Provision 6.2.4.9 ii) Parking and Access to Lot and replacing it with the following:
 - ii) “Parking may be provided within a *building* or *structure* or on the surface, but shall only be located in a *side yard* or *rear yard* on *lots* that front onto Davis Drive or Yonge Street.”
- t. Deleting the text in Provision 6.2.4.9 iii) Parking and Access to Lot and replacing it with the following:
 - iii) “Parking for motorized vehicles shall not be permitted in the *yard* that abuts Davis Drive or Yonge Street.”
- u. Deleting the text in Provision 6.2.4.9 iv) and replacing it with the following:
 - iv) “Notwithstanding provision 6.2.4.9 (i), vehicular access may be located in the *yard* that abuts Davis Drive or Yonge Street if access to the *lot* is only from Davis Drive or Yonge Street.”
- v. Deleting “Convenience Store” as a permitted use from Table 6.3.2.1 Institutional Zone Permitted Uses.
- w. Deleting SS(1) in Section 8.1 Site Specific Exceptions.
- x. Deleting the text in Section 8.2.1 Holding Zones and Exceptions to Permit Development and replacing it with the following:

“For any *lot* that is subject to a Holding Zone (H) on Maps 13 through 18 of this By-law (for example (H)-1), *uses* permitted by this By-law shall be permitted prior to the removal of the Holding Zone (H) and the provisions under Section 6.2.1.2, Section 6.2.5, Section 6.3.1.2, Section 6.3.5, Section 6.4.1.2, Section 6.4.5 and Section 8.1 shall prevail.”
- y. Deleting the first paragraph in Section 8.2.2 Requirement to Remove the (H) Symbol and replacing it with the following:

“Notwithstanding Section 8.2.1, for any lot that is subject to a Holding Zone (H), no development as defined by the Planning Act and/or Site Plan Application Process Manual may occur without an application to remove the (H) symbol from the lot.”

- z. Deleting Schedule A; Schedule A Maps 1 to 6; Schedule B; Schedule B Maps 7 to 12; Schedule C; Schedule C Maps 13 to 18; Schedule D, and Schedule E, and replacing them with Schedules 4 to 26 attached to this by-law.
- 2. That Schedules 1 to 26 inclusive attached to this by-law are declared to form part of this by-law.

Enacted this xxx day of xxx, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

DRAFT

Schedule 1 to By-law 2020-XX

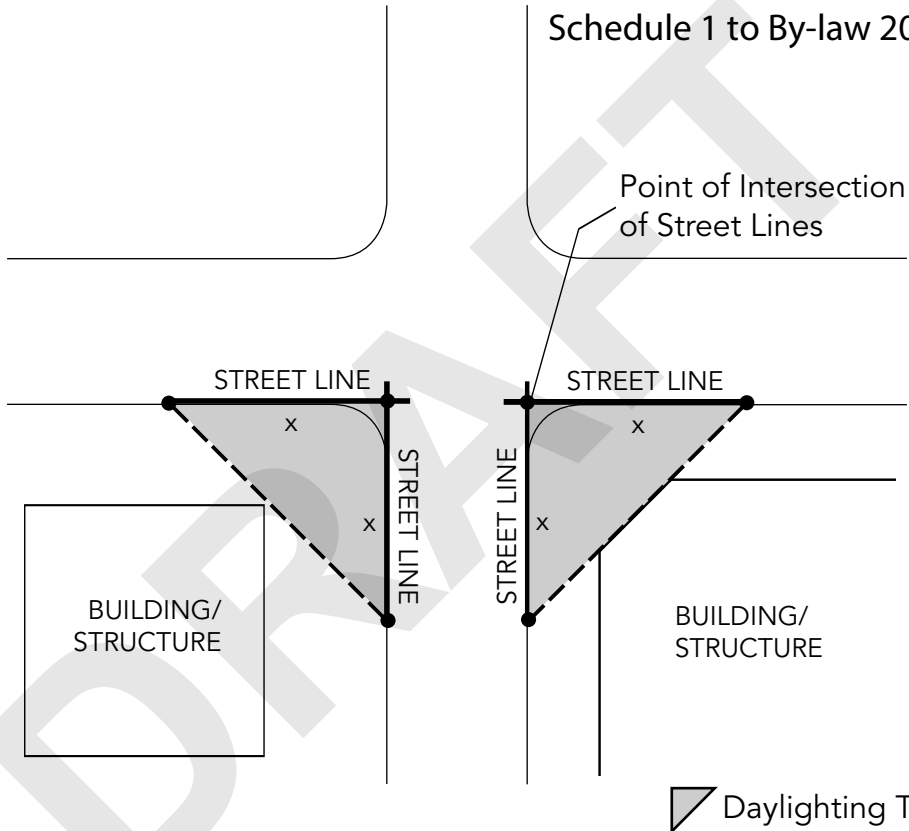


Diagram 3-6 Daylighting Triangle

Schedule 2 to By-law 2020-XX

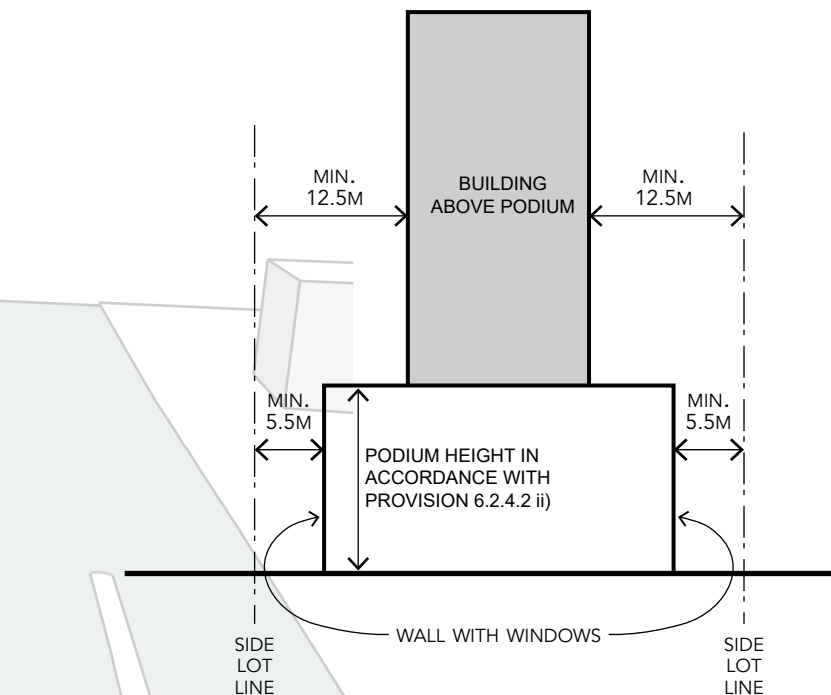


Diagram 6-3a SIDE SETBACK NOT ADJACENT TO A PUBLIC STREET

Schedule 3 to By-law 2020-XX

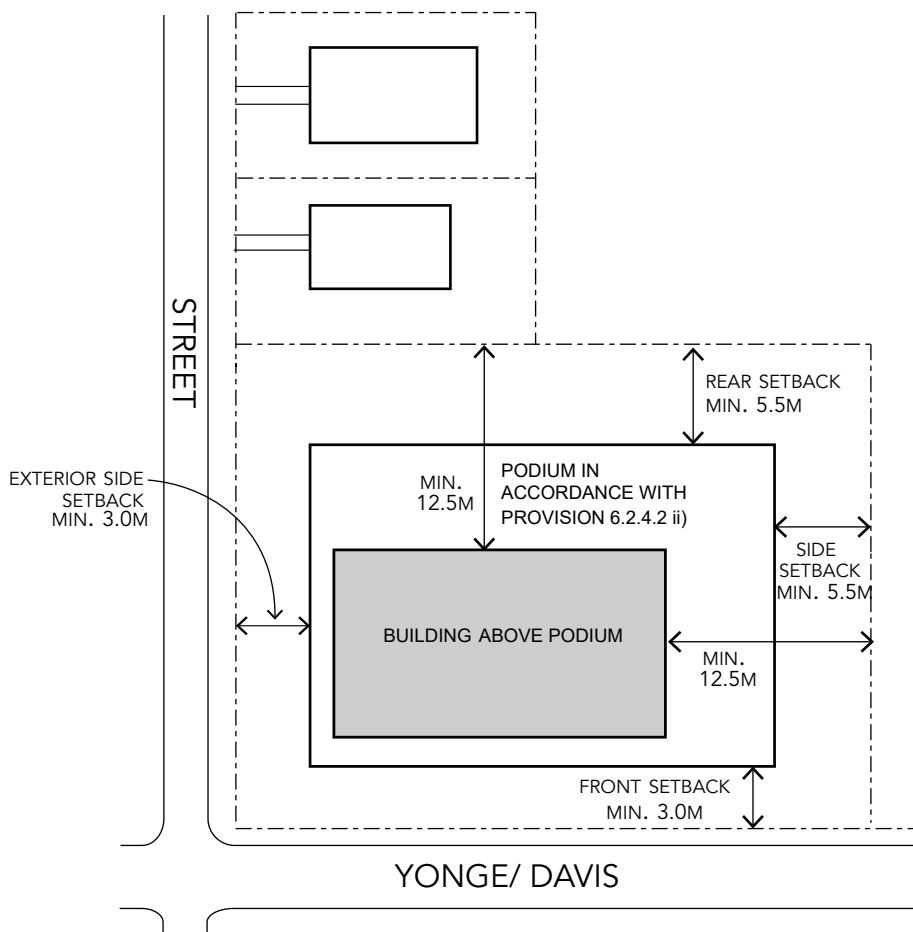
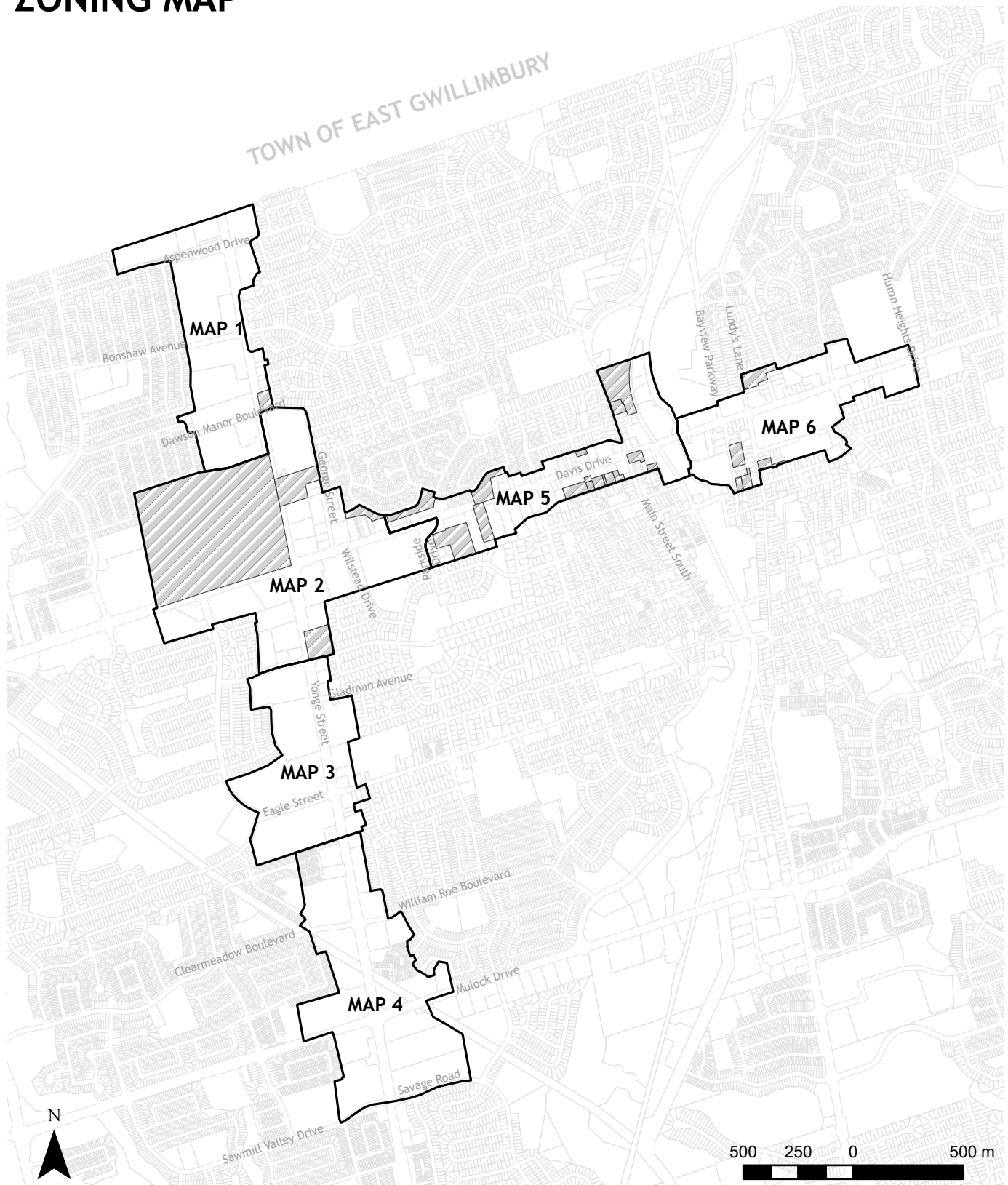


Diagram 6-3b. SETBACKS on A CORNER LOT

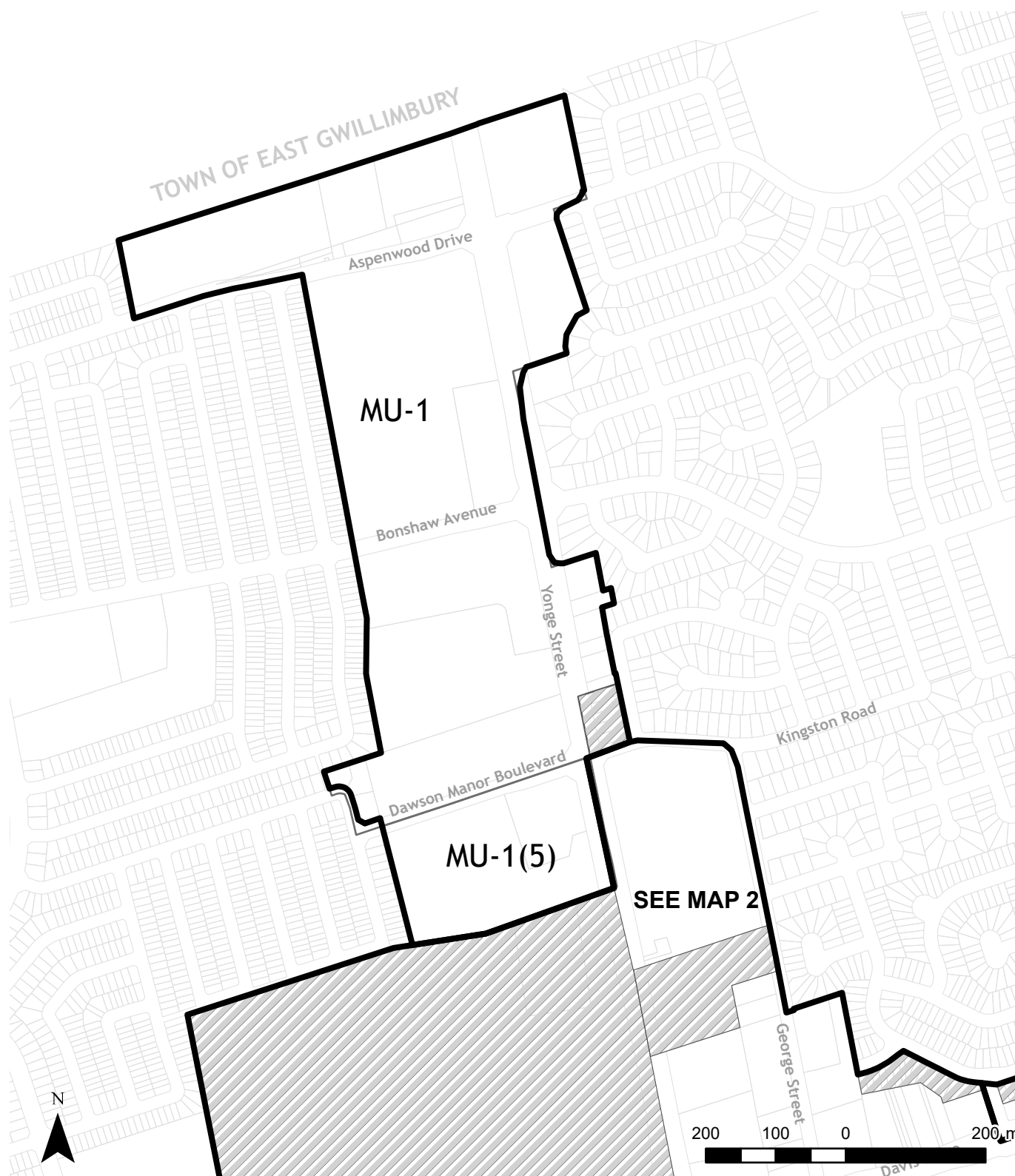
ZONING MAPS AND SCHEDULES - SCHEDULE A

ZONING MAP



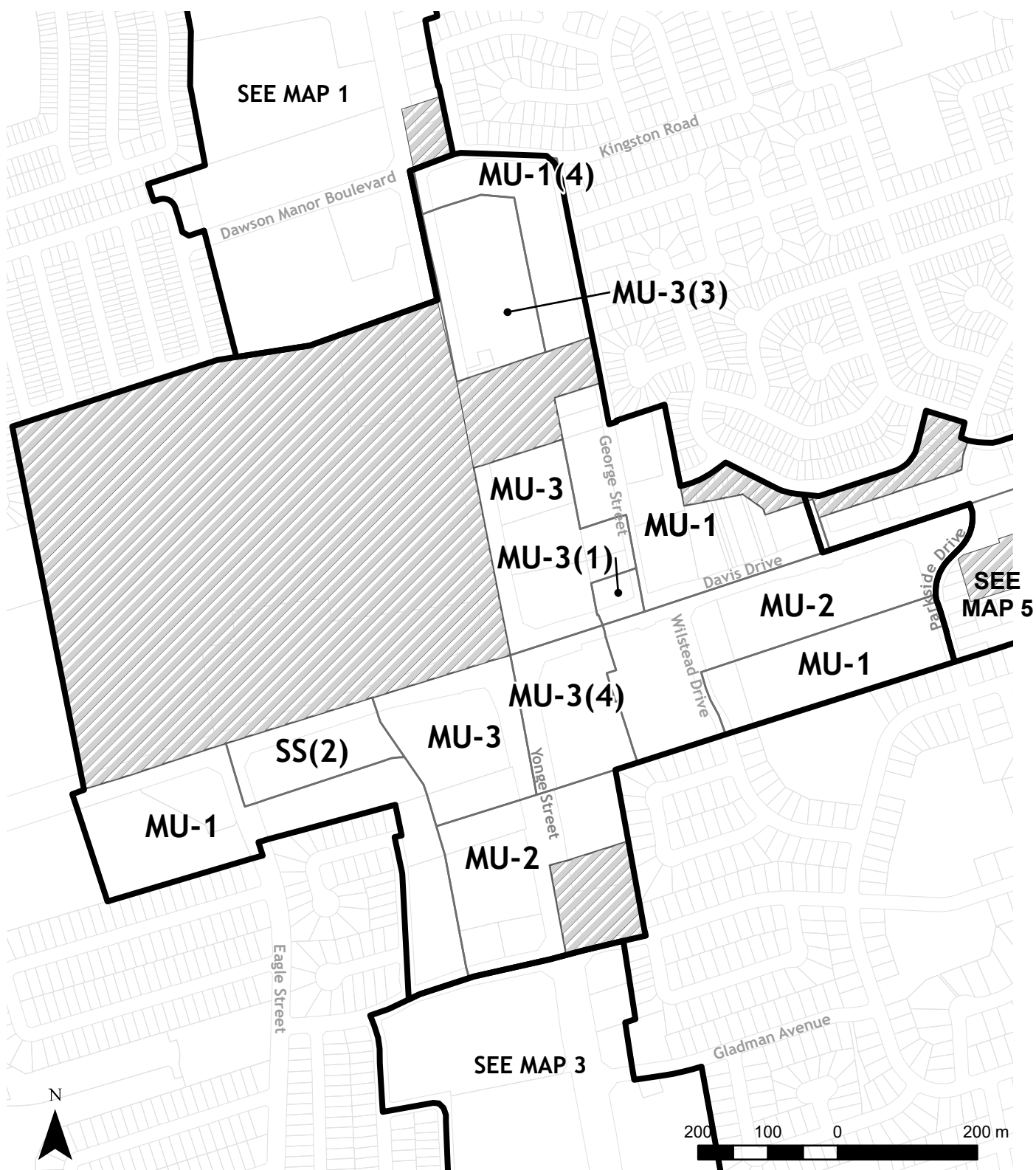
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE NORTH ZONING MAP



