



Town of Newmarket

Agenda

Council - Electronic

Date: Monday, January 18, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Public 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 Sunday, January 17, 2021. 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. Public Hearing Matter

How to get involved with planning applications (items 4.1)

Newmarket Council will not be making any final decisions at this meeting in relation to item 4.1, all written and verbal comments will be given to Planning staff to consider in a future

report. A report will then be provided to Council at a future Committee of the Whole or Council Meeting.

Residents are encouraged to get involved in the public planning process by submitting written comments or participating in a live deputation through video conferencing during the meeting. To learn more about how to get involved, please email clerks@newmarket.ca and include your contact information (name and phone number).

4.1. Official Plan Amendment - 16250, 16356 & 16450 Yonge Street

Note: Rohan Sovig, Planner, Malone Given Parsons will be in attendance to provide a presentation on this matter. The Notice of Statutory Public Meeting has been attached for information purposes only.

- 4.1.1. Remote Deputation - Rod Speers
- 4.1.2. Remote Deputation - David Ross
- 4.1.3. Remote Deputation - Jason Allan
- *4.1.4. Remote Deputation - Melanie Issett
- 4.1.5. Remote Deputation - Debbie Gordon
- *4.1.6. Remote Deputation - Debbe Crandall
- *4.1.7. Remote Deputation - Bruce Wells
- *4.1.8. Remote Deputation - David Labey
- *4.1.9. Remote Deputation - Jon Brown
- 4.1.10. Correspondence - Li Xiaofeng and Zhou Ping
- 4.1.11. Correspondence - Kimberley Cocquyt
- 4.1.12. Correspondence - Rod and Janell Speers
- 4.1.13. Correspondence - Stefan and Lynn Hashinsky
- 4.1.14. Correspondence - Sally and Joe Freitas
- 4.1.15. Correspondence - Franco Colucci
- 4.1.16. Correspondence - Julia Galt

- 4.1.17. Correspondence - Nicole Blom
- 4.1.18. Correspondence - Keyvan Golestan
- 4.1.19. Correspondence - Valeriya Botova
- 4.1.20. Correspondence - John Morrison
- 4.1.21. Correspondence - Claire Barrey-Junop
- 4.1.22. Correspondence - Ron Clifford
- 4.1.23. Correspondence - Suzanne Lachner
- 4.1.24. Correspondence - Ashley Arkeveld
- 4.1.25. Correspondence - Leslie Allan
- 4.1.26. Correspondence - Anne West
- 4.1.27. Correspondence - Mary-Anne Draffin
- 4.1.28. Correspondence - Wendy Bowden
- 4.1.29. Correspondence - Adrienne Belanger
- 4.1.30. Correspondence - Steve Maio
- 4.1.31. Correspondence - Valerie Laengert
- 4.1.32. Correspondence - Joanne Rinella
- *4.1.33. Correspondence - Adam Smith
- *4.1.34. Correspondence - James Hellard
- *4.1.35. Correspondence - Janine Graham
- *4.1.36. Correspondence - Brenda Russell
- *4.1.37. Correspondence - Karen Sampson
- *4.1.38. Correspondence - John Lennox
- *4.1.39. Correspondence - Janet McMillan

- *4.1.40. Correspondence - Carmela and Michael Pugliese
- *4.1.41. Correspondence - Angela West
- *4.1.42. Correspondence - Russ and Jennie Coles
- *4.1.43. Correspondence - Dave Kempton and Peggy Stevens
- *4.1.44. Correspondence - Steve Platt
- *4.1.45. Correspondence - Emily Collins
- *4.1.46. Correspondence - Kathy Bresnahan
- *4.1.47. Correspondence - Tammy La Rue
- *4.1.48. Correspondence - Alana Natis
- *4.1.49. Correspondence - Walt Klywak
- *4.1.50. Correspondence - Annalise Rickman and Sean Rickman
- *4.1.51. Correspondence - Kevin Collins
- *4.1.52. Correspondence - Diana Raaflaub
- *4.1.53. Correspondence - Carlyne Stoutt
- *4.1.54. Correspondence - Wendy Collins
- *4.1.55. Correspondence - Chris Fuerth
- *4.1.56. Correspondence - Scarlett van Berkel
- *4.1.57. Correspondence - Glenn Abuja
- *4.1.58. Correspondence - Shannon Josselyn
- *4.1.59. Correspondence - Dawn Horstead
- *4.1.60. Correspondence - Kim Fraser
- *4.1.61. Correspondence - Heather Peart
- *4.1.62. Correspondence - Cheryl Roberts

- *4.1.63. Correspondence - Joanne Pilling
- *4.1.64. Correspondence - Frida Huang
- *4.1.65. Correspondence - Stuart Macpherson
- *4.1.66. Correspondence - Monika Deguara
- *4.1.67. Correspondence - Frank and Penny Brathwaite
- *4.1.68. Correspondence - LeeAnne Bloye
- *4.1.69. Correspondence - Karolyn Francis
- *4.1.70. Correspondence - Steven Gilbert
- *4.1.71. Correspondence - Sergey Skiba
- *4.1.72. Correspondence - Stephanie Todd
- *4.1.73. Correspondence - Patricia Kloosterman
- *4.1.74. Correspondence - Lisa Woltman
- *4.1.75. Correspondence - Glen Kennedy
- *4.1.76. Correspondence - Kathy Kumpula
- *4.1.77. Correspondence - Wendy Bennett
- *4.1.78. Correspondence - Brad Hammond
- *4.1.79. Correspondence - Gino G. Lavoie
- *4.1.80. Correspondence - Elaine Adam
- *4.1.81. Correspondence - Tim Fallows
- *4.1.82. Correspondence - Nancy E. Watt
- *4.1.83. Correspondence - Anthony Rospo
- *4.1.84. Correspondence - Chris Stilos
- *4.1.85. Correspondence - Anthony Schneider

- *4.1.86. Correspondence - Jim McCurdy
- *4.1.87. Correspondence - Serge Bondar
- *4.1.88. Correspondence - Andrew Summers
- *4.1.89. Correspondence - Allan Hazelton
- *4.1.90. Correspondence - Denise Argiriou
- *4.1.91. Correspondence - Michelle Fallows
- *4.1.92. Correspondence - Lorinda Palmer
- *4.1.93. Correspondence - Eleanor and Brent Hubbard
- *4.1.94. Correspondence - Elaine Goldsmith
- *4.1.95. Correspondence - Brandon Lau
- *4.1.96. Correspondence - Patricia Montgomery
- *4.1.97. Correspondence - Patrick Monks
- *4.1.98. Correspondence - Aviva Grosh
- *4.1.99. Correspondence - Angelo Valente
- *4.1.100. Correspondence - Chris Martin
- *4.1.101. Correspondence - Dalia Appolloni
- *4.1.102. Correspondence - David Ross and Bruce Wells
- *4.1.103. Correspondence - Donna Evans
- *4.1.104. Correspondence - The Knoop Family
- *4.1.105. Correspondence - Rima Santpur
- *4.1.106. Correspondence - Meredith Kerrigan
- *4.1.107. Correspondence - Nora de Graaff
- *4.1.108. Correspondence - George Martin

- *4.1.109. Correspondence - Edith Andrews
- *4.1.110. Correspondence - Angela Sciberras
- *4.1.111. Correspondence - Stan and Donna Colley
- *4.1.112. Correspondence - Sabine Mayer
- *4.1.113. Correspondence - Simon Schmidt
- *4.1.114. Correspondence - Melissa Rosato
- *4.1.115. Correspondence - Martha Acquah

5. Presentations & Recognitions

6. Deputations

7. Minutes

7.1. Council - Electronic Meeting Minutes of December 14, 2020

- 1. That the Council - Electronic Meeting Minutes of December 14, 2020 be approved.

8. Reports by Regional Representatives

9. Consent Items and Recommendations from Committees

9.1. Committee of the Whole - Electronic Meeting Minutes of January 11, 2021

- 1. That the Committee of the Whole - Electronic Meeting Minutes of January 11, 2021 be received and the recommendations noted within be adopted.

9.1.1. Presentation - 2021 Financial Relief Program in Response to COVID-19

Note: See sub-item 9.1.2 below.

9.1.2. 2021 Financial Relief Program in Response to COVID-19

- 1. That the presentation provided by the Supervisor of Property Tax and Assessment regarding the 2021 Financial Relief Program in Response to COVID-19 be received; and,
- 2. That the report entitled 2021 Financial Relief Program in Response to COVID-19 dated January 11, 2021 be received; and,

3. That Council approve the 2021 Financial Relief Program, which consists of:
 - a. Waiving Penalty and Interest on Unpaid Property Taxes for Eligible Residential Property Owners until December 31, 2021;
 - b. Increase Property Tax Assistance to the Elderly from \$320 to \$450;
 - c. Increase Water and Waste Water Rebate from \$354 to \$420;
 - d. Water Rebate of \$1,000 for Eligible Small Businesses; and,
 4. That Council approve the 2021 Financial Relief Program to begin on February 1, 2021 until December 31, 2021; and,
 5. That Council approve one (1) temporary part-time staff to assist Financial Services Department in administering the Financial Relief Program in 2021; and,
 6. That Staff be directed to implement an application process for the water rebate program which includes an attestation of financial need or hardship; and,
 7. That Staff be directed to target the water rebate program to the first half of 2021; and,
 8. That Staff be directed to report back to Council if revisions to the program are required based on resident feedback, new Provincial initiatives or a substantial change in the state of pandemic; and,
 9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 9.1.3. 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan
1. That the report entitled 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan dated January 11, 2021 be received; and,
 2. That the 2020 Accessibility Status Update be approved; and
 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 9.1.4. INFO-2020-39: Regulatory Services Review During COVID-19
1. That the Information Report entitled Regulatory Services Review during COVID-19, dated December 23, 2020 be received.

- 9.1.5. Item 7.3 from September 1, 2020 Heritage Newmarket Advisory Committee Meeting Minutes
 - 1. That the following be referred to staff:
 - a. That the Heritage Newmarket Advisory Committee recommend to Council that the location of the house at 1075 Gorham Street be taken into consideration as part of the Heritage designation.
- 9.1.6. Heritage Newmarket Advisory Committee Meeting Minutes of September 1, 2020
 - 1. That the Heritage Newmarket Advisory Committee Meeting Minutes of September 1, 2020 be received.
- 9.1.7. Main Street District Business Improvement Area Board of Management Meeting Minutes of October 21, 2020 and November 18, 2020, Special Meeting Minutes of November 4, 2020 and November 11, 2020, and the Annual General Meeting Minutes of November 5, 2019
 - 1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of October 21, 2020 and November 18, 2020, Special Meeting Minutes of November 4, 2020 and November 11, 2020, and the Annual General Meeting Minutes of November 5, 2019 be received.
- 9.1.8. Accessibility Advisory Committee Meeting Minutes of September 17, 2020
 - 1. That the Accessibility Advisory Committee Meeting Minutes of September 17, 2020 be received.
- 9.1.9. New Business - Damage to Lawns Due to Snow Removal
 - 1. That Council direct staff to provide an information report regarding damage to lawns caused by snow removal.
- *9.2. Correspondence regarding Bylaw 2021-01 being A By-law to regulate activities deemed to have a potentially adverse impact on the health, safety, and wellbeing of the public during the COVID-19 Emergency.
 - *9.2.1. Correspondence - Alana Hollander

10. By-laws

2021-01 A By-law to regulate activities deemed to have a potentially adverse impact on the health, safety, and wellbeing of the public during the COVID-19 Emergency.

2021-02 A By-law to amend By-law 2019-62 being a By-law to implement an Administrative

Monetary Penalty System in the Town of Newmarket (Emergency Measures By-law).

2021-03 A By-law to exempt certain lands from the part lot control provisions of the Planning Act (1209104 Ontario Limited – Lots 15, 16, 17, 18, 19, 20, 31 and 32, Plan 65M-4523).

1. That By-laws 2021-01, 2021-02, and 2021-03 be enacted.

11. Notices of Motions

12. Motions Where Notice has Already been Provided

13. New Business

***13.1. Resolution Regarding Honorary Duck of Newmarket**

Whereas Eddie, the mandarin duck arrived at Fairy Lake after escaping from his rescue home;

Whereas Eddie, the mandarin duck brought many smiles and feelings of joy to the residents of Newmarket especially during this pandemic;

Whereas Eddie, the mandarin duck with his beautiful display of plumage brought photographers from all over the GTA;

Whereas Eddie, the mandarin duck caught the attention of the Canada Press and was featured in major news outlets;

Whereas Eddie, the mandarin duck is now safely back home;

Now therefore be it resolved:

1. That the Town of Newmarket formerly declares Eddie, honorary duck of Newmarket, Ontario.

14. Closed Session (if required)

14.1. Committee of the Whole - Electronic Meeting (Closed Session) Minutes of January 11, 2021

1. That the Committee of the Whole - Electronic Meeting (Closed Session) Minutes of January 11, 2021 be approved.

15. Confirmatory By-law

2021-04 A By-law to Confirm the Proceedings of the January 18, 2021 Council - Electronic meeting.

1. That By-law 2021-04 be enacted.

16. Adjournment

OFFICIAL PLAN AMENDMENT**16250, 16356 & 16450 Yonge Street**

APPLICANTS: SHINING HILL ESTATES COLLECTION INC.
16250 YONGE ST. INC.
EMILIO SACCUCCI
CONCETTA SACCUCCI
2512606 ONTARIO INC.

FILE NUMBER: D09NP2012

The Town of Newmarket has received a complete application for an Official Plan Amendment for the above noted lands.

The applicants are proposing to amend the Official Plan to re-designate the lands as indicated below:

CURRENT DESIGNATION: Environmental Protection Area – Oak Ridges Moraine and Stable Residential

PROPOSED DESIGNATION: Emerging Residential and Environmental Protection Area – Oak Ridge Moraine

This application is deemed complete under the *Planning Act R.S.O., 1990*. A map detailing the location of the subject lands is on the reverse of this page.

A *statutory public meeting* as required by the *Planning Act R.S.O., 1990* will be held at a future undetermined date. Notice of the future *statutory public meeting* will be mailed from the Town of Newmarket no less than 20 days prior to the meeting date.

If a person or public body would otherwise have an ability to appeal the decision of the Town to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Town of Newmarket on the proposed application, you must make a written request to the Town Clerk at 395 Mulock Drive, Newmarket or at clerks@newmarket.ca

If you are an owner of any land containing seven or more residential units you are requested to post this notice in a location that is visible to all of the residents.

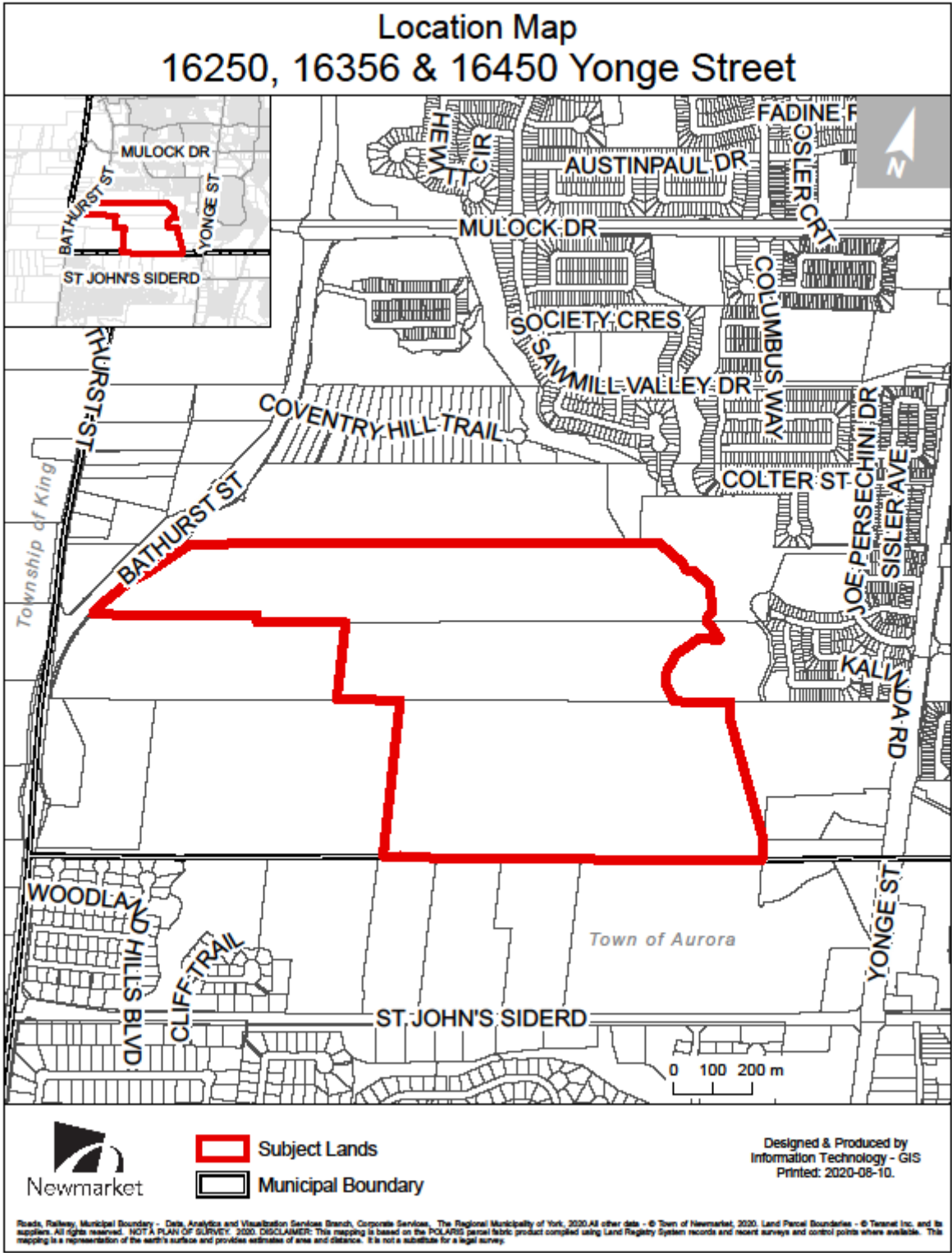
Additional Information

The public may view planning documents online at www.newmarket.ca/applications

Questions, written submissions or requests for notification may be directed to:

Planning Services
Town of Newmarket
395 Mulock Drive
NEWMARKET ON L3Y 4X7
planning@newmarket.ca

Dated at the Town of Newmarket this 13th day of August, 2020



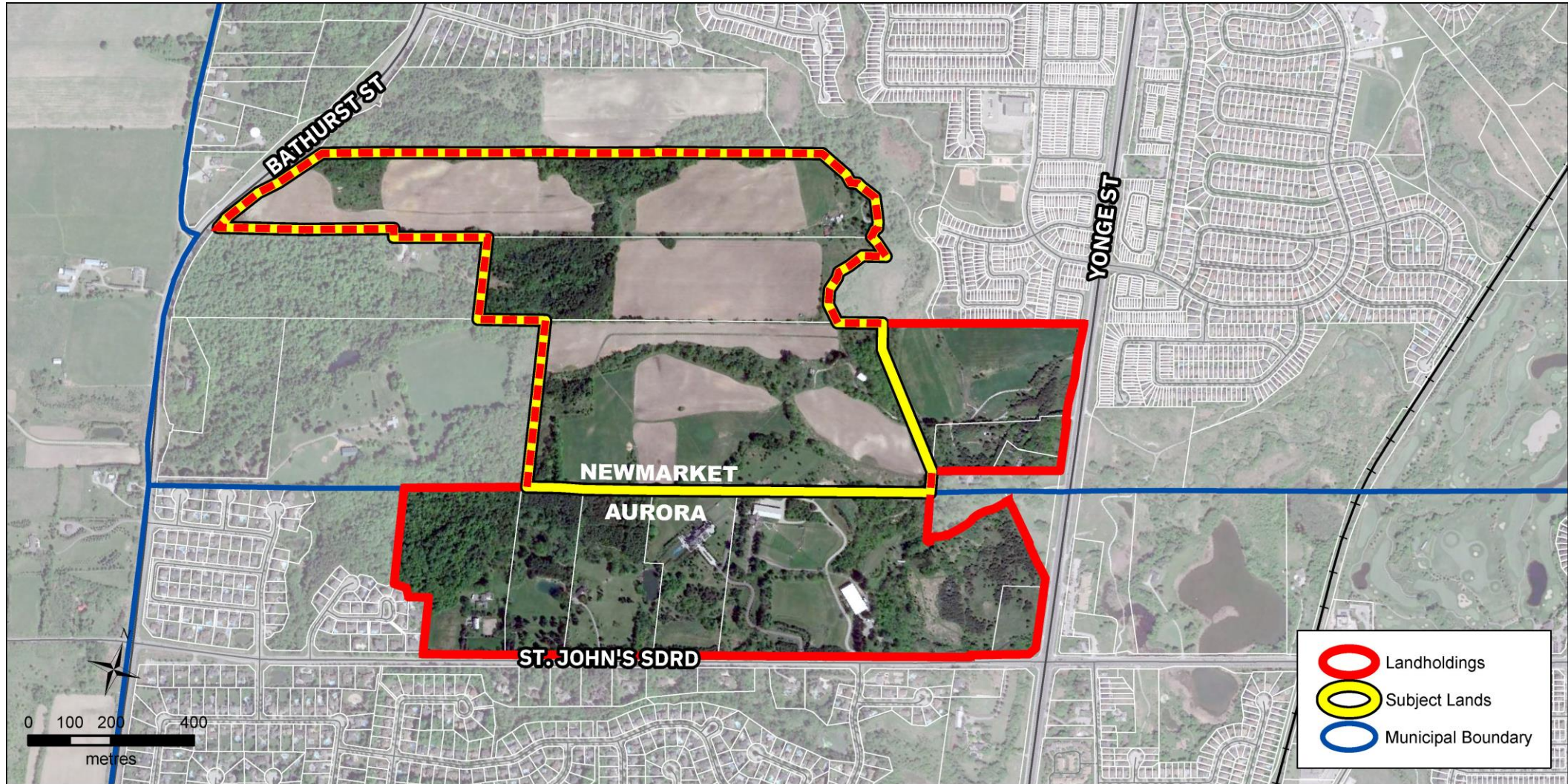
SHINING HILL PROPOSAL

Official Plan Amendment (D09NP2012)