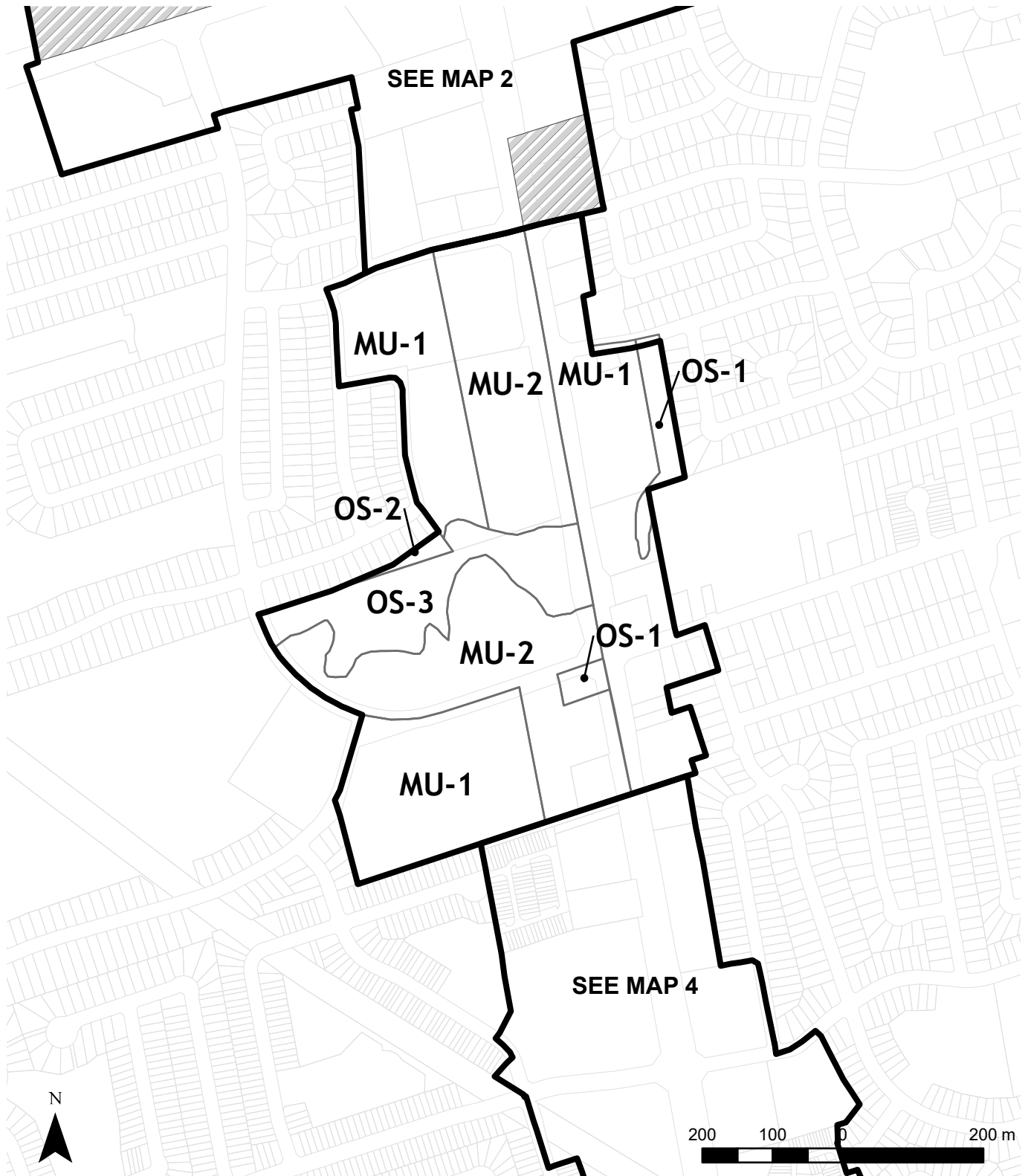
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YONGE AND DAVIS ZONING MAP



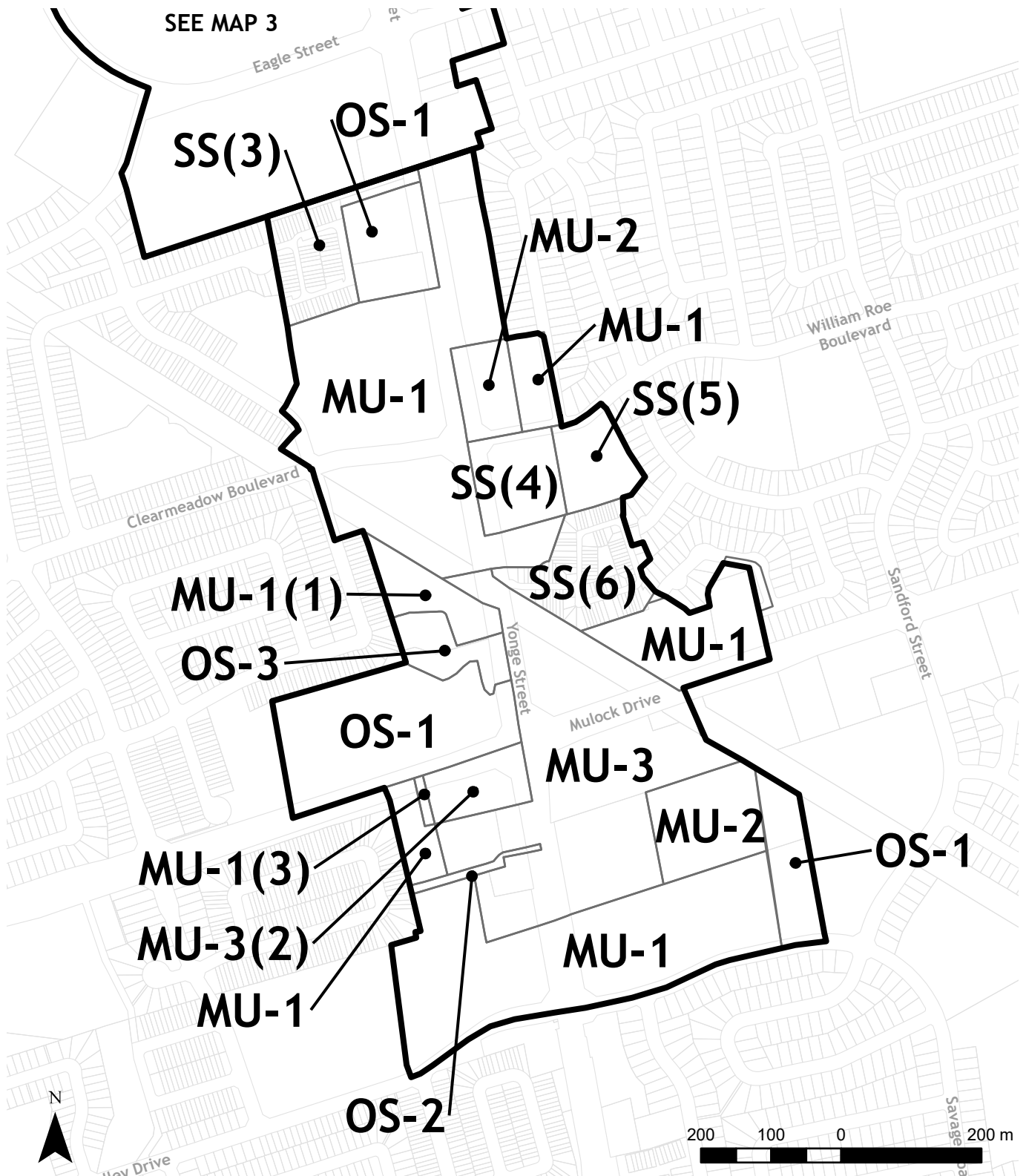
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE CIVIC ZONING MAP



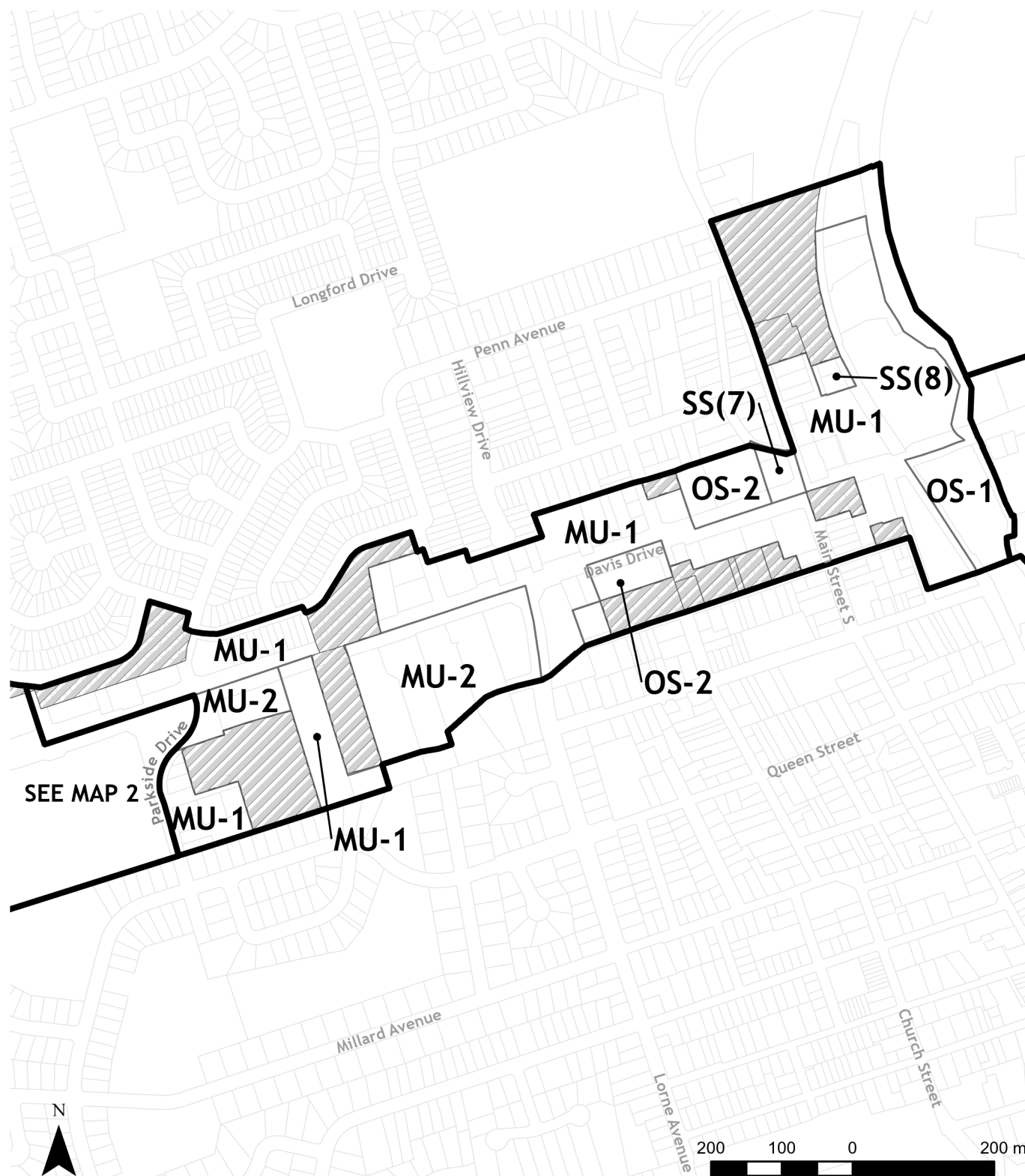
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE SOUTH ZONING MAP



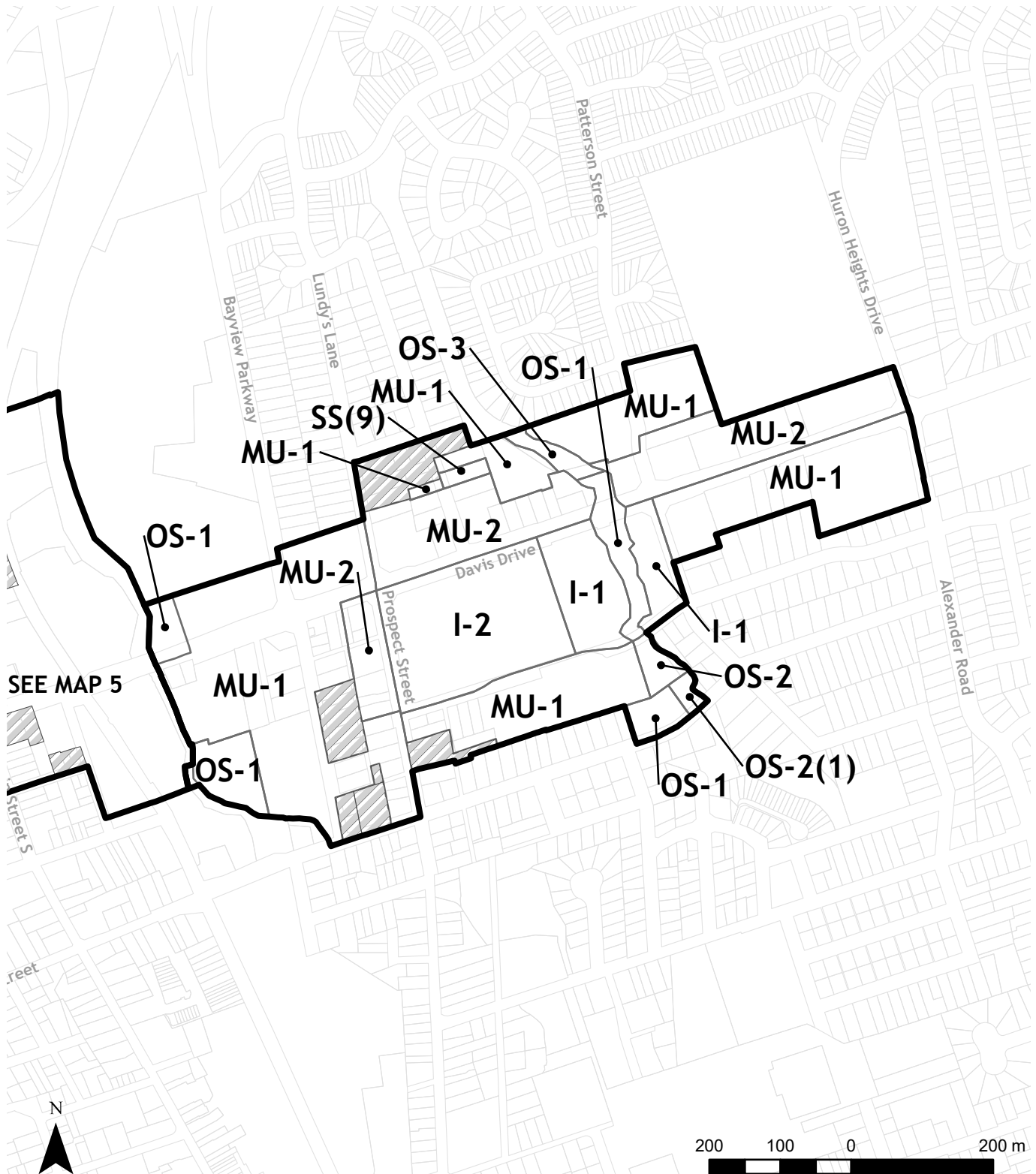
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

DAVIS DRIVE ZONING MAP



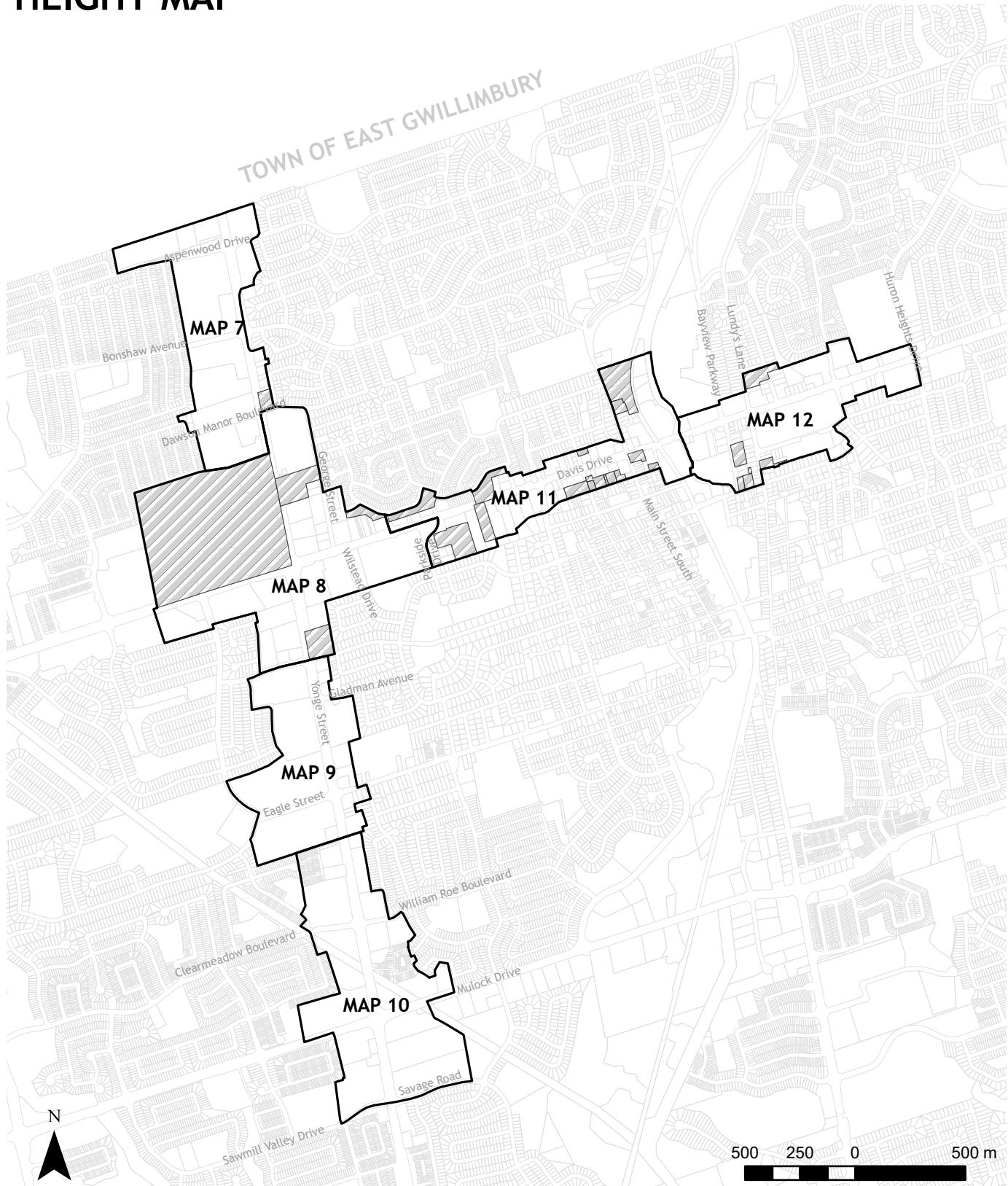
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

REGIONAL HEALTHCARE CENTRE ZONING MAP



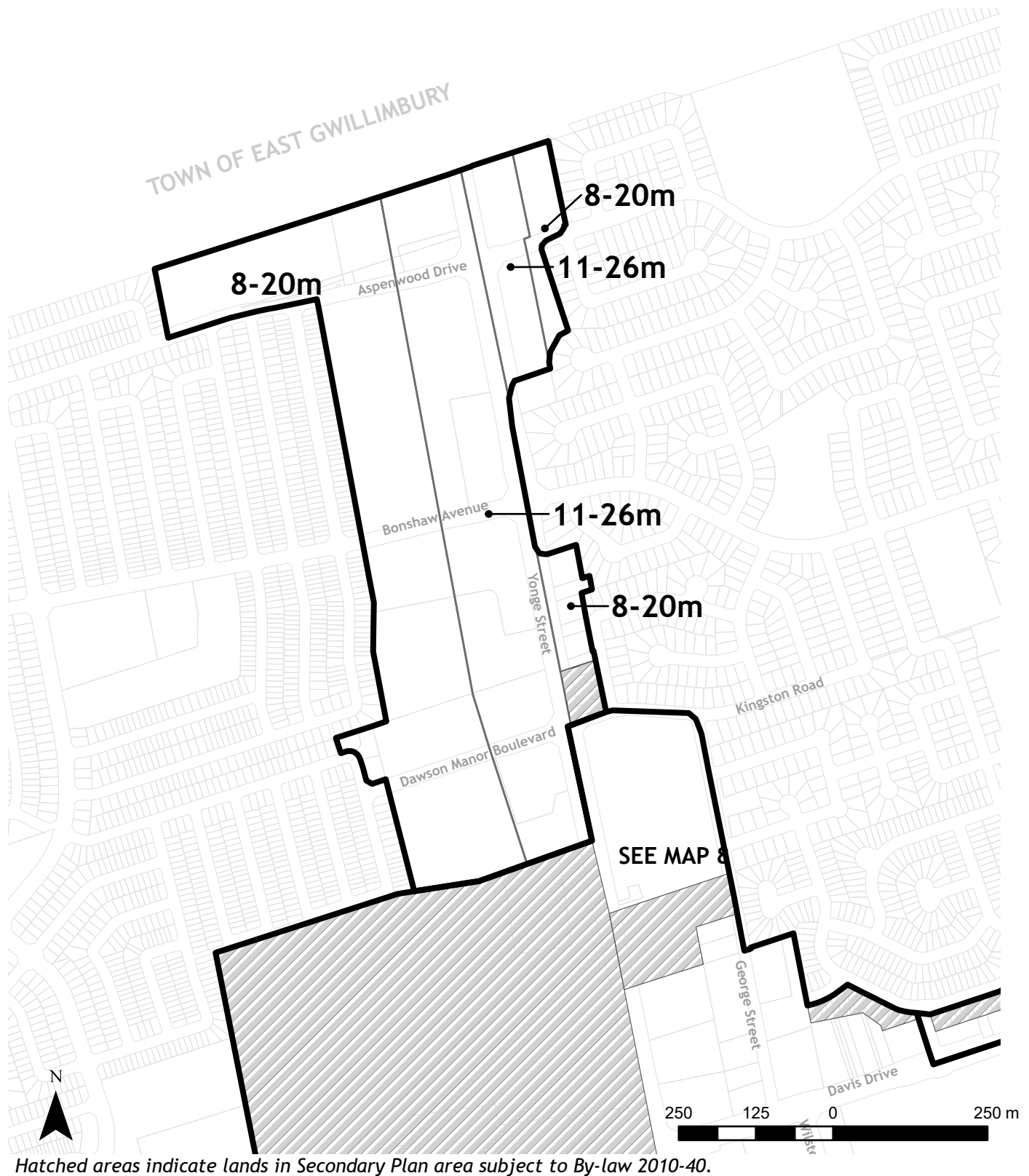
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

HEIGHT MAP



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

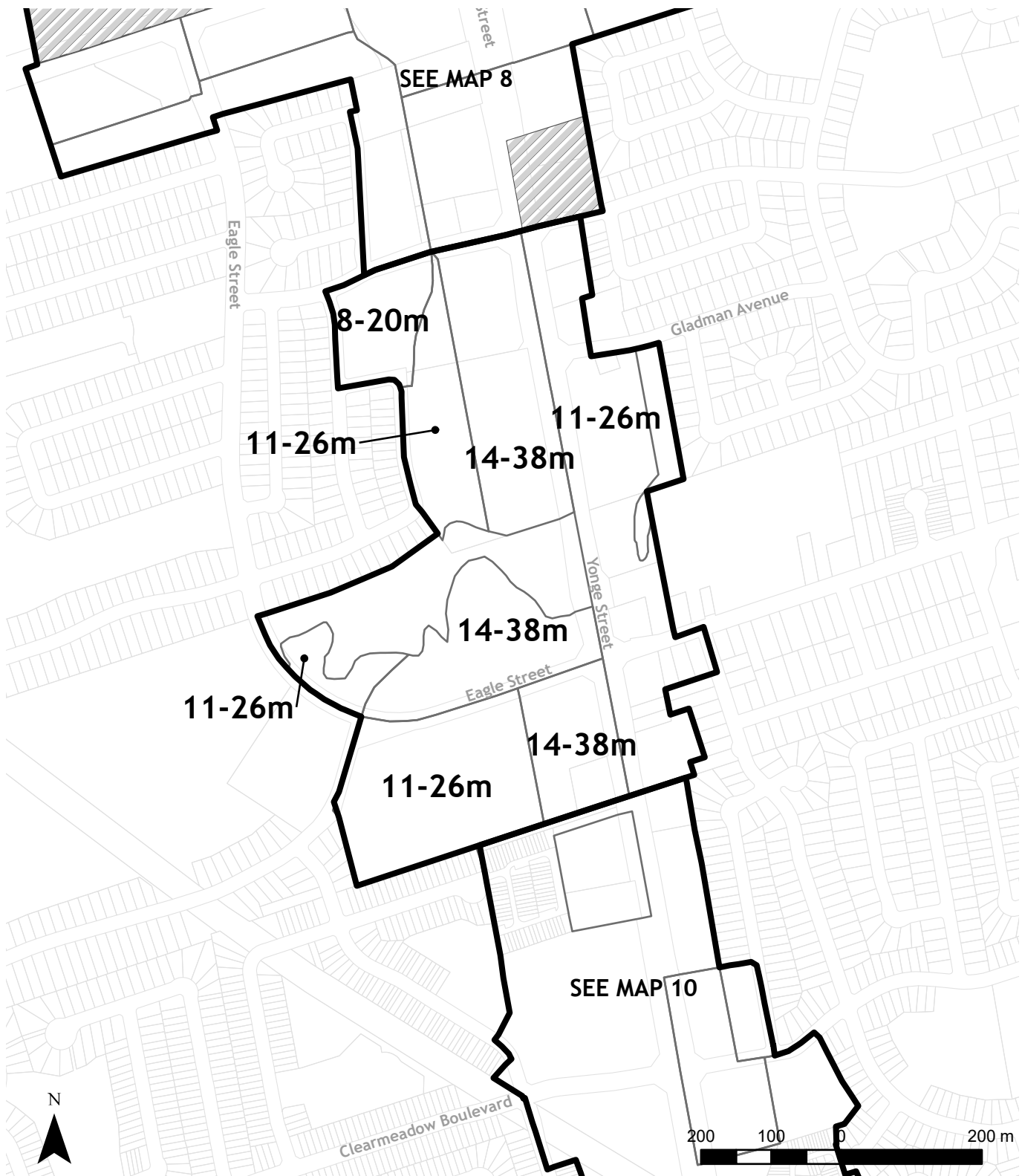
YONGE NORTH HEIGHT MAP



This map shows the study area, which is a large, irregularly shaped area outlined in black. The area is divided into several smaller, irregularly shaped areas, each labeled with a range of values: 11-26m, 20-53m, 14-38m, and 8-20m. The areas are shaded with diagonal lines. The map includes several streets: Dawson Manor Boulevard, Kingston Road, George Street, Davis Drive, Parkside Drive, Wilestead Drive, Gladman Avenue, Eagle Street, and Yonge Street. The map also includes a north arrow and a scale bar (0 to 200 m). The map is labeled "SEE MAP 7" in the top left, "SEE MAP 9" in the bottom left, and "SEE MAP 11" in the top right.

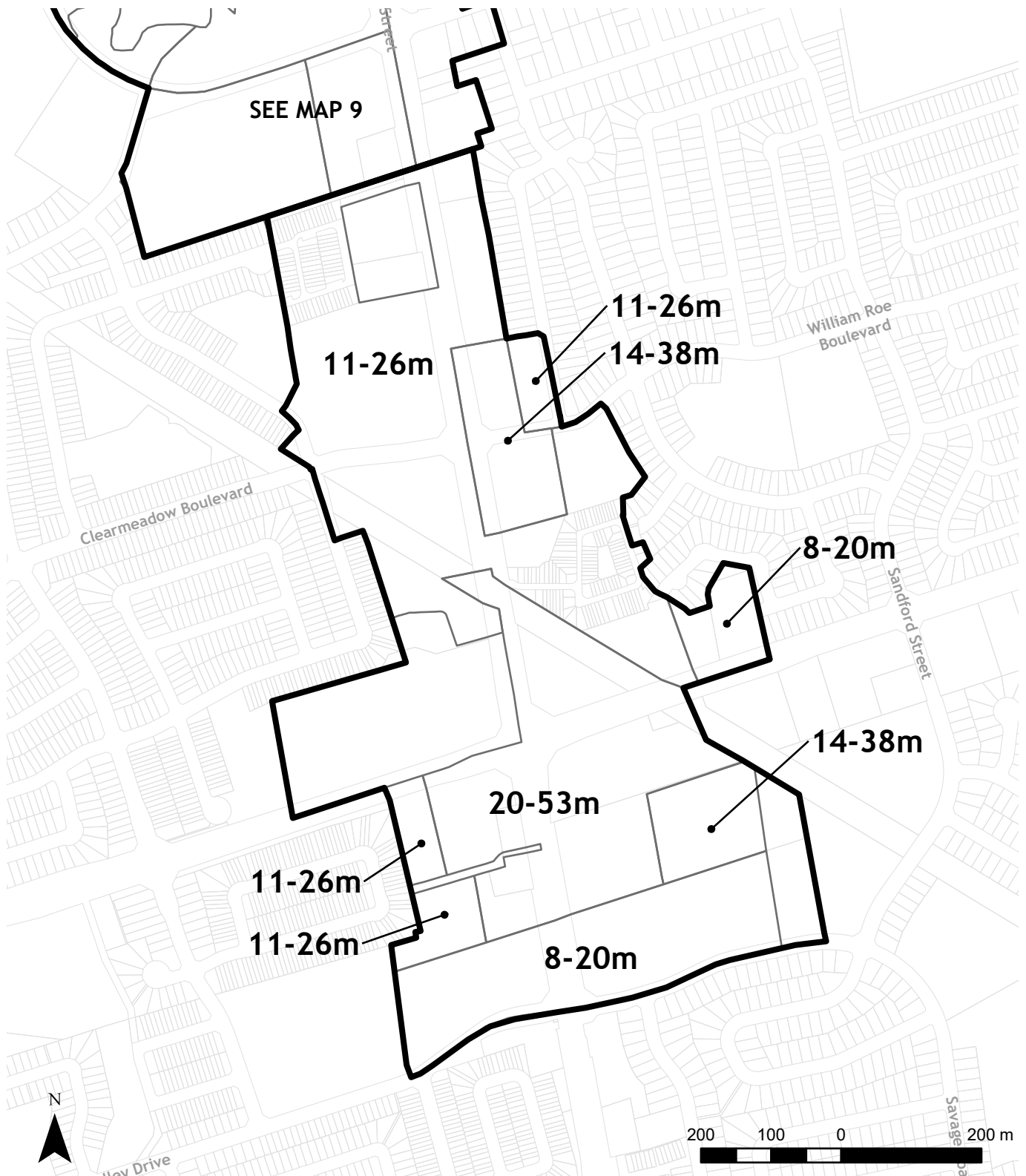
Page B.3

YONGE CIVIC HEIGHT MAP



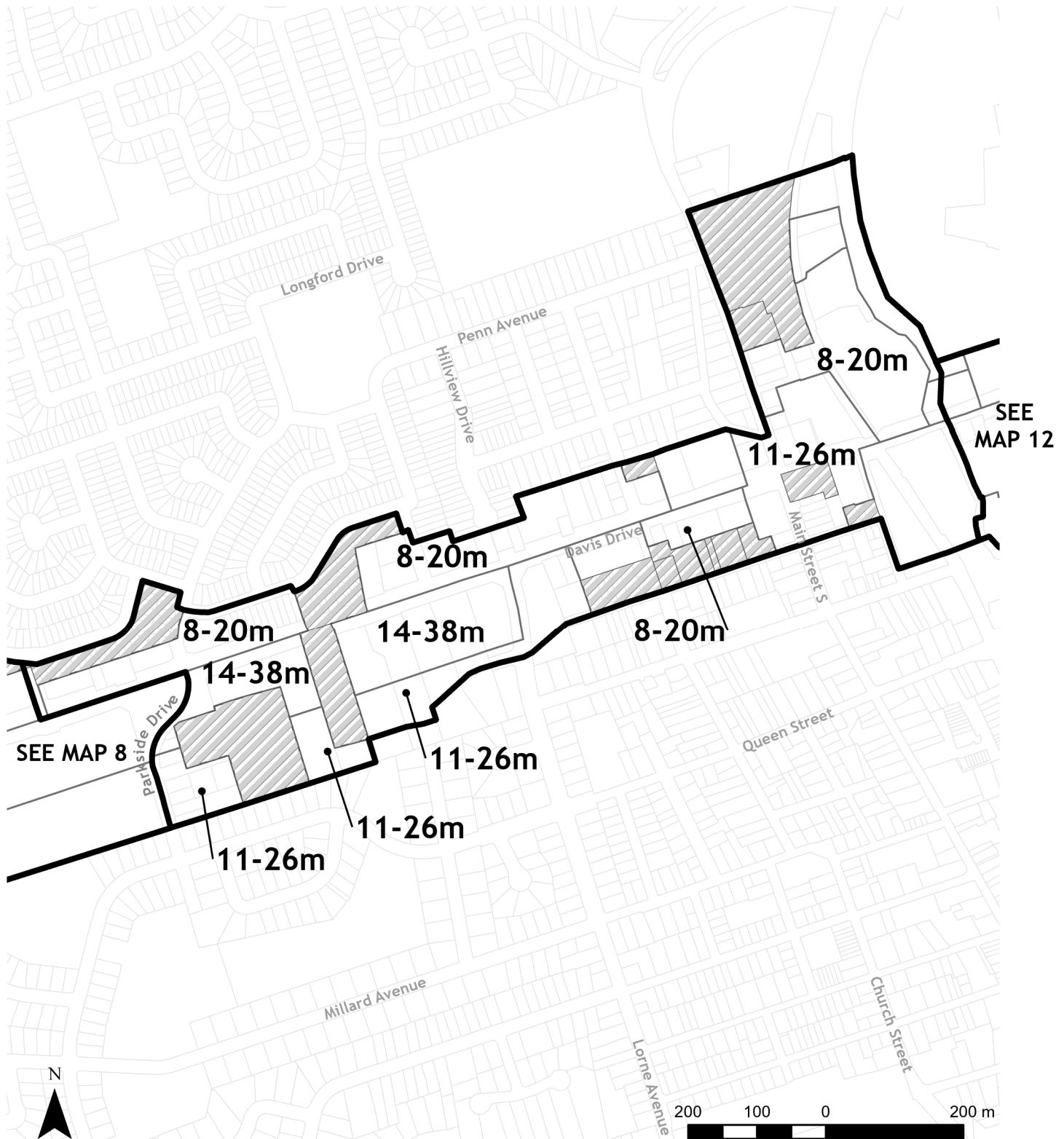
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE SOUTH HEIGHT MAP



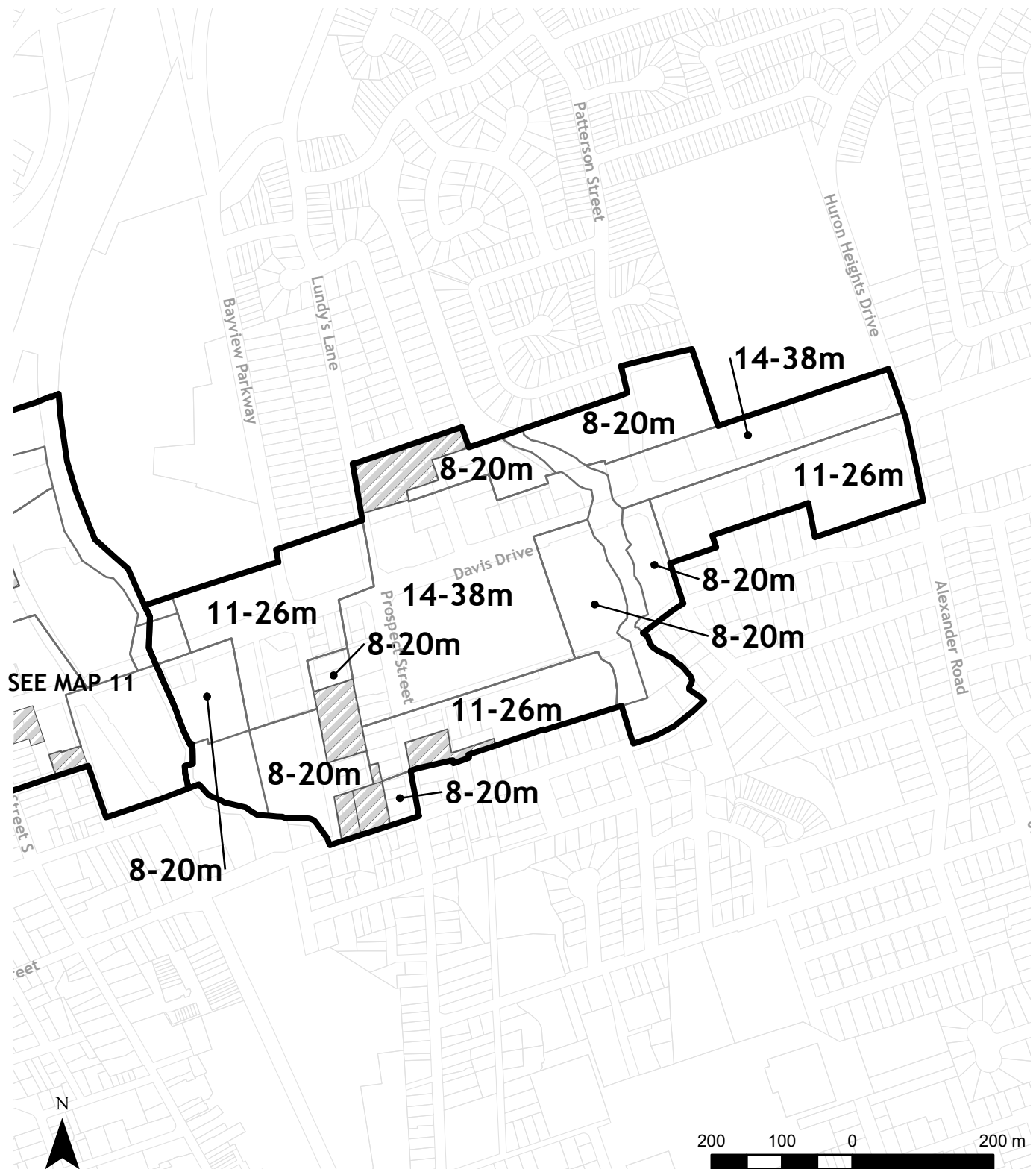
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

DAVIS DRIVE HEIGHT MAP



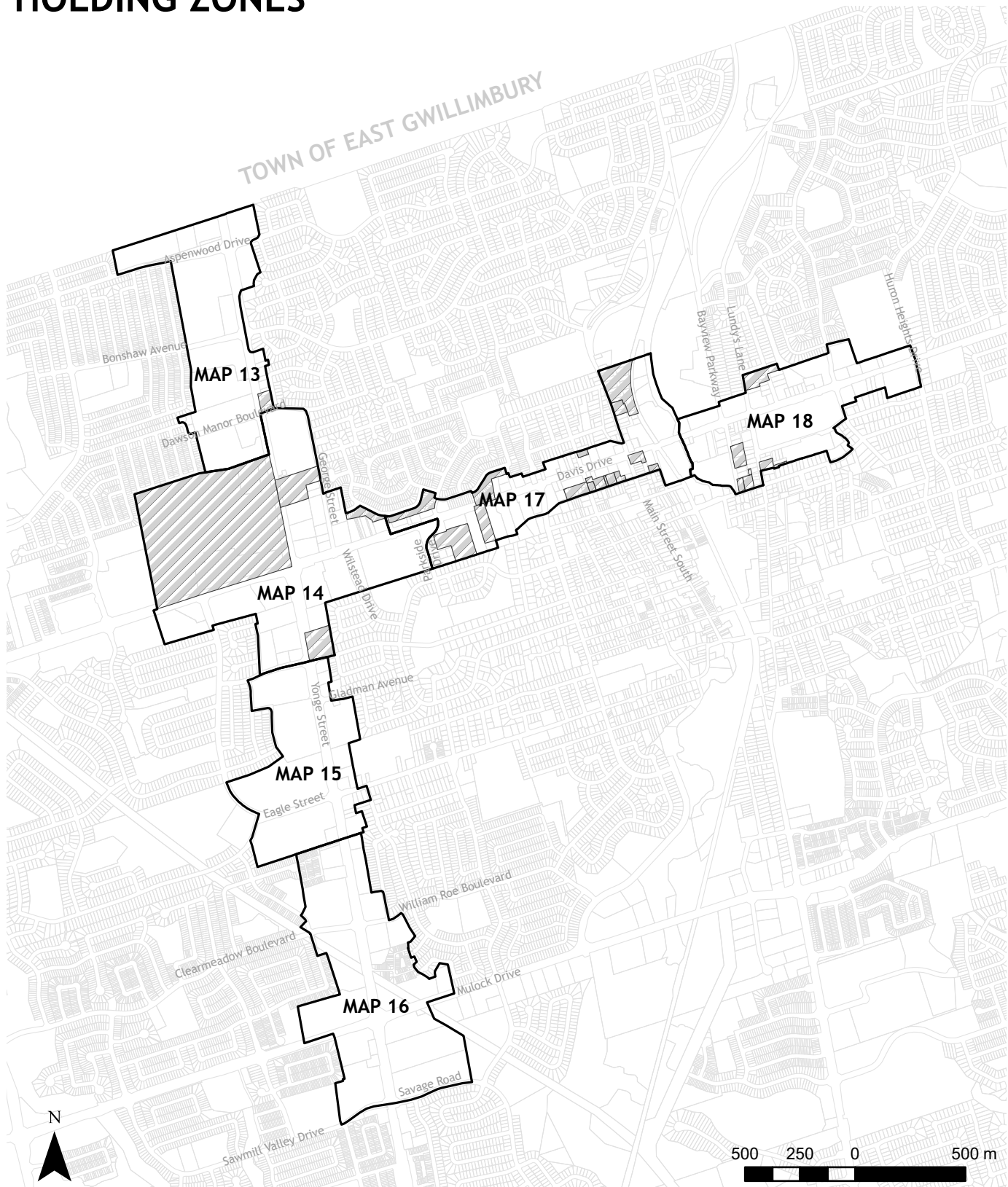
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

REGIONAL HEALTHCARE CENTRE HEIGHT MAP



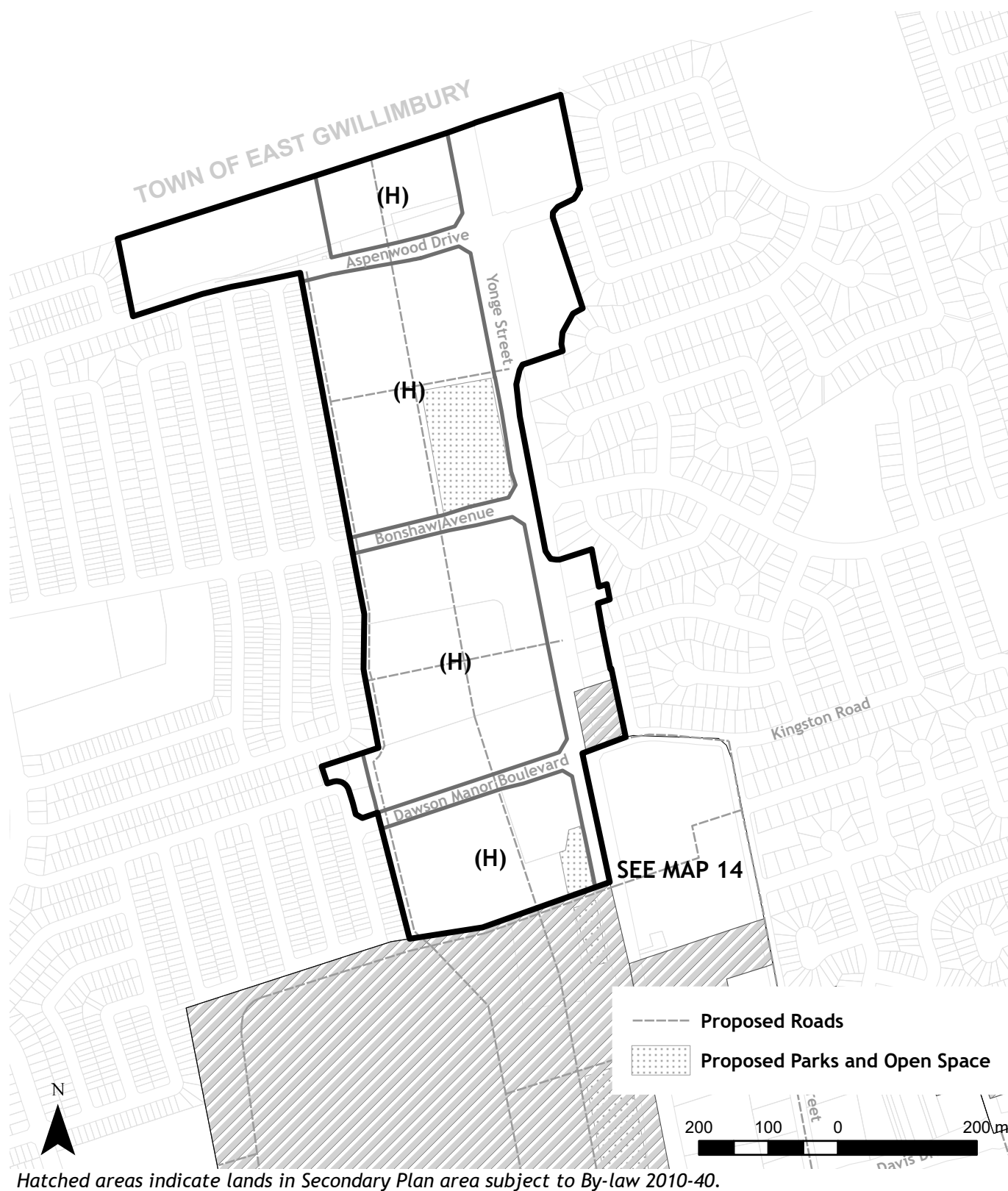
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HOLDING ZONES