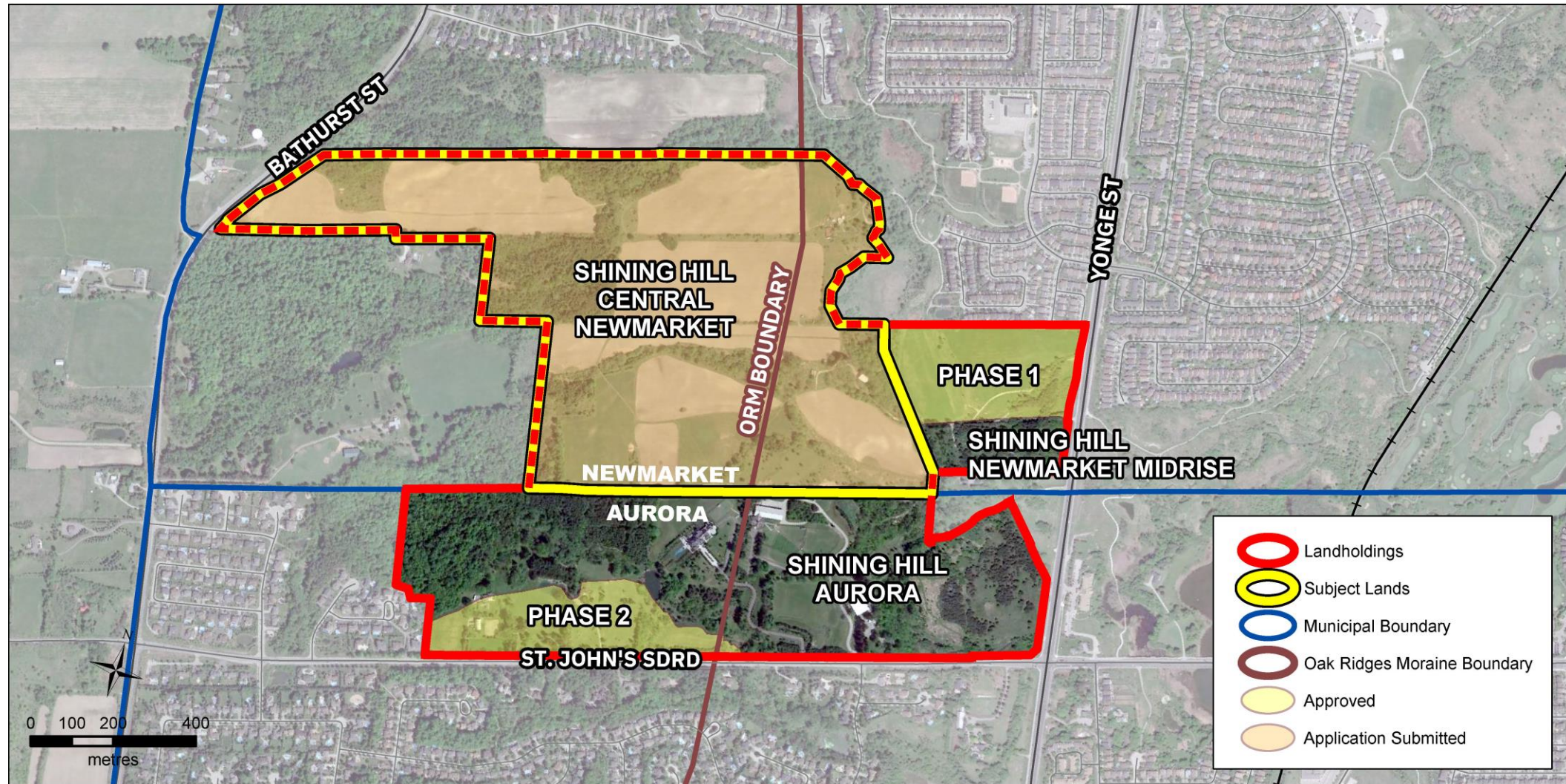
Newmarket Statutory Public Meeting

January 18, 2021

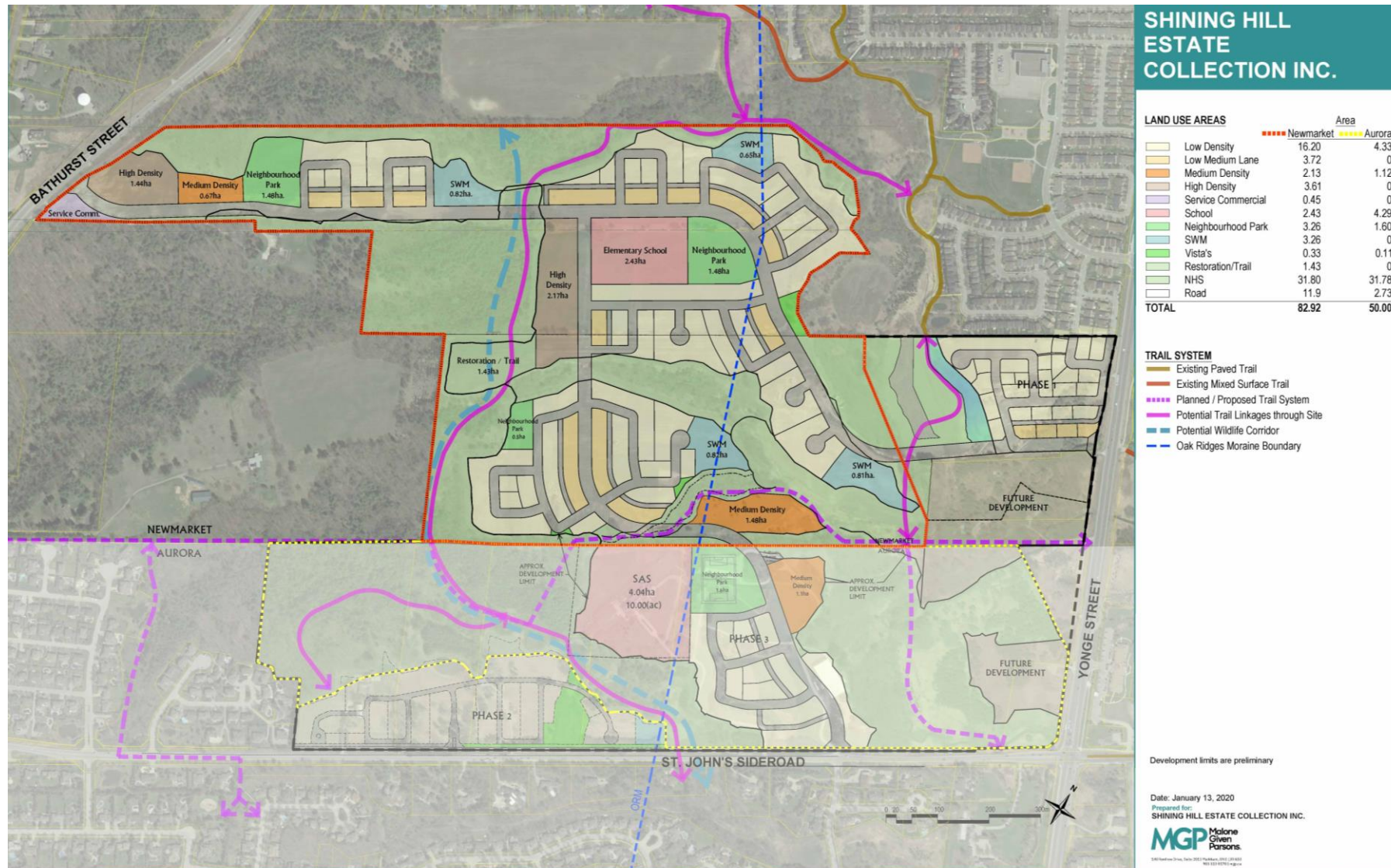
SITE LOCATION



PHASING PLAN

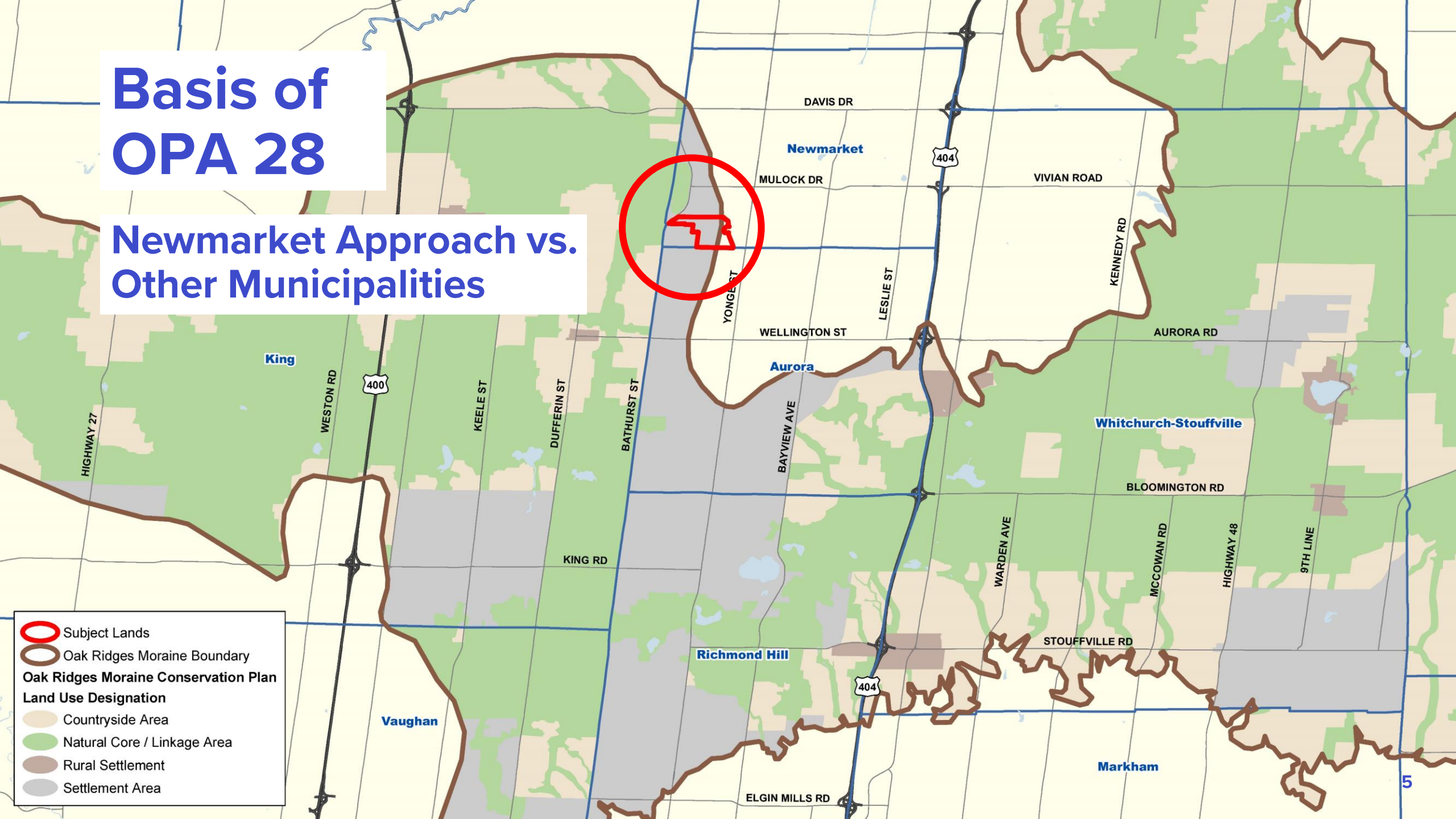


OVERALL CONCEPTUAL PLAN



Basis of OPA 28

Newmarket Approach vs. Other Municipalities

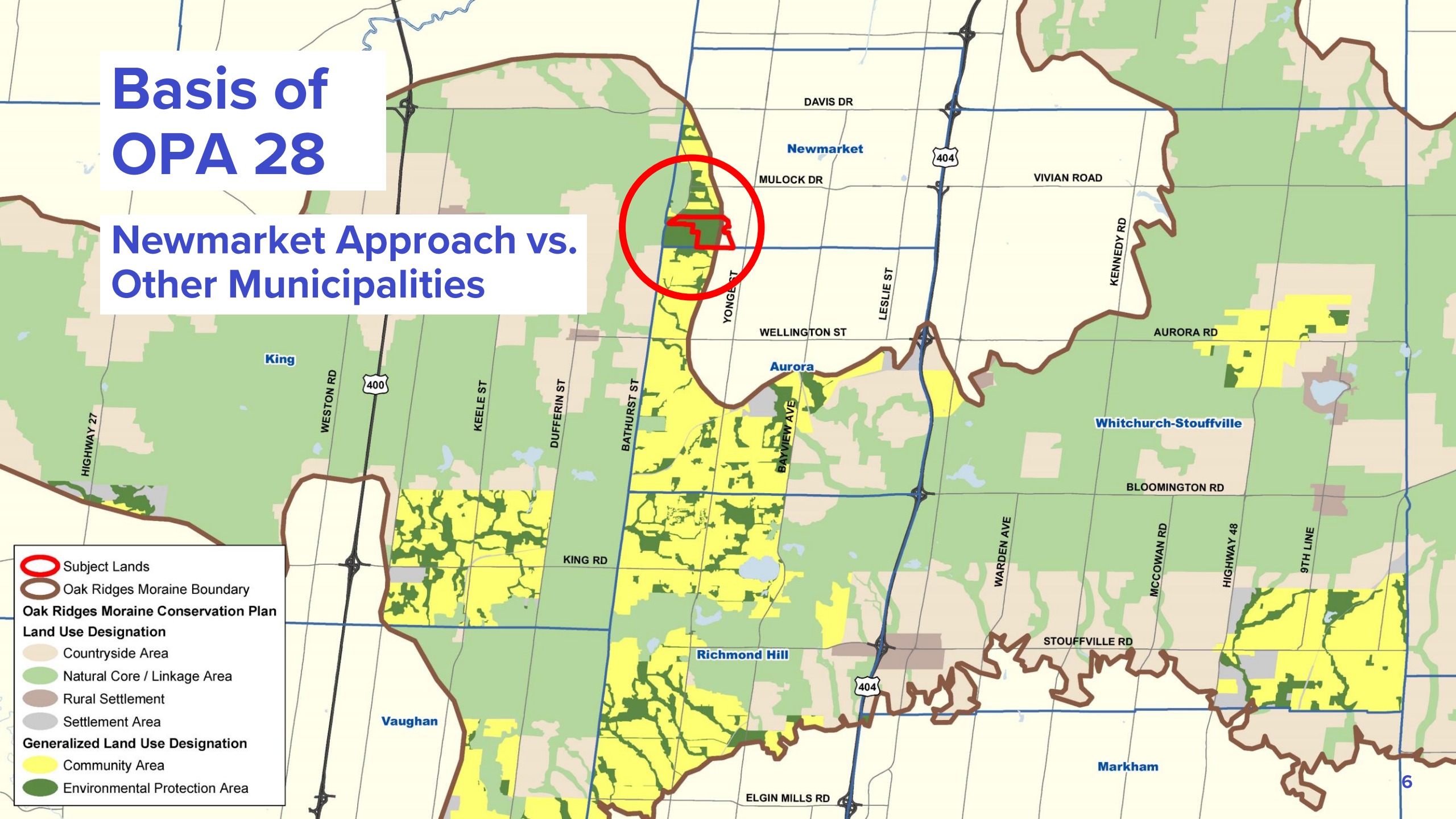


Legend

- Subject Lands
- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Conservation Plan**
- Land Use Designation**
 - Countryside Area
 - Natural Core / Linkage Area
 - Rural Settlement
 - Settlement Area

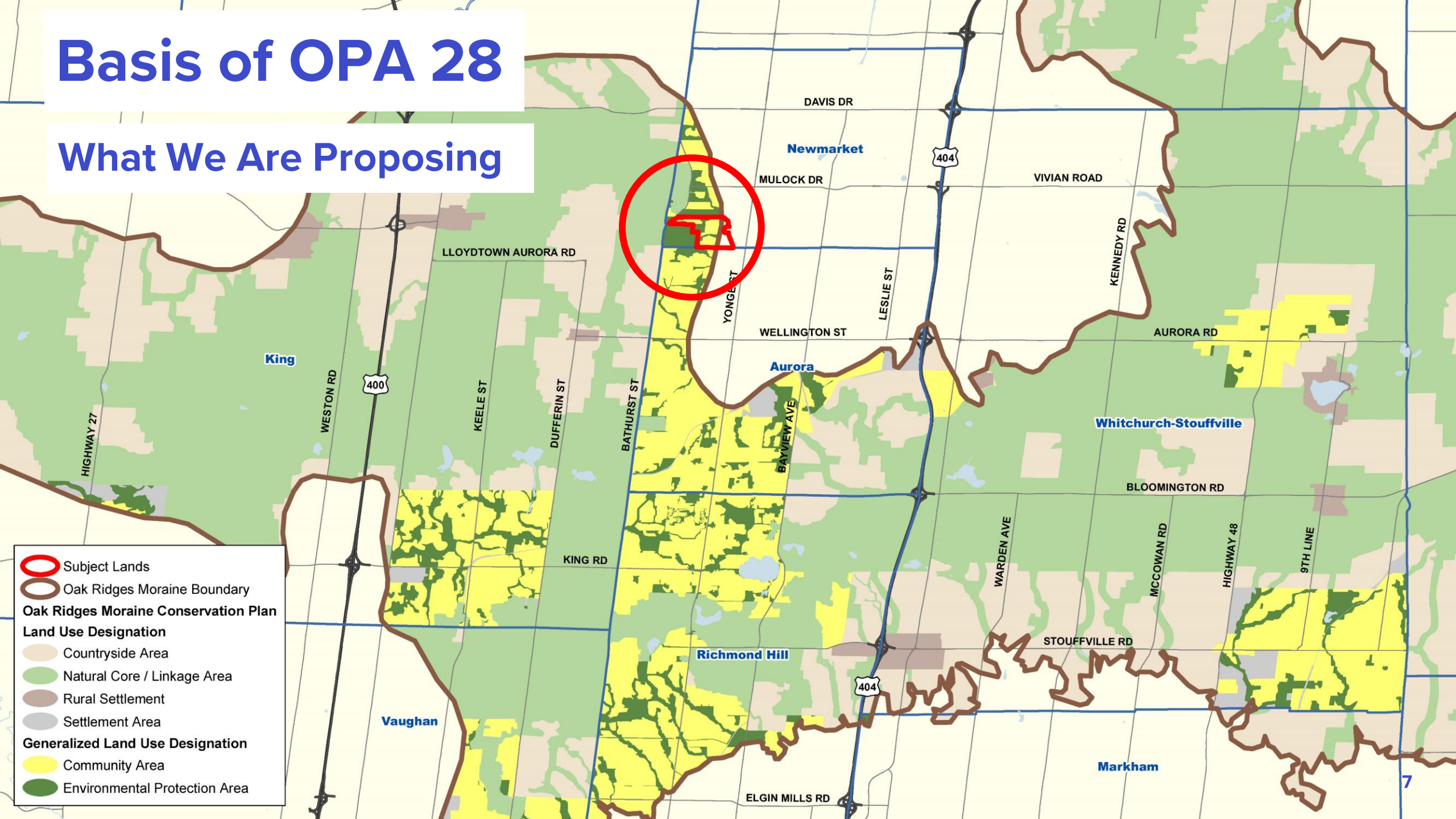
Basis of OPA 28

Newmarket Approach vs. Other Municipalities



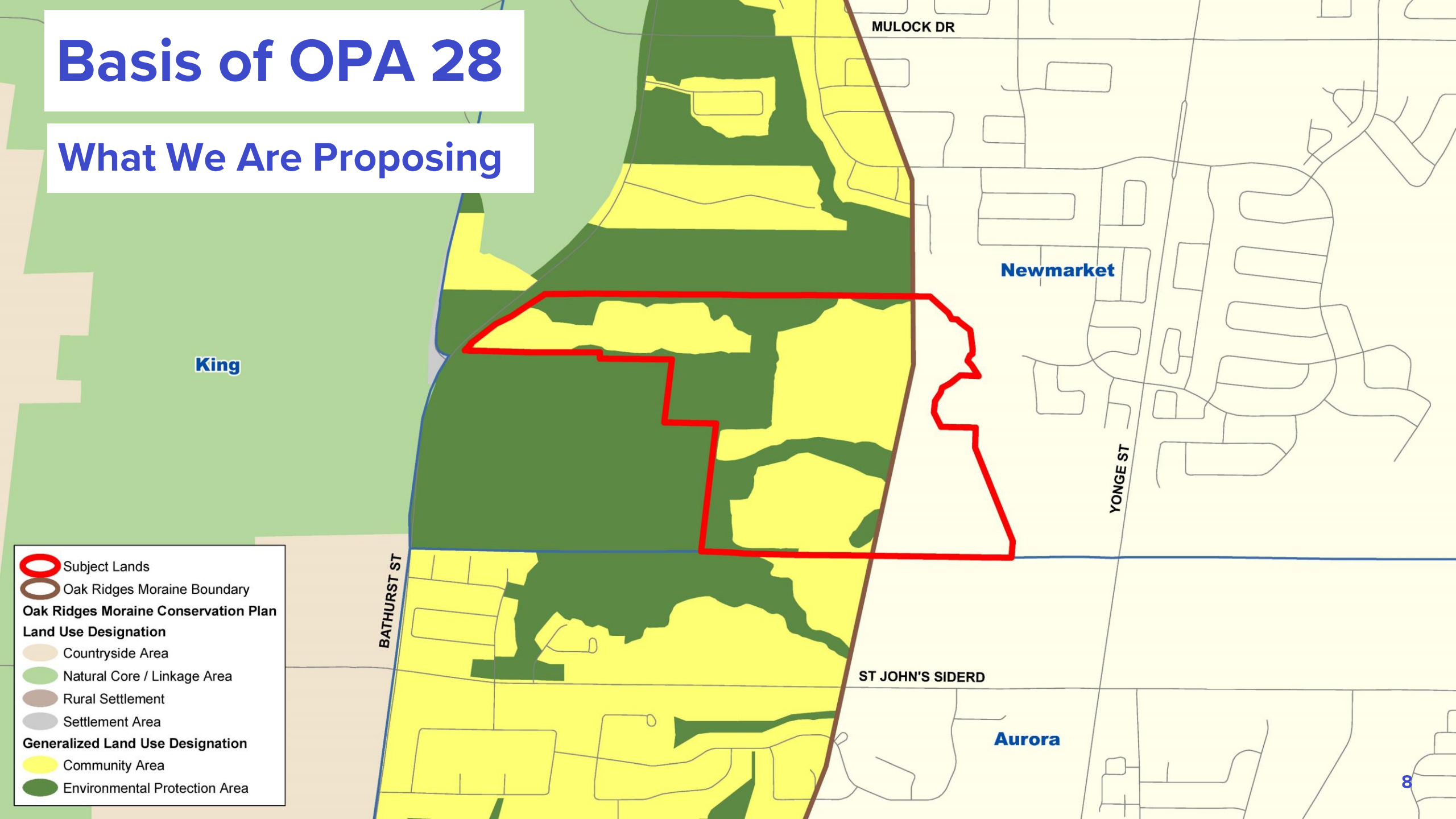
Basis of OPA 28

What We Are Proposing

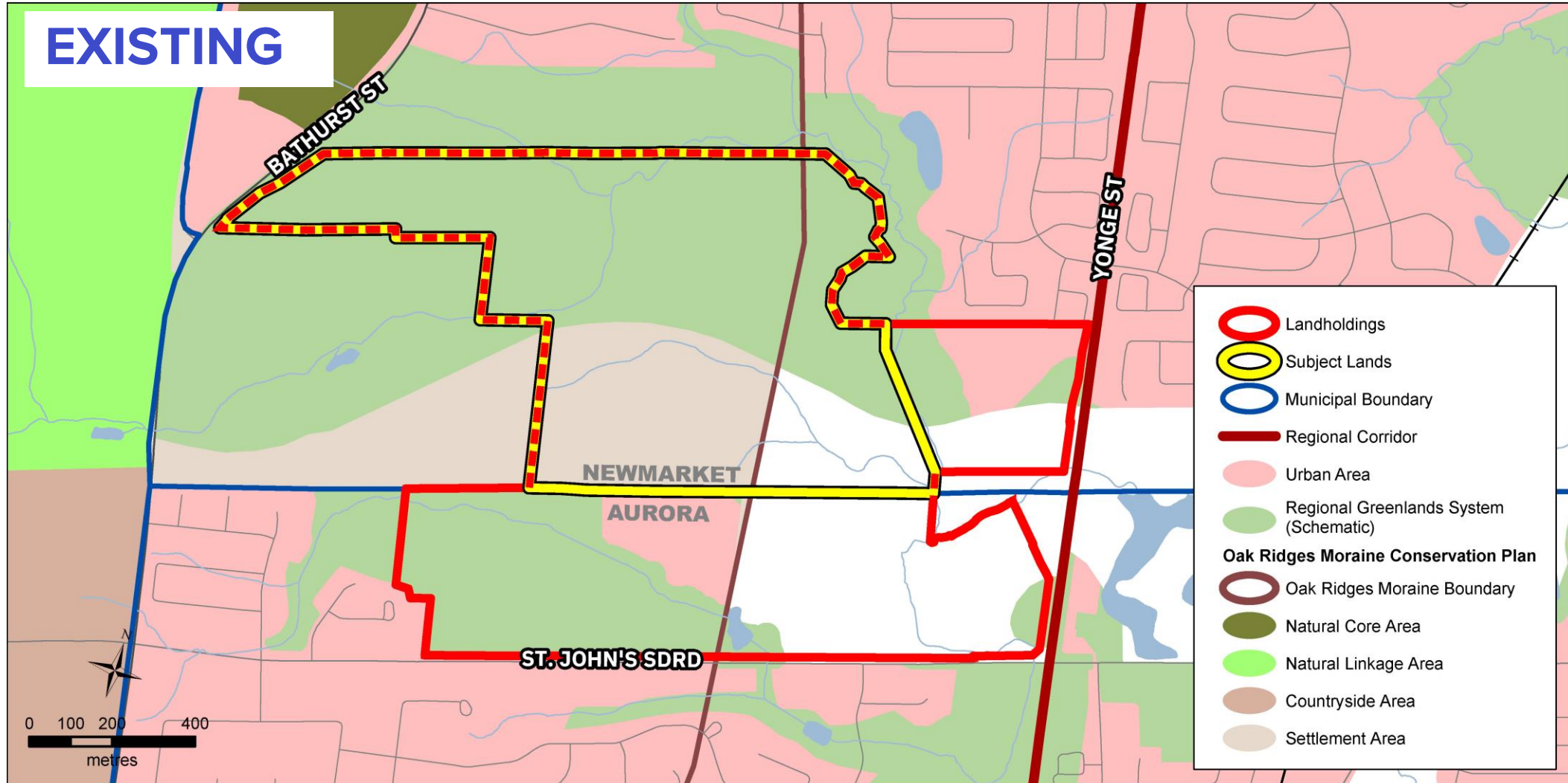


Basis of OPA 28

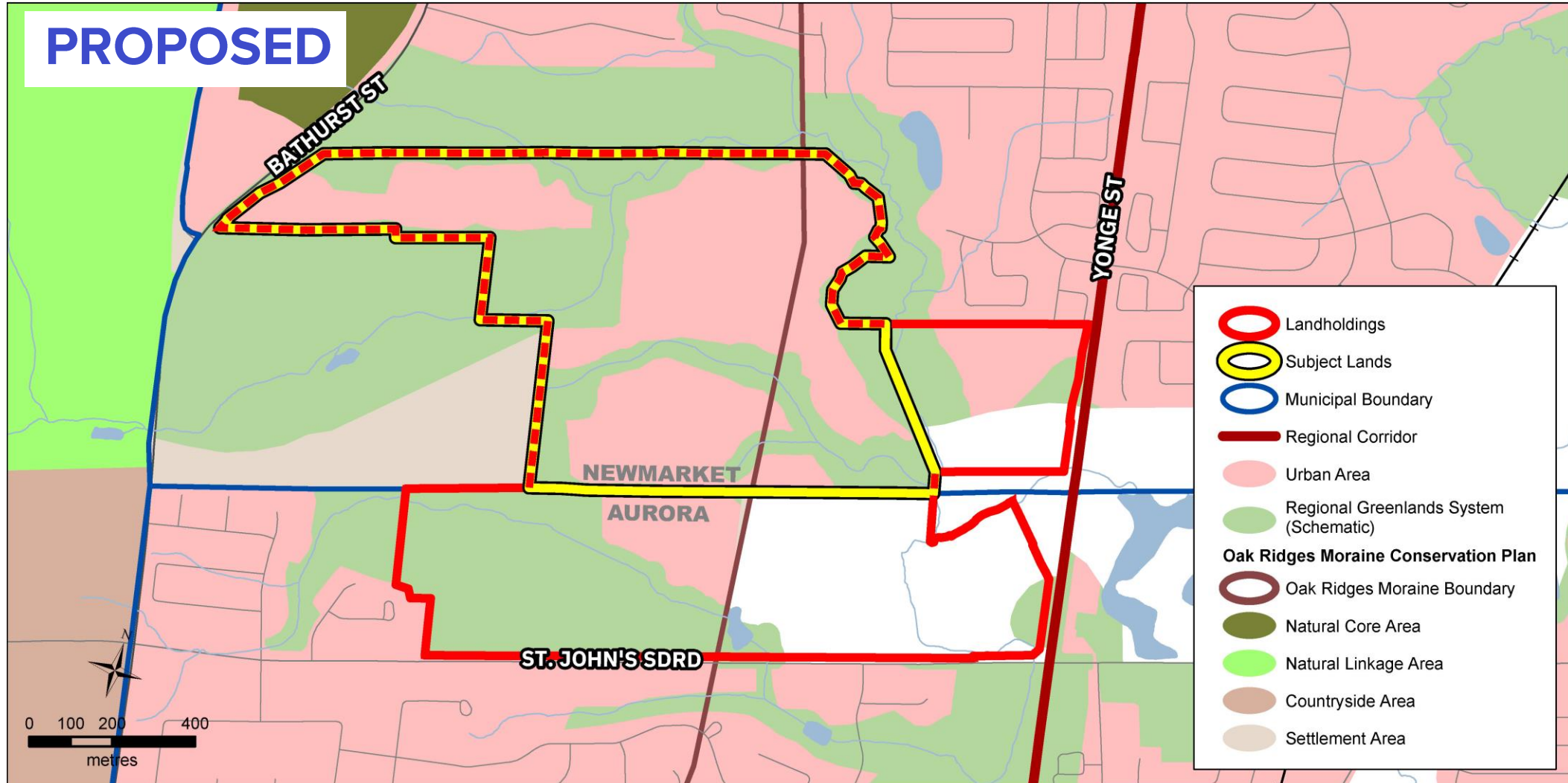
What We Are Proposing



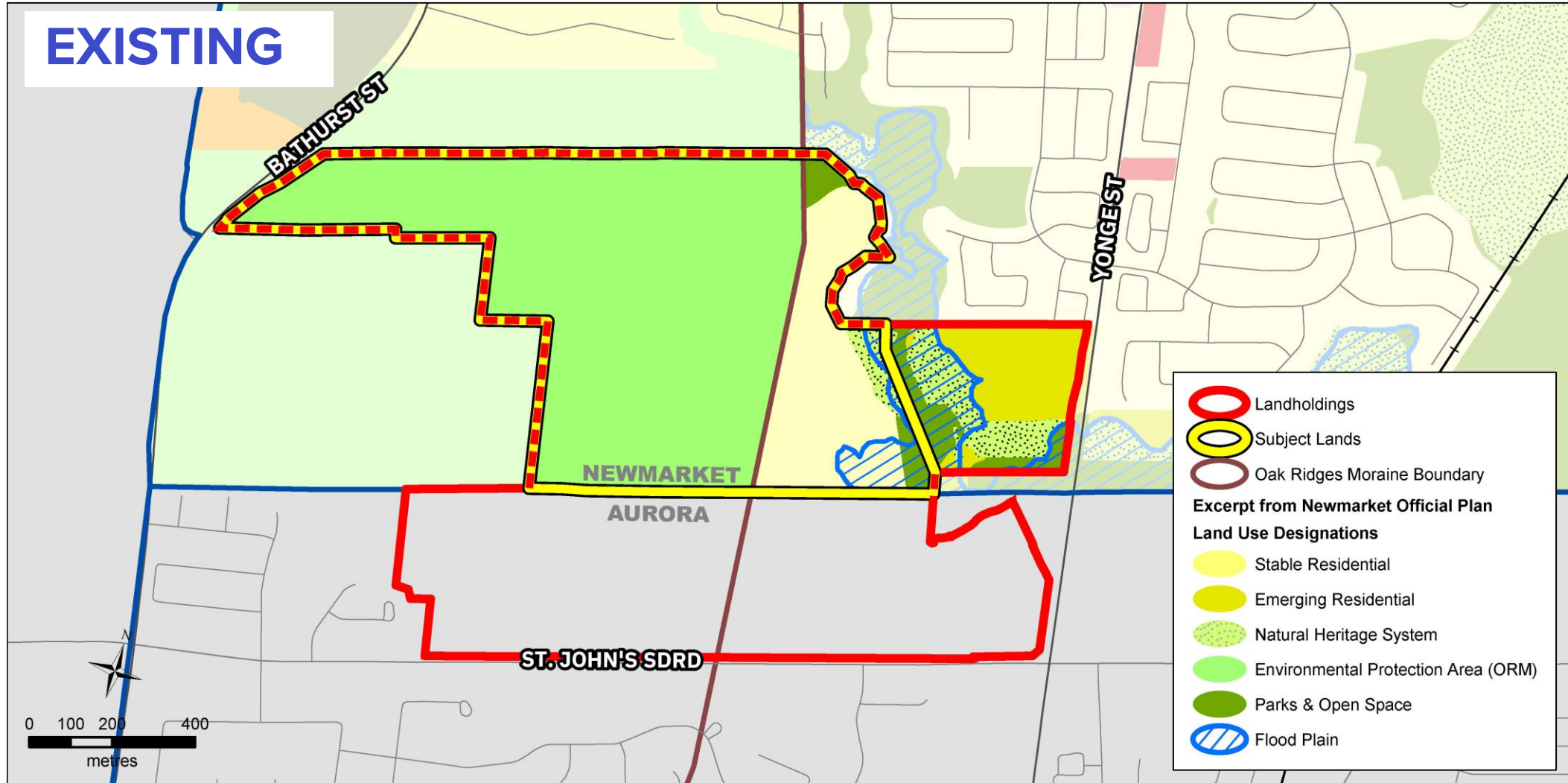
YORK REGION OFFICIAL PLAN



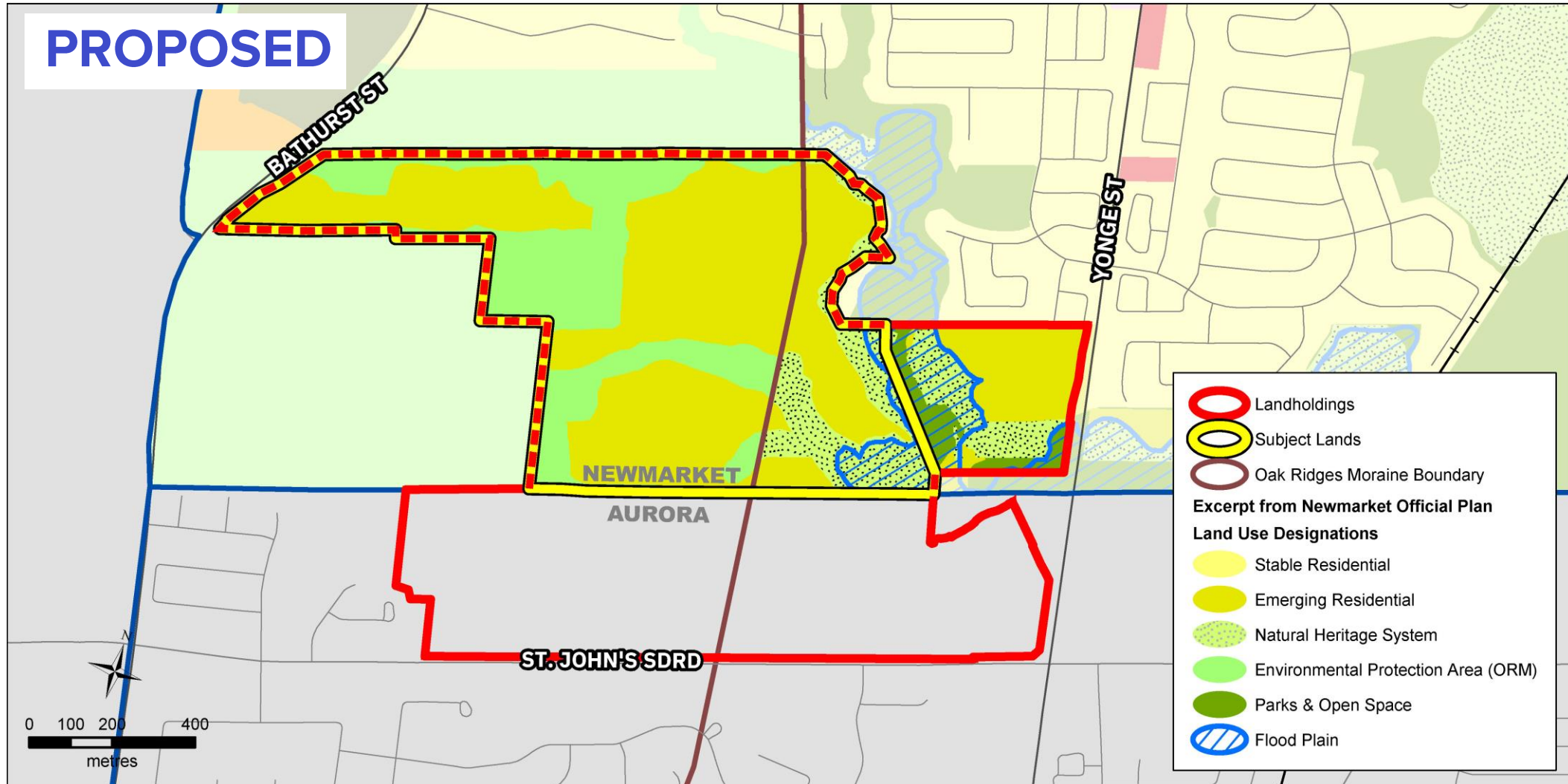
YORK REGION OFFICIAL PLAN



NEWMARKET OFFICIAL PLAN



NEWMARKET OFFICIAL PLAN



What Has Changed?