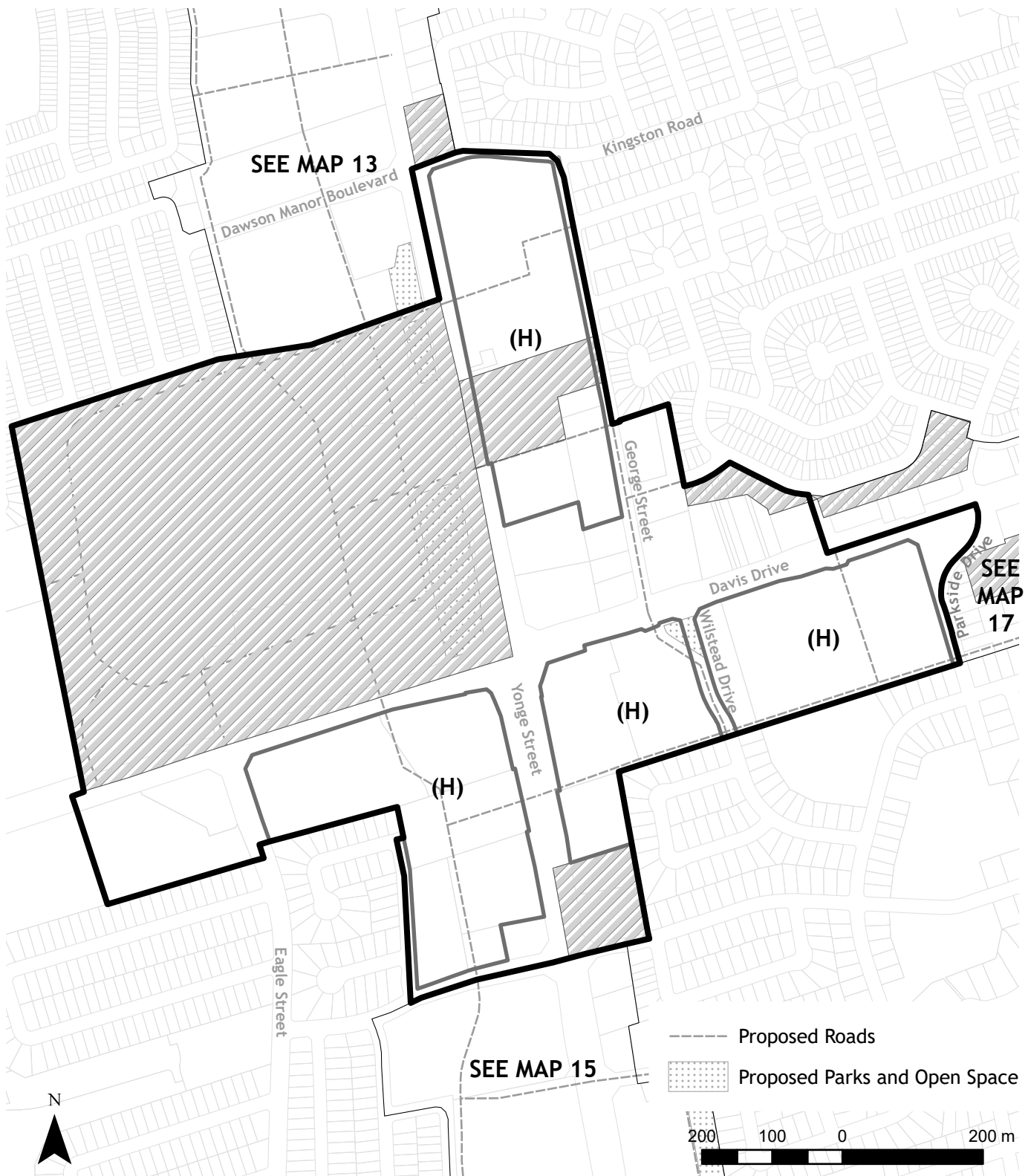


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YONGE NORTH HOLDING ZONES

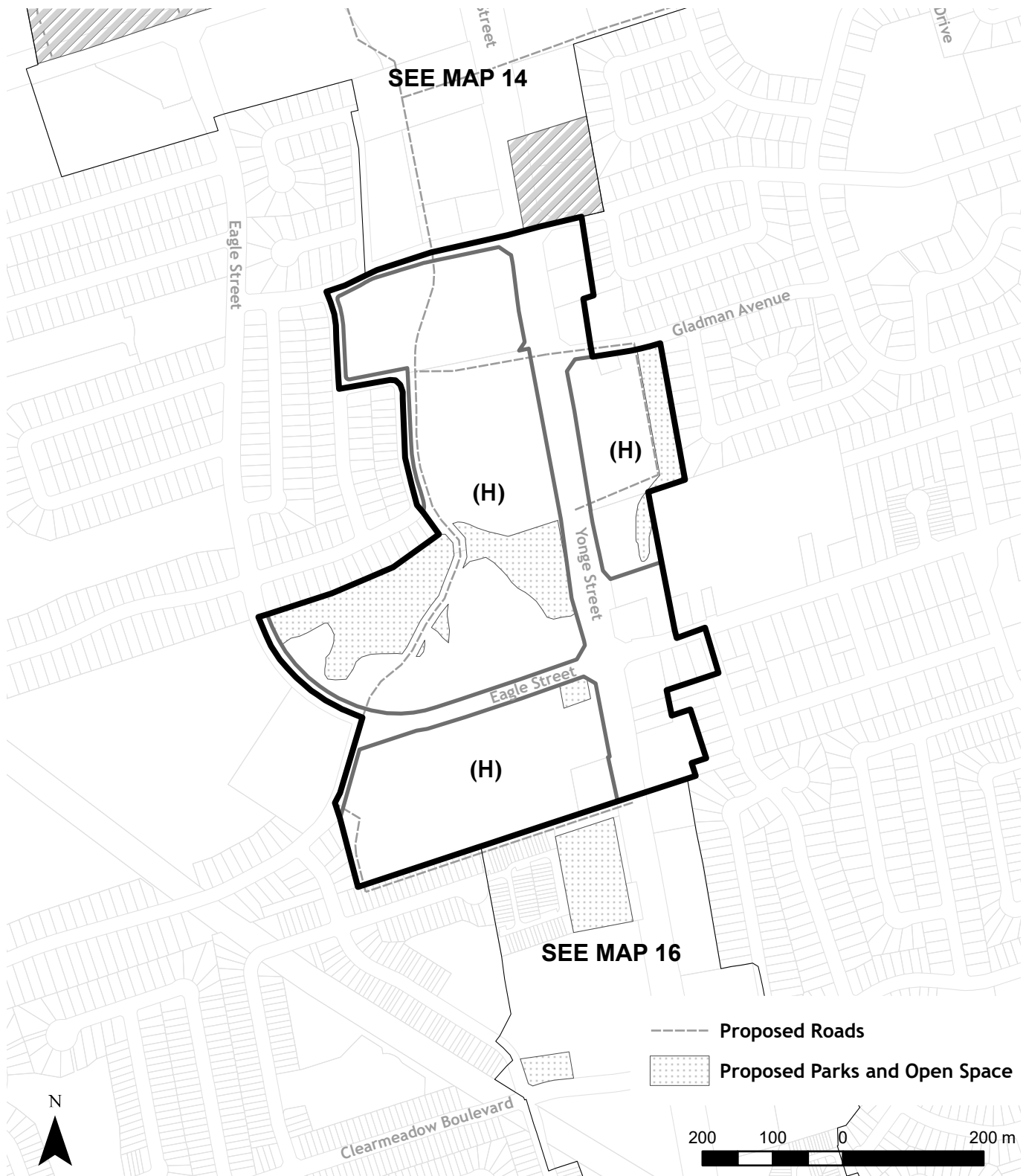


YONGE AND DAVIS HOLDING ZONES



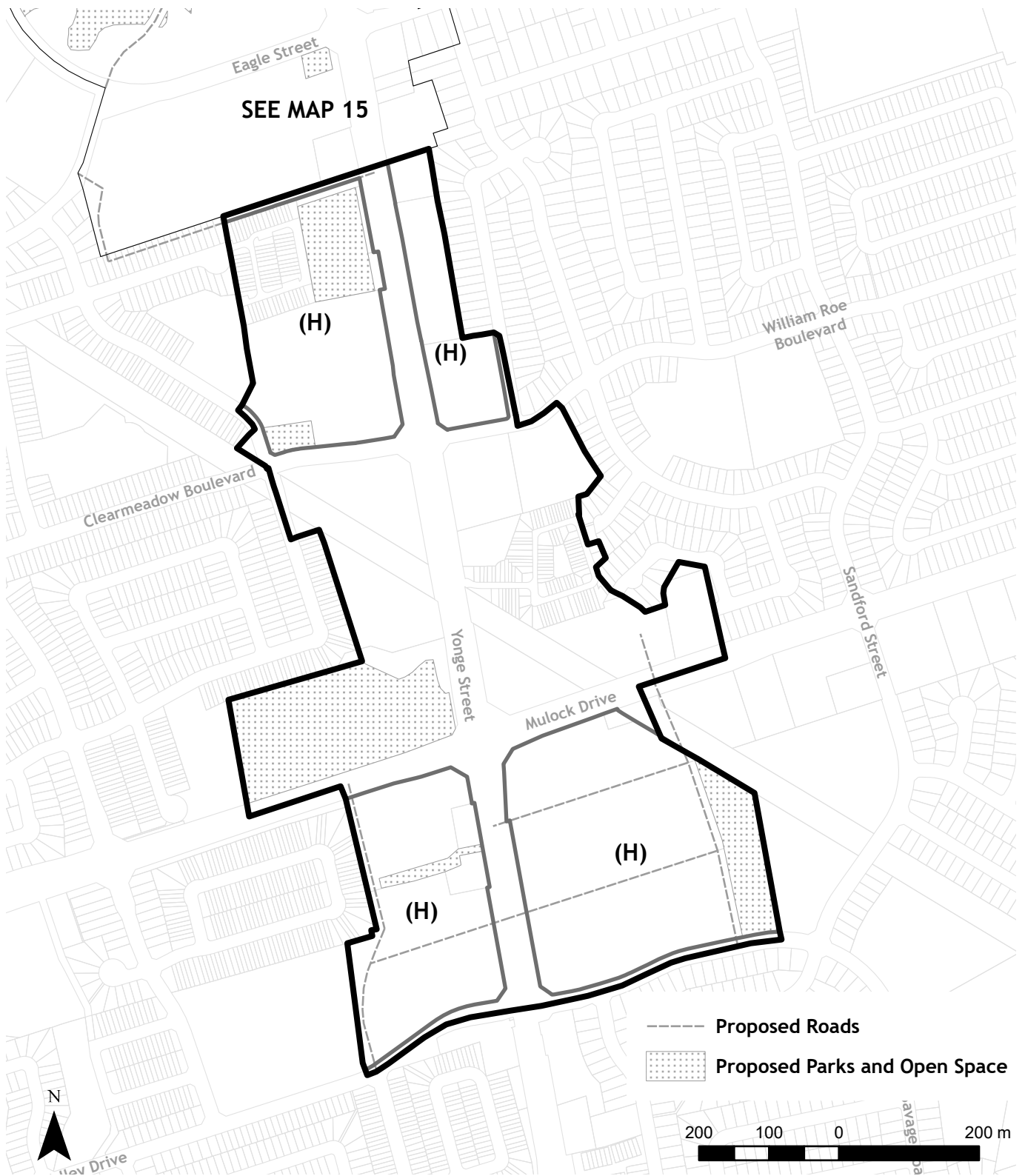
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YONGE CIVIC HOLDING ZONES



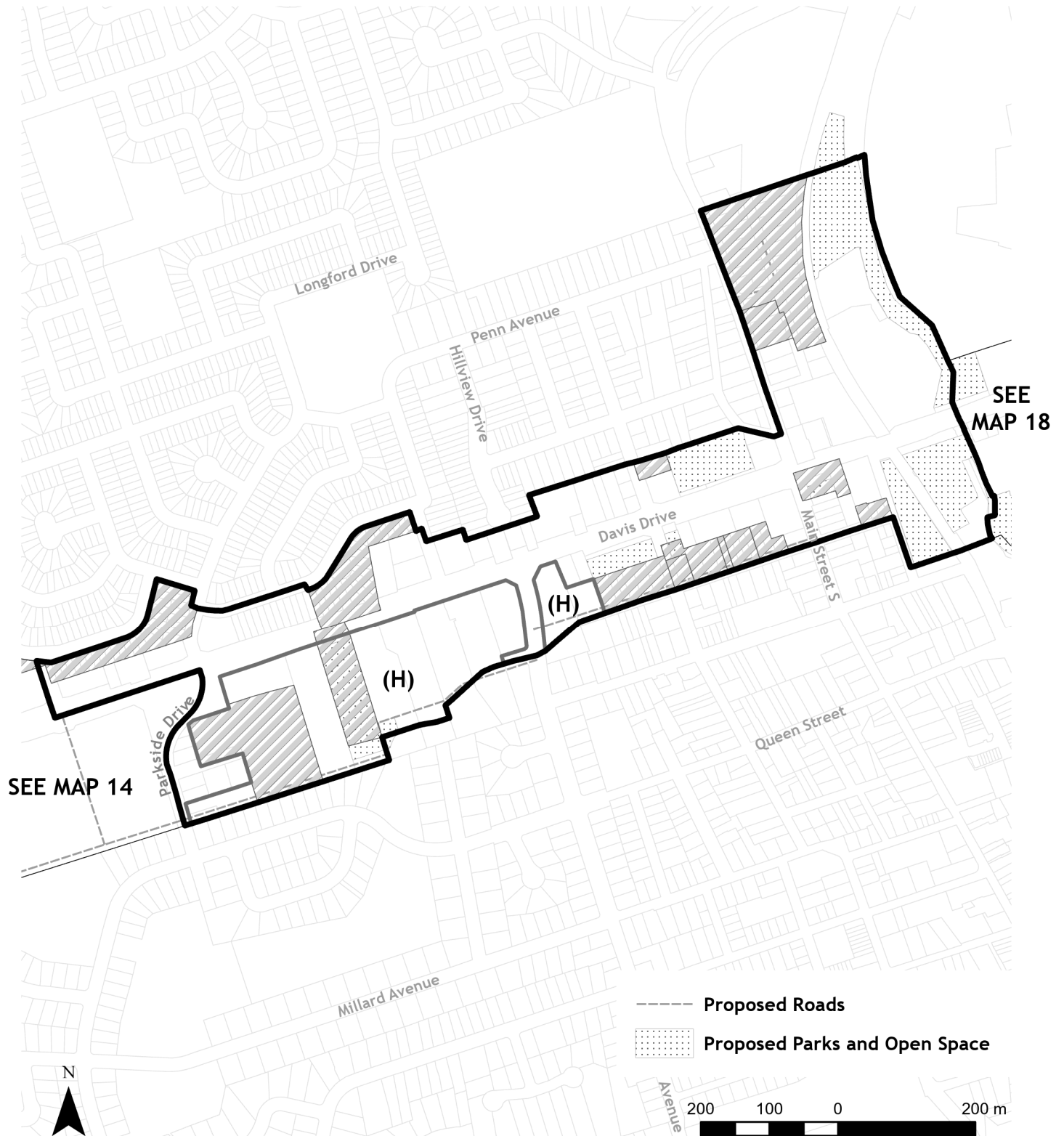
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YONGE SOUTH HOLDING MAP



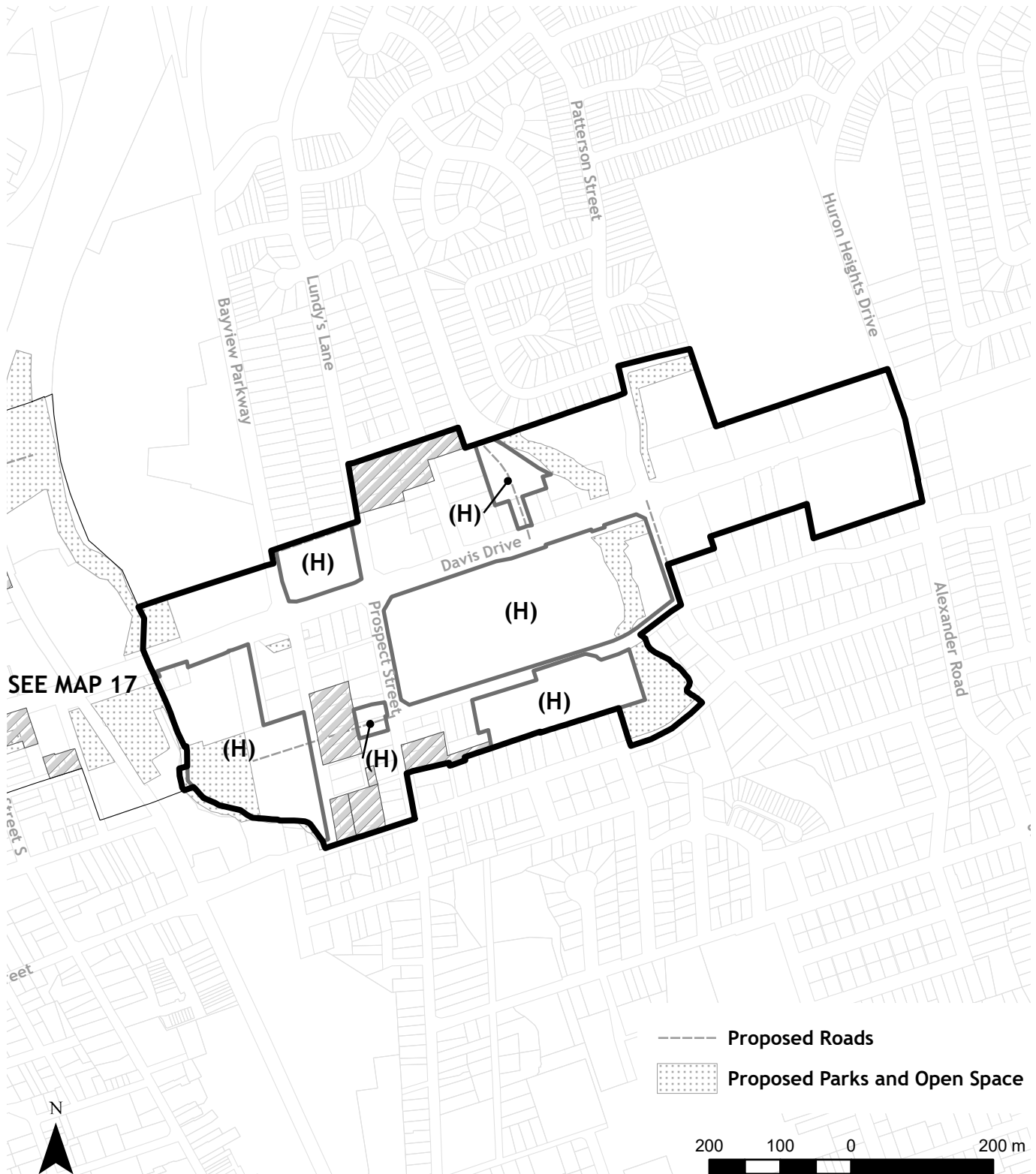
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

DAVIS DRIVE HOLDING ZONES



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

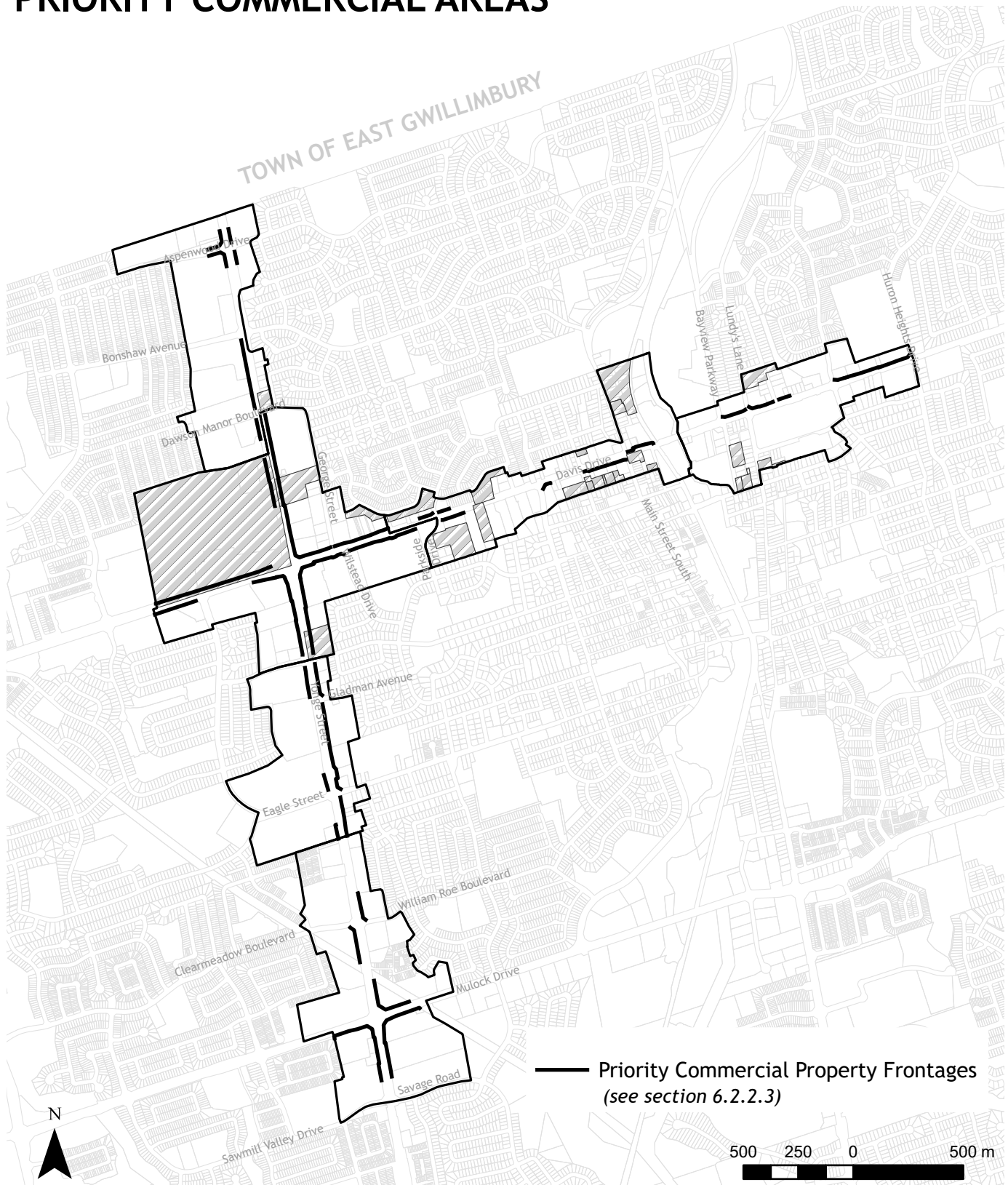
REGIONAL HEALTHCARE CENTRE HOLDING ZONES



SEE MAP 17

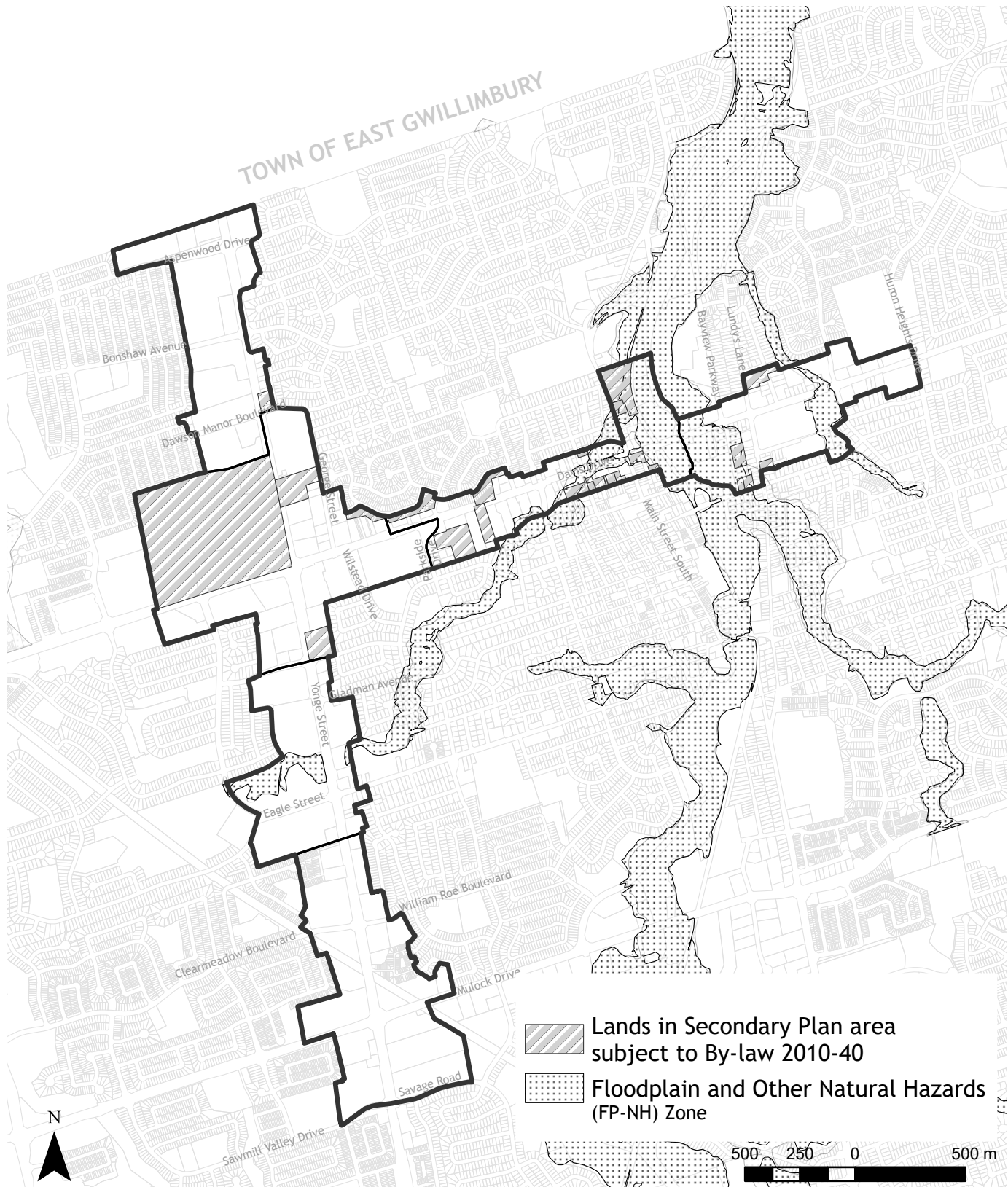
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

PRIORITY COMMERCIAL AREAS



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

FLOODPLAIN AND OTHER NATURAL HAZARDS



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Zoning By-law Amendment – 693-713 Davis Dr (Briarwood) Staff Report to Council

Report Number: 2020-90

Department(s): Planning & Building Services

Author(s): Meghan White

Meeting Date: December 7, 2020

Recommendations

1. That the report entitled Zoning By-law Amendment – 693-713 Davis Drive (Briarwood) dated December 7, 2020 be received; and,
2. That the application for a Zoning By-law Amendment, as submitted by Briarwood Developments Limited for 693-713 Davis Drive, be approved, and that staff be directed to present the Zoning By-law Amendment, including the necessary Holding provisions, to Council for approval; and,
3. That Council direct the Director of Planning & Building Services and the Municipal Solicitor, or her designate, to enter into one or more agreements on behalf of the Town pursuant to Section 37 of the Planning Act to secure community benefits and any matters required as a legal convenience; and,
4. That Council direct the Director of Planning & Building Services and the Director of Finance, or their designate, to enter into a DC Deferral Agreement, once all of the requirements of the Town's Policy for the Deferral of Payment of Development Charges & Planning Application Fees within the Urban Centres have been met; and,
5. That servicing allocation for 339 units (662 people) be granted in accordance with the Servicing Allocation Policy and subsequent agreements; and
6. That Briarwood (NWMKT) Inc. of 636 Edward Ave, Unit #14, Richmond Hill ON L4C3A5 be notified of this action; and,

7. That Candevcon Limited of 9358 Goreway Drive, Brampton ON L6P0M7 be notified of this action; and,

8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

Staff have reviewed the application to amend Zoning By-law 2019-06 to permit the development of two 15 storey towers on the subject lands, connected by a podium. The amendment is primarily required to permit an increase to the height and density pursuant to the bonusing policies of the Urban Centers Secondary Plan.

Staff have reviewed the development proposal against the relevant Provincial, Regional and local policy documents and have concluded that the proposal is in general conformity with the policy framework as it relates to providing desirable residential dwellings, prioritizing intensification to make efficient use of land and infrastructure and support transit viability, supporting a range and mix of housing options to serve all sizes, incomes, and ages of households, and creating complete communities. A statutory public meeting was held on January 13, 2020 as required by the Planning Act.

This report provides (1) the context of the site, (2) the details of the proposal, (3) a discussion of the relevant planning policies and how the application addresses them, (4) an outline of feedback received, and (5) next steps in the development approval process.

Should Committee adopt the recommendations of this report, the Zoning By-law Amendment will be presented to Council for adoption at a subsequent Council meeting.

Purpose

This report serves to provide recommendations to Committee of the Whole on the application for Zoning By-law Amendment for 693 & 713 Davis Drive (the “subject lands”) under Section 34 of the Planning Act.

This report discusses the application, the relevant planning policies and comments received from Town departments and our partner agencies. The recommendations of the report, if adopted, would result in an amendment to the Zoning By-law to permit the proposed development, and apply necessary holding provisions to ensure the orderly development of the site.

Background

Subject Lands

The subject lands are located at the north-east corner of Davis Drive and Patterson Street. The subjects are comprised of 693 and 713 Davis Drive as well as the southern

portion (21m) of 35 Patterson Street, the Hollingsworth Civic Area. The application does not include the remaining Hollingsworth Arena lands, which remain owned by the Town for future park purposes. There is an existing building on 693 Davis which is used for a temporary sales office for a development further west on Davis Drive. There is an existing 3 storey commercial building on 713 Davis Drive. Both buildings will be removed to if the proposal is approved. The subject lands have a land area of approximately 0.87ha (2.1 acres). The surrounding land uses are as follows:

North: the Hollingsworth Arena and single detached dwellings.

East: Commercial uses along Davis Drive.

South: Commercial and Institutional uses, including a retirement residence and an office building.

West: Commercial uses, including offices and medical offices and Southlake Regional Hospital.



The subject lands are located in the Urban Centres Secondary Plan (UCSP) area, and designated with a range of applicable policy categories of the UCSP. These include:

- Located in the Regional Healthcare Centre character area (Schedule 2)
- Designated as Mixed Use with a Priority Commercial Area along Davis Drive (Schedule 3)
- The site is within the Medium-High Density designation (Schedule 4)
- The site is planned to host a portion of a future private lane/road connection (Schedule 5)

The Urban Centres Secondary Plan (UCSP) was adopted by Council on June 23, 2014 and by the Regional Municipality of York on March 26, 2015. The implementing Zoning By-law 2019-06 for the UCSP was approved June 10, 2019. The applicant is seeking to amend this implementing zoning by-law to obtain permission for the extra 3 storeys and extra density (FSI) contemplated by the UCSP in exchange for community benefits.

This application is preceded by discussions with the landowner regarding various development concepts and the subsequent Council endorsement in principle of a development concept generally consistent with “Scenario 2”, as presented in Staff [Report 2019-40](#).

Proposal

The applicant is proposing to rezone the subject lands from the existing Mixed Use 2 (MU-2) zone to facilitate an increase in building height and density to permit a mixed-use multi-unit residential development comprised of two residential towers (15 storeys each) linked by a 3-storey podium with two underground levels of parking, and commercial space fronting onto Davis Drive. 339 residential units are proposed, comprised of: 224 one-bedroom apartments, 101 two-bedroom apartments, and 14 three-bedroom apartments. There will be 1050m² of commercial space and 375 parking spaces provided (55 on the surface and 320 underground). Also 212 bicycle parking spaces will be provided.



Perspective of proposed development from Patterson Ave and Davis Dr.

Discussion

The Planning Act requires that a decision of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the policy statements issued under subsection (1) of the Act, and shall conform with provincial plans in effect on that date, or shall not conflict with them. The policy statement is the Provincial Policy Statement 2020 (the “PPS”). The provincial plans comprise the A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the “Growth Plan”), the Oak Ridges Moraine Conservation Plan 2017 (the “Oak Ridges Plan”), the Greenbelt Plan 2017 (the “Greenbelt Plan”), and the Niagara Escarpment Plan 2017.

Applicable policies and how they are addressed by this application are discussed below. In certain sections comments are provided regarding how the application will be processed through the development review process to ensure conformity with these policies.

Provincial Policy Statement

The Provincial Policy Statement (PPS) 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 PPS 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.

Planning decisions shall be consistent with the Provincial Policy Statement. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The first section of the PPS (Policy 1.0) relates to building strong communities. The preamble to this policy provides "Ontario's long-term prosperity, environmental and social well-being depend on wisely managing change and promoting efficient land use and development patterns".

The policies set out how healthy, liveable and safe communities are to be sustained. This includes promoting efficient development and land use patterns which sustain financial well-being of the Province and municipalities over the long term and accommodating an appropriate range and mix of residential, employment, recreation, park and open space and other uses to meet long term goals.

The PPS speaks to providing an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs. The proposed development is increasing the mix of housing available in Newmarket by adding one, two and three bedroom apartments. The applicant has committed to providing 25% of the units at affordable prices (as defined by York Region).

The PPS supports and promotes intensification in designated growth areas taking advantage of existing and planned infrastructure. The proposed development is consistent with the PPS by providing a mix of housing types within the settlement area of the Town of Newmarket that has been identified in the Official Plan/UCSP for intensification and redevelopment. The proposal provides for a compact form allowing for the efficient use of land and infrastructure.

Growth Plan

The Growth Plan directs growth to built-up areas designated within municipal official plans. The Urban Centres Secondary Plan (UCSP) will help the Town to meet its intensification requirements under the Growth Plan. The UCSP focuses the Town's

future growth to the Yonge Street and Davis Drive corridors, where this development application is located.

The Growth Plan contains policies directing municipalities to create complete communities; reduce the dependence on private automobile through mixed-use and transit-supportive development; provide for high quality public spaces; support transit, walking, and cycling; implement minimum affordable housing targets in accordance with the PPS; and achieve an appropriate transition of built form to adjacent uses.

This development aligns with the objectives of the Growth Plan and provincial policy by:

- being located in an intensification area;
- being located along the Davis Drive corridor within a major transit station area;
- contribute to a mix of built forms and public open spaces;
- seeking to meet affordable housing targets;
- providing a range of size and types of dwelling units; and
- supporting transportation demand management through limited parking.

The Growth Plan requires that Urban Growth Centres be planned to achieve a minimum gross density target of 160 residents and jobs within Major Transit Station Areas (MTSAs) on priority transit corridors served by Bus Rapid Transit (BRT) such as the Viva BRT on Davis Drive. The proposal provides approximately 759 people per hectare, which will exceed the MTSAs minimum density target. While the figure of 759 may seem large compared to the minimum target of 160, it is important to note that the target of 160 is a minimum, and densities over and above this minimum in the Urban Centres are supported by other planning documents including the Urban Centres Secondary Plan (as discussed later in this report).

The Growth Plan contains policies directing municipalities to create complete communities, reduce the dependence on private automobiles through mixed-use, transit-supportive development. This proposal would improve the diversity of the housing stock in Newmarket, provide additional dwelling units close to transit and retail options, and provide a parking supply that supports reduced dependence on private automobile use.

York Region Official Plan

Decisions with respect to planning matters are required to conform to the York Region Official Plan (YROP). The YROP designates this site as part of the Region's "Urban Area", and Davis Drive is one of the Regional Corridors, which are planned to serve as the primary locations for the most intensive and greatest mix of development. The policy requirements of the YROP have been integrated into the Urban Centres Secondary Plan (UCSP).

Town of Newmarket Official Plan / Urban Centres Secondary Plan

The subject lands are located in the Urban Centre Secondary Plan (UCSP) area, as discussed in the Background Context section above.

Land Use

The UCSP designates the lands Mixed Use with a Commercial Priority Area along the Davis Drive frontage.

The Mixed Use designation allows for both residential and commercial uses as are contemplated by this proposal.

The Regional Healthcare Centre Character Area is planned to be a primarily institutional area with 1,100 residents and 8,700 jobs over the whole geographic area. Residential and commercial uses are still contemplated in this Character Area and the proposal will contribute to the build out objectives of the Character Area.

Section 5.3.2.i states that “Priority Commercial Areas are intended to ensure that an at-grade commercial presence is provided and retail goods and services remain available within close proximity to the people that live and work in the area. The Priority Commercial Areas are also intended to contribute to an active street and boulevard condition.” This proposal provides for commercial uses at grade along Davis Drive thus achieving the objectives of active street and providing goods and service close to residential uses.

Height and Density

The subject property is located within the Medium-High Density designation. This designation requires building heights ranging from 4-12 storeys. The Secondary Plan also provides for discretionary maximum height of 15 storeys in this area through height and density bonusing.

The Medium-High Density designation allows for floor space indexes (FSI) ranging from 2.0 to 2.5. The Secondary Plan also provides for discretionary maximum FSI of 3.0 in this area through height and density bonusing.

The proposal seeks building heights of 15 storeys and an FSI of 3.0. These maximums are contemplated by the Secondary Plan and must be implemented through a zoning by-law amendment and Section 37 Bonusing Agreement.

Affordable Housing

The subject lands are located within the Urban Centres, but outside the Yonge & Davis Provincial Urban Growth Centre. In this area, the UCSP indicates that a minimum of 25% of new housing units shall be affordable to low and moderate income households. The applicant has confirmed that they are committed to providing 25% of new housing units as affordable to low and moderate income households. The proposed development provides a range of unit sizes (1, 2 and 3 bedroom units) to provide opportunity for all

household types, including larger families, seniors and persons with special needs. The applicant has also committed that all units will be accessible to people with physical disabilities. The applicant has identified that 43 units in each Tower will be affordable to low and moderate income households. This commitment will be secured through legal agreements, as appropriate.

Urban Design

The UCSP has a number of urban design objectives to ensure a high quality of design that is sensitive to the surrounding land uses and create the distinct, livable and vibrant urban place that Newmarket is seeking to achieve.

The proposed built form of the building conforms to the urban design policies of the UCSP. Each building provides a podium with setbacks to a tower that rises above it and articulated facades with a range of complementary building material types. The applicant has committed to design an attractive building facade adjacent to the urban square in the area where a breezeway was originally proposed. This will be continued to be reviewed as part of the Site Plan process.

Staff have worked with the applicant on details regarding the material selection for the elevation plans, along with sustainability requirements, and bird-friendly design elements through the site plan application process. Staff note that minor revisions may be continue to be incorporated to the design through the site plan approval process. To date the applicant has endeavoured to incorporate all urban design comments.

Shadow Impact

The submitted shadow study indicates that the proposed development has been oriented and sized to minimize shadow impacts. The UCSP prioritizes ensuring that sunlight penetration continues to nearby reach streets, parks, squares and plazas, surrounding neighbourhoods, and shadow-sensitive areas such as schoolyards and amenity areas for seniors. As such new development will be designed to limit shadow impacts on adjacent properties and public spaces. The submitted shadow study indicates that these policies would be met.

Sustainability

The UCSP requires the incorporation of certain sustainability measures. Section 7.3.7 (i) of the Plan provides that all development be encouraged to strive for a LEED Gold or higher rating or equivalent standard. The provided Sustainable Development Report provides a list of features that the applicant has indicated they will have committed to provide. These include attempting to achieve York Region's Sustainable Development through LEED program, using Green Street philosophy for Patterson Street, cool roof treatment, and a possible geothermal heat exchanger.

If Council should deem to approve this application, some of these elements may be secured at the site plan approval stage, with holding provisions, and through legal agreements as appropriate.

Communication Technology

The UCSP requires that all multi-unit residential buildings will be designed to facilitate advanced telecommunication. The submission indicates that the applicant will ensure that conduits will be provided from the right-of-way to each building and unit such that the buildings are prepared for “fibre to suite” requirements of telecommunication providers. The application appears to meet the policies of the UCSP related to communication technology.

Transportation

The integration of land use and transportation planning is a critical element of the UCSP and of good planning in general. The transportation policies of the UCSP encourage a shift away from single occupant vehicles in favor of more active, efficient, and sustainable transportation modes. The UCSP policies prioritize the use of public transit and active transportation, and direct the establishment of a new road network throughout the UCSP area to provide accessibility and permeability. The proposal meets these policy objectives by leaving space for the future private road connection on the east end of the property and encouraging pedestrian permeability through the site.

Staff and the applicant continue to work on the upgrades required to Patterson Street to facilitate the development, which will be finalized through the Site Plan Approval application.

Parking for the site has been updated to align with the requirements of Zoning By-law 2019-06. Sufficient residential parking has been provided and visitor spaces have been identified on the site plan. Adequate parking for the commercial spaces has been provided based on the information available at this time.

Parkland Dedication

The applicant is proposing to meet this requirement through cash-in-lieu and the provision of a Private Open Public Space (POPS) urban park. The calculation of the required parkland and/or cash-in-lieu has been calculated in accordance with the Town’s Parkland Dedication By-law, and it has been found to be satisfactory for the purposes of the zoning by-law amendment. The details of the POPS and amount of cash-in-lieu will be finalized in the Site Plan Agreement.

The applicant has requested a deferral of cash-in-lieu of parkland. This is discussed in the Budget section of this Report below.

Zoning By-law 2019-06

Zoning By-law 2019-06 implements the Urban Centres Secondary Plan. The applicant has requested the amendment to permit an increase in height from 12 to 15 storeys and increase the density (measured in Floor Space Index FSI) from 2.5 to 3.0. The maximum permitted height in meters is 38m, the proposed towers both have a height of 47m. Approval of these zoning by-law amendments is recommended as the applicant is providing acceptable community benefits through a Section 37 Agreement and meets the policies of the UCSP.

Servicing Allocation

The proposed development will require servicing allocation in the amount of 662 people, with Tower A having 172 units requiring 336 persons worth of allocation and Tower B having 167 units requiring 326 persons. This development is not phased. Through this report, staff are recommending granting servicing allocation at the time the zoning by-law amendment is approved.

In accordance with the Servicing Allocation Policy, staff are recommending that allocation for the entire project be provided with the approval of the Zoning By-law amendment as this proposal is located in the highest priority area identified in the Policy. Also, the proposal is substantially advanced, as the Site Plan was submitted concurrently with the Zoning By-law Amendment application, and the review of the second submission of the Site Plan documents has been completed.

In addition, the applicant has noted that they are in discussions with York Region to participate in the “Sustainable Development through LEED” program through which constructing the building to LEED Silver standards would provide the Town with a refund of 30% of the servicing allocation required for the building.

It is recommended to provide full servicing allocation at this time, as this development will contribute to achieving Council’s Strategic Priority of Enhancing the Vibrancy on Yonge and Davis through this proposal’s active street front and commercial and residential uses in close proximity to one another.

Height and Density Bonusing

The application would require height and density bonusing under Section 37 of the Planning Act. The UCSP has a maximum Floor Space Index (FSI) of 2.5. The application is seeking an increase of 0.5 FSI, to 3.0, which comprises an increase of three storeys and 9 metres of overall height (from 38m to 47m).

Section 37 of the Planning Act authorizes municipalities to permit increases in height and density in exchange for certain community benefits or cash-in-lieu of the same. The benefits that are eligible for such bonusing are set out in Section 14.2.9 of the UCSP. In order to permit such an increase in height and/or density, the UCSP states that the applicant shall demonstrate that the development:

- a) represents good planning;
- b) is consistent with the objectives of this Plan;
- c) meets the applicable urban design and built form policies of this Plan;
- d) represents appropriate development in the context of the surrounding character;
- e) can be accommodated by existing or improved infrastructure; and
- f) will not adversely impact the transportation network or, where cumulative impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided prior to the time of development.

The applicant has provided a rationale in their Bonusing Justification Report that explains how the application meets these requirements. As discussed throughout this report, it is staff's opinion that this proposal represents good planning, is consistent with the objectives of the Plan, meets the applicable design and built form policies of the Plan, and can be accommodated within existing and slightly improved infrastructure.