Growth Plan (2020) Allocation to York Region

2016 Census Population	1,382,000
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Population Growth (2016-51)	638,000
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2051 Population Allocation	2,020,000
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2016 Census Households	357,000
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Household Growth (2016-51)	308,400
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2051 Household Forecast	665,400
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Total Net Designated Greenfield Area for Housing	9,300 ha
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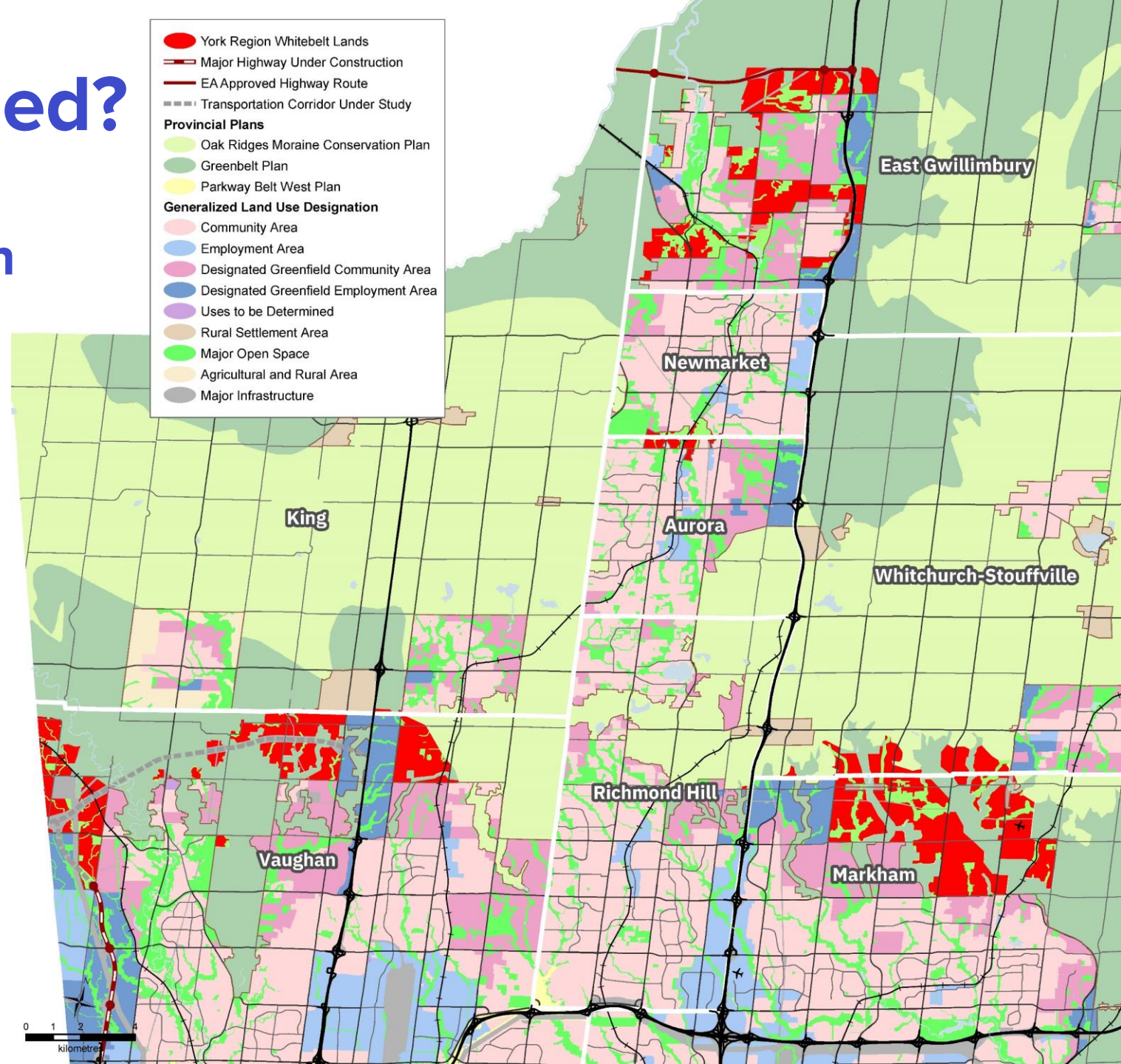
Committed Land

Built	3,300 ha
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Draft Approved or better	2,900 ha
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Total Committed Land	6,200 ha
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Vacant Land	3,100 ha
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What Has Changed?

Growth Plan for the Greater Golden Horseshoe 2020

Section 2.2.8.2 – Settlement Area Boundary Expansions

A settlement area boundary expansion may only occur through a municipal comprehensive review where it is determined that:

- a) based on the minimum intensification and density targets in this Plan and a land needs assessment undertaken with Policy 2.2.15, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through intensification and in the designated greenfield area:
 - i) Within the upper- or single-tier municipality; and
 - ii) Within the applicable lower-tier municipality.

Process

- **Step 1**

- **Redesignate, where applicable, the remaining Shining Hill Newmarket landholdings to a designation permissive of urban uses**
- **Goal of this application is to indicate that the developable portions of the Subject Lands within the ORM Settlement Area should be brought into the Regional Urban Area**
- **This application will feed into the Regional Land Needs Assessment as part of the Regional Municipal Comprehensive Review**

- **Step 2**

- **Should this application be adopted by local Council, it is our intention to submit a privately initiated Secondary Plan that sets out the detailed policy framework, land use designations, road network and parks and trail system for the Shining Hill Newmarket landholdings**

THANK YOU



ANY QUESTIONS?

Don Given | dgiven@mgp.ca

Presentation to Newmarket Town Council
Electronic Public Meeting
January 18, 2021

David Ross

Re: Shining Hill
Proposed Official Plan Amendment

2008: Ontario Municipal Board Decision

- Took a “Systems Approach” to Moraine land covered by OPA 28
- Viewed it as single, ecological system
- Did not allow development on this land – including open pasture habitat and agricultural lands

OMB Trusted Research by North-South Environmental

Highly credible Environmental Consulting firm - partial client list includes:

- Environmental/Natural Heritage Planning
- Bird Friendly Building Guidelines (City of Markham)
- Regional Municipalities of York and Peel Official Plan Amendments
- Sustainable Halton Natural Heritage System
- City of Mississauga Natural Heritage & Urban Forest Strategy
- Provincial Natural Heritage Reference Manual
- Rockfort Quarry Peer Review (Town of Caledon)
- Impacts of Cellular Towers on Birds (Ontario)
- Rouge Park Trails Master Plan
- Yonge Street South Secondary Plan (Town of Aurora)
- City of Toronto Environmentally Significant Areas Study
- Nichol Drain Sub-watershed Study (Township of Centre Wellington)
- Victoria Road North Secondary Plan Environmental Impact Study (City of Guelph)
- Eastview Environmental Impact Study (City of Guelph)

OMB Trusted Research by North-South Environmental

- **Cityview Drive Environmental Impact Study (City of Guelph)**
- **YMCA Natural Heritage Evaluation and Impact Assessment (King Township)**
- **Natural Heritage Evaluations (Oak Ridges Moraine)**
- **Pottersburg Creek Realignment (City of London)**
- **Windsor-Essex Parkway EA Species-At-Risk Study (City of Windsor)**
- **Eco-Park Environmental Impact Study and Natural Heritage Evaluation (Town of Aurora)**
- **Grand Bend Wind Farm Renewable Energy Application**
- **Cell Tower Environmental Impact Studies (Southern Ontario)**
- **Proposed Solar Energy Site Assessment (Smiths Falls, Arnprior)**
- **Niagara-on-the-Lake Sewage Treatment Plant EA**
- **Atomic Energy of Canada Limited Wetland Evaluations and Ecological Effects Assessment**
- **Environmental Impact Study Guidelines (Regions of Halton and Niagara)**
- **Supervision of Species at Risk, Former Army Base, Ipperwash, Ontario**

OMB Trusted Research by North-South Environmental

- **Parks and Natural Area Planning and Management**
- **Mississauga Natural Areas System (NAS)**
- **Seaton Natural Heritage System Management Plan (Pickering, Ontario)**
- **Rouge Park Trails Master Plan**
- **City of Mississauga Natural Heritage & Urban Forest Strategy**
- **Zone 1 & Environmentally Sensitive Site Designation, Point Pelee National Park**
- **Point Pelee Forest Bird and Marsh Monitoring Study**
- **Point Pelee Vegetation Management Objectives**
- **Massasauga Rattlesnake Habitat and Branched Bartonina Mapping and Assessment, O'Donnell Point Nature Reserve**
- **Killarney Provincial Park Signature Site Natural Science Study**
- **Glen Stewart Ravine Park Management Plan (Toronto)**
- **Peggy's Wood Management Plan (Towns of Newmarket and East Gwillimbury)**
- **Hungry Hollow Management Plan (Halton Hills)**
- **City of Toronto ESA, ANSI and Provincially Significant Wetland Studies**
- **Vegetation Management Plan - Georgian Bay Islands National Park**

Shining Hill

- Proposing to develop open pasture habitat and agricultural lands covered by OPA 28.
 1. Want to overturn “systems approach” for Subject Lands as endorsed by OMB in ‘08 and destroy linkages with neighbouring Natural Heritage features
 2. Shining Hill proposal violates environmental regulations, ignores public policies and presents traffic safety concerns

1. Minimum Vegetation Protection Zone

- Oak Ridges Moraine Act specifies 30 metre Minimum Vegetation Protection Zone for Wetlands and Significant Woodlots
- Shining Hill proposes a Development limit of “dripline or edge of wetland through most of this site.”

Tree roots will be cut and trees will die.

Streams and wetlands will be contaminated and aquatic life will die.

2. Inadequate Environmental Assessment

On 205 acre site, Shining Hill conducted:

- only **three 5 hour site visits within 2 weeks** in 1 season to study Birds and Wildlife
- only **one visit on one day** to study aquatic life in the wetlands and streams, even though water levels change throughout the year.

This clearly seems insufficient and demonstrates a gross lack of concern for the environment.

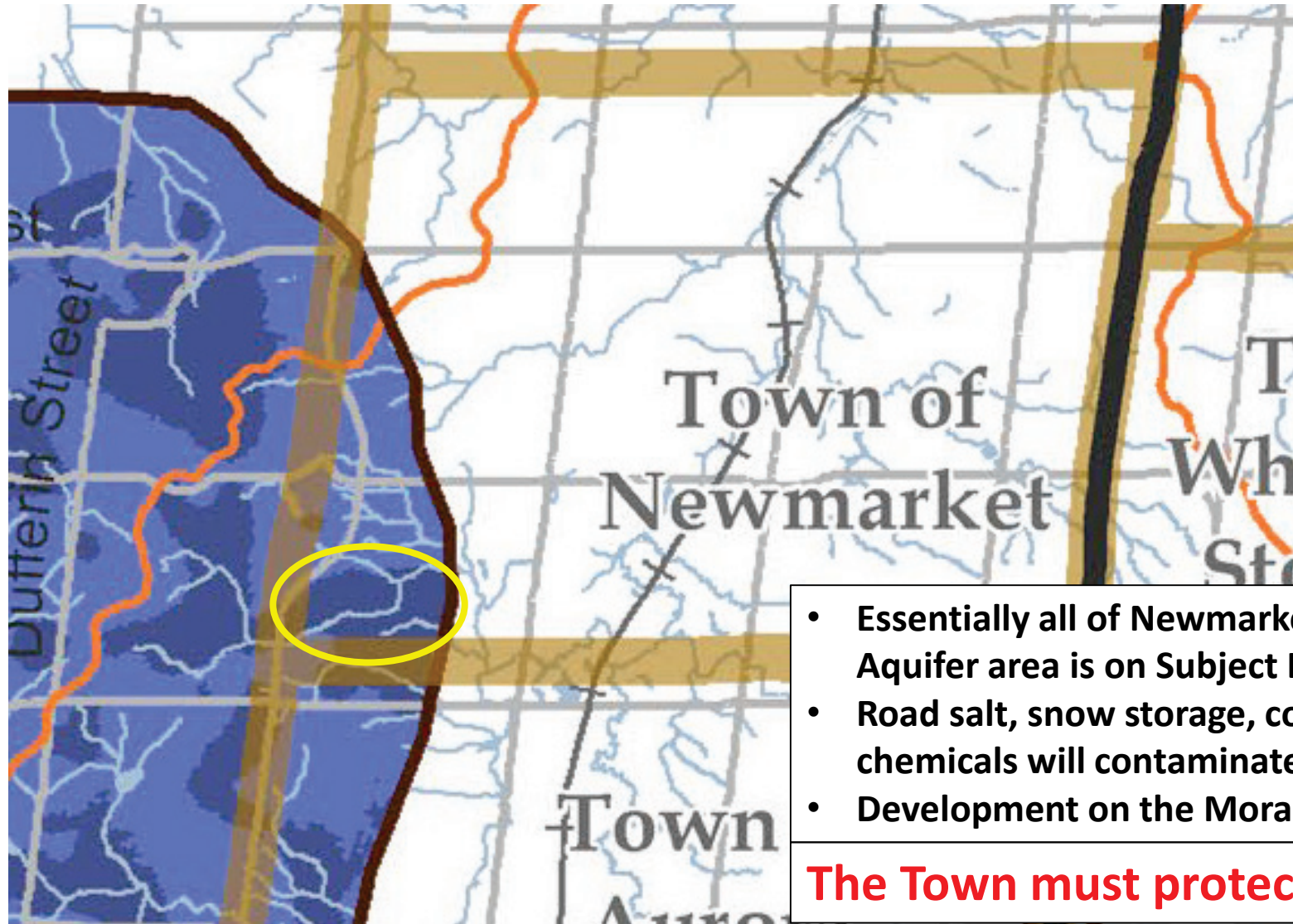
Town needs to continue to protect:

- **habitat** for animals – including those who nest and live in open lands
- **conduits** animals use to travel between the woodlots and watercourses

Allowing development will destroy these habitats and conduits forever.

3. Highly Vulnerable Aquifer

York Region Official Plan 2010 Map 07 - Aquifer Vulnerability Areas



MAP 7

OAK RIDGES MORaine AQUIFER VULNERABILITY AREAS and WATERSHED BOUNDARIES

Oak Ridges Moraine Conservation Plan (ORMCP)

- Area of High Aquifer Vulnerability
- Area of Low Aquifer Vulnerability
- ORMCP Boundary

- Essentially all of Newmarket's Moraine High Vulnerability Aquifer area is on Subject Lands.
- Road salt, snow storage, commercial fertilizers and other chemicals will contaminate the aquifer.
- Development on the Moraine will place the aquifer at risk.

The Town must protect the Aquifer.

7 storey high-rise & medium density = 80%+ of total units proposed for the Subject Lands; located > 500 m from Yonge St.



LAND USE AREAS		Area	
		Hectares	Acres
	Low Density	13.13	32.44
	Low Medium Lane	2.43	6.00
	Medium Density	5.85	14.46
	High Density	3.00	9.12
	Service Commercial	0.45	1.11
	School	2.43	6.00
	Neighbourhood Park	3.81	9.41
	SWM	3.16	7.81
	Visita	0.71	1.75
	Restoration-Trial	1.39	3.43
	NHS	30.63	75.06
	Road	15.25	37.68
	Property Ownership	82.93	204.92

RESIDENTIAL		
By Frontage	Frontage	Approx. Units
Low Density	3,780m (12,402')	315 ¹
Lane Townhomes	700m (2,297')	115 ²

RESIDENTIAL		
By Area	Area	Approx. Units
Medium Density	5.65ha (14.46ac)	205 ³
High Density	3.69ha (9.12ac)	370 ²

1. Based on average unit footage of 2.0 m (25')
2. Based on average unit footage of 6.1 m (20')
3. Based on 35 mm
4. Based on 100 gph.

TRAIL SYSTEM

- Existing Paved Trail
- Existing Mixed Surface Trail
- Planned / Proposed Trail System
- Potential Trail Linkages through Site
- Potential Wildlife Corridor
- Oak Ridges Moraine Boundary

Lo: depths are 30.0 m
Development index is a multiplicity

Date: June 28, 2023
Prepared for:
SHIRING HILL ESTATE COLLECTION INC.

- Most units closer to Bathurst St.
- No Mass Transit on Bathurst – it is on Yonge
- No Multi Storey buildings on Bathurst until Promenade Mall
- **Residents will have to use cars – not green**
- Would degrade views, vistas and privacy
- 7 storey buildings never in plan for Newmarket in this part of Town
- Hi-rise buildings belong on Yonge St. – should have put them in Phase 1

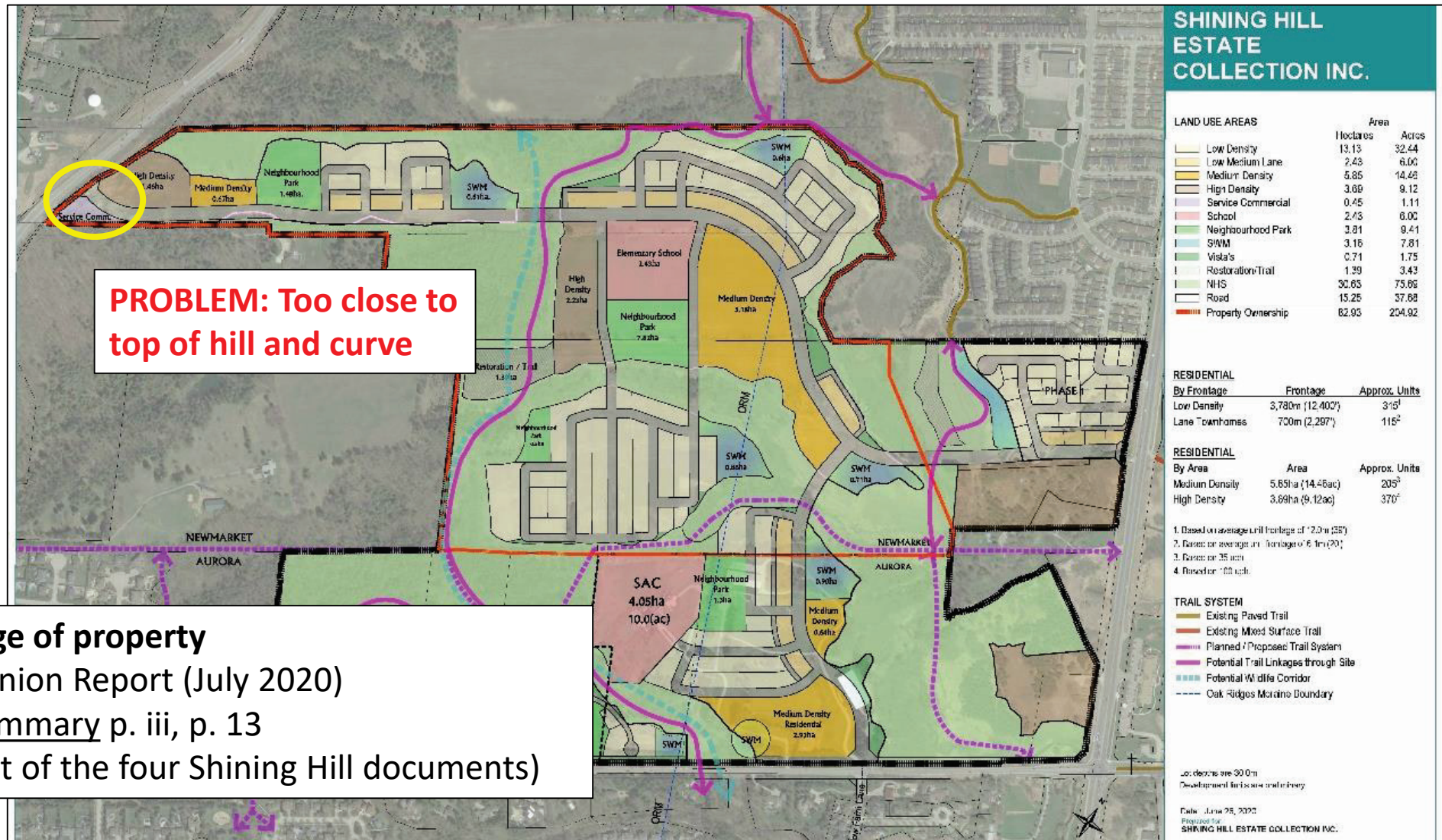
5. Potentially Dangerous Intersection on Bathurst St.

Proposed intersection on Bathurst Street has a strong likelihood of threatening public safety:

1. **On a hill** : no visibility past top of hill to the south
 2. **Curve at top of the hill**: no visibility around curve
 3. **Fast traffic**: Bathurst speed limit is 70 but many northbound cars drive faster because going down hill
 4. **Huge proposed traffic volume**: estimated 1000+ units using Bathurst St. for entry/exit from one intersection on a hill (comparison: Summerhill South 1000 units has 4 flat intersections)
 5. **Proposed intersection location not clear and all 3 variations either violate Oak Ridges Moraine Act or appear to compromise safe Sight Distance**
- Safety Objective:
Intersection as far from these as possible

5. Potentially Dangerous Intersection on Bathurst St.

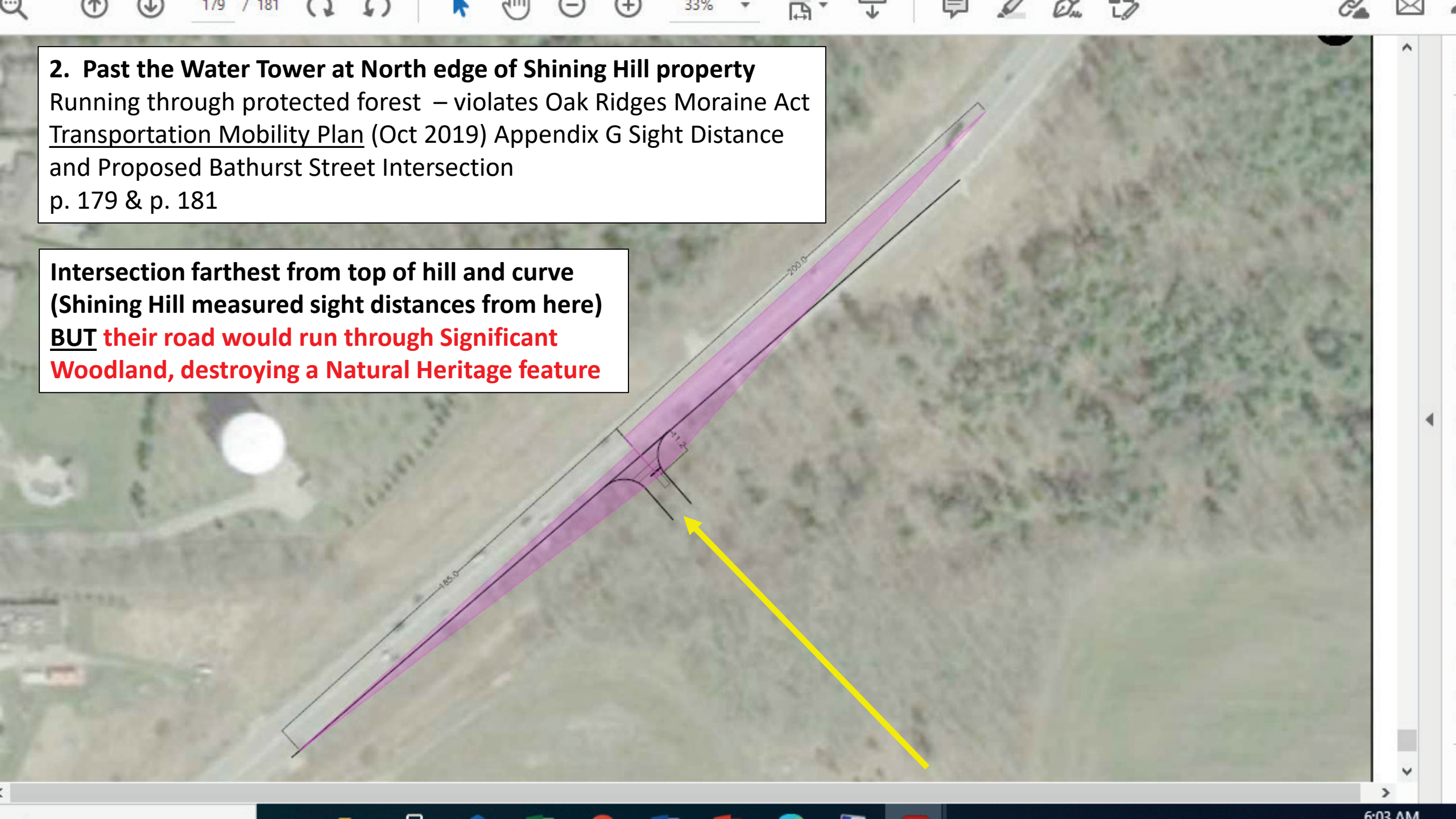
Shining Hill has three conflicting proposals regarding Bathurst intersection location.



2. Past the Water Tower at North edge of Shining Hill property

Running through protected forest – violates Oak Ridges Moraine Act
Transportation Mobility Plan (Oct 2019) Appendix G Sight Distance
and Proposed Bathurst Street Intersection
p. 179 & p. 181

Intersection farthest from top of hill and curve
(Shining Hill measured sight distances from here)
**BUT their road would run through Significant
Woodland, destroying a Natural Heritage feature**



PROBLEM: right beside woodlot -
no 30 meter Vegetation
Protection Zone - **adding required
zone moves intersection closer to
curve and top of hill which
appears to compromise required
safe Sight Distance**

3. Even with the Water Tower

Transportation Mobility Plan (Oct 2019)

- Section 1.1 Purpose p. 8
- Section 7.13 Potential Service Expansion figure 11 Potential Internal Bus Routes p. 58
- Appendix A Phase 3 Development Concept Plan p. 77

Environmental Conditions Report (June 2020) p. 55

Summary

OPA 28, signed by Mayor Tom Taylor, protected this Moraine land.

The Ontario Municipal Board agreed with the Town's "Systems Approach" and protected this Moraine land.

Shining Hill proposal completely contrary to Town's wishes and OMB ruling.

Plus, their proposal violates the Oak Ridges Moraine Act, ignores green policy, and raises traffic safety concerns.

Conclusion and Recommendation

- Continue to protect this portion of the Oak Ridges Moraine.
- Reject the application for development on the Moraine portion of the Subject Lands.
- Put new housing elsewhere – not on Moraine.
- Preserve this priceless piece of property for current and future generations of Newmarket citizens.

Dear Sir or Madam:

I am writing to express my compete and total opposition to the proposed development of the “Shinning Hill Estate” development.

I have lived in Newmarket since approximately 1996, first on Coventry Hill Trail and now on Valley Green Trail—which areas immediately neighbour the development lands in question.

Since moving to this area, I have witnessed the ongoing eradication of green space. It seems that every year, another stretch of farmland or forest is wiped out forever in our area in favour of yet another nameless, characterless development. When a plot of land is developed, the natural space is gone forever. What is the loss to future generations of this space? The cost is incalculable. We owe it to ourselves and future generations to value and preserve what little remains of our natural spaces in this town. The problem with residential development is that there is a clear benefit presented financially by the developer when a project is proposed. No doubt the Town has calculated how many more tax paying homes will be added to the budget from this project, if approved, however the cost/benefit equation needs to put a price on the loss of our green space.

As well, the Town is not planning on building more roads—Yonge Street is a busy road already. With ever more housing being built, this area is getting more and more congested. What kind of a Town does council see in our future? Who is looking out for the better good of our community and future generations?

I am opposed to the development. Thank you for reading my email.

Jason Allan

Hi there,

The proposed plan by Shining Hills Estate Collection Inc. and the consideration that is being held by the Town of Newmarket to re-designate the Environmental Protection Area – Oak Ridges Moraine in order to justify the destruction of incredibly ecologically rich and increasingly threatened natural areas in the region is both incredibly short-sighted and irresponsible. Not only that, but this year we have seen increasing threats to the remaining healthy and intact ecosystems in Ontario and yielding to this developer request to build in this region is not the signal nor the appropriate response for the town to take as we find ourselves in the middle of a climate and ecological crisis. Despite it feeling as though the coronavirus crisis is one of the most challenging times that we have faced in a generation, not to downplay the situation at all, it is. But we have many more challenging times to come if we do not take the ecological and climate crises seriously.

Over 70% of southern Ontario's wetlands have been converted to alternative uses since European Settlement (NCC, 2020). That is not a number to be taken lightly. Wetlands are some of the most ecologically productive areas and, if monetary reasons to protect them are needed, have also been identified as the most monetarily valuable as well. The monetary value of wetlands and other natural areas was explored in the Ministry of Natural Resources 2009 report and many other academic articles since, I am happy to share. Wetlands provide diverse ecosystem services from filtering air and water, providing habitat for a wide diversity of plants and animals, supporting community mental, emotional, physical, and spiritual health, to providing many of the abiotic and biotic conditions that fundamentally each of our lives depend on. The trajectory of the last 150 years has shown that we have drastically undervalued these services, and if one is to learn anything from recent science and projections on ecosystem collapse, then business as usual is not a question and massive ecosystem restoration is required. You can see this in the designation of the years 2021-2030 as the UN's declared Decade on Ecosystem Restoration. With this perspective, the consideration of drawing back on protections for our few remaining intact ecosystems is completely backwards.

If monetary reason is the only reason the town can come up with to justify moving forward with this project then I strongly urge all those involved to look into the concepts of Natural Infrastructure, Conservation Finance, Doughnut Economics, Planetary Boundaries, Ecological Economics, and efforts being made by the Municipal Natural Assets Initiative. Additionally, it is notable to point out that the City of Nanaimo, BC just committed to embracing Kate Raworth's, from Oxford University, Doughnut Economics model. This is essentially shifting the fundamental goals of the city toward, "How can we operate within ecological limits while still advancing the Sustainable Development Goals in our communities?" The key transition here from current thinking is understanding that the economy operates within society and society operates within the environment, of which has ecological limits, that when are not respected can fundamentally threaten the functioning of society and the economy within it.