The UCSP allows for the exchange of the following public benefits as long as they are beyond what would otherwise be required to be provided by the Plan, the Planning Act, the Development Charges Act or any other legislative requirement for increases in height and density. The following is a list of community benefits that the Secondary Plan allows the Town to consider, the bolded benefits are being considered as part of this application:

- a) cultural facilities, such as a performing arts centre, amphitheatre or museum;
- b) **special park or recreational facilities and improvements identified by the Town as desirable for the area but which are beyond those required by this Plan, the Planning Act, or the Town's standard levels of service;**
- c) public amenities within identified environmental open spaces, including but not limited to permanent pathways, recreational trails and bridges, including contribution toward the Town's Active Transportation Network;
- d) public art;
- e) structured parking for vehicles where a significant portion of the parking is to be transferred to a public authority for use as public parking;
- f) **streetscape, gateway features, pedestrian mews and open space design enhancements that are beyond those required by this Plan, the Planning Act, or the Town's standard levels of service;**
- g) private roads that are to remain accessible to the public;
- h) upgrades to and/or provision of community facilities such as community centres, including seniors and youth facilities and other social services;
- i) other community facilities or human services identified by the Town as desirable for the Urban Centres;
- j) inclusion of energy or water conservation measures beyond those required by this Plan or by any other applicable plan;
- k) affordable housing units beyond those required by this Plan or by the York Region Official Plan;
- l) provision of rental housing which is guaranteed to remain as rental for a period of not less than 20 years; and

- m) provision for social housing that is affordable to those below the 40th percentile in household income.

Based on the above list, and specifically items b and f, the applicant has proposed the following potential community benefits:

- a) 50% of the value of an enhanced water feature at the corner of Davis Drive and Patterson Street
- b) 50% of the value of the east pedestrian walkway
- c) balance of the bonusing to be made up in cash to go towards outfitting the future Hollingsworth Park

The water feature at the corner of Davis Drive and Patterson Street has been determined to be designed beyond the general urban design requirements of the Plan. It will contribute to setting a high standard of design in the Urban Centres and assists Council in achieving their Strategic Goal of Enhancing the Vibrancy of Yonge and Davis.

It is an overall objective the Secondary Plan to enhance pedestrian permeability along the Yonge and Davis corridors. This enhanced pedestrian mews has been determined to be beyond the standard requirements of the design policies in the UCSP.

The remaining value will be provided as a cash contribution to be applied by the Town to the redevelopment of the Hollingsworth Park.

The Town's Implementation Guidelines for Section 37 of the Planning Act in the Urban Centers allows the Town to seek 25% of the value resulting from the increased height and density for public benefits. From the applicant's Bonusing Justification Report the following will be provided:

- An appraisal was completed to estimate the value of the increase in height and density; based on the appraisal 25% of the estimated increase in land value due to bonusing is \$643,000.
- The assessed value of 50% of the public benefits (enhanced water feature and enhanced pedestrian mews) is \$93,750.
- The difference between these two figures is \$549,250 and will be paid as funds to be used in the redevelopment of the Hollingsworth Park.

As such, the bonusing requirements for this application have been met.

Holding Provision

In accordance with Section 36 of the Planning Act, Council may impose holding provisions ("H") on a zoning by-law to limit the use of lands until the provision is removed. The amending zoning by-law will include holding provisions that are typical for this kind of mixed-use, higher-density development including but not limited to:

- Execution of a Site Plan Agreement

- Execution of a Section 37 Agreement
- Execution of a DC Deferral Agreement, if appropriate
- An RSC filed with MOECC and/or the Town's Reliance Letter Template completed
- A Noise and Vibration Study completed
- Patterson Street road widening conveyed
- The capacity of the water service to be confirmed to satisfaction of the Director of Engineering
- The Traffic Management Plan completed

Site Plan Agreement

The applicant will be required to enter into a Site Plan Agreement (SPA) for the redevelopment of this site, as required through a holding provision (as per the above section). In addition to the typical requirements and clauses of a Site Plan Agreement for this type of development, the Site Plan Agreement will require the following:

- The Patterson Street road works completed prior to the security being released
- The sanitary service constructed prior to the security being released
- The water service constructed prior to the security being released
- A Crane Swing, Tieback, and Shoring Agreement executed before the SPA is executed
- The Construction Management Plan completed

Comments

Staff circulate zoning by-law amendment applications to the public and the Town's review partners. Many of the comments provided are outlined in the Discussion section above. Any additional comments are presented below for greater context.

York Region

York Region has advised there is no objection to the approval of the Zoning By-law Amendment subject to servicing allocation being granted. Through this report, staff are recommending granting servicing allocation at the time the zoning by-law amendment is approved, and there are Site Plan comments that the applicant and the Region continue to address.

Engineering Services

Staff from Engineering Services have provided comments on the application. They note that they believe that the issues they have raised can be satisfactorily addressed through holding provisions in the amending zoning by-law and during the site plan approval process.

Town Arborist

The Town's Consulting Arborist, Urban Forest Innovations Inc., has reviewed the application. The Consulting Arborist is generally satisfied with the arborist report submitted by the applicant.

Staff will ensure compliance with the Tree Policy through the Site Plan process.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the application in accordance with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), the Greenbelt Plan, the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 under the *Conservation Authorities Act*.

The LSRCA is satisfied that, from a watershed management perspective, the application is consistent with the applicable policies. Consequently, the LSRCA has no objection to the zoning by-law amendment.

Other Review Partners

- Building Services has indicated they have no comments at this time.
- Central York Fire Services has reviewed the application and they have provided general comments on the site layout and plan detail to ensure appropriate access for emergency vehicles.
- The York Catholic District School Board has been advised of the application and they have advised they have no additional comment or objection to its approval.
- Canada Post has been advised of the application and they have noted their requirements to ensure orderly mail delivery to the development in the event that Council approves the application.
- The Southlake Regional Health Centre has been advised of the application and they have noted the ongoing need for capital investment and public support to meet the needs of the region's growing population.
- Rogers Communications has been advised of the application and they have noted no comment.

Effect of Public Input

Comments were received from the public at the statutory public meeting and by written correspondence. The effect of this input, or the way in which the matters raised by the public were otherwise addressed, are discussed below.

At the statutory public meeting, the applicant was asked to consider opportunities for daytime paid parking for the users of nearby medical facilities, and whether any surplus parking may be viable for paid use by others. The applicant has met the requirements of the Zoning By-law which set a maximum and minimum amount of parking to be provided. The surface parking is not gated and is fully accessible to anyone. The underground parking will be accessed by keycard or a similar technology.

Parking and Traffic were concerns raised by several residents and Councilors. The applicant has provided enough parking for the development as required under the Zoning By-law. Zoning By-law 2019-06 intentionally set minimum and maximum parking requirements for development in the corridor as it is supported by the Region's Bus Rapid Transit (BRT) system. This redevelopment will support the use of the BRT and reduce future (and hopefully current) residents' dependence on motor vehicles.

There were discussions around the community benefits proposed by the applicant. At the time there were different community benefits proposed. The list has been shortened to include two elements and a cash contribution (as discussed earlier in this Report).

Concerns were raised regarding the shadow impacts of the proposed building on the future park on the Hollingsworth Arena property. The submitted Shadow Study demonstrates that the largest shadow impact on the future park will be in December and that the two tower design enables adequate light to penetrate through to the park.

Concerns were raised about the mix of apartment units, the applicant has increased the number of three bedroom units from 8 to 14.

Conclusion

The application meets the policies of the Urban Centres Secondary Plan, conforms to or does not conflict with the York Region Official Plan, Growth Plan for the Greater Golden Horseshoe, and the Provincial Policy Statement.

The application has sufficiently improved from the initial submission, such that staff now recommend its approval, subject to certain holding provisions. Further refinement of the application will take place as part of the site plan approval application.

Business Plan and Strategic Plan Linkages

- Extraordinary Places and Spaces
- Vibrancy on Yonge, Davis and Mulock

Consultation

The Zoning By-law Amendment application has been provided to the Town's internal review partners and external agencies per standard practice. Notice has been provided to persons and bodies as required by Ontario Regulation 545/06 of the Planning Act.

A statutory public meeting was held in January of 2020. A non-statutory meeting was hosted by the applicant. Following the meetings additional studies were provided to the Town in August 2020, which were also circulated for review.

Human Resource Considerations

N/A

Budget Impact

The appropriate planning application fees have been received for the Zoning By-law Amendment and Site Plan Approval applications. The Town will also receive revenue from development charges and assessment revenue with the development of this proposal in the event the applications are approved.

The applicant has requested a deferral of development charges, as per the Town's Policy for the Deferral of Payment of Development Charges & Planning Application Fees within the Urban Centres, under Section 6.2 - Enhanced Development Criteria Based Approach for the Deferral of Development Charges and Planning Application Fees. This request is under review as part of the Site Plan Approval process. Should the application for deferral be found to conform to the policy requirements, this report recommends that the Town enter into a DC Deferral Agreement; and that this Agreement will have to be executed prior to the holding provision being removed from the lands.

The applicant has also requested a deferral of cash-in-lieu of parkland. Staff do not support a deferral of cash-in-lieu of parkland, and will require that parkland dedication be provided in accordance with the Town's Parkland Dedication By-law.

Attachments

- Proposed Site Plan
- Building Renderings

Submitted by

Meghan White, Senior Planner, Planning Services

Approved for Submission

Adrian Cammaert, MCIP RPP, Acting Manager, Planning Services

Jason Unger, MCIP RPP, Director Planning & Building Services

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

Contact

Meghan White, MCIP RPP

mwhite@newmarket.ca

ISSUE DATES AND DISTRIBUTION LOG

No.	Date	Note
1	2019-10-04	ISSUED FOR ZBA/SPA
2	2020-03-24	ISSUED FOR COORDINATION
3	2020-05-19	ISSUED FOR COORDINATION
4	2020-06-19	ISSUED FOR COORDINATION
5	2020-06-30	ISSUED FOR COORDINATION
6	2020-07-10	SPA#2 - FINAL DRAFT
7	2020-07-15	SPA#2 - FINAL DRAFT REVISED
8	2020-07-17	ISSUED FOR SPA#2
9	2020-11-17	ISSUED FOR LANDSCAPE COORDINATION
10	2020-11-19	ISSUED FOR ZBA

SITE PLAN SYMBOL AND SIGN LEGEND:

	ENTRANCE TO RETAIL OR GRADE REALTED RES. UNIT
	CATCH BASIN (REFER TO CIVIL DWGS.)
	AREA DRAIN (REFER TO CIVIL DWGS.)
	TRENCH DRAIN (REFER TO CIVIL DWGS.)
	MANHOLE (REFER TO CIVIL DWGS.)
	MANHOLE CATCH BASIN (REFER TO CIVIL DWGS.)
	FIRE HYDRANT
	SIAMESE (STANDPIPE) CONNECTION
	ACCESSIBLE PARKING SIGNAGE
	FIRE ROUTE SIGNAGE
	LIGHT STANDARD (EXTERIOR POLE FIXTURE)
	WALL MOUNTED EXTERIOR LIGHT FIXTURE
	ACCESSIBLE CURB CUT
	BARRIER FREE PARKING SPACE
	P.O.P.S. BOUNDARY
	OUTDOOR AMENITY AREA BOUNDARY
	BICYCLE RACK (COUNTED AS 2 SHORT TERM SPACES)



BRIARWOOD
DEVELOPMENT GROUP



PROJECT
NORTH



TRUE
NORTH



SEAL

Project:
693-713 DAVIS DRIVE

Briarwood Development Group

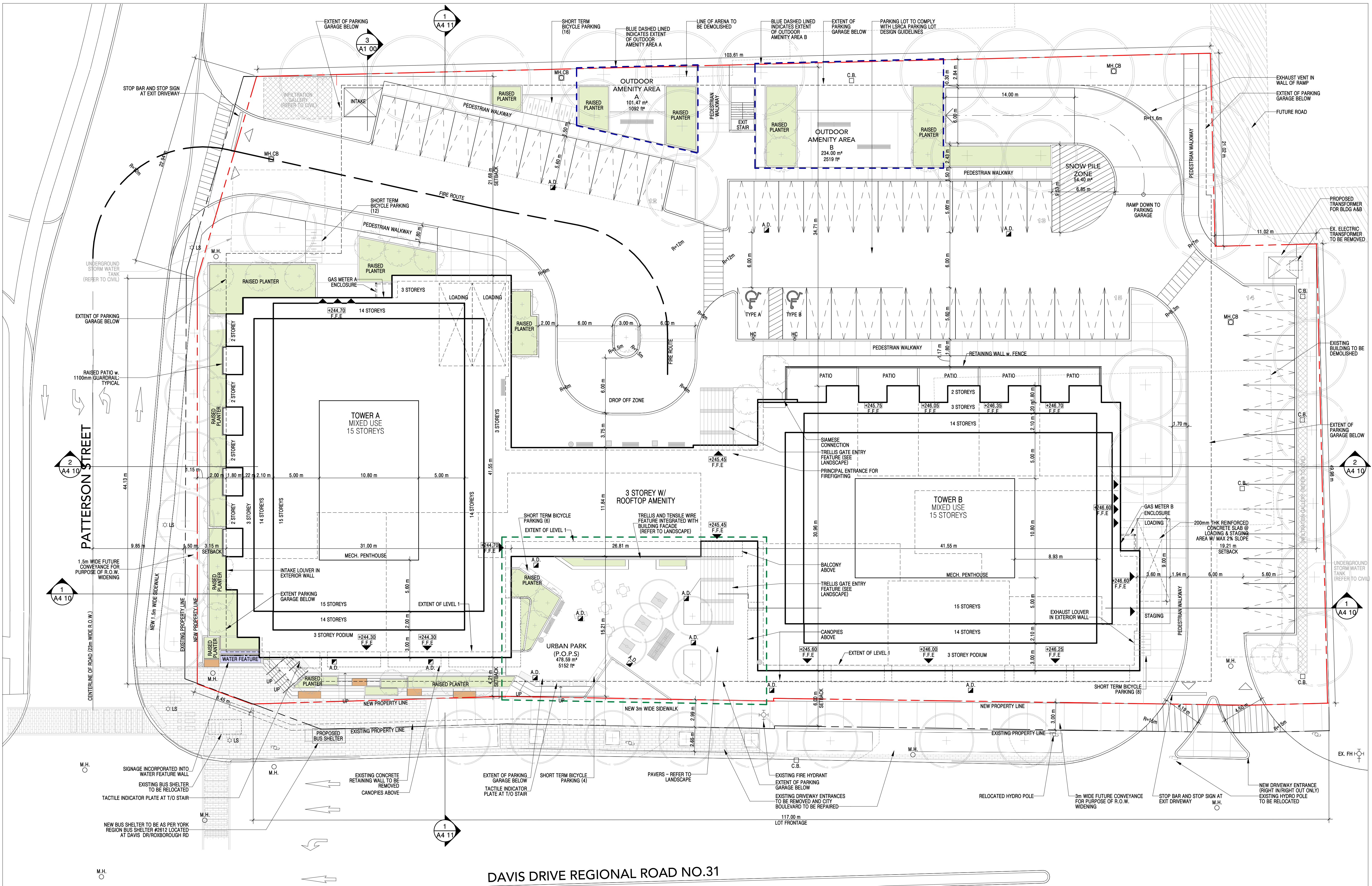
Newmarket ON

Drawing Title:
SITE PLAN

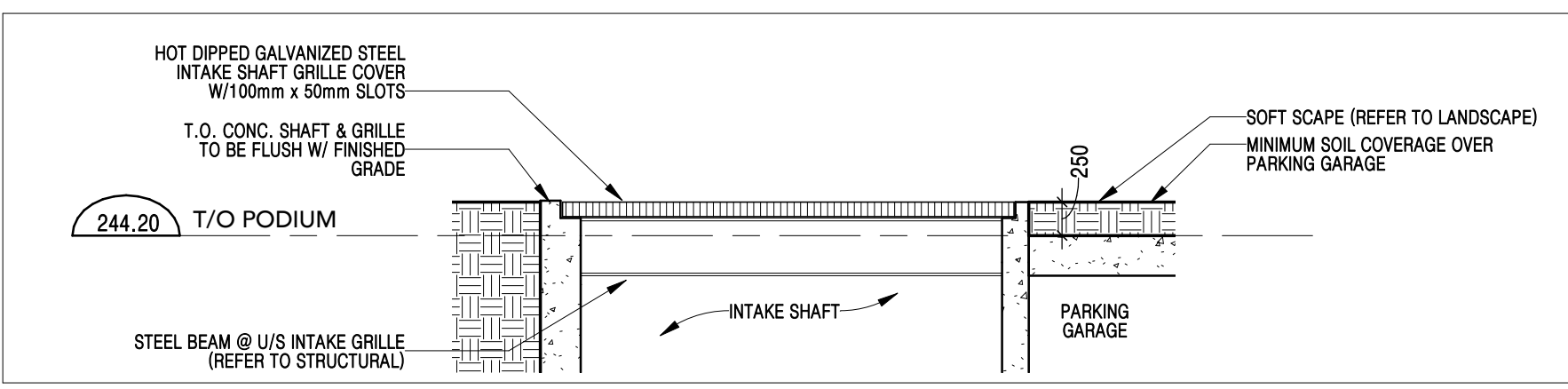
Drawn By: ES
Checked By: AM
Project No. 17-126

Date Plotted: 2020-11-19 5:55:35 PM
Scale: As indicated

A1 00



TOWN OF NEWMARKET SITE SIGNAGE
SCALE: 1 : 1
A1 00



DETAIL @ INTAKE SHAFT
SCALE: 1 : 50
A1 00

NOTE:
REFER TO SHEET A002 FOR SITE STATISTICS
REFER TO SHEET A003 FOR OBC MATRIX



Aerial View - North/West Corner
SCALE: 6
A0 10



Aerial View - South/West Corner
SCALE: 5
A0 10



Perspective - North/East Corner
SCALE: 4
A0 10



Perspective - North/West Corner
SCALE: 3
A0 10



Perspective - South/East Corner
SCALE: 2
A0 10



Perspective - South/West Corner
SCALE: 1
A0 10

ISSUE DATES AND DISTRIBUTION LOG

No.	Date	Note
1	2019-10-04	ISSUED FOR ZBA/SPA
2	2020-06-19	ISSUED FOR COORDINATION
3	2020-07-10	SPA#2- FINAL DRAFT
4	2020-07-17	ISSUED FOR SPA#2



BRIARWOOD
DEVELOPMENT GROUP



SEAL

Project:
693-713 DAVIS DRIVE

Briarwood Development Group

Newmarket ON

Drawing Title:
BUILDING MASSING

Drawn By: ES
Checked By: AM
Project No: 17-126
Date Plotted: 2020-07-17 1:24:55 PM
Scale:

Drawing No.:

A0 10



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Off-Street Parking Program Staff Report to Council

Report Number: 2020-95

Department(s): Legislative Services

Author(s): Flynn Scott, Manager of Regulatory Services

Meeting Date: December 7, 2020

Recommendations

1. That the report entitled Off-Street Parking Program dated December 7, 2020 be received; and,
2. That Council adopts the proposed overnight parking exemption permit program; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to present Council with an alternative option for residents to park off-street throughout the Town's seasonal winter parking restrictions.

Background

On November 16, 2020 at a regular Committee of the Whole meeting, Town staff presented [Report 2020-87](#), which included a summary of overnight parking restrictions coming into effect and prohibiting on-street parking between the hours of 2:00am and 6:00am throughout the winter season. Council further directed staff to explore alternative options for residents to be able to park off-street while overnight parking restrictions remain in effect and in conjunction with the COVID-19 pandemic.

Overnight Parking Restrictions

Between November 1 and April 15 of each year, the Town's Regulatory Services Division proactively enforces the Parking By-law, which restricts vehicles from parking on-street between the hours of 2:00am and 6:00am. These restrictions directly relate to

the Town's winter maintenance operations to ensure snowplows can safely and effectively remove snow from Town roadways.

Impacts to Parking due to Covid-19

Due to the COVID-19 pandemic, Town residents have experienced an increase of vehicles within residential zones for varying reasons. Rationale includes, but is not limited to, residents working from home, unable to work, or students not returning to school and working remotely. The pandemic has created a discrepancy between available off-street parking for residential properties and the number of vehicles per household.

With Town-wide overnight parking restrictions coming into effect on November 1, Town staff has recognized that residents may require additional options for off-street parking throughout the winter season.

Discussion

In an effort to provide additional assistance to residents throughout the pandemic, Town staff are recommending a proposed plan to allow off-street parking in select Town-owned lots throughout Newmarket. Residents will be eligible to apply for and obtain a temporary parking exemption permit, which will authorize them to park in one of four parking lots identified within this report.

Proposed Parking Permit Program

Proposed Locations

Following direction received from Council, Town staff established an internal working group to discuss viable options for additional off-street parking within Newmarket. The Town's Operations Department provided recommendations for which Town-owned lots may be suitable for this program. The proposed lots include:

- Town Offices (395 Mulock Drive);
- Magna Centre (800 Mulock Drive);
- Ray Twinney Complex (100 Eagle Street); and
- Downtown – P3 Parking Lot.

Key Considerations for Proposed Locations

Key considerations for identifying these parking lots as viable options in comparison to other Town-owned lots includes:

- acceptable lighting standards to mitigate public safety;
- the ability for snow plows to remain uninterrupted in service delivery levels;
- adequate parking space availability; and

- low impact to operational resources in maintaining and administering this program.

Proposed Dates and Hours Permitted

Town staff are proposing to allow residents with a valid permit to park within one of the four lots identified within this report between the hours of 7:00pm and 7:00am. The times proposed align with the Town's operational capacity to ensure minimal service delivery interruptions for snow clearing within these lots. It also allows flexibility for residents to be able to relocate their vehicles on-street after 7:00am and in compliance with the Town's Parking By-law during daytime hours. The proposed program will be in effect until April 15, 2021, when overnight parking restrictions discontinue on a seasonal basis.

Proposed Permit Process

All residents will be eligible to participate in the proposed off-street parking program. Residents will be required to apply for and obtain a temporary parking exemption permit through the Town's online parking portal. Residents will need to provide their vehicle information in order to register and obtain a permit. All permits will be issued electronically and without the need to print or place a hardcopy permit within vehicles. All permits are then managed directly through the Town's parking enforcement software, which allows Town municipal enforcement officers to simply scan a licence plate and verify that a permit has been registered to that specific location (ie. one of the lots authorized by the Town).

Enforcement Strategy

An enforcement strategy has been developed for the purpose of effectively managing the proposed parking permit program. Upon registering their vehicles online, residents will be provided with important information in relation to the rules and regulations for parking within Town-owned lots. This will include informing each resident that vehicles must be relocated by 7:00am each morning for the purpose of snow removal. In the event that a vehicle does not relocate by this time, a warning will be issued to caution the resident to be more mindful moving forward. If future or reoccurring violations are documented, the vehicle will be issued a ticket and may be towed at the residents' expense if the vehicle is found to be obstructing snow plow removal efforts. Towing a vehicle will be an absolute 'last resort' approach, but residents will be clearly informed of this process via the information provided at the time of the permit's issuance, in addition to new and applicable signage being posted throughout the proposed lot locations.

It is relevant to note that any enforcement action taken will be directly through the Administrative Monetary Penalty System (AMPS).