There is a reason that the Oak Ridges Moraine was designated as an Environmental Protection Area in 2003. The reason to keep this area protected has only grown stronger over time! Not the opposite.

Please reach out if I can be of any more help in this decision. I am happy to take a more vocal position as well. Additionally, I would happily share more resources about the topics I mentioned above, as I am actively researching Conservation Finance as a Research Assistant at the Ivey Business School alongside Dr. Diane-Laure Arjaliès and Dr. Wren Montgomery.

All the best,

Melanie Issett

From: [Kimberley Cocquyt](#)
To: [Clerks](#)
Subject: File #D09NP2012
Date: December 12, 2020 10:24:56 AM

Hi there

I Kimberley Cocquyt oppose Shining Hill Estates re-designating the lands between Bathurst/Mulock/Yonge/St. John's Sideroad.

Thank you
Kimberley Cocquyt

Sent from Kimberley's iPhone

To the Town of Newmarket:

Thank you for the notice of the "Official Plan Amendment" for the Shinning Hill Collection Inc.

We have some concerns with the amendment and have listed them below:

1. The Town of Newmarket seems to have many proposed development sites already being developed, and planned for development.
2. We should not be developing into protected lands ever, but in particular not until there is a space problem.
3. The Oak Ridges Moraine is an ecologically important landform, put in place to protect wildlife and the safe movement of naturally roaming animals.
4. This area is a natural water shed, development will put at risk the natural water purification.
5. This is actually the third or fourth time this site has been targeted for development. Why is there not a permanent "not to be developed" solution.

We trust the planning department will use "Good Planning Judgement" when considering this amendment.

Regards,

Rod and Janell Speers

From: [Lynn Hashinsky](#)
To: [Clerks](#)
Cc: [Stefan Hashinsky](#)
Subject: File Number D09NP2012 - Shinning Hill Plan Amendment
Date: December 11, 2020 6:38:53 PM

To the Town of Newmarket:

As long time residents of Coventry Hill Trail, we reviewed the notice of the "Official Plan Amendment" for the Shinning Hill Collection Inc.

We have several concerns:

- 1) First and foremost -- protected lands should remain protected.
- 2) The Oak Ridges Moraine is an ecologically important landform, put in place to protect wildlife and the safe movement of naturally roaming animals.
- 3) This area is a natural water shed, development will put at risk the natural water purification.
- 4) This site has been targeted for development multiple times, despite it's protected status. Let's stop wasting time/money - recognize it's protected status on a PERMANENT basis.

We place our faith in the Town's planning department to act responsibly for the long term betterment of Newmarket.

Please include this email in the correspondence to Council on the agenda for the public meeting on January 18th.

Sincerely,

Stefan and Lynn Hashinsky

375 Coventry Hill Trail

Newmarket

December 15, 2020

Re: 16250, 16356 & 16450 Yonge Street

Shining Hill Collection Inc, File # D09NP2012

Regarding the above application, we have the following questions.

1. The 2003 Natural Heritage Pilot Project designated the western portion of the parcel "Environmental Protection Oak Ridges Moraine" (Planning Opinion Report July 2020). Can you comment on what has prompted reconsideration of this designation?
2. Please describe the difference between "Stable Residential" and "Site Specific Emerging Residential".
3. The notice mailed to surrounding communities by the Town states that the amended Official Plan permits a mix of "low/medium residential", however the proposed site plan in the Planning Opinion Report July 2020 shows high density. Can you advise on why this is not made clear in the mailing?
4. The Established Neighbourhoods Compatibility Study states "Sensitive development of Residential Areas can add value to the community by boosting and diversifying the housing stock taking advantage of existing hard and soft infrastructure systems and enriching the local community. However, such development must be undertaken in a manner which acknowledges, respects and is compatible with the existing predominant physical neighbourhood character". Does the Town believe these same principles are being applied on this proposed amendment to the Official Plan?
5. If the Plan is given the green light, how does the Town propose to ensure that existing mature trees are preserved?
6. How does the Town propose to address the issue of increased traffic on Bathurst that will result from the "east west collector road between Yonge Street and Bathurst Street" (Planning Opinion Report July 2020). Entering and exiting William Dunn Crescent and Coventry Hill Trail can be challenging given the volume of traffic.
7. Can you verify that "SWM" is an abbreviation for Sewage Waste Management (as shown on proposed plan).
8. What restrictions are placed on the developer for the time of day that large machinery can be operating when developing a site.
9. Is there an existing proposal for the parcel of land that butts up against the south side of Coventry Hill Trail?
10. At the Bathurst entrance of the proposed site plan there is high density housing on the north side of the street and commercial on the site side. If the land just north of the proposed high density housing is developed has the Town thought about what the transition would look like from high density to half acre homes on Coventry Hill? Again, based on the Established

Neighbourhoods Compatibility Study there is a responsibility to respect existing neighbourhoods.

11. If the Town agrees to no longer protect the western portion of the parcel and allow development are there other alternatives that balance the existing full protection and the proposed full development (high density, commercial, offices etc.). Could the Town perhaps explore less intrusive use of this land.
12. Does this proposed amendment demonstrate compliance with the provisions of the Oak Ridges Moraine Conservation Plan and the relevant Official Plan policies (Town of Newmarket, Moraine Conservation Plan).
13. Can you verify that the following decision by the Town is being adhered to; "The boundary of the Oak Ridges Moraine and the land use designations within the Oak Ridges Moraine Area (i.e., Natural Core Area and Settlement Area) as shown on Schedule "B" to Amendment No. 28, cannot be altered. No amendments to the Natural Core Area land use designation can be considered within the Oak Ridges Moraine Conservation Plan Area of the Town of Newmarket"

We fully acknowledge that you cannot stop "improvement", and we urge the Town to consider the existing neighbourhoods, the Town's original commitment to the protection of these lands and prioritize quality of life for all members of the community over the monetary interest of developers who may have no stake in the health and wellbeing of our community.

Sincerely,

Sally and Joe Freitas

From: Franco Colucci
Sent: January 5, 2021 9:57 PM
To: Clerks <clerks@newmarket.ca>
Subject: Shining Hill Estates

Please save our green space,there isn't any left in nemarket . Do the right thing vote no !!!
Its moraine land should remain untouched .
Thanks Franco

From: Julia Galt
Sent: January 5, 2021 7:20 PM
To: Clerks <clerks@newmarket.ca>
Subject: Say NO to Shining Hill Estates

Hello,

The request by Shining Hill Estates to develop two protected areas of Newmarket is a travesty. It MUST be rejected by council. The Oak Ridges Moraine is an incredibly important and irreplaceable part of Ontario's ecosystem and allowing development of any kind on it sets a very bad precedent. Contrary to the opinion of many greed-driven developers, rich farmland and green space cannot be created at will; once we lose these most precious lands, they are gone for good. Instead of promoting urban sprawl, we must focus on building up, not out- it is the only way to ensure a safe, healthy planet for our children, grandchildren, great-grandchildren, and beyond.

Please make the only right decision, and reject Shining Hill Estates' proposal.

Sincerely,

Julia Galt

From: Nicole Blom
Sent: January 5, 2021 10:47 PM
To: Clerks <clerks@newmarket.ca>
Subject: Re: EPA and Shining Hill Estates

Good evening,

I am a Newmarket resident passionate about the Oak Ridges Moraine, and I feel very strongly about not developing land protected by the EPA. With no remaining area in Newmarket undeveloped, please leave the land alone. It is protected by the EPA (and a part of the Oak Ridges Moraine, which has been protected since the 90's) so the fact that this is up for debate already seems ridiculous. People fought for years to protect these lands, and they did not fight for this protection act simply to turn it over twenty or thirty or even fifty years later. We need this area for the delicate eco system, which is already overwhelmed by our constantly-progressing urban sprawl. This is an area with wildlife and natural beauty many residents enjoy to walk through. Many creatures without voices call it home who should not be replaced by more homes and shopping purely in the name of greed. These lands have a value that extends behind the financial aspects, so please grow a backbone and stand up to these proposed changes. Protected area should stay protected.

After discussing with someone who thought the farm land only could be developed, I think it would be best to return the farm land to natural forest. Should we set a precedent now that environmental protection areas are open for discussion, rezoning, and developing, it will really push more areas to follow and be permitted. We are at an essential turning point with climate change, and the actions we take now can either start to save the future, or completely destroy it.

Thank you for your time. See you at the virtual public meeting.

Sincerely,
Nicole Blom

From: Keyvan Golestan

Sent: January 5, 2021 4:42 PM

To: Clerks <clerks@newmarket.ca>

Subject: On the Developer's Bid to Get Environmental Protections Lifted

To whom it may concern,

Given the current climate change crisis, it's more crucial than ever to preserve our nature, therefore as a Newmarket resident I am absolutely against this plan.

Kind Regards,

Keyvan Golestan

From: Valeriya
Sent: January 6, 2021 1:57 PM
To: Clerks <clerks@newmarket.ca>
Subject: Comments to Shining Hill Estate's proposal - its a no!

Hello,

I have learned of the proposal by Shining Hill Estate to develop on what is currently a protected and highly sensitive environmental area.

We moved to Newmarket for it's greenery and not to see more development and construction. It's your responsibility as a govt to take care of and protect commons

We as residents would like you to do that!

From: John Morrison

Sent: January 5, 2021 7:54 PM

To: Clerks <clerks@newmarket.ca>

Subject: Shining Hills Estates Proposed Development

I am 100 % opposed to any development within the environmentally protected area as proposed by the Shining Hills Estates group. Newmarket already has more than enough space designated for housing development. We need to put a limit on the total population and related housing within our beautiful town relative to the available greenspace within the town boundaries.

John Morrison

Newmarket

From: Claire Barrey-Junop
Sent: January 6, 2021 4:39 PM
To: Clerks <clerks@newmarket.ca>
Subject: Shining Hill Estates property

Dear Sir or Madam

I am writing my protest regarding the development of the last standing green space in Newmarket (Shining Hills Estates) being considered for development. The area in question belongs to the Oak Ridges Moraine, which is integral in maintaining our water supply.

If CoVid has brought to light what should be considered important for our future well being is the need to maintain and protect our natural spaces. Our planet is under siege and dying. Every little bit of restoration of natural areas improves our chances for a healthy future.

Please do not rezone the area!
Sincerely
Claire BarreyJunop

From: Ron Clifford
Sent: January 7, 2021 9:39 AM
To: Clerks <clerks@newmarket.ca>
Subject: Proposed re-designation of Moraine lands

I was shocked to hear of this proposal and would like to voice my firm disagreement with any more development of these already protected green spaces. As a Municipality we need to have a better plan than just urban growth for the sake of growth and profit. Progress is not continual and unchecked growth but a plan for a balanced approach to the use of our lands, which include recreational spaces. This shouldn't even be an issue. I was under the understanding these were already protected lands. To continue to make concessions would be a slap in the face to those who have worked so hard to create the protections in the first place.

Ron Clifford

From: Suzanne VALLIS
Sent: January 7, 2021 12:16 PM
To: Clerks <clerks@newmarket.ca>
Subject: Rezoning of environmentally protected space

I am writing to strongly oppose the rezoning of protected space. We have enough housing. Do not destroy the last bit of greenspace that we have. I already see foxes roaming residential areas. Do not destroy more habitats.

Suzanne Lachner

From: Ashley Arkeveld

Sent: January 8, 2021 12:03 PM

To: Clerks <clerks@newmarket.ca>; Planning <planning@newmarket.ca>

Subject: Important: Shining Hill Estates - Please do not allow to be developed (Jan 18th Meeting)

Hello,

I am writing to you today to express concern that lands that have been designated environmental /green space are now at risk of being developed. Protections of lands are so essential; green space is so important. It surprises us that The Town of Newmarket is even considering this; the lands were protected, please keep them that way.

From our research, we have learned that the area is part of The Oak Ridges Moraine. It was protected for 30+ years and formally protected for 17 years. It has known sensitivities ecologically and is protected by provincial regulations governing its use to stop development.

We live here in Newmarket with our family. We love our town; we are for the growth and rejuvenation of our existing infrastructure; however, the urban sprawl is out of control in most of the GTA subdivisions being built are destroying nature as we know it. We need fields, wetlands, forests and other natural areas, not only as human beings but for the animals and indigenous plant life that lives there too. We need a balance; please do not approve this to be developed. Fight for what is right: do not let the development happen.

Thank you for your time.

With sincere hope,

Ashley & Patrick Arkeveld

Hello –

I am writing regarding Shining Hill Estate's proposal to amend Newmarket's official plan and redesignate two large parcels of undeveloped land to allow for future development.

I am appalled that the town is entertaining this request.

Removing more greenspace from the community will forever damage the character and quality of the town of Newmarket as a place to live. The greenspace provides not only habitat for animals and flora species, but a much need place for the residents of Newmarket and surrounding areas to use as a place to enjoy nature. People desperately need greenspace for their physical and mental health as evidenced by the thousands of people who are out using the trails and hiking paths in our community. This need has only become more acute since the Covid-19 pandemic began.

Municipalities have a duty to look out for the best interest of their communities and the town of Newmarket needs to protect what precious nature we have left in our community. Our children deserve more than just a legacy of an overdeveloped town with little to no greenspace.

Leslie Allan

From: Anne West
Sent: January 11, 2021 9:07 AM
To: Clerks <clerks@newmarket.ca>
Subject: Regarding Shining Hill Estates Development

I am writing to you in response to the request by Shining Hill Estates developer to amend Newmarket's official plan to redesignate sensitive Oak Ridges moraine land to allow for it to be developed into residential and commercial buildings. As a Newmarket resident and one of the many people who enjoy the trails and wildlife which border these lands, I firmly believe that one of the last remaining greenspaces in all of Newmarket should NOT be developed. These lands are part of an important greenbelt and ecologically sensitive area, the Oak Ridges Moraine. There is a reason that these lands were protected in Newmarket's official plan. There is development everywhere now. It is a disgrace that more has not been done already to protect natural areas in Newmarket. Please do not amend the official plan. Please stand by the protection given to these, now rare, natural spaces.

Regards,

Anne West and Family

From: Mary-Anne Draffin

Sent: January 10, 2021 4:23 PM

To: Clerks <clerks@newmarket.ca>

Subject: Re designating the protected lands off Bathurs

I find this to be appalling. When lands are designated to be protected, that's it. Done. It was done for a reason and I'm assuming the reasons, namely protecting environmental spaces and ensuring the clean drinking water that the Moraine provides for us, are important reasons. Developers and those in the pursuit of more money, need to stop getting their way. You can't drink money!

This issue should not even be open for discussion. Shameful!

PS. I am also concerned about setting a precedent, when it comes to "changing ones mind" regarding protected areas. If you do it once, it can be done anytime and the word "protected" then becomes a joke!

Mary-Anne Draffin

From: Wendy Bowden
Sent: January 9, 2021 4:23 PM
To: Clerks <clerks@newmarket.ca>
Subject: Request by Shining Hill to amend Newmarkets official plan

I am writing to you in response to the request by Shining Hill Estates developer to amend Newmarket's official plan to redesignate sensitive Oak Ridges moraine land to allow for it to be developed into residential and commercial buildings.

As a Newmarket resident and one of the hundreds (if not thousands) of people who enjoy the trails which border these lands - including the wildlife that call these lands home - I fail to see any reason why one of the last remaining greenspaces in all of Newmarket should be developed. Especially one that is part of an important greenbelt and ecologically sensitive area, the Oak Ridges Moraine.

There is a reason that this was protected in Newmarket's official plan. Does that not mean anything? Is it just a designation to make us feel good until a developer request comes along and then we say oh its not important to protect anymore? There is development everywhere now. Its a disgrace that more has not been done already to protect natural areas in Newmarket. Where does it stop? Well, it sure as hell should stop with this request.

Please do not amend the official plan. Please stand by the protection given to these, now rare, natural spaces.

Wendy Bowden

From: Adrienne
Sent: January 9, 2021 8:16 PM
To: Clerks <clerks@newmarket.ca>
Subject: Green space

I am writing to you in response to the request by Shining Hill Estates developer to amend Newmarket's official plan to redesignate sensitive Oak Ridges moraine land to allow for it to be developed into residential and commercial buildings.

As a Newmarket resident and one of the hundreds (if not thousands) of people who enjoy the trails which border these lands - including the wildlife that call these lands home - I fail to see any reason why one of the last remaining greenspaces in all of Newmarket should be developed. Especially one that is part of an important greenbelt and ecologically sensitive area, the Oak Ridges Moraine.

There is a reason that this was protected in Newmarket's official plan. Does that not mean anything? Is it just a designation to make us feel good until a developer request comes along and then we say oh its not important to protect anymore? There is development everywhere now. Its a disgrace that more has not been done already to protect natural areas in Newmarket. Where does it stop? Well, it sure as hell should stop with this request.

Please do not amend the official plan. Please stand by the protection given to these, now rare, natural spaces.

Adrienne Belanger

Good afternoon.

I am writing to you in response to the request by Shining Hill Estates developer to amend Newmarket's official plan to redesignate sensitive Oak Ridges moraine land - Environmentally Protected Lands - to allow for it to be developed into residential and commercial buildings.

As a Newmarket resident and one of the hundreds (if not thousands) of people who enjoy the trails which border these lands - including the wildlife that call these lands home - I fail to see any reason why one of the last remaining greenspaces in all of Newmarket should be developed. Especially one that is part of an important greenbelt and ecologically sensitive area, the Oak Ridges Moraine.

Newmarket has had a long history of the intention to protect environmentally protected land and green spaces for decades. They were wise enough to formalize these intentions under the leadership of past municipal representatives. There is a reason that this was protected in Newmarket's official plan. Has the need for environmental protection changed? I would think that it has only become more important as in the 20 years since formalizing the environmental protections were put in place to continue with that position, particularly since we have seen the rest of the green spaces disappear in favor of housing developments in Newmarket and surrounding areas. Does that not mean anything? There is development everywhere now and attempts to develop will only continue. No one with a monetary stake is coming to the town asking for more environmental protections. That is why it is the job of municipal representatives to preserve and protect what can never be reversed.

Please stand by the protection given to these, now rare, natural spaces. Once gone they can never return.

The Maio Family

From: Valerie Laengert
Sent: January 8, 2021 4:21 PM
To: Clerks <clerks@newmarket.ca>
Subject: Shining Hills Estate

To the town of Newmarket,

Please do not allow the Shining Hills Estate development to go forward as it is proposed—protected greenspace is very important not only for us, but for future generations. Perhaps a compromise would be to allow high-density development on five hectares and leaving the other 150 hectares as open space, as has been suggested. We need more lower-cost housing in our area, which high-density development could help to provide.

Sincerely,
Valerie Laengert
Newmarket

From: Joanne Rinella
Sent: January 11, 2021 9:44 AM
To: Clerks <clerks@newmarket.ca>
Subject: Shinning Hill Estates

I am writing to you in response to the request by Shining Hill Estates developer to amend Newmarket's official plan to redesignate sensitive Oak Ridges moraine land to allow for it to be developed into residential and commercial buildings.

As a Newmarket resident and one of the hundreds (if not thousands) of people who enjoy the trails which border these lands - including the wildlife that call these lands home - I fail to see any reason why one of the last remaining greenspaces in all of Newmarket should be developed. Especially one that is part of an important greenbelt and ecologically sensitive area, the Oak Ridges Moraine.

There is a reason that this was protected in Newmarket's official plan. Does that not mean anything? Is it just a designation to make us feel good until a developer request comes along and then we say oh its not important to protect anymore? There is development everywhere now. Its a disgrace that more has not been done already to protect natural areas in Newmarket. Where does it stop? Well, it sure as hell should stop with this request.

Please do not amend the official plan. Please stand by the protection given to these, now rare, natural spaces.

Joanne Rinella

From: Adam Smith
Sent: January 14, 2021 5:07 PM
To: Clerks <clerks@newmarket.ca>
Subject: Regarding Shining Hill Estates

Hello,

It is in my opinion that Shining Hill Estates should **not be** allowed to build a new development at the current environmentally protected area. Climate change is the single largest issue the world faces today, and we will not solve said issue by reallocating more land that is currently protected for housing developments. Likewise, not only are we on a trajectory of grave proportions, we are in a (human caused) sixth mass extinction. Human beings are the cause of nearly 68% population decline in the [last four decades](#). The appropriate step forward is *not* to allocate *more* land for residential use, we need to be preserving our green spaces and animal diversity as much as possible. Is there no limit to what human beings will consume? With the last breath of nature taken, will humans look back and feel remorse?

As this article states, the area has been protected since the '90s. As a late-twenties millennial who wants nothing more than to own his own home, this is **not the way**. I would rather preserve our Canadian ecology first and foremost. Likewise, with the current state of the unstable housing situation, it is obvious these homes will simply be bought up by already wealthy multiple-property owning landlords as a way to further cement their wealth. So not only does the conversion of this site enable wildlife decline, it enables the disparity between the wealthy and the not. No matter if you slap a fancy elegant name on the development. The only people who want this development, are those that can profit from it. Which is a small group.

I believe the choice is obvious.

Leave the already protected area as it is; protected.

Thank you.

From: James

Sent: January 15, 2021 11:26 AM

To: Clerks <clerks@newmarket.ca>

Subject: RE: Shining Hill Estate's proposal to have two protected areas of Newmarket opened up for development

Please do not allow shining Hill Estate's proposal to go through. The hospital is over capacity. The schools have portables, the roads are congested. The population keeps going up and nothing else changes to support it.

We are full! The more housing that gets built the worse this area is to live in.

James Hellard

From: Janine G
Sent: January 15, 2021 2:57 PM
To: Clerks <clerks@newmarket.ca>
Subject: Oak Ridges Moraine

Dear clerk,council,

Development was stopped on this land Oak Ridges Moraine years ago. I believe it in some part has to do with ground water.

People protested development on this land and it did not take place. Shameful, Town of Newmarket would even consider development.

How about building a new hospital that has capacity to help these millions of people you are planning on so they have healthcare. We need that more than new housing development which most will not be able to afford. Duality. One hears about green this and green that , climate change, climate control then we hear about building on protected land. We need green space. Have a heart council. Please do not allow for this development to move ahead.

Southlake has not had adequate room for patients in years. Let this pandemic open your eyes to that. Build a new hospital, use the old one as affordable units for homeless Problem solved.

Sincerely,

Janine Graham

Good afternoon,

I am in complete agreement with Ashley Arkeveld that these lands need to remain protected there are lots of cleared areas in an around Newmarket that can be developed without disrupting another eco-system.

"Protections of lands are so essential; green space is so important. It surprises us that the Town of Newmarket is even considering this; the lands were protected, please keep them that way," wrote Ashley Arkeveld.

I personally don't think lack of housing is the problem it's the "**affordability**". As a salaried single income family we cannot afford to buy a small house and would love one but not at the cost of killing off trees and wildlife.

Thank you kindly and have a great day.

Sincerely,

Brenda Russell

An addendum to my e-mail below, I just read about "Housing Crunch Looms..." I would jump at the opportunity to Rent-to-Own but again not at the cost of the Moraine, thank you for letting me have my say

We have been proud residents of Newmarket since the 1981. Both my wife and I were both fortunate to grow up here. We moved away but then decided to come back to Newmarket to raise our family in 2005. We have both seen many changes to our Community.... mainly positive changes.

We currently live on Coventry Hill Trail. We moved to this street 5 years ago with the knowledge that the lands to the South of our street were Oakridges Moraine and protected by the law passed at the Provincial level. We were very shocked and disappointed when we learned of the proposed Shining Hill Development. I (Mark) attended the Public meeting at the Town of Newmarket in 2020 and could not believe that Newmarket Council was even considering invoking their Municipal power to supersede the protection of this tremendous Natural Resource.

As longtime residents, we are proud that Newmarket has been able to grow and prosper as a vibrant and sustainable town but have been able to maintain it's smaller town community feel. Other municipalities such as Mississauga and Markham have grown into "concrete jungles" with their never ending residential and industrial developments. One of the reasons why Newmarket is special and desirable is because we have a good balance of natural areas, parks, walking trails, etc.

The proposed Shining Hill Development will add thousands of homes to a Community without the infrastructure to support it (hospitals, longterm care facilities, roads, transit, schools etc.) and have a significant negative environmental impact on one of the Regions most prized natural habitats - The Oakridges Moraine.

We are asking you not to re-designate the lands to allow additional residential, industrial and commercial development on this environmental protected property. In our opinion, Council was not elected by the residents of Newmarket to make such a monumental change to the urban landscape of Newmarket in this fashion. We recommend that the decision to allow this development to go forward should be an election issue and delayed until at that time.

In addition, the residents of Ward 6 will be negatively impacted the greatest and their voices and opinion should be heard the loudest. Kelly Broome has been wonderful representing our interests. She is a gem!

Thank you for the consideration.
Mark and Karen

John Taylor
Mayor
Town of Newmarket

Dear John:

Developers want what they want as we saw in the case of the bylaw-denying proposal for a post office apartment monstrosity on Main Street. The protected lands that are such a gleam in the self-interested eyes of Shining Hill Estates are the town's natural patrimony and heritage. Any answer other than "No" makes the town biddable to whatever monied interest comes forward with residential proposals for protected land. This proposal needs to be stopped dead in its tracks. Equivocation is what developers are looking for and we can't let them build their upwardly-mobile "estates" (a pretentious term designed to "upscale" the whole thing) because heritage and natural patrimony mean little or nothing to them despite whatever pious denials they might make. Council's answer should be an unequivocal "NO". This land belongs to the town and must remain future parkland or nature reserve. End of story.

Yours,
John Lennox

Subject: Request to amend Newmarket's official plan

I am writing in regards to Newmarket council considering the Shining Hill Estates application to develop an additional multi-purpose subdivision. First of all, I don't think this should even be on the agenda as the Town of Newmarket has already designated moraine lands as environmentally protected. It needs to be kept that way. Secondly, if the Town feels we need more housing why did they not allow high density housing to be developed on the Slessor property several years ago which would have been an ideal location for apartments and condos? Thirdly, one of the reasons given for the Town purchasing the Mulock Estate was that they did not want a developer to purchase it and build homes there. They felt it should be green space for public use. Clearly they have set a precedent - or is the grass greener north of Mulock??

I hope our elected officials think long and carefully about their decision. We need our green spaces, not just now, but for the future, and those of you who have been given the opportunity to be part of saving our environment have an obligation to do so.

Regards,
Janet McMillan

January 15th, 2021

Town of Newmarket
c/o clerks@newmarket.ca

Re: Public Meeting (to be held on Mon., Jan. 18th, 2021) to consider a proposed amendment to the Official Plan for addresses: 16250, 16353 and 13450 Yonge Street

Applicant: Shinning Hill Collection Inc.
File Number: D09NP2012

Respectfully submit the following regarding the proposed amendment to the Official Plan by the above noted Applicant – File Number D09NP2012:

1. First - important to recognize the obvious - that the subject lands of the proposed amendment – are found within the protected Oak Ridges Moraine Area – therefore - what material circumstance(s) warrant the consideration of re-designating the lands in question (16250, 16353 and 13450 Yonge Street or any part thereof) from *“Environmental Protection Area – Oak Ridges Moraine”, “Stable Residential”, and “Parks & Open Space” to “Site Specific Emerging Residential”, “Parks & Open Space”, “Natural Heritage System”, and “Environmental Protection Area – Oak Ridge Moraine”*.
2. Describe the difference between the current *“Stable Residential”* compared to the proposed *“Site Specific Emerging Residential”* as put forth in the proposed amendment to the Official Plan.
3. Describe, with specific examples, what *“low/medium residential, institutional, commercial, office”* refers to in the proposed amendment and provide a revised projection of population growth related to the site specific *“low/medium residential, institutional, commercial, office”*.
4. What studies is the Town of Newmarket prepared to commission to determine the viability of an increase in population (as per the revised projection of population growth within the subject area) – for the purpose of identifying and implementing the required infrastructure (with emphasis on long-term sustainability) – including but not limited to: preserving green space and ecosystems; sewage; water; roads/transportation systems; traffic; noise; and pollution.

Keeping in mind, as noted in the Town of Newmarket's Official Plan, *“The boundary of the Oak Ridges Moraine and the land use designations within the Oak Ridges Moraine Area (i.e., Natural Core Area and Settlement Area) as shown on Schedule “B” to Amendment No. 28, cannot be altered. No amendments to the Natural Core Area land use designation can be considered within the Oak Ridges Moraine Conservation Plan Area of the Town of Newmarket.”* - any consideration into the possibility of deviating from this current directive must not be made lightly - but instead with the upmost care, detailed review of relevant expert findings, community input and with the propose of safeguarding precious green space and natural ecosystems.

Thank you for your time and consideration.

Respectfully,

Carmela and Michael Pugliese

Good afternoon,

I was thrilled to read the Oak Ridges was deemed an environmental protection area, only saddened to learn the decision to protect these lands is now being questioned. I understand the need to grow within the community, however, at what cost? Wildlife is losing space to survive and residents are losing access to the wonder of nature at a rapid pace. Growth is happening everywhere in and around Newmarket. Sharon/East Gwillimbury/Queensville has just undergone rapid growth. Glenway has been dismantled and it was recently announced that plans to create hundreds of housing units will be built along the Davis Drive Corridor. In my opinion, if the lands were special and sacred enough to protect in 2003, why are they less valuable to our community now? It seems to me the opposite conversation should be happening, with even less green space surrounding us now than in 2003, shouldn't we be discussing how to protect this land even more and even looking to preserve more?

I am a concerned Newmarket resident asking our Town to choose to maintain these lands in question as an environmental protection area as deemed in 2003.

Thank you,
Angela West

Newmarket Council,

Is 'Newmarket - Well Beyond the Ordinary' just a slogan, merely aspirational or something actually achievable? You have to decide.

Here is what is ordinary: taking a greenfield space (designated as part of the environmentally protected Oak Ridges Moraine) and turning it into a low-density, high cost housing development that furthers suburban sprawl. Nothing innovative, creative or beyond the ordinary with this decision.