Conclusion

Town staff are requesting Council's approval to implement an off-street parking program as described in this report. The four parking lots proposed will serve as a pilot project to determine resident uptake with this program. In the event that there is greater interest in this program, Town staff will further review other Town-owned lots and report back to Council with a proposed second phase of this program.

Business Plan and Strategic Plan Linkages

The strategic vision of the Town of Newmarket is rooted in the concept of being Well Beyond the Ordinary – this vision is achieved through focus on the well being of our Service Delivery Responses in line with Provincial Covid-19 Guidelines community. The wellness of our community has at all times been first and foremost in the actions taken to date.

This report also aligns with the overall residential parking review identified on the Town's Outstanding Matters List (Item #22). The proposed permit program will allow Town staff to pilot the use of Town-owned lots as an alternative to on-street parking during seasonal winter restrictions. The data and information collected in this pilot program will be beneficial for further recommendations to Council regarding an overall residential parking strategy and Town staff will report back, as scheduled, in Q1 2021.

Consultation

Consultation with the Town's Operations Department and Risk Analyst was completed. Comprehensive consultation with Legal, both internally and externally, has also been completed.

An indemnity clause will be imposed for when residents go online to obtain their permits for the purpose of minimizing risk and liability to the Town.

Human Resource Considerations

There are no impacts to human resources, as the proposed lots are currently being maintained throughout the winter season. Increased enforcement of the proposed lots will occur through existing staff resources.

Budget Impact

There are minimal budget impacts for implementing this program. The total cost will be approximately \$2,000 for implementing new signage, which will be accommodated through an operational budget.

Attachments

List attachments here. If none, type "None."

Approval

Lisa Lyons, Director/Town Clerk, Legislative Services

Mark Agnoletto, Director, Public Works

Esther Armchuk, Commissioner, Corporate Services

Peter Noehammer, Commissioner, Development and Infrastructure

Contact

Flynn Scott, Manager, Legislative Services

fscott@newmarket.ca



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Newmarket Patio Program - 2020

Information Report to Council

Report Number: INFO-2020-37

Department(s): Economic Development, Recreation & Culture

Author(s): Dave Lowes

Distribution Date: November 30, 2020

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this report is to provide an overview of the Town of Newmarket's temporary expanded patio program for 2020.

Background

The COVID 19 pandemic caused restaurants to close (except takeout/delivery) from March 24, 2020 until June 19, 2020 when The Province of Ontario announced that York Region was able to move into Stage 2 of their 3 stage reopening plan.

Stage 2 allowed restaurants to offer outdoor in-person dining as long as they followed all public health guidelines (physical distancing, contact tracing, reservations only, etc.)

Many local restaurants expressed interest in gaining additional outdoor space in order to accommodate the new rules and have a better chance at success. These requests came from restaurants in the BIA area seeking permission to use public land in the downtown area, as well as from restaurants on private property throughout town.

Discussion

Here are a few steps the town took to help restaurants respond and adapt to challenges created by COVID-19:

- Patio licensing fees were waived for 2020.

- The Town's patio program guidelines and regulations were updated to include more flexibility around hours of operation, encroachment on town lands and any other considerations necessary to accommodate temporary outdoor patios.
- Infrastructure, set up and tear down of pedestrian zones/expanded patios on Town property adjacent to interested businesses were funded by the Town for the 2020 season.
- Logistics of expanded dining zones on Town property were coordinated by the Town to ensure ease of implementation. This included:
 - Sourcing and securing all relevant rental equipment, materials, and contractors
 - Liaising with restaurant owners and contractors, multiple Town departments, Central York Fire Services, Public Health, etc. to ensure a timely and efficient process that did not hinder the ability for restaurants to open as early as possible

The Province of Ontario amended the Liquor Licence Act to make it easier for licensed bars and restaurants to temporarily add a patio or expand existing patios to accommodate physical distancing. This included being more generous in their definition of 'adjacent' which created opportunities for restaurants to use public land such as sidewalks, street side parking spaces, and laneways.

In early June 2020, Economic Development conducted a survey to determine which businesses would be interested in participating in an extended patio program. Here are the highlights of that survey:

- 33 businesses responded to the survey
- 25/33 businesses indicated they were in favour of the program
 - 93.3% of those in favour were still in favour even if it meant removing parking spaces
 - 13 of the 25 businesses in favour were interested in participating themselves
- Survey comments included:
 - Ensure 30 minute parking remains
 - Consider additional 30 minute parking on side streets
 - Town should consider closing the street
 - Town should definitely not close the street

The following restaurants in the BIA area took part in the expanded patio program (public land):

Made in Mexico:

- Permitted to use one extra parking space on Main St. (3 total)
- Town constructed wooden railings around the extension and covered costs
- Town agreed to cover costs associated with installing their sidewalk detour
- Patio closed on October 30

Chip and Malt:

- No option for sidewalk or curbside patio
- Laneway (Doug Duncan Drive) closed from Main St. to Cedar St.
- Town constructed a 28' x 13' deck in laneway and covered costs
- Deck was built in sections that could be easily dismantled, moved, and stored for future use

- Wood is currently in storage and can be reconstructed for this patio or repurposed for another project

Olde Village Free House:

- Permitted to use of the east side of Market Square parking lot
- Town provided rental fencing and covered costs
- Permit has been extended to November 30 as per their request

Goulash House:

- Permitted to use 3 street parking spaces on Botsford St.
- Town provided rental fencing and covered costs

Neon Flamingo:

- Permitted to use one public parking space plus additional space in front of Old Town Hall
- Town provided rental fencing and covered costs
- Permit has been extended to November 30 as per their request

Hungry Brew Hops:

- Town agreed to cover costs associated with installing sidewalk detour for their Main St. patio
- Permitted to use 5 parking spaces on Cedar St. behind their restaurant for a temporary extension
- Accessible spaces from Cedar St. were relocated to Doug Duncan Drive on the north side of Community Centre
- Cedar St. extension closed on Oct. 5
- Main St. patio permit extended until November 16 as per their request

Aubergine Kitchen and Bar:

- Permitted to use 2 parking spaces on Main St.
- Town constructed wood railings, accessible ramp, and concrete vehicle mitigation barrier and covered associated costs
- Patio closed on October 5

The George Brew House and Eatery:

- Permitted to use sidewalk space in front of their restaurant
- Town covered costs associated with installing wood railings and dividers
- Patio closed on October 30

Cachet Supper Club:

- Permitted to use rear parking lot for patio extension
- Town provided rental fencing and covered costs
- Patio closed October 5

Ground Burger Bar:

- Permitted to use 7 parking spaces in Timothy St. parking lot

- Town covered associated costs for installing wooden barriers
- Patio extension closed October 30
- Regular patio (private property) will remain open until end of 2020

Joia on Main:

- Permitted to use space in Riverwalk Commons adjacent to their permanent patio.
- Town provided rental fencing and covered costs
- Patio extension closed October 5
- Permanent patio will remain open until end of 2020

Café Hased:

- Permitted to use the sidewalk in front of their store for 2 small tables

Hop Bop Noodle Shop:

- Permitted to use a small section of the sidewalk in front of their store for a licensed patio

The following private restaurants were approved for new patios or temporary extensions on private property:

- Coops Smokin' Wing House
- Metropolis Mercantile Café
- Cora's
- Sunset Grill
- Fionn MacCool's
- Lion Pub and Grill
- Tom and Jerry's
- Sun Star Bar and Grill
- Lobo Iberico
- Crow's Nest
- Market Brewing Company
- Wing House
- Sociable Pub
- Union Chicken
- Ten Gallon Bar and Grill
- Castle John's
- The Works
- Daybreak
- Wimpy's Diner
- Donnelly's
- St. Louis Bar and Grill
- A Taste of the Island
- Arthurs Landing
- Montana's

Conclusion

The 2020 patio program has been a tremendous success. It allowed restaurants, particularly those in the downtown core, to reopen and have a realistic chance at recovery by providing additional outdoor dining space that would normally not be available for use.

Supporting the restaurant industry in the downtown core has a ripple effect for the other businesses on Main Street. Restaurants are a major driver of economic activity downtown. If the restaurants are open and operational they attract customers to the area who will stay for longer periods of time and potentially spend money at other businesses while in the area.

Downtown Newmarket, and Main St. specifically, has seen an impressive revitalization over the last few years with restaurants playing a huge role in that accomplishment. This is why their success is critical for the continued enhancement of our downtown and our local economy.

Business Plan and Strategic Plan Linkages

The Patio Program is aligned with Newmarket's Strategic Vision, Mission and Core Values. This initiative promoted outside the box thinking, creativity, and courage to try and find solutions to unprecedented challenges facing our community. We learned many valuable lessons along the way which will help us shape the future of downtown Newmarket for years to come and continue to make our community well beyond the ordinary. With continued guidance from Council and resident feedback, Town staff will work on both short term and long term strategic plans to ensure our downtown thrives in every way and reaches its ultimate potential.

Consultation

Several Town of Newmarket departments contributed to the content of this report including Recreation & Culture, Economic Development, Public Works, and Legislative Services.

We will be conducting another survey as we seek feedback from the Main Street BIA, participating restaurants, and the general public. The survey will focus on the patio experiences from the summer 2020 while also looking ahead to 2021 and beyond as we gather data that can be used toward framing the potential future pedestrianization of Main Street which is a Strategic Priority of Council.

Human Resource Considerations

The patio program involved a coordinated effort from the following Town departments along with support from Mayor and Council and Main Street BIA:

- Economic Development
- Recreation and Culture
- Legislative Services
- Building
- Public Works
- CAO

- Communications
- Central York Fire Services

Budget Impact

Services, Rentals, and Materials	
Fencing Rental	\$ 6,390.68
Woodwork	\$ 13,786.00
Signage	\$ 488.16
Cost reimbursement	\$ 5,497.15
Removal of woodwork	\$ 736.76
Total	<u>\$ 26,898.75</u>

Attachments

Newmarket Temporary Patio Program Photos (PDF)

Temporary Outdoor Patio Program – Application

Contact

Dave Lowes – Events & Sponsorship Programmer – Town of Newmarket

dlowes@newmarket.ca

Approval

Dave Lowes – Events & Sponsorship Programmer – Recreation & Culture

Newmarket Patio Program 2020

Main Street BIA area



Made in Mexico



Metropolis Mercantile and Café



Olde Village Free House



The Goulash House



Neon Flamingo



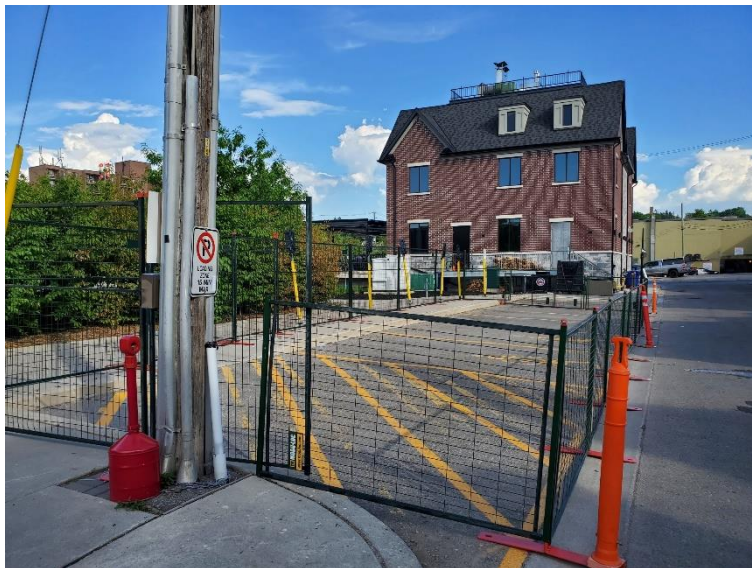
Chip and Malt



Chip and Malt



Hungry Brew Hops



Hop Bop Noodle Shop



Aubergine Kitchen & Bar



Joia on Main



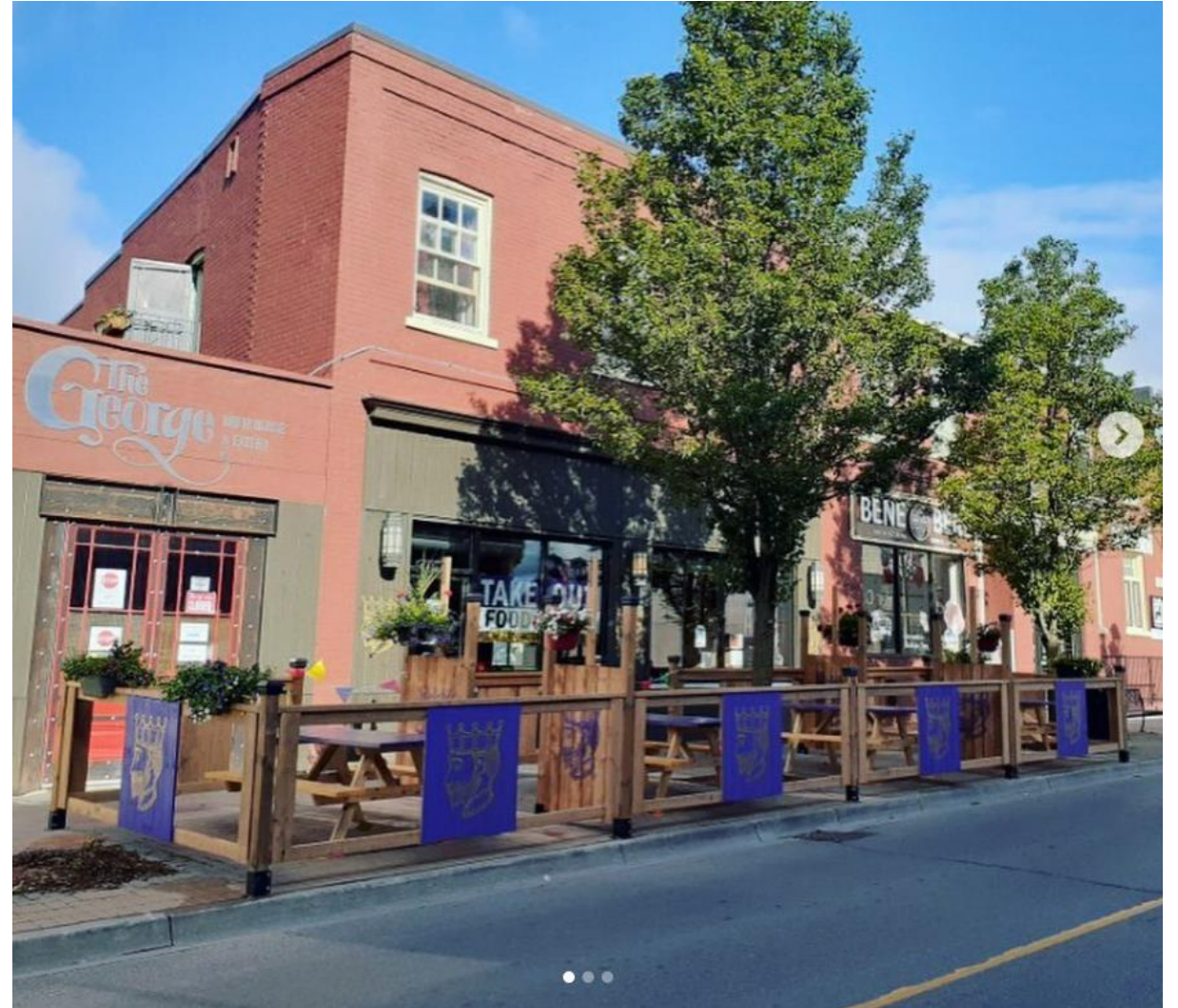
Ground Burger Bar



Cachet Supper Club



The George Brew House and Eatery



Soupa!





Town of Newmarket
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

licensing@newmarket.ca
tel.: 905-953-5300
fax: 905-953-5141

Temporary Outdoor Patio Program 2020 Season – New Application for Town Property

Application Checklist

Completed copy of this application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Copy of business name registration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Proposed site plan (see Appendix B)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Signed Insurance and Indemnification Declaration (see Appendix C)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Copy of existing AGCO liquor licence for principal establishment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Signed copy of the General Conditions and Guidelines (see Appendix D)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PART I: General Information

Business Information

Owner Name:	
Phone Number:	
E-mail Address:	
Registered Business Name:	
Operating Business Name:	
Business Address:	
After Hours Contact #1: (name and phone #)	
After Hours Contact #2: (name and phone #)	

Will alcohol be served on the temporary patio?

☐ Yes

☐ No

Do you currently have an AGCO approved liquor licence
for your establishment?

☐ Yes

☐ No

If yes, is your current AGCO licence for:

☐ Indoor

☐ Outdoor

☐ Both

Are you requesting to temporarily extend an existing patio?

☐ Yes

☐ No

Are you requesting a new temporary patio?

☐ Yes

☐ No

To minimize administrative burden for licensees, those who meet the criteria established by the AGCO (see **Appendix A**) will not be required to apply to the AGCO or pay a fee to temporarily extend their patio or add a temporary new licensed patio.

Licensees are also not required to submit any documentation to the AGCO to demonstrate compliance with **Appendix A**. However, licensees are required to produce such documentation upon request of the AGCO.

PART II: Proposal

Which type of temporary patio are you proposing? (Circle one)

Please refer to the diagrams below for a description on each type of temporary patio.

Small Frontage Patio

Curbside/Sidewalk Patio

Parklet Patio

Laneway Patio

Other (please specify): _____

Examples of Patio Styles

1. Small Frontage Patio

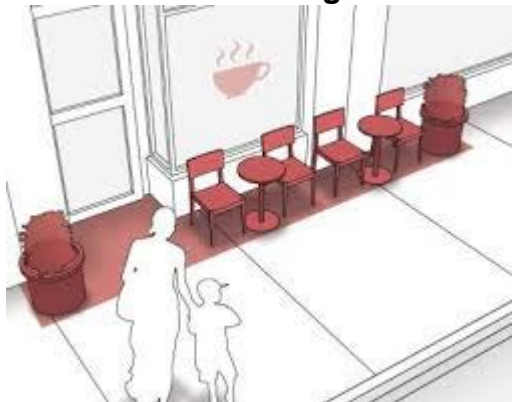


Illustration courtesy of City of Toronto

- Must be located against the building wall
- No umbrellas, fencing or enclosures
- Alcohol is **not permitted**
- Tables, chairs, and displays removed after business hours
- No A-frame sign adjacent on the sidewalk
- Sidewalk width of 1.5m must be maintained and unobstructed for pedestrian access. 1.8m access is recommended.

2. Laneway Patio

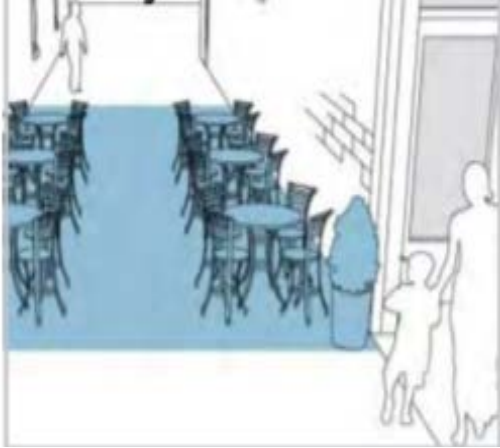


Illustration courtesy of City of Toronto

- Must be located against the building wall
- No umbrellas, fencing or enclosures
- Tables, chairs, and displays removed after business hours
- No enclosures, structures, or visible screens
- Platform must be level with the sidewalk with cross slope no greater than 2% and running slope of no greater than 4%
- Platform must safely bear weight of people and elements on the platform; be stable, safe and slip-resistant; accessible between sidewalk level and the platform; and comply with the standards for decks, platforms and ramps in the Accessibility for Ontarians with Disabilities Act and the Ontario

3. Curbside/Sidewalk Patio

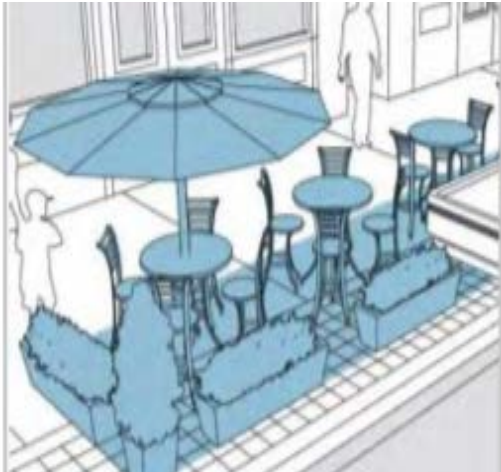


Illustration courtesy of City of Toronto

- Existing parking space(s) are eligible for design
- Unobstructed emergency access route conforming with ON Building and Fire Code
- Must be a minimum of 5m away from designated pedestrian crossover while ensuring proper sightlines
- No enclosures, structures, or visible screens
- Not interfere with transit stops or curbside garbage collection
- Sidewalk width of 1.5m must be maintained and unobstructed for pedestrian access (1.8m recommended)
- Must indicate in your proposed site plan all of the objects (if any) that will be between your building

4. Parklet Patio

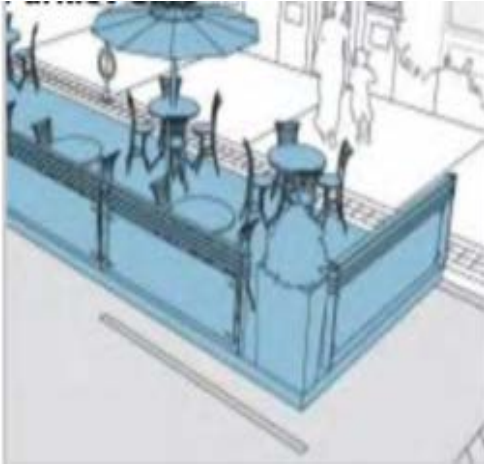


Illustration courtesy of City of Toronto

- Existing parking space(s) are eligible for design
- On a street with posted speeds 40 km/hr or less
- Must be in front of your establishment and not extending to your neighbours' unless you submit letters of consent
- Unobstructed emergency access route conforming with ON Building and Fire Code
- Must be located a minimum of 1m from any driveway or laneway
- Must be a minimum of 5m away from designated pedestrian crossover while ensuring proper sightlines
- No enclosures, structures, or visible screens
- Not interfere with transit stops or curbside garbage collection

This application may contain personal information as defined under the Municipal Freedom of Information and Protection of Privacy Act. The information collected is required pursuant to the terms of the Municipal Act and will be used by the Town of Newmarket to process the application, and to determine whether to issue a license. Information will also be used for administration of such license, and for law enforcement purposes to ensure compliance with all applicable statutes, regulations and by-laws.

I have read the provisions of this Application and Appendixes A, B, C and D. I have signed those Appendixes as required. I verify that I meet all necessary requirements imposed to be eligible to obtain a 2020 Temporary Outdoor Patio Program permit.

Signed _____

Date _____

Name (print): _____

Position (if a corporate applicant):

"I have the authority to bind the company (if a corporate applicant)"

Appendix A

Minimum Criteria under the AGCO

The AGCO has recently amended Regulation 719 under the Liquor Licence Act to provide flexibility for liquor sales licensees (eg. licensed bars and restaurants). Restaurants and bars who wish to temporarily extend the physical size of their existing licensed patio or temporarily add a new licensed patio are authorized to do so, subject to the following criteria:

1. The physical extension of the premises is adjacent to the premises to which the licence to sell liquor applies;
2. The municipality in which the premises is situated has indicated it does not object to an extension;
3. The licensee is able to demonstrate sufficient control over the physical extension of the premises;
4. There is no condition on the liquor sales licence prohibiting a patio; and,
5. The capacity of any new patio, or extended patio space where the licensee has an existing licensed patio, does not exceed **1.11 square metres per person**.

All licensees are expected to first and foremost comply with physical distancing measures and any other public health guidelines or orders issued by the Ontario Government or by any other applicable level of government. The AGCO recognizes that physical distancing requirements as set out in the Government's [Framework for Reopening our Province](#) will likely require licensees to operate at well below maximum capacity.

If your application meets the above criteria, you are **not required** to apply to AGCO for a temporary extension of your existing liquor licence or for a temporary new patio proposal. There are also no fees required to be paid to the AGCO.

If you do not meet the above criteria, you are required to follow the usual application process for a temporary extension of premises and apply through the AGCO website.

This temporary exemption program, specifically offered through AGCO, is only valid until January 1, 2021. However, please note that the Town of Newmarket's Temporary Outdoor Patio Program expires on October 30, 2020.

I have read Appendix A and agree to the terms and conditions as outlined by the AGCO. I verify that I meet all necessary requirements imposed to be eligible to obtain a 2020 Temporary Outdoor Patio Program permit.

Signed _____

Date _____

Name (print): _____

Position (if a corporate applicant): _____

“I have the authority to bind the company (if a corporate applicant)”

Appendix B

Site Plan and Design Requirements

The Temporary Outdoor Patio Program has relaxed a number of restrictions that are typically imposed on Outdoor Serving Patios within the Town of Newmarket.

Your temporary patio design must conform to the following requirements:

Identification Requirements

- One piece of valid government issued identification is required for any person (or signing authority for corporations) who appears on the Registered Business.
- A copy of your registered business name and additional information outlined must be provided in **PART 1** of this application package.

Site Plan of Proposed Temporary Outdoor Patio

Please submit drawings that show:

- Location and dimensions of the proposed temporary patio;
- Total area of the proposed patio in square metres;
- Seating diagram to meet provincial seating restrictions (1.11 square metres per person);
- Proposed barriers or fencing with a minimum height of 36 inches (91 cm) and their placements to mitigate public safety and traffic-related concerns;
- Location and dimensions of the building, including entrances/exits and washrooms;
- Location of adjacent buildings' entrances/exits;
- Location and dimensions of any enclosures, umbrellas, tents, awnings, etc.
- Location of fire extinguishers;
- Location of York Region Transit stops close to the patio;
- Location of curb cuts close to the patio; and
- The maximum occupant load of your business and patio, pursuant to the Ontario Building Code.

Insurance

You must hold and provide General Liability Insurance from an insurer licensed in the province of Ontario for \$2 million per occurrence with an aggregate limit of no less than \$5 million to the Corporation of the Town of Newmarket against any liability for property damage or personal injury, negligence including death which may arise from the applicants operations under this agreement. The Corporation of the Town of Newmarket must be included as an "Additional Named Insured". In addition the Commercial General Liability shall contain Cross Liability and Severability Clauses and Products & Completed Operations coverage including a standard contractual liability endorsement.

Fees

Council for the Town of Newmarket has waived all applicable fees associated to its current Outdoor Serving Patio Program. Such fees include your 2020 approved licensing fee, patio dimensional fees (where located on Town property), and any other fees imposed in relation to inspections or authorizations to construct a temporary patio.

The AGCO has also waived any fees or application processes relating to the temporary extension of existing licensed patios or existing licensee applications for a new temporary patio. For more information, please visit the AGCO website directly.

Design Requirements

- All patios must maintain the requirements of the Accessibility for Ontarians with Disabilities Act. These guidelines set out basic requirements of the AODA. It is the responsibility of each business to ensure their own compliance with the Act.
- A minimum passable sidewalk width of 1.5m must be maintained at all times to ensure accessibility for pedestrians. 1.8m minimum width is preferred.
- Patios are not permitted to reduce the width of the traffic lanes of the public street. A minimum street width of 6m must be maintained at all times to ensure adequate width for emergency vehicles.
- Patios are not permitted to occupy more than 2 on street parking spaces and are subject to Town approval and consultation with adjacent property owners.
- The Town will accept a variation of barrier types to be used for safety mitigation.
- Exterior barriers onto on-street parking spaces must be affixed with high visibility reflective markers for nighttime visibility.

Appendix C

Signed Insurance and Indemnification Declaration

In this Appendix C,

“Claims” means claims, losses, actions, suits, proceedings, causes of action, demands, damages (incidental, direct, indirect, special, consequential or otherwise), fines, duties, interest, penalties, judgements, executions, liabilities, responsibilities, costs, charges, compensation, payments and expenses including, without limitation, any professional, consultant and legal fees on a complete indemnity basis.

“Owner” means the owner listed in this application.

“Injury” means bodily injury, personal discomfort, mental anguish, shock, sickness, disease, death, false arrest, detention or imprisonment, assault, threatening, malicious prosecution, libel, slander, defamation of character, invasion of privacy and discrimination, or any of them, as the case may be.

Insurance:

The Owner holds General Liability Insurance from an insurer licensed in the province of Ontario for \$2 million per occurrence with an aggregate limit of no less than \$5 million insuring the Owner and the Corporation of the Town of Newmarket (“the Town”) against any liability for property damage or personal injury, negligence including death which may arise from the applicants operations under this agreement. The Town must be included as an “Additional Named Insured”. In addition the Commercial General Liability shall contain Cross Liability and Severability Clauses and Products & Completed Operations coverage including a standard contractual liability endorsement.

Indemnity:

The Owner shall promptly defend, protect, indemnify and hold completely free and harmless the Town from and against any and all Claims in connection with any Injury or any loss or damage to property (a) arising from or out of this Application or the occupancy or use by the Owner of any lands owned by the Town, or any part thereof, or occasioned wholly or in part by any fault, default, negligence, act or omission of the Owner or by any person permitted to be on the premises under the control of the Owner; and (b) arising from, relating to or occurring in whole or in part by any fault, default, negligence, act or omission by the Owner or any of the directors, officers, servants, employees, contractors, agents, invitees and licensees of the Owner and all other persons over whom the Owner (i) may reasonably be expected to exercise control, and (ii) is in law responsible. If the Town shall be made a party to any litigation commenced by or against the Owner, then the Owner shall promptly indemnify and hold completely free and harmless the Town and shall pay the Town all costs and expenses, including, without limitation,

any professional, consultant and legal fees on a complete indemnity basis that may be incurred or paid by or on behalf of the Town in connection with such litigation on demand. The indemnity of the Owner contained in this Appendix C shall not be prejudiced by, and shall survive the expiration of the time period under which the permit for this Application applies.

I have read this Appendix C and agree to its terms and conditions in consideration of any grant of a Temporary Outdoor Patio Permit provided to me. I verify that I meet all necessary requirements imposed to be eligible to obtain a 2020 Temporary Outdoor Patio Program permit.

Signed _____

Date _____

Name (print): _____

Position (if a corporate applicant): _____

"I have the authority to bind the company (if a corporate applicant)"

Appendix D

Temporary Outdoor Patio Guidelines and General Conditions

General Conditions

1. Any person or persons intending to occupy a portion of the municipal right of way for any purpose, including a portion of the sidewalk, boulevard, or on-street parking must first receive permission from the Town.
2. Patios will be removed by no later than October 30, 2020.
3. Permission to install a patio for the 2020 season does not entitle a business to any right or expectation to be able to install a patio in subsequent seasons.
4. Any required sidewalk extensions must be completed before obstruction of a sidewalk for construction or operation of a patio.
5. The applicant assumes all maintenance and liability for the patio structure and sidewalk extension and may be required to undertake or alterations or repairs as are required by the Town to maintain safety and accessibility.
6. The Town retains the right to access the patio and/or sidewalk extension if needed for maintenance or emergency access to Town property.
7. Permission to occupy the municipal right of way becomes null and void if the applicant should fail to meet the requirements set out in this application and other applicable documents, in which case, the Town shall be at liberty to take any action it deems necessary to repair the patio structure or to reinstate the site to its original condition for public protection at the expense of the applicant. In all cases the decision of the Town is final.
8. The applicant shall maintain access to all public and private properties for the duration of the work.
9. No business shall be eligible to operate an outdoor patio unless the business is in compliance with all Town requirements.
10. The Applicant shall be deemed to be the “constructor” and the “owner” for all purposes under the Occupation Health and Safety Act. The Applicant shall further be deemed to be the “occupier” for all purposes under the Occupiers Liability Act.
11. The Applicant agrees to indemnify and save the Town harmless from and against all losses, damages, actions or causes of action, suits, claims, demands, penalties, interest and/or legal fees on a substantial indemnity basis arising in connection with any matter that may arise from the issuance of a permit hereunder or the activities that occur on a patio or sidewalk extension.
12. The Town retains the right to access any planters, baskets, light posts, or other infrastructure for watering, maintenance, or other matters. The Town may elect not to install planters at the location of the patios.
13. All municipal property, including the sidewalk, roadway, lighting, or other features will be returned to their initial condition or repaired of any damages. Damages not repaired by the applicant will be repaired or replaced by the Town at the applicant’s cost.
14. Any costs, expenses or liabilities incurred by the Town as set out above may be collected by the Town from the Applicant in the same manner as municipal taxes.
15. The Applicant agrees to clean the area around and under the patio with the use of a pressure washer following the removal of the patio.

16. All approved patios must be in compliance with the Town's noise bylaw 2004-94 as amended.

I have read this Appendix D and agree to its terms and conditions in consideration of any grant of a Temporary Outdoor Patio Permit provided to me. I verify that I meet all necessary requirements imposed to be eligible to obtain a 2020 Temporary Outdoor Patio Program permit.

Signed _____ Date _____

Name (print): _____

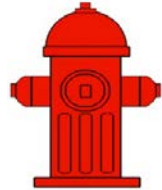
Position (if a corporate applicant): _____

“I have the authority to bind the company (if a corporate applicant)”

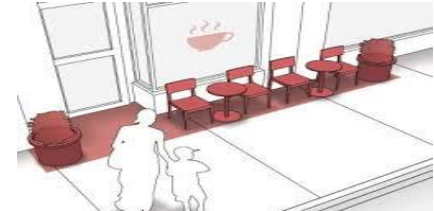
Temporary Outdoor Patio Program

Fire Code, Building Code, and Planning Requirements

A minimum of **3.0m** clearance from fire department connections and hydrants



Temporary patios must not extend in front of other businesses or building exits



A fire extinguisher must be available within **25.0m** of any part of the temporary patio



A clear path of pedestrian travel of **1.5m** minimum should be maintained



Exit openings must remain unobstructed at all times & provided with exit signs where not clearly visible



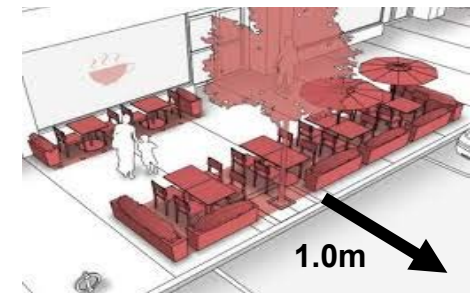
Temporary curb ramps may be required to provide a safe passage for pedestrians to cross between the road and the sidewalk



CSA-certified electric or propane patio heaters (with max. 20lb tank)
Must be located at least **3.0m** away from tree branches and not stored on Town property when not in use



The side of the temporary patio adjacent to vehicle traffic shall maintain a minimum distance of **1.0m** from the edge of any adjacent travel lane





CENTRAL YORK FIRE SERVICES

FIRE SERVICES REPORT JCC-2020-11

To: Joint Council Committee

Origin: Central York Fire Services - Deputy Chief Rocco Volpe

Subject: Renewal of Fire Dispatch Agreement

RECOMMENDATIONS

1. That Fire Services Report JCC-2020-11 dated November 24, 2020 entitled Renewal of Fire Dispatch Agreement be received; and,
2. That the Joint Council Committee (JCC) authorize the Fire Chief to negotiate the renewal of the Fire Dispatch Agreement with Richmond Hill Fire and Emergency Services (RHFES); and,
3. That Council authorize the Mayor and Clerk to sign the Fire Dispatch Agreement between the City of Richmond Hill and the Town of Newmarket once the agreement has finalized and agreed upon by the two fire services.

PURPOSE

To seek Council approval to renew the Fire Dispatch Agreement currently in place with the City of Richmond Hill for another five (5) years commencing January 1, 2021 to December 31, 2025.

BACKGROUND

Prior to 2000, The Town of Newmarket Fire Department operated their own in house dispatch center in which they had agreements to provide Fire Dispatch Services to the towns of Aurora, Georgina and East Gwillimbury Fire Departments.

An analysis was undertaken to see if it was cost effective to purchase the dispatch service from another provider. Taking into account labour cost, infrastructure upgrades and software issues it was decided that it was more cost effective to contract the dispatch function to RHFES and re-deploy the Town of Newmarket fire personnel back to suppression duties.

Renewal of Fire Dispatch Agreement

Central York Fire Services has had a Fire Dispatch Agreement with Richmond Hill for twenty years and has benefitted from several enhancements and efficiencies in this area. The agreement has proven to be cost effective and operationally sound. Some of these benefits include, but not limited to;

- Establishment and enforced industry standards for call handling and dispatching
- Mapping and Technology enhancements
- Currently dispatches for five (5) fire services in York Region (Richmond Hill, East Gwillimbury, Georgina, Whitchurch-Stouffville and Central York Fire Services)
- Firehouse (Fire Department Records Management System) is housed in Richmond Hill and interfaced with the CAD (Computer Aided Dispatch)
- RHFES utilizes the Blue Card command structure in which CYFS has implemented
- RHFES supports the Tablet Command software that CYFS uses for emergency response

The current agreement was renewed in June 2015 and expires on December 31, 2020.

FINANCIAL IMPACT

In 2021, the cost associated with this dispatch agreement is approximately \$450,000. This cost will increase slightly each year, based on Newmarket and Aurora's population, dispatch center staffing and administrative costs, and fees payable for radio and computer aided dispatch maintenance.

The financial impact of this dispatch agreement is included in the annual operating budget submitted for Councils approval each year by CYFS.

CONCLUSION

CYFS is seeking to renew the existing agreement with the City of Richmond Hill for the provisions of Fire Dispatch services for the period January 1, 2021 to December 31, 2025. The cities of Vaughan and Markham also operate Fire Dispatch Centres; however, the transfer to another dispatch centre would incur a significant cost to change systems and hardware.

CYFS has been with RHFES since 2000 and are satisfied with the service provided. RHFES currently provides dispatch services for four of the N6 fire services, East Gwillimbury, Georgina, Whitchurch-Stouffville and Central York Fire Services.

Initial dispatch agreements were discussed in collaboration with the N4 Fire Chiefs (Georgina, East Gwillimbury, Whitchurch-Stouffville and CYFS). However, each fire department would receive their own individual dispatch agreement. These dispatch agreements were sent to all respected legal departments including CYFS for review and comments.

CONSULTATION

The Senior Fire Management Team is in consultation with the Town of Newmarket Legal Department. The Agreement is being discussed amongst all Legal Departments that are dispatched by RHES and are working collaboratively to have common terminology. Currently the dispatch agreement is with Town of Newmarket Legal Department and will be returned to

CYFS for the Chief's review and consideration. The Chief will then forward it to RHFES for their consideration.

IMPACT ON MASTER FIRE PLAN

This report has no impact on the Master Fire Plan.

ATTACHMENT

None



Town of Newmarket

Minutes

Elman W. Campbell Museum Board of Management

Date: Thursday, September 17, 2020

Time: 7:30 PM

Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Jackie Playter, Chair
Ron Atkins
Michelle Clayton-Wood
Billie Locke

Members Absent: Councillor Morrison
Ross Caister
Norman Friend

Staff Present: W. Broydell, Curatorial Assistant
D. Smith, Recreation Programmer
A. Walkom, Legislative Coordinator

1. Notice

As the Municipal Offices were closed to the public, this meeting was available via ZOOM at www.newmarket.ca/meetings.

2. Call to order

The meeting was called to order at 7:30 PM. Jackie Playter in the Chair.

3. Regrets

4. Additions & Corrections to the Agenda

None.

5. Conflict of Interest Declarations

None.

6. Approval of Minutes

6.1 Elman W. Campbell Museum Board Meeting Minutes of February 20, 2020

Moved by: Ron Atkins

Seconded by: Michelle Clayton-Wood

1. That the Elman W. Campbell Museum Board Meeting Minutes of February 20, 2020 be approved.

Carried

7. Business arising from the Minutes

Jackie Playter inquired as to the status of the Museum Front Lawn Sign. The Recreation Programmer advised that she would follow up to determine the status.

8. Correspondence and Communications

The Curatorial Assistant advised of the periodicals which had been received by the Museum.

Moved by: Ron Atkins

Seconded by: Billie Locke

1. That the correspondence be received.

Carried

9. Financial Report

Jackie Playter provided a financial report which included an overview of the Museum budget and reserve.

Moved by: Ron Atkins

Seconded by: Billie Locke

1. That the financial report be received.

Carried

10. Museum Report

The Curatorial Assistant advised that the Elman W. Campbell Museum had been closed on March 12, 2020 due to the COVID-19 pandemic and had remained closed, leading to the cancellation of all programs and events. New displays have been held over until 2021. She advised that the Museum had received the Community Museums Operating Grant and that the Museum Assistance Fund had been applied for. She provided an update on the staff projects which have continued, including digitizing the accession registry. She advised that virtual formats may be utilized for online educational programs.

Moved by: Billie Locke

Seconded by: Michelle Clayton-Wood

1. That the Museum Report be received

Carried

11. Friends of the Museum Report

Billie Locke advised that all plans for the Friends of the Museum have been on hold during the COVID-19 pandemic and advised of how the FOM has been meeting during the pandemic.

Moved by: Ron Atkins

Seconded by: Michelle Clayton-Wood

1. That the Friends of the Museum Report be received.

Carried

12. New Business

(1) Old Flame Brewing Company - Board Members discussed the Old Flame Brewing Company which will be located next to the Museum. Members

expressed concern over the parking arrangements for the brewery and the location of waste collection facilities for the brewery.

13. Next Meeting

The Board set the next meeting as November 19, 2020.

14. Adjournment

The meeting adjourned at 7:52 PM.

Jackie Playter, Chair

Date



Newmarket Public Library Board

Minutes

Date: Wednesday, October 21, 2020

Time: 5:30 PM

Location: Electronic VIA ZOOM

Members Present: Darcy McNeill, Chair
Jane Twinney, Vice Chair
Kelly Broome
Darryl Gray
Leslee Mason
Art Weis
Victor Woodhouse

Staff Present: Todd Kyle, CEO
Jennifer Leveridge, Manager, Library Services
Ben Shaw, Manager, Library Operations
Lianne Bond, Administrative Coordinator

1. Meeting to be held through live video interface via Zoom

The Chair called the meeting to order at 5:40 pm

2. Adoption of Agenda Items

- 2.1 Adoption of the Regular Agenda
- 2.2 Adoption of the Closed Session Agenda
- 2.3 Adoption of the Consent Agenda Items

Motion 20-10-135

Moved by Victor Woodhouse

Seconded by Leslee Mason

That items 2.1 to 2.3 be adopted as presented.

Carried

3. Declarations

None were declared.

4. Consent Agenda Items

4.1 Adoption of the Regular Board meeting minutes for Wednesday, September 16, 2020

4.2 Strategic Operations Report for September, 2020

4.3 Third Quarter Statistical Data

4.4 Third Quarter Financial Statements

Motion 20-10-136

Moved by Darryl Gray

Seconded by Victor Woodhouse

That items 4.1 to 4.4 be adopted as presented.

Carried

5. Reports

No reports.

6. Business Arising

6.1 Update on 2021 Operating and Capital Budget Requests

The update on 2021 Operating Budget outlined the potential for the need to fund mandatory increases to wages from Library Operating Reserves in 2021. Modifications have been made to the 2021 Capital Budget request to focus on maintenance of critical infrastructure.

Motion 20-10-137

Moved by Victor Woodhouse

Seconded by Darryl Gray

That the Library Board receive the report on Update on 2021 Budget Requests;

And that the use of Library Operating Reserves to cover any shortfall in the 2021 fiscal year be brought back to the Library Board when the 2021

Operating and Capital Budget requests have been approved by the Town of Newmarket Council.

Carried

6.2 Consolidated Revisions to Governance Policy

Revisions to the Newmarket Public Library Board Governance Policy were reviewed by the Board.

Motion 20-10-138

Moved by Jane Twinney

Seconded by Kelly Broome

That the Library Board receive the report on consolidated revisions to the Governance Policy;

And that the Library Board will further review the revisions to the Governance Policy as presented.

Carried

6.3 Library Board Action List

The Library Board reviewed the Action List.

Motion 20-10-139

Moved by Victor Woodhouse

Seconded by Leslee Mason

That the Library Board received the Action List as presented.

Carried

7. New Business

7.1 Inclusion and Anti-Discrimination Policy

The Library Board reviewed the new Inclusion and Anti-Discrimination policy drafted due to recent concerns globally regarding racism.

Motion 20-10-140

Moved by Victor Woodhouse

Seconded by Jane Twinney

That the Library Board receive the report on Inclusion and Anti-Discrimination Policy;

And that the Library Board approve the policy as drafted.

Carried

8. Closed Session (if required)

9. Dates of Future Meetings

9.1 The next Regular Board meeting is scheduled for Wednesday, November 18, 2020 at 5:30 pm. Location electronic via Zoom

10. Adjournment

Motion 20-10-141

Moved by Kelly Broome

Seconded by Darryl Gray

That there being no further business the Library Board adjourn at 6:25 pm.

Carried

Darcy McNeill, Chair

Todd Kyle, Secretary/Treasurer