Meanwhile the climate crisis continues, the federal government committed to protecting 30% of Canada's landmass from development (it can't all be in Nunavut) and Newmarket misses a chance to be a champion in sustainable communities and contributing to the broader Canadian and global effort to help address the climate crisis and heal the planet. The protected designation of this parcel of land was done for a very good reason. That reason has not changed, yet as the provincial government loosens restrictions to protect environmentally important lands in contrast to global requirements to expand protection of environmentally important lands, Newmarket council is considering supporting the diminishment of such lands under its jurisdiction. Everyone has to step up and municipalities can be leading change agents for climate crisis action.

Newmarket Council has to decide where it stands in addressing climate change and global warming. Can it go well beyond the ordinary and become a leader in creating environmental sustainable thinking and practice?

So clearly we are not in favour of supporting the Shining Hill development proposal. However, as Canada is the shining example of mutual accommodation there may be alternatives to consider. We have seen a suggestion that limits all development to five hectares, putting all the housing units in a high-density development (which would also provide some lower cost alternatives to young adults starting out or senior adults winding down). This development could occur along the Yonge St corridor where a significantly underutilized transit system exists. There can be many creative responses to get the density and leverage existing infrastructure, leaving the bulk of the property as open/wild space, you just have to get past the ordinary.

Newmarket council has a choice. Let it be informed by its motto. Otherwise get rid of the motto. As the timelines for addressing the climate crisis get shorter, citizens will become more demanding of their governments. As the 2022 municipal elections approach, Newmarket citizens will be looking for a council that can demonstrate it understands its environmental responsibilities and is thoughtful and creative in its responses. Why not aspire to and become the most environmentally sustainable community in Ontario/Canada.

This is not a time for Ordinary. This is a time for Extraordinary.

Thank you for allowing input into your decision-making.

Russ & Jennie Coles

Deputation re: Shining Hill Estates Collection Inc., proposal to amend the Official Plan

The list of development-induced **environmental degradations** is long, but includes:

- **It removes farmland and wild spaces** forever; they cannot be rebuilt.
- Paving open land or covering it with houses **lets less water get to the water table**.
- As well, laying pipe can pierce water tables and **cause aquifers to drain**.
- In **car-dependent** neighbourhoods, people have to drive more, with all the **pollution** that causes.

There are **things we worry about** with this specific plan:

- Newmarket currently has almost no real green space. This development will **take away** much of the largest piece of Newmarket's remaining green space.
- Construction equipment spreads harmful plants, especially **phragmites**. Newmarket already has serious phrag problems in Fairy Lake and elsewhere.
- This could be a **slice-and-dice** approach to wetlands, carving it up into thin bands that will become useless for environmental protection, leading to their eventual **abandonment**. This land is already adjacent to developed neighbourhoods, which **will stress the environment**.

If the development goes ahead,

- **Setbacks** from water must be made sufficient to protect wildlife from lawn & garden runoff & seeds, people, pets (esp cats). I have seen homeowners clear a full 10m boundary between their houses & wetland to use as an extension of their yards.
- It must be created as a "**complete community**", a mix of residential, retail, office, commercial, cultural etc facilities, and not just some little dead-end strip mall with a convenience store. Residents must have things to do within **walking and cycling** distance. It must support the **work-play-stay** approach that Newmarket has espoused.
- **Protecting** remaining green space must be a major goal.
- The residential components should not be all single-family dwellings. **Medium-rise**, such as 3- to 5-story buildings, should be part of the mix. Similarly, no more large (monster) homes should be built.
- **The road** proposed to connect Bathurst and Yonge must be designed to protect wetlands, and provide safe passage and migration routes for animals and birds.

We have to be mindful of our Provincial Gov't's many regulatory changes, hostile to the environment and favourable to developers, including: unprecedented and extreme use of MZO's; undermining Conservation Authorities, possibly including last week's creation of a conservation authorities working group with some of the Province's largest developers sitting in an advisory capacity. This is the first time Council has been asked to give ground on this Environmental Protection Area; if you approve it, you should be able to attach many requirements.

Sincerely

Dave Kempton and Peggy Stevens, Newmarket

I have been a resident of Newmarket since 1973 and, in fact, live fairly near the proposed development site. I was born and raised in Toronto but moved up here with my wife to find more affordable housing than was available in the city. We bought a house in the "Quaker Hill" area which is roughly in the Yonge and Mullock Dr area and we are still there. When I read of this proposal, I was reminded of an old Joni Mitchell song, Big Yellow Taxi.

In that song Joni wondered at the wisdom of people just pouring concrete over everything and building things. She speculated that we would be "paving paradise" to "put up a parking lot". As I read of your intentions I am inclined to believe that perhaps she was correct.

My understanding is that the Oak Ridges Moraine is an important geological feature left over from when the last ice age ended some 10,000 years ago. I further understand that numerous science types believe it is very important to preserving the local water system, etc. I can't help but feel that paving it would be an incredible mistake. It would also be a mistake which could not be undone. Therefore, I respectfully suggest you NOT approve this motion.

If you choose to do otherwise, you may want to consider a suggestion offered by Joni in her song all those years ago. You could "take all the trees and put them in a tree museum and charge people a dollar and a half just to see them".

Respectfully,
Steve Platt
Newmarket resident (and tax payer).

Good Afternoon,

My name is Emily Collins and I am a Newmarket local concerned about a possible development within my town. I was shocked to hear that Shining Hills Estates is planning to develop an area off of Bathurst Street, an area that is protected as a part of the Oak Ridges Moraine.

As a young voter and lover of my hometown, it deeply saddens and angers me that our local and provincial government would allow something like this to even be proposed. Given the extremely serious tone surrounding climate action right now, I would think that our elected officials would be more concerned about such actions.

This area has been under protection for the majority of my lifetime and I hope it will stay that way. The ecosystem this land currently supports is at risk, you have the power to change that.

Sincerely,

Emily Collins
An Attentive Voter

To whom it my concern,

While I am not a local resident, I am a citizen of southern Ontario and feel strongly that we need to maintain and protect our environmentally sensitive lands. Unfortunately the present move to free up such land and imperil watersheds is a dangerous trend of these times. I implore you to protect our environment, we all have a stake in the environmental health of our province.

Sincerely,
Kathy Bresnahan

To Members of Council
Town of Newmarket

In keeping with others who have voiced their concerns about further development of lands bordering or designated as part of the Oak Ridges Moraine—historically and rightfully protected lands—I wish to officially register my objection.

These lands are very much needed as they serve to provide safe, spacious environments for local wildlife, play an important ecological role in safeguarding our water and flood plains, and provide access to natural environments that provide tremendous benefit to the mental health and spiritual wellbeing of our Town's residents.

If further development is required within the Town of Newmarket to accommodate future growth, I urge Council to give serious consideration to permitting or encouraging the construction of low or med rise condos/apartments along the main corridors of the Town (e.g., along Davis Drive and Yonge Street). This would not only provide more affordable housing options for future growth but would also support existing businesses and transportation services already established along these routes.

Sincerely,

Tammy La Rue
Newmarket, Ontario

To whom it may concern,

I urge you not to go forward with your proposed development of this section of Newmarket.

Green spaces are already far and few between, and initiatives to protect the environment should be supported and upheld; as opposed to being desecrated and undermined for capitalistic gain.

A space like this provides so many benefits to the entire community, while selling it off only puts money in the pockets of few.

Sincerely,

A concerned citizen

Alana Natis

I am writing to voice my concern and objection to the application by property developer Shining Hill Estates [to have the southwest corner of Newmarket redesignated](#) **from** an environmental protection area to allow a residential subdivision to be built.

The Town and the Region have already spent millions of dollars to develop Yonge Street and Davis Drive to allow for more high-density development of both commercial and residential properties. I agree there may be a shortage of housing available, but these corridors were developed to address this shortage and in accordance with the long-term plan for our population growth.

Canada is already lagging on our commitment to protect the environment and provide more protection for endangered wildlife. Further development of this sensitive area will only serve to line the pockets of developers for short-term gain. This will further result in the decline of the sensitive Oak Ridges Moraine. I believe allowing the development of this area would be a short-sighted decision on behalf of this Council and would do irreparable harm to our ecosystem.

The Town is already heavily invested in saving the old Mulock Estate property and further investing to develop this property for townspeople to enjoy. I am not disagreeing with this decision and look forward to seeing the end result. Based on the plans released, I believe the development of this property has shown great vision.

What we already have in this disputed area of Town on the Moraine does not require any further investment by the Town. It is already a naturally developed area that Mother Nature has provided with biodiversity such that no Town Planner could even come close to developing or maintaining. We need such areas not only for our citizens but to maintain a habitat for the flora and fauna that reside there and would otherwise be destroyed by our folly of allowing it to be developed.

I would ask this current Council to not only reject this request, but structure the response in such a way that this land remains protected from development for the next 20-50, or even 100 years, if it is possible to do so. This would exempt this property from being exploited by future Councils down the road. It seems Aurora has already sold their soul to appease a developer. Let's show them Newmarket is not for sale and that we are on record to protect and stand up for what is left within our green spaces and natural boundaries.

Sincerley,
Walt Klywak
Concerned Newmarket Citizen and Voter

To whom it may concern,

I write to register my strenuous opposition to the proposed change to the purpose of the Oak Ridges Moraine land.

Over the past 10 years, I have watched with ever increasing concern as farm after farm has been turned into high density housing.

The fact that infrastructure is not keeping pace with the development is a separate, but equally important, concern.

We are the guardians of the green belt and it's our duty to protect and preserve it for future generations. The wildlife that lives therein is part of a delicate eco system that has existed for thousands of years and we have no business interfering with it.

At this rate, there will be no green space left in 10 years. It is said that land is the only thing they're not making more of. Once you sign away our green spaces, you condemn Newmarket and the surrounding towns to overcrowding and urban chaos.

This once bucolic area of the region is in danger of becoming a massive subdivision jungle. Instead of small towns of character, the area will become one homogeneous suburb. No thanks.

I call upon the Council to take a long term view; to think about conservation and not to do what is expedient and lucrative in the short term.

Yours sincerely,

Annalise Rickman and Sean Rickman

Hi there, please save the land for nature and don't develop it.

Thank you for listening.

Kevin Collins - Newmarket resident for last 47 yrs.

Attention Major Taylor , Town Council and Clerks office

I have been a resident of Newmarket for 21 years and I am very concerned about the environmental impacts by homebuilders. I am strongly opposed to the development proposed for moraine land since this development will destroy important wetlands and forests and it will override existing protection from flooding. As a result, the proposed development strips these important features in my community and surrounding communities making us more vulnerable to the impacts of climate change.

The global crisis of biodiversity loss is happening in our town and my community. We can do something about it. The moraine is an exceptionally biodiverse area including many birds and forest types. Wildlife needs our help right now. We have the opportunity to protect wildlife habitat and maintain wildlife corridors to facilitate the movement of flora and fauna around. We can't lose this rare opportunity to secure and protect moraine lands from development.

It is wonderful to get outside and enjoy natural outdoor recreation (hiking, bird watching etc.) surrounded by the calming effects of wildlife and nature. Outdoor recreation is extremely beneficial as it increases people's well being and provides safer connected resilient communities. The destruction of these naturalized areas and increased higher densities creates opportunities for more isolation and increased criminal activities.

Our environment needs people's voices to be heard and oversee its protection. The monetary gains of developers must not be put ahead of our fragile environment.

I am opposed to the rolling back of environmental protections, opposed to the proposed development on moraine lands. I am asking you for your commitment to protect our environment and veto the roll back of environmental protections and not allow proposed development by Shining Hill or any developer on this sensitive land.

Regards

Diana Raaflaub

Hello:

I am writing to share my objection to changing the environmentally protected status of the subject land. This land houses many animal and plant species. I have lived in south Summerhill for many years and enjoy the existing trails and water management system. When the homes were built on Valley Green Trail and Emily Grove the ponds in the area were greatly affected. Prior to those homes being built summer strolls included frog song from the ponds and streams. These animals, along with animals that depend on them as a food source disappeared. Newmarket would benefit greatly if this area was left undeveloped and used to educate on our natural habitat. It is a truly beautiful area that contributes to our healthy water supply and was protected for a very good reason!

Thank you,

Carolyn Stoutt

I am writing to express my concern regarding the Shining Hills Estate Proposal. I am against the development of these environmentally sensitive lands. These lands provide homes for wildlife and are important to limiting the effects of climate change. I am disappointed to read that the town of Newmarket is considering reversing a previous decision made by past town officials.

I ask you to reconsider and allow the land in question, to continue to be zoned as protected land.

Sincerely,

Wendy Collins

To: Town Council, CC: Mayor John Taylor, Pam Wilson (my wife)

I am not available Monday afternoon to comment on the development of currently environmentally protected land, as I will be working - I am a teacher and unable to leave my screen before 3:00 pm.

However, I do want to state unequivocally what a bad idea I think it would be to develop environmentally protected land.

My family and I have never been more connected to nature than we have been in recent months. Bear in mind we were hikers and campers long before the pandemic, but since last January or so, we've made a point of enjoying the area's green spaces every day, if possible, and at least 3x per week. To us, this is what makes this area special. My wife and I both come from Essex County where there are but two "forests" people can use - Ojibway Nature Centre and Point Pelee National Park. Because it is a considerable driving distance for most, many of the people we know at home don't really take advantage of green spaces. For me, it the availability of nearby green spaces is what would keep me here, in the long term.

Point Pelee is a fairly famous area for birding. I really wonder if that's because birds have a long way to fly before they find much forested area, as they fly over Kent and Essex Counties.

In addition, there has been considerable damage from flooding in Essex County over recent years, because everything is farmland and concrete. We don't even have the farmland here. As climate change hits us with increasingly more potent storms, I think it would be foolish to rely exclusively on the drainage ponds, alone, as a buffer for flooding.

We don't need more development in Newmarket, particularly as the Yonge and Davis street debacles make existing traffic gridlock even worse.

At the risk of being a nimby, let the sprawl skip over Newmarket. Some other community can deal with the consequences of poor planning and over development.

RE: <https://www.newmarkettoday.ca/local-news/whats-coming-up-at-newmarket-council-moraine-development-proposal-emergency-order-by-law-3264672>

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Chris Fuerth
Newmarket, ON

To whom it may concern,

I am writing this letter to urge you to not proceed with your plans to develop this section of Newmarket.

Green space is essential to the well being of the members of the community, in both aspects of physical and mental well-being. It would also be detrimental to biodiversity within the environmentally sensitive Oak Ridges Moraine to pursue its development.

The definition of sustainability is the pursuit of ecological balance. How can we establish an ecological balance when we continue to degrade the environment and fail to implement policy to protect, restore, and conserve?

In 2021 we should be establishing ourselves as leaders in sustainability, by promoting initiatives that preserve the environment (one such pressing example being the preservation of environmental protections in the Oak Ridges Moraine) and working towards becoming recognized as a community that champions the environment. This all starts with policy and the initiative of our representatives to use their elected positions to advocate for those (inclusive of the environment and its landscapes) who cannot advocate for themselves. At what point is enough development enough? Do we wait until we've gone too far? The adage goes that "hindsight is 2020", let us instead be a community that is revered for its sensibilities of foresight.

I urge you once more to please, put the needs of the collective above the desires and allure of capitalistic gains. Profit over people, over the earth, is absolutely not sustainable in the long term. Don't take it from me, there is scientific data readily available to support these assertions. Please, deeply consider the implications of your plans to roll back these environmental protections. Allow this segment of the Oak Ridges Moraine to remain intact.

Respectfully,

Scarlett van Berkel

To whom it may concern.

The parcel of land in Newmarket's SW corner has been protected as part of the Oak Ridges Moraine historicity.

Keep it protected please.

Newmarket has stated it is short of tree cover as it is.

The efforts to bring the tree cover up, are good but not sufficient as it is.

I see a lot of "trees" being planted on roadsides.

A fair number are only going to possibly 3m in height.

This is really not doing the same as a full grown 15-20m high tree.

Our urban areas are getting hotter in all four seasons.

Air pollution is increasing as populations grow.

Trees filter our air, moderate our environments temperature and use up to 10 gallons of water a day.

I do not know who owns the parcel of land.

If the town doesn't own it, consider buying it and use it as a managed forest for the future.

Let's put the future generations well being in the forefront of our planning.

Glenn Abuja

I am writing in response to the proposal for moraine land development. I cannot believe this is even being considered. Is no one paying attention? The science is well documented and accepted that we have degraded our environment to the point where we must stop or the price of affordable housing will be the very least of our problems.

To be brief, I direct council's attention to their own York Region Draft Climate Change Action Plan. I quote:

York Region has already experienced effects of climate change with higher average temperatures, increased extreme heat and rainfall and more extreme weather events.³ As a result of this warming, York Region has experienced the following impacts: › Blacklegged ticks that can spread Lyme Disease are increasing in York Region as a result of warmer temperatures⁴ › Extended season for road maintenance as a result of less predictable patterns for snow and ice storms › Heat island effect in areas of increased urbanization › Flooding as a result of extreme rain events (as in the spring of 2019 when 52mm of rain fell in 12 hours) › Power outages and tree loss as a result of ice storms (as in December 2013) › Need to increase capacity of wastewater infrastructure to adapt to more extreme weather events These and other impacts are expected to increase with further warming of ...

It should not need to be stated that development of the moraine will exacerbate all of these problems and cost more money and general misery than otherwise. Of special note should be the certainty of extreme flooding. With the moraine compromised to help soak it up, and clean it up, the consequences will be severe.

Consideration to develop the moraine undermines the York Region Action Plan seeking to mitigate the true and underappreciated damage promised by climate change. I direct council to the section in the Plan under "Land use planning":

*Decisions in this area have enormous impact on how new and existing communities will manage climate change impacts. **York Region Official Plan is already taking action to ensure more complete communities are built, which offer a wealth of benefits for climate change mitigation and adaptation. These include reduced reliance on automobiles, applying low impact design approaches, incorporating trees and green spaces and fostering a stronger sense of community.***

Stick to the Action Plan. If we do not adapt to the climate we have created, we are doomed. Adapting cannot include moraine development. That way lays disaster.

Afraid,

Mrs. Shannon Josselyn

I am shocked and disappointed that Newmarket Town Council is even considering an application for the development of any portion of the little remaining natural area within it's boundaries, let alone on such environmentally important land as the Oak Ridges Moraine! Surely the global effects of climate change, with massive and wide-spread fires and flooding, and the rapid disappearance of icefields, are warning enough that we need to be fighting hard to protect our land, not destroying our ecosystem for financial gain!

Building 'estate' homes will not solve the appalling lack of housing for lower income youth and families. Given the Town's recent significant investment in the Yonge Street and Davis Drive transit system, I would expect the focus to be on building upward along these corridors with high rise apartments, condos and senior living, not spreading outward.

It is incumbent on the Council to act as good stewards of Newmarket's natural resources.

Please, reject this application by Shining Hill Estates for development in southwest Newmarket!

Dawn Horstead

I am writing to express my strong opposition to the potential development and subsequent loss of the Oak Ridges Moraine that is currently up for debate. This land has been set aside for many reasons, and should continue to be protected. Once it's gone, it's gone, and that would be a terrible decision in the long term for our area's environment, wildlife, air quality, and even noise pollution.

Please do not allow this land to be turned into anything. We need these natural spaces now more than ever.

Kim Fraser

The Doug Ford government has done and tried to do some really stupid things during the past few years, but this one takes the cake.

'My friends', do not mess with nature. Do not mess with the Oak Ridges moraine. What is it that you don't understand?

'Folks', perhaps, I can help to educate you.

Do not put the greedy hands of the developers anywhere near the moraine.

Heather Peart
Newmarket

To whom it may concern,

I have lived in Oakridges for 30 years and I understood it was a protected area. I am greatly opposed to any further development on the moraine. We need to have this green corridor to protect our wildlife and their habitat. We have a responsibility to preserve this green space. DO NOT ALLOW developers access to the moraine!!!!

Cheryl Roberts

Dear Council

I would like to preserve our Canadian Ecology land. Many wildlife live there and we need to protect safe movement of naturally roaming animals and protect our Oak Ridge Moraine. There is many areas in Newmarket that isn't natural areas that can be built up to keep up with the high density development, rather than allowing developers to spread out further.

Please do not allow this land to be developed and be another profit for a Builder who doesn't care about the land but his bank account.

If need to contact me you can contact me by email.

Thank you,

Joanne Pilling
Newmarket

Hi, I just heard that some developer try to replan the Oak Ridge moraine. This site is very important for us and our future. Once the environment was destroyed, it will never recover and the earth will give us more syringe feedback. Please save this precious land for our kids and future. Thank you very much.

Frida Huang

To whom it may concern,

I am opposed to any development on the Oakridges moraine as I have witnessed a profound impact on animal and plant species in the last 33 years.

Stuart Macpherson

Good Day

I want to register my name and get on the list – as I DISAGREE that Developers should have the opportunity to get the Oak Ridges Moraine re-designated for Development.

No one should even consider this, these lands need to be protected from all home builders.

We have been promised for years that this will not be touched.

Some builders have already gone past the boundary and built homes.

They take down more trees than they should and don't get fined - the Holland River was filled with mud as they did not protect the environment and there was mud slides.

This should be protected forests for all our animals or we won't have any left to enjoy. We don't need a concrete jungle up here.

We have enough development going on in York Region and it is destroying our beautiful towns.

ENOUGH!!

Monika Deguara

Good Morning Council Members,

I was surprised that you are looking at redesignating an environmental area into a possible subdivision to meet the housing needs of the community.

My wife and I are opposed to this proposed change and are encouraging you to think carefully about the environmental requirements of our community vis a vis the developer's requirements.

We would welcome more high rise apartments/condos/increased densities along the major traffic routes at even higher heights instead of destroying this green belt area.

We use the trails along the river valley between Gotham and Aurora on a regular basis; we need these and as your staff can confirm, many individuals and families regularly use the trails.

We are requesting you to NOT approve this re-designation so the land remains environmentally protected.

Frank & Penny Brathwaite

Hello,

Please leave the Oak Ridges Moraine as a protected area. It was protected in the first place for very good reasons:

- removing the trees will raise the temperature of the streams and rivers, effectively killing the ecosystem and the creatures who rely on it.
- trees remove toxins from the air and play a part in reducing climate change.
- provides a place for natural species - many of whom are already at risk - to live.
- provides space for people to get closer to nature.
- a source of drinking water.

These spaces are valued. There are not enough already - as evidenced by the high number of users in parks and on trails this past summer. We NEED the protected areas.

It is just plain wrong to mow it down so that a few can profit from the development.

- LeeAnne Bloye

The piece of land being proposed for development should NOT be developed. It should remain under protected status for all of the reasons it was put under protection in the first place.

Green spaces are very important to everyone, for lots of reasons, in addition to protecting the environment.

Karolyn Francis
Newmarket

To the town of Newmarket,

I would like to submit my name to the list of people in total opposition to the proposed residential and commercial development of the protected Moraine land that is apparently before council.

As our elected officials, you should oppose this development at every level and it would be truly disgusting if any of you voted in favour of it.

Yours sincerely,
Steven Gilbert

Lifelong Newmarket resident.

Dear Sir/Madam:

As a resident of 816 Walsh Crt, I'm really concerned by the possible Official Plan amendment to redesign the lands mentioned in your notice. I believe we have to keep this land as it is now to protect the environment and leave the nice and green town to our children.
Please count my voice as not supporting the proposed changes.

Thank you,
Sergey S.

New market Clerks office:

I am appalled that development would even be considered on the Oak Ridges Moraine. With the world in chaos already, the last thing we need to do is build more cement structures on our precious green land and water sheds. There is not enough public preserved lands for our wild life as it is. We have coyotes, foxes and other wild life now coming into our towns due to disturbing their natural habitat.

It is time to put a stop to this corporate mis management of our green spaces, our forests and wet lands.

The buck stops here was Premier Ford's mantra, but it is more like the buck is going directly into the big business pockets with no consideration to the people who live in these areas that they want to destroy all for the almighty dollar. I believe it need to stop at the municipal level for planing and more insight needs to be given to the natural world around us. AS Janos Joplin sang, "you won;'t know what you got till its gone!"

Please, I urge you reconsider using green spaces and the Oak Ridges Moraine for development.

Sincerely

Stephanie Todd
East Gwillimbury ON

If it comes to a vote mine is against it !
Patricia Kloosterman

January 16, 2021

Re: Shining Hill Development
Re-designation of protected lands

Dear Town of Newmarket Council:

I am writing this letter together with my family (husband and two children) and on behalf of Shoniker Drive and Oaktree Crescent homeowners.

With one of the last 'protected' areas of green space in York Region, this sets Newmarket apart from other neighbouring towns. This is not just an incredible space where families enjoy beautiful hiking trails, natural rivers, forests, and toboggan hills, many different kinds of animals call this home. As a local resident living directly by the Shining Hill (farm) land already under development, and across from this green protected space, we know it's home to many birds, hawks, and animals (rabbits, coyotes, and deer to name a few). Just the other day we were so lucky to have spotted a huge owl in a tree close to the walking path. Whether the plan is to completely destroy or partially destroy ("protect"), this green space can never remain the same if it is developed in any way. Wildlife will be destroyed. The natural space will be greatly altered, and many local families will be adversely affected. Now more than ever, as we continue to adapt to the new way we live during the challenges of Covid, we are reminded about how precious and important our public green spaces are. More than ever residents of Newmarket are seeking out spaces to enjoy outside where they can get away (locally), and enjoy all that nature has to offer. There is no question or debate that if the Town does not continue to keep this treasured green space protected, years from now we will see the next generations moving away and Newmarket will become just another over-crowded city with nothing special to offer. If we continue with this mindset of over-development of neighbourhoods, especially within our limited green spaces, with no regard for our natural resources, we really won't have to worry about

infrastructure as Newmarket will become quite an undesirable place to live.

Newmarket is growing rapidly and will continue to grow. There will always be development. However, not all change is good. We all hope that the rumour 'money talks' is just that, a rumour. That the promise of big money from this next huge developer Shining Hill does not outweigh all the immeasurable benefits and enjoyment Newmarket residents will treasure with the Oak Ridges moraine greenspace for years to come. We sincerely hope Newmarket Council knows what the right decision is, and the only choice. Please make the right decision for our community and continue to keep this protected land "protected" for us all.

Thank you for your time and consideration.
Lisa Woltman and Family

I strongly oppose any development of the Oak Ridges moraine.

Glen Kennedy

I am puzzled that the option to re-designate is under consideration.

The Town of Newmarket once felt so strongly that the lands in this area be protected, that they appealed a developer's plan to the OMB and won.

I urge the Town Council to reject the portions of the proposed amendment that would over-ride the protections enacted from the 2007-2008 OMB Victory.

Kathy Kumpula

The following is copied from a newspaper article in 2009:

Newmarket celebrates key OMB victory

Newmarket Era

Friday, January 9, 2009

The Ontario Municipal Board has ruled in favour of Newmarket in a hearing between the town and Mademont Investment Ltd. regarding development of a portion of the Oak Ridges Moraine.

"This case demonstrates the effectiveness of having an open process to ensure that resident's voices are heard and acted upon," Newmarket Mayor Tony Van Bynen said. "This is truly an example of the town and the community coming together to protect our environment."

Mademont's request to build on the Oak Ridges Moraine was appealed to the Ontario Municipal Board (OMB) in September 2007.

The land is designated as Environmental Protection – Oak Ridges Moraine in an amendment to Newmarket's 1996 official plan.

This amendment provides a higher level of protection for lands on the Oak Ridges Moraine as mandated under the Oak Ridges Moraine Conservation Plan introduced by the province in 2001.

Mademont's appeal to the OMB was for approval to build 448 homes on the east side of Bathurst Street, south of Mulock Drive on 25.6-hectares of land.

The first phase of the two-phased hearing took place August to September 2008 and the decision was announced at the end of December.

This decision means that the second phase of the hearing will not proceed.

Newmarket's solicitor, Esther Armchuk-Ball, described the decision as a victory for the town.

"We hope this case will set an example and help lead the way for other municipalities that are also dedicated to preserving green space."

https://www.newmarket.ca/en/townhall/resources/3556748_january_07_2009.pdf
<https://www.yorkregion.com/news-story/1447812-newmarket-celebrates-key-omb-victory/>

To whom it may concern,

I am writing to register my opposition to the proposed change to the purpose of the Oak Ridges Moraine land.

Over the past 20+ years, I have watched with ever increasing concern as farm after farm has been turned into high density housing.

We are the guardians of the green belt and it's our duty to protect and preserve it for future generations. The wildlife that lives therein is part of a delicate eco system that has existed for thousands of years and we have no business interfering with it. As it is we have lost so much of the wildlife which used to live in this area.

At this rate, there will be no green space left in 10 years. It is said that land is the only thing they're not making more of. Once you sign away our green spaces, you condemn Newmarket and the surrounding towns to overcrowding and urban chaos.

This once bucolic area of the region is in danger of becoming a massive subdivision jungle. Instead of small towns of character, the area will become one homogeneous suburb. No thanks.

I call upon the Council to take a long term view; to think about conservation and not to do what is expedient and lucrative in the short term.

Yours sincerely,

Wendy Bennett

Good day, please forward my concern to council regarding the building on the protected lands.

These lands are environmentally protected lands and should remain that way. The development in this town is overwhelming and is changing the town in a bad way. These are the last green spaces in Newmarket and I urge council not to allow these developers to come in and think they can just get their way and have protected lands changed so they can develop on them to fatten their wallets. It's time we start thinking of our environment and not the size of the pay day at the end of it.

Already, even during covid you can see the influx of traffic in the area, and allowing these last protected lands to be built on, will turn this town into an overpopulated area. Think of the extra traffic, pollution, water runoff, sewage, this is becoming an already burden on our infrastructure and I don't see these developers paying to upgrade our infrastructure, (it's us taxpayers who have to pay for it in the near future) they just destroy our green space and move on to the next. Please, let's not think with our wallets here but think of the future of the town, our kids will have no more space to explore and enjoy nature. Newmarket WAS a nice small town with a small town feel, now it's starting to feel like a city with all the condos going up and every piece of green space being destroyed to allow developments.

These lands were protected for the oak ridges morain, Protected for a reason, it should remain that way.

Thank you for you time is hearing my concern.

Brad Hammond

GINO G. LAVOIE

Caradonna Cres., Newmarket ON L3X 1W5

January 16, 2021

Council of the Corporation of the Town of Newmarket
395 Mulock Drive
Newmarket, ON L3Y 4X7

re: official plan amendment submitted by Shining Hill Estates Collections Inc (the Applicant)

File number: D09NP2012

Dear Council of the Corporation of the Town of Newmarket:

I am writing to **speak against the application** by Shining Hill Estates Collections Inc. (the Applicant) to amend the Official Plan to re-designate the lands shown on the map provided in the Newmarket Era issue of December 10th, 2020 (and in the Applicant's submission materials available online at <https://tonfileshare.newmarket.ca/share.cgi?ssid=0eL61sH>).

I have been a **resident of Newmarket for more than twelve years**. I moved to Newmarket from Richmond Hill to enjoy its small town atmosphere with its beautiful quiet "countryside" and green spaces. Over the past decade, I have however seen too many developments (for example, along St. John's Sideroad east of Bayview), eroding the quality of life and environment that Newmarket and Aurora once provided. The proposal submitted by Shining Hill Estates Collections Inc. is a project that would further lead to this unnecessary erosion and is especially dangerous as it relates to building on the **protected Oak Ridges Moraine**.

The Applicant has already decimated beautiful virgin lands on the west side of Yonge street just north of St. John's sideroad, as part of their "Phase 1" of their project. While "Phase 2" is beyond the scope of this application and outside the jurisdiction of the Town of Newmarket, it is nonetheless part of their pattern to **eliminate important ecosystems through construction within the boundaries of the precious Oak Ridges Moraine**.

The proposed amendment aims at re-designating the lands from "Environmental Protection Area – Oak Ridges Moraine", "Stable Residential", and "Parks and Open Space" into "Site Specific Emerging Residential", "Parks and Open Space", "natural Heritage System" and "Environmental Protection Area – Oak Ridges Moraine". The Applicant however **fails to provide quantitative data** on the actual proportions of each of these four designations, including the new "natural Heritage System" BEFORE and AFTER completion of the proposed project.

This information is critical and should have been provided. The fact that the requested Official Plan Amendment "*provides a minimum 10 m buffer to woodlands and 30 m buffer to wetlands and watercourses*" is little comfort given the **considerable disruption of the ecosystem** that is at stake. It also appears from the Applicant Submission Materials that these woodlands, wetlands and watercourses will in fact **NOT be accessible** to local residents. Only owners of properties backing onto these lands will be able to enjoy these.

The proposed amendment will sadly lead to **construction within the boundaries of the Oak Ridges Moraine. The Town of Newmarket must absolutely continue to protect the Moraine.** Too many people have rightfully and successfully fought for its protection. Yet, too many projects have already been completed within its boundary. The Town has passed the Official Plan Amendment 28 (OPA 28) and designated the western portion of the Subject Lands as **Environmental Protection Area – Oak Ridges Moraine, thus prohibiting urban development.** The **Town MUST NOT give in to pressure from developers** who simply have profitability/earnings in mind. The additional tax revenues resulting from their development MUST NOT either be used as an argument to grant the proposed amendment.

The Applicant claims that the "*application presents an opportunity to locate growth on the farmed acreage... while providing adequate protection to the existing natural heritage features and functions.*" Those are empty words. Opportunities for growth are present elsewhere in non-protected areas. They propose transferring "*just under half (49%) of the entire Shining Hill landholdings*" to the Towns of Aurora and Newmarket. They however fail to present how this figure was arrived at: does it include roads, land proposed for school, etc. that the Town will then need to maintain? Regardless of what land would be transferred to the Towns, the development will greatly **fragment the land and greatly disrupt the ecosystem and wildlife of the protected Moraine.**

The Applicant also claims that "as *this development is approved, approximately 76 hectares of natural heritage lands will be conveyed and made publicly accessible*" and that the "Towns (of Aurora and Newmarket) can then program this space to meet their recreational space needs that **may not have been possible before.**" Let us not have developers dictate and derail the Town's development plan and cast doubt that something "may not" be possible. Where there is a will, there is a way! I am fully confident that The Towns would find a way if in fact necessary.

Residents of Newmarket need a variety of recreational venues. While we have many parks, trails and green spaces around town, the number of forests is vanishing quickly and this proposed amendment would simply accelerate this trend. Perhaps we should all remember the exceptional value and contributions that large protected parks and forested areas in cities such as New York City (**Central Park**), Montreal (**Mount Royal Park**) and Toronto (**High Park**) have on the well-being and quality of life of its residents. **Let us not lose this protected parcel of woodlands, wetlands and watercourses within the Oak Ridges Moraine.** We badly need to hold onto these unreplaceable **priceless green spaces.**

The Council must **uphold protection of the Oak Ridges Moraine.** Let the **Town of Newmarket be a champion and a model** for York Region and the Greater Toronto Area in protecting its land, its wildlife and its natural habitat. Newmarket must stop this destruction so that it can remain a "town" that is cherished by so many of us, and recognized nationwide as one of the **best places to live in Canada** by *MoneySense Magazine*. Let us keep Newmarket a livable and lovable community.

In conclusion, I wholeheartedly urge the Council of Newmarket to **REFUSE the application** from Shining Hill Estates Collections Inc to amend the Official Plan to re-designate the lands.

Sincerely,

Gino G. Lavoie, PhD

Good morning.

I am opposed to the proposed development of environmentally sensitive land in the southwest quadrant of Newmarket, the last green space in town. Newmarket has been very responsible in addressing the need to accommodate population growth that the province expects. There is a myriad of developments that are allowing us to fulfill our duty, such as: the Glenway golf course, the MacGregor farm, the Toll (?) farm on the north side of Davis west of Upper Canada Mall, the Rose developments on Davis Drive, Parkside and King George School, Hollingsworth Arena, proposed townhouses at Queen and Roxborough, proposed townhouses on Gorham, the Police Fields development, and Poppy Land/Veterans Way come to mind. Newmarket has done its duty. Some green space, particularly environmentally sensitive land, needs to be salvaged.

The current provincial government is doing damage to itself by allowing developers and their plans to override important legislation that addresses needed protection of our environment. It is unfortunate that they chose to bring about the change in our laws during a pandemic when citizens are focusing on all of the issues around covid-19. This does a disservice to the democratic process. This seems to be the reason why the developers are interested in this area.

Please include this correspondence in the meeting on January 18.

Thank you,
Elaine Adam

Hello,

The Shining Hill OPA presentation (attached to the meeting agenda) prepared by MPG Limited, provides no valid reason for Newmarket Council Members to change the Official Plan. Why would Council vote to needlessly allow sensitive, protected land to be destroyed? It is also questionable why a Developer would buy protected land in the first place, if not only to significantly benefit the few at the cost of the many.

The idea that an amendment to the Official Plan is justified based on the Town's growth mandate is utterly absurd. As Newmarket residents are aware, there are dozens of existing re-development opportunities within Newmarket that will satisfy the Town's growth, affordable housing and economic stabilization targets. In fact, tens of millions of dollars have been spent over the last decade to create intensification and rapid transit corridors on Yonge Street and Davis Drive. It is expected that the elected representatives will fulfill their growth mandate responsibly and carefully by using these prime re-development sites first before considering compromising protected land.

The Shining Hill proposal only serves to offer the Town irreversible environmental damage caused by a status quo approach to urban sprawl, nothing more. However, this is not a status quo situation. This is among the very last parcels of undisturbed land remaining in Newmarket. Council must tread lightly here and be reminded of their ethical obligation to act in the best interest of citizens first, which clearly is to leave the Official Plan and the land in question "untouched".

Stay well,

Tim Fallows

Newmarket Town Council Electronic Public Meeting

January 18, 2021

Nancy Watt

Re: Shining Hill Proposed Official Plan Amendment

To the Town of Newmarket:

I note the timing of this attack on the Oak Ridges Moraine with wearied cynicism.

The developers who throw their weight behind this proposal have the interests of themselves only at heart ("Hey fellas, I have an idea -- let's move the restrictions around whilst everybody else is paying attention to the unfolding of the apocalypse!) But, grim prognostications of the end of times aside, what will happen if we turn the watershed to crap by disin-tree-ing it, burying and filling the water sources, scarring and artificially reforming its earth whilst excavating the homes of all those elements of the wild which preserve the ecosystem? You know the answers to these questions and ignoring them for whatever advantage can be pursued in lining the pockets of people who have many other avenues for lining their pockets is short-sighted, grasping and hideously destructive.

Please consider saving and protecting what we have left of the Moraine by whatever means is necessary. If the Official Plan is to be amended, please consider the following change:

1) Protected lands should remain protected **permanently**.

The Oak Ridges Moraine is an ecologically important landform which protects wildlife and the safe movement of naturally roaming animals. This area is a natural water shed and its natural water purification abilities must be protected, especially in view of the looming shortages of water in the rest of the world.

This site has been targeted for development over and over and over again, no matter what its protected status. There is far too little left of it already and there are huge opportunities for infill in all of our urban and suburban areas.

I would urge the Town's planning department to act responsibly for the long term betterment of Newmarket. Please include this email in the correspondence to Council.

Yours sincerely,

Nancy E. Watt

I would like to voice my opinion.

I Object to Rollback of environmental protections on Oak Ridges Moraine land, and should remain protected. The new residential and commercial development in southwest Newmarket that is currently under environmental protection and should remain protected.

Thank you
Anthony Rospo

Dear Sir or Madam,

As a fairly new resident to Newmarket, I strongly oppose the idea to develop housing on the Oak Ridges Moraine land. My wife and I fell in love with the green space that this beautiful city provides, namely as it pertains to physical and mental health-especially during these unprecedented times of COVID-19. I also can't help but think about the legacy we're leaving for our children-our future citizens of this city of having an overdeveloped urban space that they won't be able to appreciate and enjoy, as this is one of the great things that makes our city so special. My hope is that you will take these words into serious consideration as it pertains to this matter. Thank you for your time.

Kind regards,

Chris Stilos

Town of Newmarket,

As a resident of Newmarket since 2007 we have seen a lot of development. I am contacting you to provide input on the planned Shining Hill development for 16250, 16356 & 16450 Yonge St.

The developer has tried to change the designation previously and rightfully so was denied by the Town of Newmarket and the OMB. The current designation for this property is Environmental Protection - Oak Ridges Moraine and Stable Residential. The proposed designation does not respect the spirit of the Oak Ridges Moraine protection act's original intent.

The Growth Plan is an overarching strategy that provides clarity and certainty about urban structure, where and how future growth should be accommodated and what must be protected for future generations. The Greenbelt Plan, together with this Plan and the Niagara Escarpment Plan, identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on this landscape and found within the Oak Ridges Moraine.

Recent high-density developments in Newmarket have created more traffic, crime, illegal dumping... among other hardships for existing residents, along with ever-increasing property taxes.

The residents of Old Bathurst Estates oppose this proposed amendment and development.

- Developers have run roughshod over municipalities and relentlessly threaten green spaces. Builders advertise "*Live with nature*" although there is nothing natural left in their wake. Existing residents settled in Newmarket for the green space it once boasted. The protected Oak Ridges Moraine must be left undeveloped for future generations; Not for the one-time profits of a few.

Respectfully,

Anthony Schneider

Good day,

We have lived on William Dunn Crescent for over 7 years and the green belt area around us was a major reason we purchased here. We moved from Aurora.

We oppose any proposal to change and build in the moraine land. Newmarket needs to have more green space for the residents to enjoy. And what about the wild life who live there.

Covid-19 has made these area more necessary to help with our physical and mental needs. We should need to leave Newmarket to have these areas.

Jim McCurdy

I, as a citizen of Newmarket object to moraine development proposal.

Good day,

As a person who still has many ties to Newmarket, I voice my opposition to this unnecessary sprawl.

There is absolutely no reason to build housing on these sensitive lands

As someone noted in previous commentary, this is all about greed and money.

Already wealthy buyers snatching up housing in Town to either make money by flipping at inflated prices, or renting at inflated prices.

We don't need to fuel this fire.
Stop this immediately.

Andrew Summers

Attn: Clerk, Town of Newmarket

Please accept this email as my comments/input for Council's Jan 23rd Discussion re: Shining Hill Estates.

I have been a resident of Newmarket for almost 40 years in Ward 4. I have generally enjoyed seeing the Town grow over these years but have not previously chosen to offer Council any comments on developments.

I am Opposed to the Town of Newmarket approving the proposed Shining Hill Estates development in the south west corner of Newmarket.

I find it shocking that previous Councils of Newmarket have found the courage and strength to protect our sensitive environment in the area of the Oak Ridges Moraine by passing legislation to prevent development on those lands and yet it appears that the current Council of Newmarket are struggling to see or cannot see the wisdom in their predecessors.

Protecting the environment was of only some concern 30 years ago. I understand that less than 20 years ago Newmarket went a step further and designated most of the moraine lands as an environmental protection area, which has prevented new development there ever since. How is it possible in today's heightened awareness and focus on the environment that we would ignore the wisdom of the past and destroy an environmental sensitive area.

One only needs to view the online map of Newmarket (https://www.newmarket.ca/LivingHere/Documents/TrailGuide2012_M.pdf) to see that overall we are weak at green space and trails. In fact, the south west quadrant is mostly void of these. Additionally, my understanding is that the planned development is for high density accommodation. I would expect that this would also have the characteristic of needing better public transit. It would seem to me that high density development should be focused on the existing key public transit routes to prop them up and make public transit more sustainable.

Please share my concerns with Council and let me know what decisions are made at the meeting tomorrow.

Thanks,
Al

Allan Hazelton

Hello My name is Denise,

This is my formal request to the town of Newmarket and it's councillors to please reconsider the reclassification of the section of Newmarket that borders the Oak Ridges Moraine. These are my reasons why. My family and I moved up here almost 20 years ago from a condo in Scarborough so our children could play in their own back yard, go to great schools and enjoy all the benefits that offered, and we could experience urban life surrounded by all beauty of rolling hills, lush farmland, an abundance of forest trails and parks, arts, culture, and history exclusive and unique to Newmarket while at the same time enjoy the close proximity of local shopping, hospitals, and major highways, it was the ideal place to raise a family. How things have changed. The farmland is all but gone, it was the 1st thing to go, replaced by Go stations and subdivisions with houses and townhouses packed tightly together row upon row, often with only a narrow, sunless gap in between them. The wooded trails were paved over, which is great for bicycles, but greatly increased the local traffic, and a peaceful nature walk is harder to come by. I am fortunate to live in an area that still has a few of these trails around, and I'm grateful to still have access to them. Retail areas exploded, big box stores and shopping plazas multiplied like rabbits, followed by the installation of rapid bus lanes with the hideous bus shelters that often smell of urine and cigarettes blocking the view, or causing the moving and/or permanent damage of beautiful historic buildings (but not the adult video store or tattoo parlour thank God !!) while all this was going on I witnessed the slow, painful death of main st. and all the local businesses due to the retail expansion and all the construction that followed which took years, went way over budget, was behind schedule, and caused a traffic nightmare the whole time !! I'm happy to say have also seen Main St. rally and rise like a Phoenix out of the ashes to become the cool, thriving, hub of great gatherings, events, shopping, the showplace for the arts and entertainment that it was meant to be, and one of the best places to grab a drink and a bite of the most delicious food anywhere, but it is took a very long time to rebound from the "improvements" previously done. Green Lane has been forever altered, stripped of the forests and farmland on both sides, the rolling hills replaced with subdivisions and shopping plazas on both sides, an increase in traffic, pollution, and fatal car accidents which has resulted in me now hearing the constant noise of cars and trucks as they zoom by, along with the trains, which at least before the forests acted as a buffer. I have had everything from the usual rabbits, squirrels, and chipmunks to snakes, groundhogs, otters (swimming in my neighbors pool !!), hawks, foxes, and coyotes in my back yard and wandering the streets because there is just nowhere else for them to go!! Other than the pre existing Tom Taylor Trail, there is little to no green space set aside on Green Lane for public use or animal habitat !! The new housing being built is by no means affordable, no matter whether it's high density or not, that's just a thinly veiled excuse for developers to do whatever they want once they get approval, and I won't be convinced otherwise. Can't meet the demand for housing ?? Too bad, are you trying to tell me there's nowhere else housing can be built to meet the demand ??

Now you want to reclassify a part of Newmarket that borders the Oak Ridges Moraine, and do the same thing that has been done to other parts of Newmarket, and until now I've been silent, but I feel I can't do that anymore hence this long letter, along with a plea to seriously think about the impact this decision, your decision will make on the people who already have made Newmarket their home, the wildlife, the protected areas of the Oak Ridges Moraine, the environment and it's preservation, not to mention the impact on the demand for services like accommodations for the influx of traffic and road maintenance, water supply, hydro, and other services such as waste collection to name a few. Having said all that, I don't have confidence it can be done in such a way as to take all of that and what it truly entails into consideration. I implore you please don't do this, don't redesignate/ reclassify this precious part of land, if you do and it's damaged or even partially destroyed, It can't be replaced, you can't go to the store and get another one, it's gone forever plain and simple. Thank you for your time and consideration Sincerely Denise Argiriou

Re: Proposed Official Plan Amendment by Shining Hill Collections Inc. at 16250, 16356 and 16450 Yonge Street, Newmarket

It is widely known that there is a global environmental crisis. Addressing this crisis is not the sole responsibility of any one body, be it at the national, provincial, regional, municipal or individual level. At each level, the decision makers have an obligation to do whatever is in their control to ensure the quality and protection of the environment. Changes and events that happen even at a micro-level all contribute to the global crisis.

The possibility that the lands in question can even be considered for re-designation is alarming. People fought to have the Oak Ridges Moraine designated as environmentally protected and for good reason. It was not to have that designation simply overturned when a developer came along with a particularly enticing offer, but to have those lands and the eco-systems upon them protected, for all time. The council of 2003 went one step further and decided this would be a “no-touch” area. A bold move perhaps, but an understanding that the value of a unique and sensitive environmental area outweighed anything that might come from having the land exploited by development.

The developer has, of course, proposed parks, trails, green space and the like in their master plan. This cannot be considered equal, or even a reasonable alternative, to the absolute preservation of the land. Adding park spaces or naturalized areas around storm water ponds after the land has been bulldozed does not replace a natural eco-system. It does not guarantee that species will not be destroyed. It does not protect the quality of waterways.

At a time when there is much discussion about trusting in science and fact-based evidence, it is critical that council also look to science and take the same position as their predecessors. A real stand must be taken toward the environmental crisis that is upon us, at every level. Recycling programs, creation of park spaces, development of mass-transit and cycling opportunities all have their place in an environmentally conscious community but none replace dedication to preservation of natural environments.

Past development and exploitation of land cannot be undone, but with responsible decision-making the last remaining protected area can remain untouched while the needs of the population continue to be met in less environmentally damaging ways.

As an individual, I am not afforded the opportunity to vote directly on this application. I can only express my position, hope that it is not already too late and implore council to preserve the environmental protection designation on these lands. As the decision-makers, you will have saved this fragile and unique part of our town or you will have allowed it to be destroyed, forever.

Sincerely,

Michelle Fallows

Hello,

I am writing with my concerns of the proposal by Shining Hill development as noted above. The proposed development is forecasted on designated Oak Ridges Moraine lands, that are protected for immense environmental reasons.

In this circumstance, it may appear that Newmarket only has a small portion of this protected land entity, but this portion is protected along with the big picture. The research done by the many environmental experts and authorities who advised of the permanent protection of the Oak Ridges Moraine did this so that it would provide future generations with this protection. The protection for these lands were to be PERMANENT. Newmarket in particular should want to do their part to protect this piece of greenspace. Yes there will be population growth, and undisturbed land in this area is becoming less available, but innovative ideas are needed to lessen the urban sprawl.

This is a very important issue, at a time where there may be greed and short sightedness, along with the uncertain outcomes from the Covid 19 pandemic (that we are not nearly through yet). Please take great consideration of this proposal. The development of this proposed land should not take priority above the needs that are served by human beings, wildlife and plants, above ground, along with the unlimited function of what has also been deemed critically necessary below ground.

Thank you for your thoughtful consideration regarding this important matter.

Sincerely,

Lorinda Palmer

Rollback of environmental protections on Oak Ridges Moraine land

We, having been Newmarket residents for over 30 years, are writing to wholly object to Shining Hill Estates Collection Inc.'s application to redesignate land usage. It is clear their proposal negates the protection of the Oak Ridges Moraine. Tagged onto the end of their proposal is "Natural Heritage System" and by the way as an afterthought "Environmental Protection Area- Oak Ridges Moraine". What precisely is "Natural Heritage System"? The only "System" IS the environmentally protected area that IS the Oak Ridges Moraine.

This is a blatant example of big business i.e., a developer & associates with very deep pockets scooping up parcels of land - in this case precious environmentally protected space - solely for adding to their own purse. Clearly Shining Hill Estates and their collection of partners have decided to pursue this action because of Doug Ford's disastrous "Open for Business" Act (Bill 66) that was purposefully buried in legislation and quietly passed. This Bill prioritized developers over the people, the environment and the wildlife of Ontario.

As far back as the 1990's or before, a very wise Town of Newmarket recognized the ecological importance of the Oak Ridges Moraine and was very careful in it's treatment of this sensitive area. In 2003 a forward-thinking Town of Newmarket went a step beyond the Provincial regulations and designated Moraine lands as an environmentally protected area.

Protection of our farmlands, wetlands, forests and watersheds is critical to our health and wellbeing. As well as to the health of the vast array of wildlife who use the Moraine corridor. At a time when solid science proves we are in a climate crisis, now is NOT the time to dismiss the environment as an afterthought.

The development plan calls for yet another street to empty onto an already extremely busy Bathurst Street. As residents who live very close to Bathurst we can attest to the very high volume of cars and all size of trucks, that barrel along ignoring speed limits causing consistent noise and diesel pollution throughout the day & night. We no longer feel safe walking along Bathurst and riding a bicycle is absolutely out of the question due to the frightening speed with which cars and trucks travel. We most definitely do not need additional traffic which would be a result of the proposed development.

Regarding affordable housing, this should have been considered long ago when Leslie St. and elsewhere were being developed. Building up, not sprawling out should have been implemented in these areas especially with the close direct access to the 404. Sprawling out over the sensitive Moraine is not an acceptable solution to so called "affordable housing". In the end would the housing even be affordable given what we have seen over the past few years?

We fully support the woodlots and sensitive areas be taken into public ownership and used as trails for all people of Newmarket to enjoy. Focusing on being a "Green Town" would benefit our precious wildlife, watersheds, wetlands and forests giving enjoyment to many generations going forward. Not to mention the endless educational possibilities for all Newmarket students.

We implore the Mayor and all elected officials of the Town of Newmarket to reject Shining Hill's redesignation application. Thank you.

Eleanor & Brent Hubbard

To whom it may concern,

I would like it on the record that I am vehemently OPPOSED to having the Oak Ridges Moraine, or any part of it redesignated or zoned to accommodate more development. This is a precious natural resource and absolutely should be preserved for the enjoyment of the area residents and the health of the wild life that lives there. We have more than enough building going on with the local farmland shrinking constantly.

Not everything should be about making money for developers - SAVE OUR MORaine!!!

Elaine Goldsmith

To whom it may concern

We have enough properties sitting empty for many years. Please do not add this land to be develop as we don't have many green spaces left within the town.

Thank you

Brandon

Please forward on my behalf to Mayor Taylor and Council and Planning Department. For Public Record.

Dear Mr. Mayor and Town Councillors and Planning Department,

I am writing to you at this time to add my voice to the growing chorus of residents of Newmarket who are shocked and disappointed that you are considering allowing Development on the Oak Ridges Moraine along the south west boundary of the Town of Newmarket.

As many of us in Ontario are aware, the Conservative government led by Doug Ford continues to demonstrate a concerning disregard for the well- fare of Ontario's natural environment. Recently (budget bill, schedule #6) they undermined the importance of the Conservation Authority (established in 1946 to look after the well-fare of Ontario's natural environment and the people who would be adversely affected by floods, droughts, loss of wetlands and green spaces); defanging them; reducing their strength from protection to one of advisory. The government has also decided to circumvent many of the checks and balances that have been in place by giving the MZO a key role in degrading our natural environment , most distressingly the Oak Ridges Moraine (we see the destruction beginning already at Duffin's Creek and in King City) for the benefit of developers.

There are many reasons why you, Mr. Mayor, and the Town Council supported by the Planning Department should be demonstrating restraint and a conscience driven reluctance to follow the lead of Mr. Ford and his government.

Once the land has been destroyed there is no reclaiming it. A point that should be foremost in your decision making. If you err now you cannot redeem yourself later. The saving of the Oak Ridges Moraine was a long, hard fought battle. The moraine is a unique area of environmental, hydrological and geological habitat.

Shame on you if you choose to ignore its value to our community and the community of GTA and beyond those borders.

Let me share with you some of my concerns ~

Urban sprawl has been shown to be a poor model for providing housing - infrastructure is expensive; providing public transportation is costly and ineffective; the car becomes essential adding to pollution ; residents live far from jobs and recreation and entertainment adding to stress and infringing on family time; land and it's flora and fauna are destroyed much of which is integral to our own well being; in the case of the Oak Ridges Moraine, a clean and abundant water source is compromised;

There is a proven link between wellness and green space. This shouldn't be ignored. If you as leaders in our community don't take a stand, then what is your priority? Money over Mental Health.

With this proposal before you, you have a unique opportunity to make an important and far reaching difference. Be a model for other municipalities.

In her book, *To Speak for the Trees*, world- recognized botanist, bio-medical chemist and author Diana Beresford-Kroeger writes, " But now we find ourselves in a special time. On the one hand, climate change poses the most significant threat to our planet that humanity has ever faced. On the other, we are better equipped than ever before to take on that challenge. ... We need to see all that the sacred cathedral of the forest (and wetlands and rocks and streams and grasses...) offers us, and understand that among(our choices) is a way to save the world."

The Globe and Mail(G&M) last week carried an editorial, In Ontario, Ford sells out the future. You have an opportunity to be wise.

Do not follow the lead of someone who is blatantly uninterested in the welfare of our Ontario society's long term needs;

With the defanging of the Conservation Authority it is incumbent upon local councils and planning departments to turn their back on Municipal Zoning Orders (MZOs) and champion, yes, independently regulate, around ... sensitive zones.

Thinking that giving up a small portion of the moraine to urban sprawl will do no harm is the kind of "myopic political thinking that comes home to roost." (G&M);

The Oak Ridges Moraine was put aside and protected for decades, don't give this important land away, there are other ways to provide housing for the future. Density. Newmarket already has a plan in place to carefully develop residential accommodation along the Yonge Street, Mulock to Davis Drive corridor and the Yonge Street to Prospect Avenue corridor; I believe there is development planned for the Town land on Eagle Street west of Main Street. And what is happening with the land north of Davis Drive on the east side of Yonge Street, across from Upper Canada Mall. Why is it sitting idle? As well, the land that borders the moraine in the SW corner of the Town of Newmarket can provide further development opportunities while leaving the moraine as a protected area.

The need to build homes and long term care facilities on the Oak Ridges Moraine is a red herring. There are other solutions. Be creative!

I sincerely hope that you will make it a part of your legacy on Town of Newmarket Council to be steadfast in your respect for the protection of our valuable natural spaces. After all, if not you, who?

Sincerely,
Patricia Montgomery,
Lorne Avenue, Newmarket

Hello there,

I wish to object to any development on this land as we need to preserve what little undeveloped land we have within our town boundaries as we have a duty to ourselves and future generations

Sincerely Patrick Monks

Please please do NOT let this happen!

As a young family with very young children we can't let this happen! We need the next generation to have green space, not just for enjoyment but for health reasons. We live here for this reason. If wanted lots of building and housing we'd live downtown where there is nothing!

We need the green space for our future. Green space is essential to the future! Don't harm the future generations.

Please do NOT allow building to happen here.

Thankyou

We oppose development of these lands. It is time for the Town of Newmarket to stand up to developers and protect the Oak Ridges Moraine.

Thanks,
Angelo Valente

Good Evening,

I am writing in regards to the proposed development by Shining Hill Estates to increase building on the protected lands in the southwest corner of Newmarket.

I am against the requested amendment and development. We need to continue to protect the environment and the green space around Newmarket. We do not need anymore high density housing and shopping areas. We need more parks, trails and outdoor recreation facilities. We need walking trails, skating trails, hiking trails, cycling trails, etc. We need to be able to be outdoors, to enjoy our surroundings in the peace and tranquility of nature.

I am asking that you conserve what is left of the green space around Newmarket and not allow for the redevelopment of these protected lands. Please protect this land.

Thank you,
Chris Martin

Dear Sir or Madam,

As a fairly new resident to Newmarket, I strongly oppose the idea to develop housing on the Oak Ridges Moraine land. My husband and I fell in love with the green space that this beautiful city provides, namely as it pertains to physical and mental health-especially during these unprecedented times of COVID-19. I also can't help but think about the legacy we're leaving for our children-our future citizens of this city of having an overdeveloped urban space that they won't be able to appreciate and enjoy, as this is one of the great things that makes our city so special. My hope is that you will take these words into serious consideration as it pertains to this matter. Thank you for your time.

Kind regards,

Dalia Appolloni

Shining Hill Proposal Analysis

Background for Newmarket Town Council Electronic Public Meeting

January 18, 2021

David Ross and Bruce Wells

Coventry Hill Trail, Newmarket

Introduction

In 2008 the Ontario Municipal Board made a decision supporting the Town of Newmarket's OPA 28 designation for protected land on the moraine and they did not allow development to proceed.

At that time, as we are dealing with now, development was proposed for certain areas while maintaining other areas as Natural Heritage Features.

The OMB's decision in 2008 to prohibit development on the land covered by OPA 28 was based taking a "systems approach" and viewing these lands as part of a broader ecological system, an approach supported by science and reflected in the policy documents governing Natural Heritage sites. The policy states "the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained" (Natural Heritage section of the Provincial Policy Statement, Section 2.1.2).

The OMB viewed the subject lands as part of a single, ecological system to be protected from development in order to preserve and enhance all areas of the EPA including woodlands, wetlands, valley lands, open habitats and agricultural lands.

The OMB agreed with the environmental analysis and recommendations put forth by North-South Environmental Inc., a highly experienced and credible environmental consulting firm retained by the Town of Newmarket at that time. North-South has completed over 1000 environmental projects and a partial list of their clients includes:

- Bird Friendly Building Guidelines (City of Markham)
- Regional Municipalities of York and Peel Official Plan Amendments
- Sustainable Halton Natural Heritage System
- City of Mississauga Natural Heritage & Urban Forest Strategy
- Provincial Natural Heritage Reference Manual
- Rockfort Quarry Peer Review (Town of Caledon)
- Impacts of Cellular Towers on Birds (Ontario)
- Rouge Park Trails Master Plan
- Yonge Street South Secondary Plan (Town of Aurora)
- City of Toronto Environmentally Significant Areas Study
- Nichol Drain Sub-watershed Study (Township of Centre Wellington)
- Victoria Road North Secondary Plan Environmental Impact Study (City of Guelph)
- Eastview Environmental Impact Study (City of Guelph)
- Cityview Drive Environmental Impact Study (City of Guelph)
- YMCA Natural Heritage Evaluation and Impact Assessment (King Township)
- Natural Heritage Evaluations (Oak Ridges Moraine)
- Pottersburg Creek Realignment (City of London)

- Windsor-Essex Parkway EA Species-At-Risk Study (City of Windsor)
- Eco-Park Environmental Impact Study and Natural Heritage Evaluation (Town of Aurora)
- Grand Bend Wind Farm Renewable Energy Application
- Cell Tower Environmental Impact Studies (Southern Ontario)
- Proposed Solar Energy Site Assessment (Smiths Falls, Arnprior)
- Niagara-on-the-Lake Sewage Treatment Plant EA
- Atomic Energy of Canada Limited Wetland Evaluations and Ecological Effects Assessment
- Environmental Impact Study Guidelines (Regions of Halton and Niagara)
- Supervision of Species at Risk, Former Army Base, Ipperwash, Ontario
- Mississauga Natural Areas System (NAS)
- Seaton Natural Heritage System Management Plan (Pickering, Ontario)
- Rouge Park Trails Master Plan
- City of Mississauga Natural Heritage & Urban Forest Strategy
- Zone 1 & Environmentally Sensitive Site Designation, Point Pelee National Park
- Point Pelee Forest Bird and Marsh Monitoring Study
- Point Pelee Vegetation Management Objectives
- Massasauga Rattlesnake Habitat and Branched Bartonina Mapping and Assessment, O'Donnell Point Nature Reserve
- Killarney Provincial Park Signature Site Natural Science Study
- Glen Stewart Ravine Park Management Plan (Toronto)
- Peggy's Wood Management Plan (Towns of Newmarket and East Gwillimbury)
- Hungry Hollow Management Plan (Halton Hills)
- City of Toronto ESA, ANSI and Provincially Significant Wetland Studies
- Vegetation Management Plan - Georgian Bay Islands National Park

The OMB ruled that the open pasture spaces in the lands covered by OPA 28 were necessary to preserve the Natural Heritage Features that would be affected by development along their edges.

The OMB wanted to protect species that use the agricultural lands in this area to nest as well as to cross to other areas.

The OMB did not agree with the Applicant's approach at that time, which is also the approach of Shining Hill now, of looking at the environment, segregating out the pieces for development and then assessing the impact on the remaining Natural Heritage Features.

It is a system, it is all one area to be protected – not pockets of areas to be protected with development in between.

The OMB determined that the Town's OPA 28 designation of this land as EPA-ORM represents good planning as supported by science and policy, and provides a level of protection that recognizes the sensitivity of the environment in this area.

In 2008 the OMB agreed that a systems approach was necessary and therefore these lands must be protected as a whole.

Fast forward to today. The Shining Hill proposal is seeking to do what was disallowed in 2008: develop the open habitat and agricultural lands.

Shining Hill is not only proposing that the Town abandon the “systems approach” that the OMB agreed with and science supports, their proposal to develop on this protected land is based on violating or ignoring regulations and policies by:

1. Violating the Oak Ridges Moraine Act by eliminating or significantly reducing the Minimum Vegetation Protection Zone
2. Putting forth an inadequate Environmental Conditions Report that not only disregards the systems approach to the environment that the OMB endorsed, but is also based on minimal data collection.
3. Jeopardizing the water table in this portion of the Moraine by developing on a Highly Vulnerable Aquifer
4. Ignoring green environmental objectives by proposing high density development far from mass transit
5. Putting public safety at risk by placing a potentially dangerous intersection on Bathurst Street.

1. Minimum Vegetation Protection Zone

The Oak Ridges Moraine Act regarding Minimum Vegetation Protection Zone for Wetlands and Significant Woodlots is highlighted:

TABLE
KEY NATURAL HERITAGE FEATURES, KEY HYDROLOGIC FEATURES AND AREAS OF NATURAL AND SCIENTIFIC INTEREST (EARTH SCIENCE): MINIMUM AREAS OF INFLUENCE AND MINIMUM VEGETATION PROTECTION ZONES

Column 1	Column 2	Column 3	Column 4
Item	Feature	Minimum Area of Influence (s. 21)	Minimum Vegetation Protection Zone (ss. 21, 23, 26 (4), 30 (12))
1.	Wetlands	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 23 (1) (d) if a natural heritage evaluation is required
2.	Habitat of endangered and threatened species	None	None
3.	Fish habitat	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 23 (1) (d) if a natural heritage evaluation is required
4.	Areas of natural and scientific interest (life science)	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 23
5.	Areas of natural and scientific interest (earth science)	All land within 50 metres of any part of feature	As determined by an earth science heritage evaluation carried out under subsection 30 (12)
6.	Significant valleylands	All land within 120 metres of stable top of bank	All land within 30 metres of stable top of bank, subject to clause 23 (1) (d) if a natural heritage evaluation is required
7.	Significant woodlands	All land within 120 metres of any part of the feature	All land within 30 metres of the tree canopy drip line of the outermost trees within the woodland, subject to clause 23 (1) (d) if a natural heritage evaluation is required
8.	Significant wildlife habitat	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 23

clause 23 (1) d: if the Table to this Part specifies the dimensions of a minimum vegetation protection zone, determine whether it is sufficient, and if it is not sufficient, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it;

Here is what Shining Hills is proposing:

“The development limit on this site is represented by the dripline or edge of wetland through most of this site.” (Environmental Conditions Report p.1)

“For the purpose of the Official Plan Amendment application to establish the principle of development, we are proposing a minimum buffer of 10 m to the woodlands and 30 m to the watercourses and wetlands.” (Environmental Conditions Report p. 42)

The Oak Ridges Moraine Technical Paper Series – 1. Identification of Natural Heritage Features, states:

“All development and site alteration with respect to land within a key natural heritage feature or the related minimum vegetation protection zone is prohibited, except the following:

1. Forest, fish, and wildlife management.
2. Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered.
3. Transportation, infrastructure, and utilities as described in section 41, but only if the need for the project has been demonstrated and there is no reasonable alternative.
4. Low-intensity recreational uses as described in section 37.”

Why is Shining Hill proposing development up to the dripline, the area right up to the outer circumference of the tree branches, or the edge of the wetland - and then when development is completed having only a 10 m buffer for woodlands and 30 m buffer for watercourses and wetlands?

Development in the Minimum Vegetation Protection Zone is prohibited but Shining Hill is proposing to do this. If they do, tree roots will be cut and trees will die; streams and wetlands will be contaminated and aquatic life will die.

Here is just one example of how their proposal relies on violating this regulation.

- The width of proposed development area at the narrowest portion of the western segment of the Subject Lands is approximately 85 m

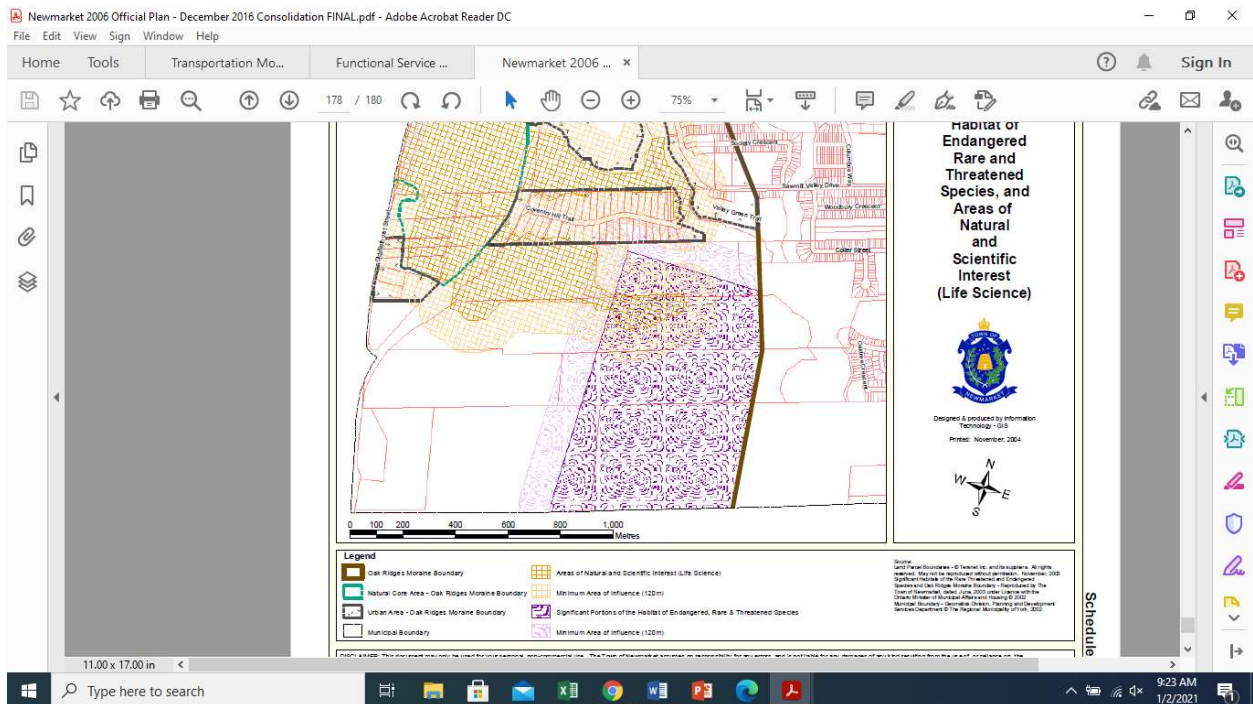
2. Inadequate Environmental Conditions Report

- A significant component of the OPA No. 28 relates to preserving the habitat of birds and animals and aquatic and plant life.
- Shining Hill is proposing to amend OPA 28 but their Environmental Conditions Report is not based on a thorough analysis of the Subject Lands.
 - Can an accurate assessment of the birds and wildlife that make their habitat permanently or intermittently over the course of a year in this 205 acre (83 hectare) site be completed in three site visits of 5 hours each done over a 2 week span in just one season of the year?
 - Can a thorough aquatic assessment over this whole site be done in just one day when water levels change throughout the year?

This is what was done in the bird and wildlife and the aquatic observations to prepare the Shining Hill Environmental Conditions Report.

This is woefully inadequate in our view and demonstrates a gross lack of concern for the environment on this land.

- OPA No. 28 includes the map below showing Habitat of Endangered, Rare and Threatened Species on the Moraine portion of the Subject Lands. What has changed from 2006 regarding the sensitivity and importance of maintaining this Habitat? If anything, the need for preserving Habitat for Endangered, Rare and Threatened Species is greater 15 years later in 2021 than it has ever been.



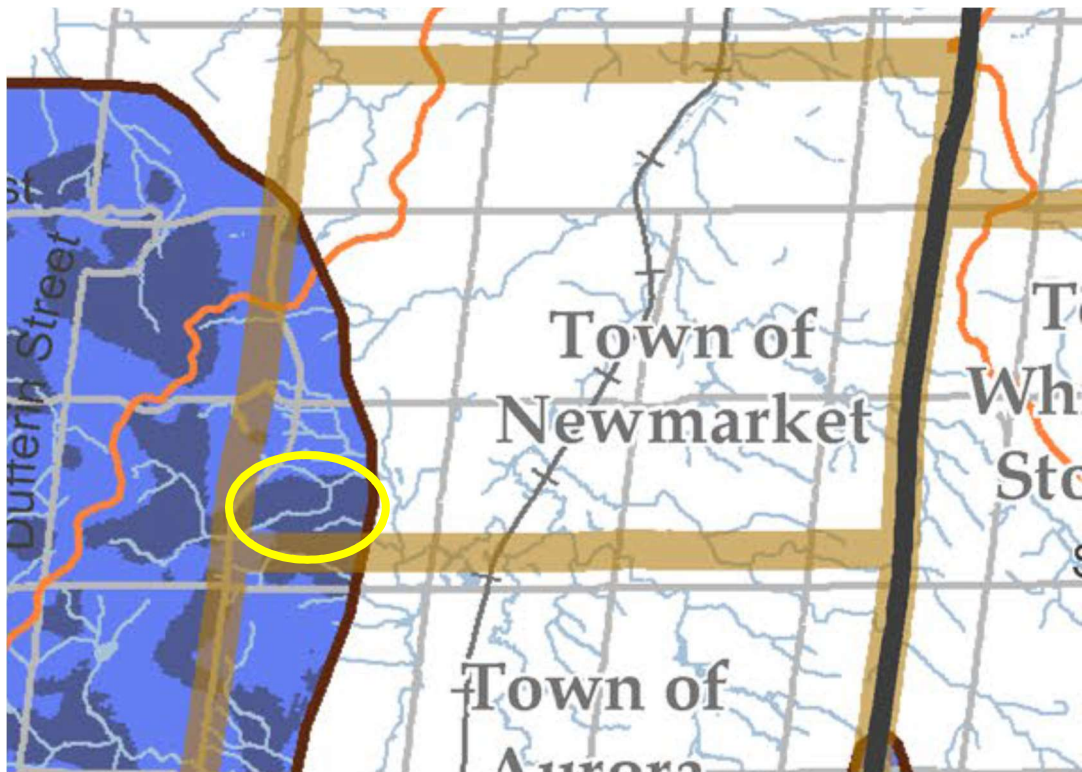
- We live about 200 metres from the Subject Lands. There is just one patch of woodland between our place and the Subject Lands. We routinely see from our kitchen windows: deer, wild turkeys, possums, foxes, and coyotes on our properties and in the woodland right behind us at various times throughout the year. If these animals are regularly seen 200 metres from the Subject Lands, they are also on the Subject Lands. And there are undoubtedly many other animals that we don't see but who make the Subject Lands and surrounding area their home for all or part of the year. The Town needs to protect not only the habitat for these animals and all other

Endangered, Rare and Threatened Species, the town needs to protect the conduits these animals use to travel between the woodlots on and surrounding the Subject Lands. Allowing development on the Subject Lands on the Moraine will destroy the habitat and conduits for these animals.

- The OMB conclusion in 2008 that a systems approach was necessary is as valid today as it was then, if not more so.

3. Highly Vulnerable Aquifer

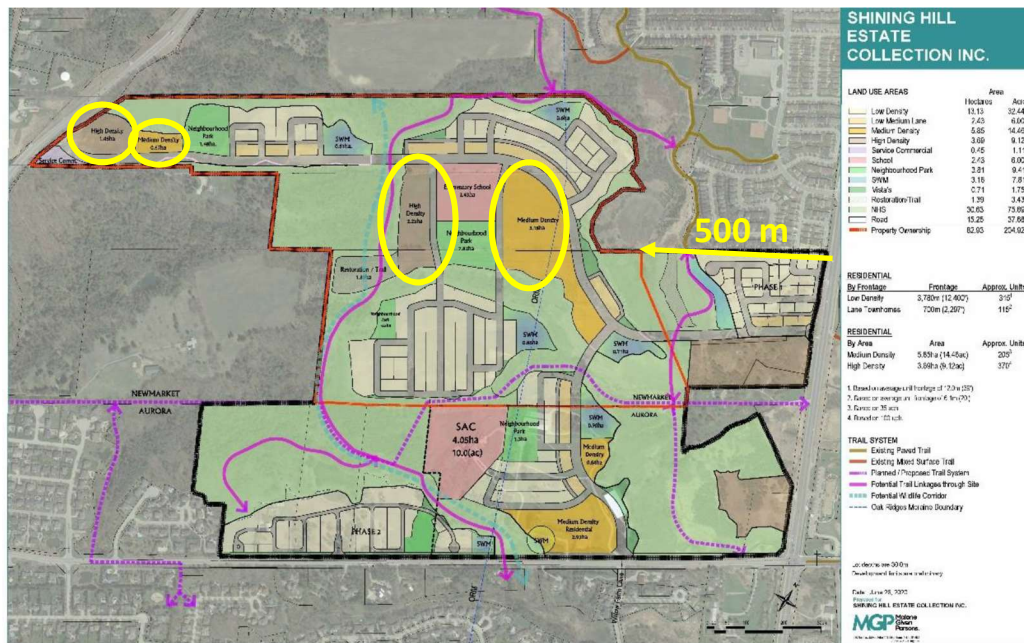
- Essentially of Newmarket's Oak Ridges Moraine High Vulnerability Aquifer area is on the Subject Lands. Groundwater more susceptible than normal to contamination from the surface on a high vulnerability aquifer.



- Road salt, snow storage, commercial fertilizers and other chemicals will contaminate the aquifer.
- Development on the Moraine portion of the Subject Lands will place the aquifer at risk.
- The Town of Newmarket must protect the aquifer.

4. Shining Hill is not Green – Much of Proposed Development Units Located Far From Mass Transit

- Of the 1330 household units (approx.) in the Proposed development on the Subject Lands, 490 (37%) are high density (4 buildings up to 7 storeys each) and 661 (50%) are medium density (town homes).
- The standard for accessibility to mass transit is “within 500m” (Transportation Mobility Plan Section 7.1.1).
- These high and medium density units, 87% of the total units proposed for the Subject Lands, will be located more than 500 m from Yonge Street - where the mass transit lines are located.



- The majority of these units are located closer to Bathurst St than to Yonge St.
- South of the Subject Lands, there are no multi-storey residential buildings on Bathurst St. until one reaches Centre Street in Thornhill (across from Promenade Mall south of 407).
- Bathurst St is not a mass transit line now. It is very unlikely to have the mass transit lines in the future that Yonge Street has because the population density all the way to Thornhill on Bathurst is not at the level of Yonge Street. Also, there are Natural Core Areas on the west side of Bathurst Street immediately north of the Subject Lands which will never be developed, further reducing the likelihood of mass transit lines being established on Bathurst.
- Placing more residential units close to Bathurst, especially high and medium density, is not a "green" solution. Residents of these units will have to use cars.
- Huge amounts of money have been spent putting bus lanes on Yonge Street and Davis Drive. High density hi-rise buildings should be on Yonge St. and Davis Dr. as the infrastructure is already there. In fact, it begs the question why hi-rise buildings were not built in Shining Hill phase I which is right on Yonge Street. This doesn't make any sense but the solution is not to put hi-rise buildings on Bathurst St.
- In addition to the distance from Mass Transit, it must also be noted that high density multi-storey buildings located on the Moraine would significantly degrade the views and vistas of current residents in the area. There would also be privacy issues for neighbouring homes if buildings of this height are located on this elevated portion of land. Buildings of this size in this part of the town have never been part of the Town of Newmarket's intentions.

5. Potentially Dangerous Intersection on Bathurst Street

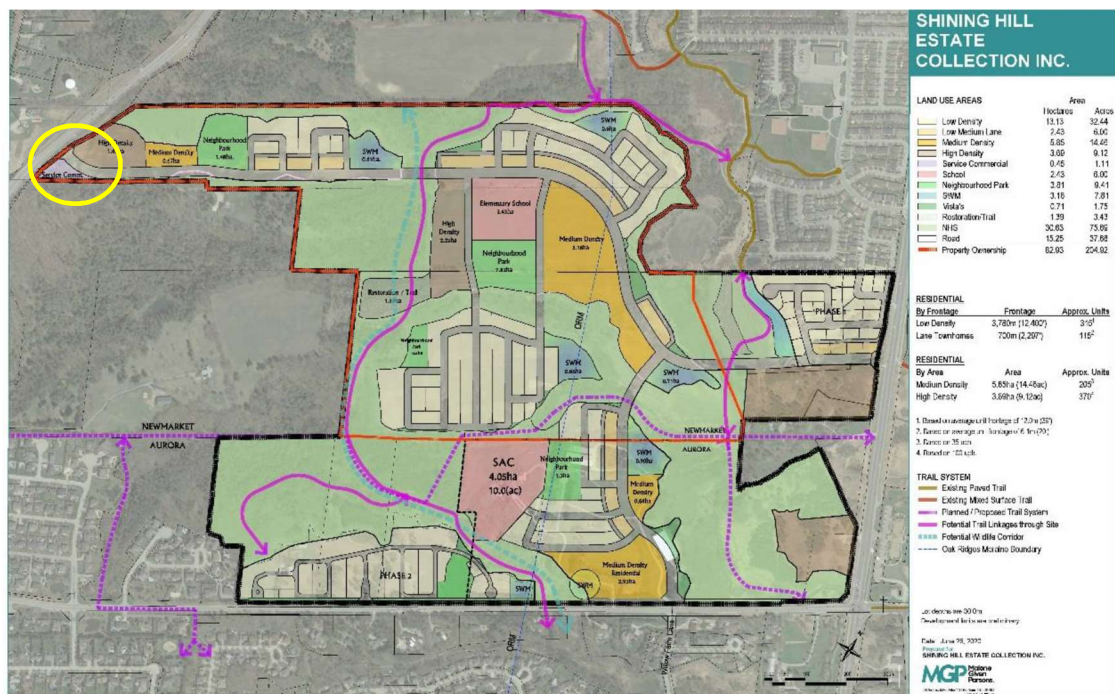
The proposed intersection on Bathurst Street has a strong likelihood of threatening public safety:

1. **On a hill:** no visibility past top of hill to the south
2. **Curve at top of the hill:** no visibility around curve
From a safety point of view one has to assume the objective is to place any intersection as far as possible from the top of the hill and the curve.
3. **Fast traffic:** Bathurst speed limit is 70 but many northbound cars drive faster because they are going down hill
4. **Huge proposed traffic volume:** estimated 1000+ units using Bathurst St. for entry/exit from one intersection on a hill (comparison: Summerhill South 1000 units has 4 flat intersections)
5. **Proposed intersection location not clear and all 3 variations either violate Oak Ridges Moraine Act or appear to compromise safe Sight Distance**

Shining Hill has 3 conflicting proposals regarding the Bathurst Street location.

Is the proposed intersection at south edge of subject property?

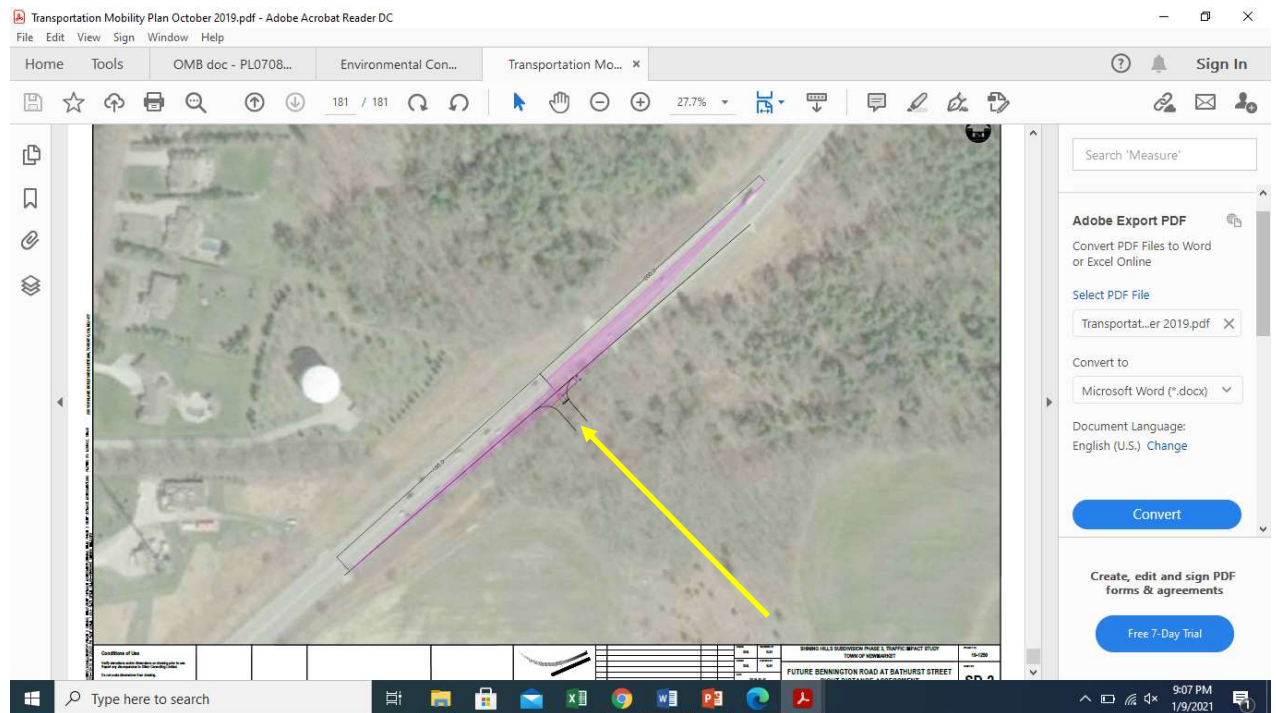
- Planning Opinion Report (July 2020) Executive Summary p. iii, p. 13 (this is the most current of the four Shining Hill documents).



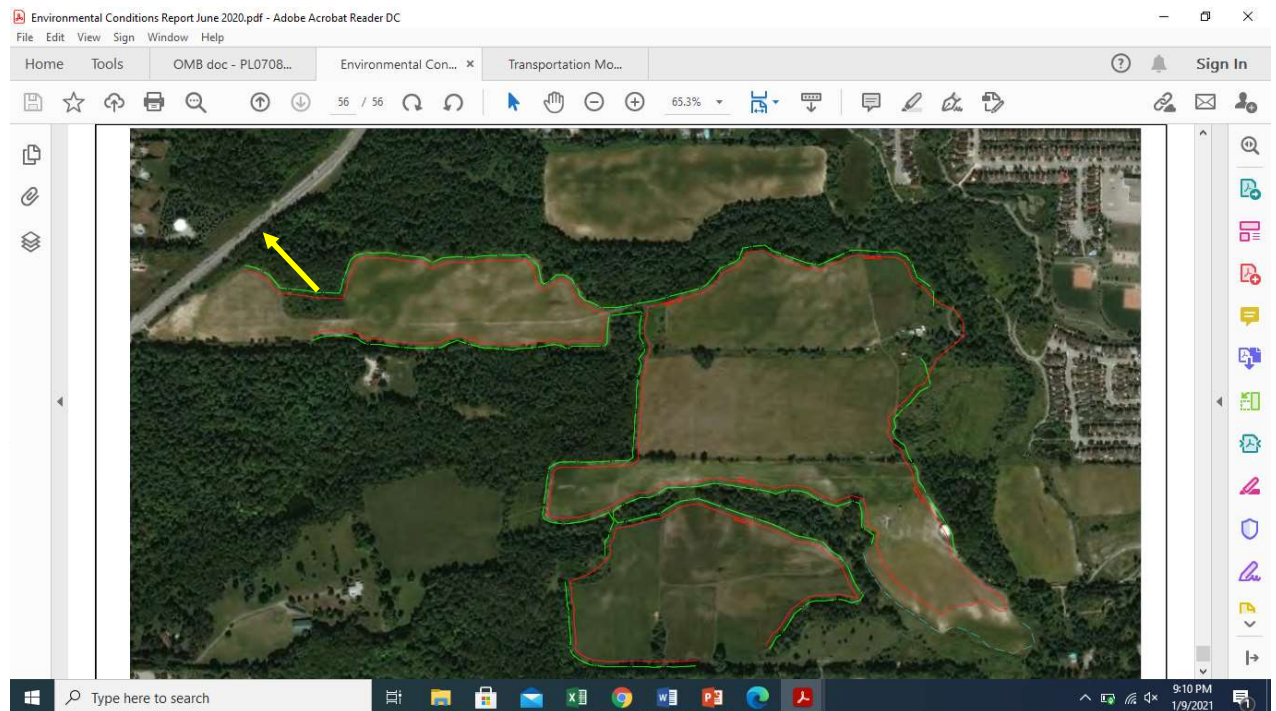
The problem with locating the intersection here is it is too close to the top of the hill and the curve. There is not enough visibility.

Is the intersection proposed for north of the water tower, with the road running through protected forest on Shining Hill property?

- Transportation Mobility Plan (Oct 2019) Appendix G Sight Distance and Proposed Bathurst Street Intersection p. 179 & p. 181



One can see even more clearly on the aerial photo below (Environmental Conditions Report, p. 56) the road would be going through protected forest.



The intersection at this location is farthest from the top of the hill and the curve – that is most likely why Shining Hill measured the Sight Distances from here (purple triangles on photo above).

BUT their road leading to this intersection would run through a Significant Woodland, destroying a Natural Heritage Feature – a violation of the Oak Ridges Moraine Act.

The Transportation Mobility Plan states (Section 6.2.1):

“For vehicles turning onto a four-lane road with a 90 km/h design speed, the following sight distance is recommended:

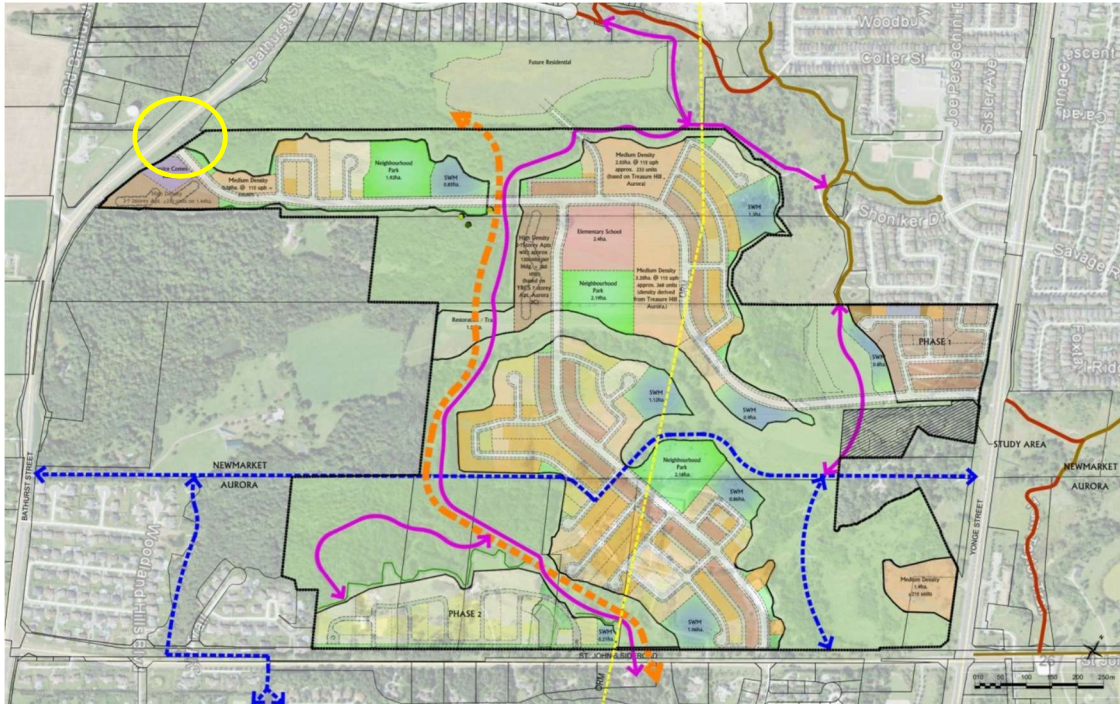
200 metres to the left (to the south);

185 metres to the right (to the north).”

- The purple triangles (displaying Sight Distances) on the aerial photos above (Transportation Mobility Plan, p. 179 and p. 181) contain graphics with these dimensions reversed, showing 185m to the south and 200m to the north.
- This is a critical misprint or misrepresentation.
- Additionally, the Subject Lands are at least 7.5 metres higher in elevation than the surface of Bathurst Street at this proposed intersection location. Significant excavation would have to be done to bring the road from Shining Hill to the level of Bathurst.
 - What would this excavation do to visibility for drivers trying to turn onto Bathurst Street?
 - How much further damage would this excavation do to forested areas at this proposed location?
 - Would drainage be affected by this excavation, potentially damaging the protected woodlands to the north of the proposed intersection?

Or is the intersection across from the water tower, near the north edge of the property?

- Transportation Mobility Plan (Oct 2019)
 - Section 1.1 Purpose p. 8
 - Section 7.13 Potential Service Expansion figure 11 Potential Internal Bus Routes p. 58
 - Appendix A Phase 3 Development Concept Plan p. 77
- Environmental Conditions Report (June 2020) p. 55



- This road would be within the minimum 30 metre Vegetation Protection Zone around the woodland so it couldn't be placed here without violating the Act.
- If one takes into account the 30m Minimum Vegetation Protection Zone, it is doubtful that there is the required 200 m sight distance to the left (south).
- Further, 1331 households are proposed on the Subject Lands. Because a large percentage of the proposed units will be closer to Bathurst Street, a large percentage of these residents will be entering and exiting on the one intersection with Bathurst Street.
- We estimate approximately 1000 Shining Hill units are proposed to be serviced by this one intersection. Based on our estimates, there are approximately 1000 units in the Summerhill subdivision south of Mulock and, as a comparison, there are 4 level entrances servicing this Summerhill area. Therefore, this proposed Shining Hill intersection would be very busy, and therefore potentially dangerous.
- Any entrance/exit from the Subject Lands would be potentially dangerous and, apart from this danger, through comparison with other similar-sized subdivisions, does not appear to be able to adequately handle the proposed traffic to/from Bathurst Street.

Summary

- When Newmarket adopted Amendment No. 28 on September 29, 2003, signed by the mayor at that time, Mayor Tom Taylor, the amendment was based on the key principles of:
 - Significant Woodlands
 - Hydrologically Sensitive Areas

- Landform Conservation Areas
 - Habitat of Endangered, Rare and Threatened Species
 - and much of the area being a Highly Vulnerable Aquifer.
- In 2003, the Mayor and Town Council at that time put in place special protection for the Subject Lands to benefit the Newmarket citizens at that time and in the future.

Conclusion and Recommendation

- We urge Mayor John Taylor and the current Town Council to maintain that same philosophy and preserve this portion of the Oak Ridges Moraine by rejecting the Shining Hill application for an Official Plan Amendment for the Subject Lands on the Moraine.
- Excluding the proposed Subject Lands development on the Moraine, the Shining Hill proposal as it stands now still includes approximately 2000 residential units.
- Perhaps Shining Hill can work with the Town of Newmarket to move some of its proposed development on the Subject Lands on the Moraine to land outside the Moraine and build even greater than 2000 units on this non-Moraine land. That is a topic for discussion between Shining Hill and the Town.
- Please vote to reject development of the Subject Lands on the Moraine and preserve this priceless piece of property for current and future generations of Newmarket citizens.

As a long-time resident of Newmarket, I wish to put in my vote that Newmarket's section of the Oak Ridges Moraine remain under environmental protection. I am very disappointed that our municipal government is even considering opening up even a section of it for development as it has been protected for a long time.

If Newmarket needs to find further areas for development to meet Ontario government quotas, then I would recommend that the Mulock Estate be sold to developers. This area is closer to transit and shopping for any residents living in that area.

Donna Evans

Dear Council,

Regarding council meeting on Monday January 18, 2021 at 1pm.

We are opposed to the roll back of the environmental protections of the Oak Ridges Moraine land. We believe the environmental green spaces should be protected and preserved for future generations. Further development of green spaces would only increase pollution, destroy habitat of wildlife and increase the carbon footprint. This land has been protected since 2003, because it's an ecological sensitive area, it would be more true today to protect the last undeveloped natural piece of land remaining in Newmarket. Protect our green spaces.

Regards,

The Knoop Family

Hello,

I request you to reconsider cutting down further green spaces in this region. Green spaces are crucial for our living and health and cutting down more spaces for development purposes is of no benefit to our next generation. We need more green spaces to have healthy lifestyle and for air to remain clean. I request you to please oppose this cutting down of green spaces for development purposes.

Thanking you

Rim

Dear Clerks Committee:

I am registering my formal objection to the current proposal to reverse the long term and historical efforts to preserve importantly designated Oak Ridge Moraine lands, specifically in Newmarket.

I am tired of the irreverent pillage of natural lands and systems that are important to sustainability.

I need not point out what sustainability means as it has been addressed and brought to light by so many, including other objections registered here in regard to the upcoming meeting on Monday, January 18th, 2021.

As a past resident of the Township of King, I watched the systematic deterioration of natural or undeveloped lands. I have wondered for many years if any large Construction companies privately own hobby farms in King as tax write offs while enjoying their secluded natural enclaves and overtaking what's remaining in Southern Ontario's natural and open spaces.

During my attendance at a Town Hall Development meeting in King, the developer made a 'sales' statement that building on natural lands would rid the residents of King of farm smells. Utter arrogance to say the least. Needless to say the project was shelved.

It is a sad day whenever the prospect of money and greed overtakes sustainability whether in King or in Newmarket.

I ask the Newmarket Council to make the correct moral decision regarding this Shining Hill Estates application.

Meredith Kerrigan
Newmarket, ON

Please do not permit housing development in the area South of Mulock and East of Bathurst!
Keep the Moraine for wildlife and green space. Consider developing Yonge Street North of Mulock with condos and townhomes. There are many large empty lots between Mulock and the mall. The mall itself should be developed into living space with retail. There must be a way to protect our green lands and continue to provide affordable housing for future growth of Newmarket, while keeping what we love about our town intact.
Thank you for your consideration.

Nora de Graaff. Newmarket resident.

Good Evening,

I am writing to you to express how I feel that the Shining Hill Estates proposed redevelopment should not be given approval for more high density housing and shopping areas. It should stay as protected green space.

We need to protect our green space. If this pandemic has taught us one thing, it's that we need space. We need the outdoors, the trails, parks and green spaces.

I am asking that you conserve what is left of the green space around Newmarket and not allow for the redevelopment of these protected lands.

Thank you,
George Martin

I oppose the rollback of environmental protections for the Moraine lands in the southwest corner of Newmarket. The Mayor and Council should not be required to spend time and money to revisit council's past decisions every few years.

Presumably the developer was aware of the designation of the lands when he acquired them. The land hasn't changed except to become more precious as green declines.

The fact that Aurora and York are treating the Moraine differently doesn't mean Newmarket should follow suit. Each region must do what is right for them, otherwise why not just have the same rules for all Ontario.

I'm against any change of status.

Edith Andrews

January 18, 2021

Town of Newmarket
Clerk's Department
395 Mulock Drive
PO Box 328 - Station Main
Newmarket, ON L3Y 4X7

Attention: Ms. Lisa Lyons, Town Clerk

Dear Ms. Lyons:

**Re: Application for Official Plan Amendment
16250, 16356 & 16450 Yonge Street
2512606 Ontario Inc. (Shining Hill Estates)
Town File No.: DogNP2012**

Macaulay Shiomi Howson Ltd. (MSH), has been retained by Mr. Mark Iacovetta, owner and resident of property municipally known as 16160 Yonge Street (subject site), as it pertains to the above referenced application (Shining Hill).

The subject site is located on the west side of Yonge Street, just north of St. John Sideroad. It has an area of approximately 3.18 ha (7.86 acres) and straddles the municipal boundary between the Towns of Aurora and Newmarket (Figure attached). The site is irregular in shape with a small frontage on Yonge Street which contains a driveway access to the balance of the site. It is occupied by a single detached dwelling, garage, swimming pool and accessory structures.

A preliminary environmental review has been completed for the subject site which determined that a developable area of land, without environmental features or constraints, exists on the property.

The site abuts Shining Hill lands subject of the referenced application along a portion of its west property line. It also abuts other Shining Hill landholdings along the north, west and south property lines.

We object to the proposed Official Plan amendment for the following reasons:

1. Shining Hill has incrementally obtained approvals for lands abutting or near the lands subject of the current application for a number of years. To date no comprehensive concept plan for the development of surrounding or adjacent lands has been provided, specifically the subject site.

Shining Hill should be required to conceptually demonstrate how the subject site will not be adversely affected by any further development surrounding it; and, to

ensure that the developable portion of the subject site is not left landlocked with no connections.

As noted on the various schedules provided, the subject site has not been identified or acknowledged.

2. In 2018, approvals for OPA, ZBA and Draft Plan of Subdivision were given to lands abutting the subject site to the north. At that time, assurances were given with respect to appropriate natural heritage system blocks and restoration areas. This provided Mr. Iacovetta with some assurances there would be adequate buffers which would allow him to continue to reside in and enjoy his property.

Figure ES-1: Subject Lands contained within the Planning Opinion Report for the current Shining Hill application, identifies these previously approved lands as “Phase 1; and, as “Shining Hill Newmarket Midrise”. This is further described in Section 1.1 Overview, of the report which indicates an intent to develop these lands for approximately 1,000 units in “four mid-rise buildings”.

These are lands that were subject to detailed analysis including an environmental impact study; and, were reviewed and approved by the LSRCA as natural heritage system. It is not clear if this earlier analysis included the subject site.

This is further identified in Section 2.1 Development Summary, of the Planning Opinion Report, where the previously noted “midrise” block is shown, as “High Density”, with its coloured Land Use area demarcation.

A “Planned/Proposed Trail System” is also shown bisecting the subject site from the west out to Yonge Street.

Although not part of this current application, it is clear that Shining Hill is purchasing and/or developing lands in an incremental fashion without an overall conceptual plan, obtaining approvals, and subsequently using that as justification that the “remaining” lands warrant development.

3. There has been no regard for previous commitments made to date. Mr. Iacovetta has based decisions to remain on his property on the basis of these previous approvals and that there would be environmentally protected lands buffering his property from adjacent development.

Shining Hill now intends to redesignate lands that are within the Oak Ridges Moraine Conservation Area; and, through the Ontario Municipal Board, have already been determined as not being appropriate for development.

It is acknowledged that Provincial policies have changed since that time; however, the Town, through that OMB process, provided a level of assurance to its residents that the Shining Hill lands would be protected and preserved.

4. The development of the Shining Hill lands, along with the systematic development of lands surrounding the subject site, without illustrating how the subject site may be integrated into the overall development scheme, will result in a landlocked parcel which will no longer be suitable or desirable for the continuation of a single detached dwelling.

In summary:

- Shining Hill is proposing the significant development of lands which Mr. Iacovetta, like other Newmarket residents, believed would be protected as a result of the previous OMB Decision. The development of these lands has a direct impact on the subject site.
- There is ambiguity as to approvals previously received by Shining Hill; and, what is now indirectly proposed, through its current Planning Opinion Report. This raises questions and concerns with respect to the proposed OPA and the impact on the subject site.
- There does not appear to be one overall, comprehensive natural heritage evaluation, that identifies all of the affected Shining Hill lands, significant features; and, how these are to be protected. These reports appear to have been done on a case-by-case basis and have not taken into account potential impacts on adjacent lands, specifically when uses (proposed trail system) are proposed through lands owned by others.
- It is unreasonable to expect Mr. Iacovetta to make significant decisions with respect to his property, based on approvals issued by the Town for adjacent lands, only to have those approvals further revised by the applicant, creating uncertainty and resulting in unnecessary costs.

The issues raised in this letter are directly and indirectly related to the application before Council; however, they are all inter-related and need to be considered in a comprehensive manner.

I trust you will find this information satisfactory; however, should you have any questions or require additional information regarding the above-referenced matter, please do not hesitate to call.

Sincerely,

MACAULAY SHIOMI HOWSON LTD.



Angela Sciberras, MCIP, RPP
Principal
Encls.

Cc: Mr. Mark Iacovetta
Jason Unger

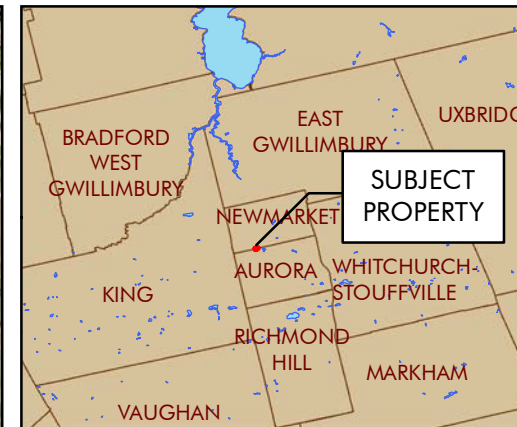
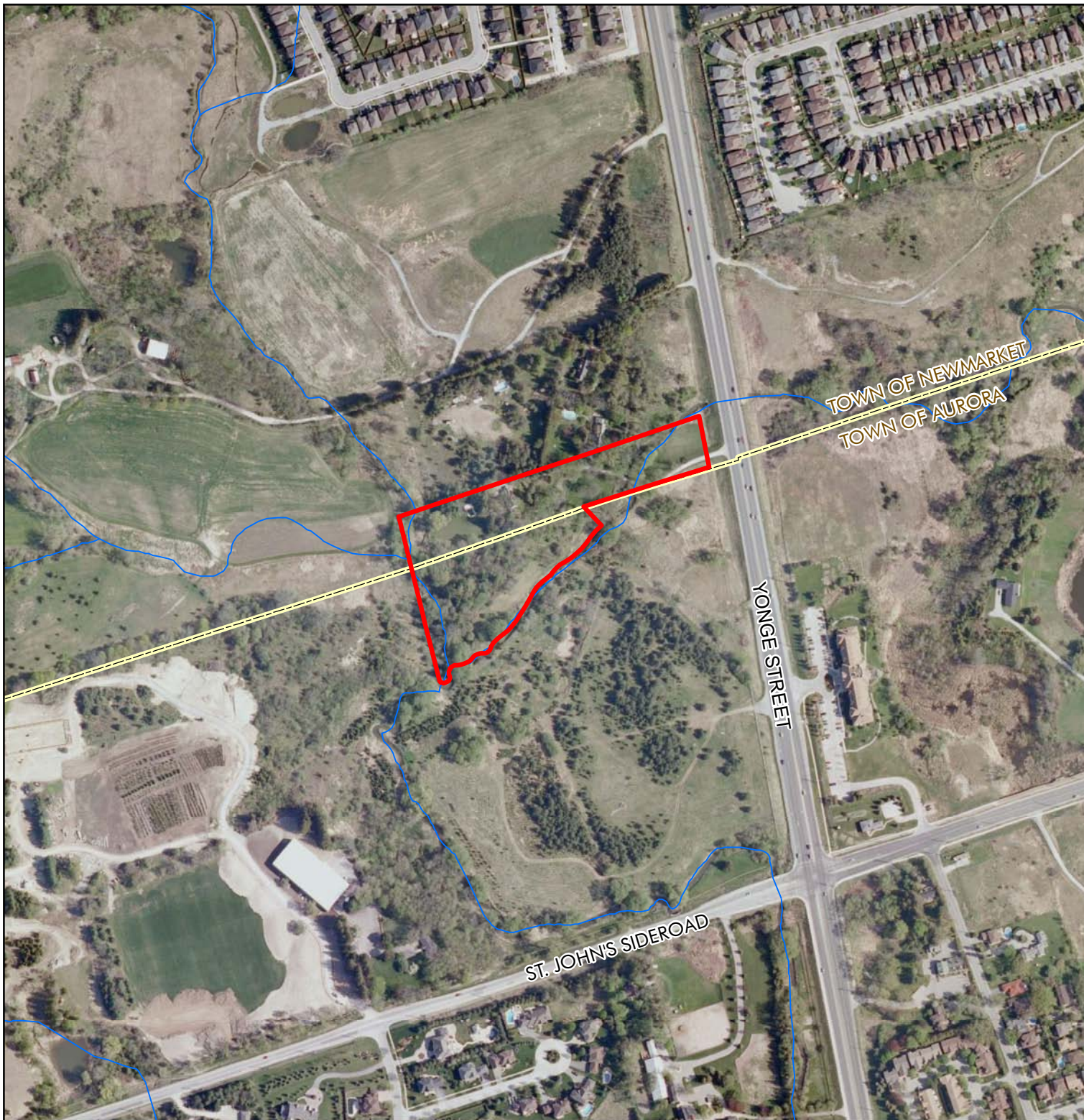


Figure 1

LOCATION MAP

16160 Yonge Street

Part of Lot 86, Concession 1
Geographic Township of King
Town of Aurora

&

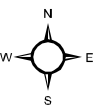
Part of Lot 87, Concession 1
Geographic Township of King
Town of Newmarket

REGIONAL MUNICIPALITY OF YORK

 Site Boundary

 Municipal Boundary

0 100 200 m



Aerial Photography copyright BING Maps.

Prepared January 2021 by:

land use planning consultants

MSH
BOUNDLESS INGENUITY

Toronto
416.487.4101
Aurora
905.503.3440
www.mshplan.ca

To Whom it May Concern:

We would like to formally oppose this Proposal. We are long term residents of Newmarket and have quickly watched our beautiful only Green Space here disappear for huge subdivisions. This proposal to now develop one of the only green spaces left within Newmarket's municipal boundaries is deeply troubling. We strongly oppose this proposed development which will not doubt be extremely damaging to the environment.

We can't continue to irresponsibly development Key Greenspace. The Oak Ridges Moraine affects one of Canada's most important water supplies. Development will undoubtedly contaminate the soil and water. Contamination affects the water supply which in turn diseases can be transported through contaminated waters. If that isn't concerning enough, the hundreds if not thousands of plant species and biodiversity will be severely and negatively affected.

LET'S' protect our Environment by saving it and our People's Health and Lifestyle should be better for it.

Stan and Donna Colley

Greetings!

It is very upsetting to read that it is even considered to develop the moraine land further.

Protect the water and moraine land. This is our green lung, this is why Newmarket is a healthy place to live in harmony with nature.

Destroying the last bit of it will be devastating on many levels for our ecosystem.

Create more density closer to Yonge where the bus line and infrastructure is. Provide apartments and townhouses which use less space.

Do not develop the last bits of nature left.

Thanks for considering and reading my email.

Sincerely Sabine Mayer

Simon Schmidt
367 Eagle St.
Newmarket, ON.
L3Y 1K5

Dear Distinguished members of Town Council,

I am writing to voice my opposition to the removal of protection of the Oak Ridges Morane to allow development for more sprawling residential neighbourhoods.

There are already many cuts to the protections of our wetlands and forests done by the provincial government in the last few years. These already were concerning as there has been a constant attempt at developing protected areas before the lifting of restrictions. We can look at the issues Aurora has had with companies clear cutting land without permission and paying the fines as it is just a small cost to them on their path to profits.

We know there is a large deficit of affordable housing in the entirety of southern Ontario, however opening up this protected land will do little to relieve that problem. The densification of the Yonge/Davis corridor has barely begun and really should be focused on to increase affordability in the area. Bringing more single family detached homes will still be far out of the reach of first time home buyers and will just put more money into the pockets of the already wealthy.

This protected land is necessary for the future of our community. There are now water futures being traded on the stock exchange for some areas of California. Potable water, which has been declared a human right by the UN, is going to become rarer in the future. We are in a privileged place in the world with some of the best and largest reserves of fresh water. There are already exploitation schemes with bottled water companies taking water from the water table for outrageous profits. Do we want to put that in more danger by developing more of the area that is needed to filter that water? Please also remember that “people are rights-holders and States are duty-bearers of providing water and sanitation services. Rights-holders can claim their rights and duty-bearers must guarantee the rights to water and sanitation equally and without discrimination.” (<https://www.unwater.org/water-facts/human-rights/>). You have an obligation on this level to keep that guarantee for us citizens.

We also need natural spaces for us to experience nature and to allow the animals that live here among us to continue to exist. Biodiversity is already crashing down at an alarming rate and just last year the mass of human produced materials may have exceeded that of the entirety of the worlds biomass. (<https://www.nature.com/articles/s41586-020-3010-5> , <https://vermecology.wordpress.com/2017/02/12/nature-article-to-commemorate-charles-darwins-birthday-on-12th-feb/>).

I witnessed myself how we do not have enough green spaces and trails last year during the Covid restrictions. I took my children on a bike ride on the Nokiidaa trail and looking at how full it was we can see we need more areas like this.

I hope for a future where there will be minimal impact on our remaining natural areas and think we should be innovating instead of using the same old model that has been used for the past 60 or so years. If we let this go through it will be the point of a wedge to let more development happen in more protected areas. We don't need to continue the idea of making more jobs at the cost of these protected areas. It is plain to see that the jobs generated will only be minimal and short term while building. We already see the excuses for removing the protections on areas in the moraine as nothing more than cronyism by the provincial government to pad their friends and colleagues wallets. Even using Covid as an excuse is seen as nothing more than a tool to meet developers wants and they will not be forgotten when we have the next election. The people are aware of the situations and the next generation is even more so and *will* demand justice.

Thank you for your time listening to our opinions and please remember that there is a duty and obligation to serve the people in this community and secure a better future for all of us.

Simon Schmidt

Hello,

As a Newmarket resident, I'd like to voice my concerns over the development proposal on sensitive and protected Oak Ridges Moraine land.

The reasons these lands were protected in the first place are not only still relevant, but more so. The incredible value of wetlands and forests in absorbing carbon need to be factored in the equation. Where cities and towns around the world are pledging carbon neutrality, increased urban forest targets, increased access to greenspaces, how can Newmarket be considering the opposite? Especially in light of the new population numbers we are to expect.

If you are under the impression this land is not truly of ecological importance, look back at historical maps of our town. The rivers and wetlands there, abutting the spectacular forests on the other side of Bathurst, make this land a vital ecological corridor. Despite the large proportion of agriculture on the current land, restoration on those parcels would not only be possible, it would be appropriate given all the development our entire region is facing.

Please note I am not anti-development, but do believe new development needs to be aligned with the best land use practices and exemplary models we should be emulating for our future Newmarket residents.

A forward thinking Newmarket should understand the future includes serious concerns around our very survival under the real and urgent climate crisis and biodiversity loss before us. Paving over the last remaining greenspaces in town is very short sighted. Entire new subdivisions, of low to medium density housing, is not the way forward, nor will it make much difference in meeting the housing needs of the present and future. The most urgent housing needs are affordable and rental - neither of which this proposal would achieve. Developing this unique and special part of Newmarket in the status quo way is last century planning around car-centered lifestyles not communities that are walkable and connected, vibrant and healthy. We can do better, and should.

I moved here from a GTA city that maxed out its urban sprawl several decades ago. I grew up in a new subdivision, just like the one being proposed. How rich of me to NIMBY this development you may think. To which I say, while my childhood home was spacious and new, its effect was that it made me realize other values of greater importance. It's an area 30 years later still devoid of large trees or features that allow for the missing connection to what ultimately sustains us - nature. My experience as a ten year old looking unsuccessfully for any signs of life that first summer in a sterile patch of land propelled me into a career in conservation, trying in earnest to make amends for humanity's many mistakes. It never really felt like a respectful home and its why I had no remorse leaving that town. Our proximity to nature in Newmarket is a treasure, a legacy. It is why I love it here.

Towns get to make these decisions only once. In your upcoming considerations on how to move forward, look forward to what the future generations will value and need. Look to smart growth recommendations. Look to full cost accounting. The economics of the world will quickly shift to account for our new challenges and opportunities. Is this really just about a new tax base? How

about new town costs for those roads and runoff, infrastructure, amenities. How will carbon taxes influence all our lives? With some imagination Newmarket, the case study town that chose necessary nature over profit, would be quite the reputation. What is at stake of being lost will be gone forever.

Sincerely,
Melissa Rosato

Good day,

It would be helpful if the amendment requests provides more details of why the amendment is required specifically beyond quoting the terminology and an area overhead shot to allow the public to read the details ahead of the hearing.

Why is the amendment required?

And why now ?

What is the impact to the area in question ?- specifically environment, natural habitat?

The current in progress construction off Yonge street is already impacting the natural environment by forced redirection of water run offs ,birds migrating stop spots to name a few.

Regards,

Martha



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, December 14, 2020
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
F. Scott, Manager of Regulatory Services
M. Mayes, Director of Financial Services/Treasurer
J. Unger, Director of Planning & Building Services
A. Cammaert, Manager of Planning Services
P. Chow, Senior Planner - Policy
M. White, Senior Planner - Development
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:03 PM.
Mayor Taylor in the Chair.

1. Public Notice

Mayor Taylor acknowledged that the Town of Newmarket is located on the traditional territories of the Wendat, Haudeno-saunee, and the Anishinaabe peoples and the treaty land of the Williams Treaties First Nations and other Indigenous peoples whose presence here continues to this day. He thanked them for sharing this land with us. Mayor Taylor also acknowledged the Chippewas of Georgina Island First Nation as our close neighbours and friends, and that we work to ensure a cooperative and respectful relationship.

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk advised of the following addition to the agenda:

- Sub-item 9.1.1: Correspondence provided by Frank Orsi regarding Item: 9.1: Established Neighbourhood Compatibility Study and Policy Recommendations

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the addition to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter

The Clerk welcomed the public to the Virtual Public Planning and Council meeting. She advised that the Planning Act requires the Town to hold at least

one public meeting on any proposed Zoning By-law Amendment, Official Plan Amendment or Draft Plan of Subdivision or Condominium.

The Clerk advised that the purpose of the public meeting was to hear from anyone who has an interest in the proposed amendments to the zoning by-law to permit commercial rooftop patios within the Town.

The Town is considering amendments to the comprehensive zoning by-law that would permit commercial rooftop patios in conjunction with restaurants, banquet halls and other commercial uses, subject to licensing and other requirements.

The Clerk encouraged anyone who was interested in providing verbal feedback to Council regarding the application to join the meeting electronically by emailing clerks@newmarket.ca.

The Clerk advised that if anyone wished to be notified of any subsequent meetings regarding this matter, they may email planning@newmarket.ca.

The Clerk noted that in accordance with the Planning Act, the Local Planning Appeal Tribunal may dismiss an appeal to the Tribunal, without holding a hearing, if the appellant failed to make either oral submissions at the public meeting or provide written submissions to Council prior to adoption of the application.

The Clerk thanked residents for their participation and interest in the meeting.

4.1 Commercial Rooftop Patios

The Director of Planning and Building Services provided an introduction to the presentation which included a background on commercial rooftop patios and the Town's zoning by-law.

The Senior Planner - Development provided a presentation which provided a background of relevant legislation, an overview of commercial rooftop patios in other municipalities, proposed regulations and licensing by-law and the proposed process for approval of a rooftop patio.

The Director of Planning and Building Services provided Council with the next steps regarding the application process and advised that Staff would bring a report back to a future Committee of the Whole meeting in early 2021.

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

1. That the presentation provided by the Senior Planner - Development regarding Commercial Rooftop Patios be received.

Carried

5. Presentations & Recognitions

5.1 Established Neighbourhood Compatibility Study - Official Plan and Zoning By-law Amendments

Note: This item was dealt with under sub-item 9.1. Please see sub-item 9.1 for motion.

The Director of Planning and Building Services provided a presentation which included an overview of the three specific areas addressed since the study was last presented to Council in October 2020. These areas included a review of the draft official plan amendment language, a reconsideration of maximum building height in the Historic Core area, and a review of lot frontage, lot area and side yard setback.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of November 23, 2020

Moved by: Councillor Bisanz

Seconded by: Councillor Simon

1. That the Council - Electronic Meeting Minutes of November 23, 2020 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh provided an update on the public health measures levels and advised that York Region had entered the grey level. He advised that while York Regional Council had opposed moving from the red level, the measure was designed to protect the health of residents.

Mayor Taylor expressed the importance of stopping the spread of COVID-19 in York Region, not only to protect public health but also to ensure local businesses

can reopen as quickly as possible. He also advised that York Region Council had voted to maintain the water and wastewater rate at the 2019 rate.

9. Consent Items and Recommendations from Committees

9.1 Established Neighbourhood Compatibility Study and Policy Recommendations

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. **That the presentation provided by the Director of Planning and Building Services regarding the Established Neighbourhood Compatibility Study - Official Plan and Zoning By-law Amendments be received; and,**
2. That the report entitled Established Neighbourhood Compatibility Study and Policy Recommendations dated October 26, 2020 be received; and,
3. That the Policy Recommendations Report prepared by SvN dated September 2020 attached as Attachment 1 be received; and,
4. That the attached draft Official Plan Amendment No. 29 be adopted; and,
5. **That Schedule E of the attached draft Zoning By-law be amended to include Park Avenue from Lorne Avenue west to Beechwood Crescent in the Maximum Building Height Special Provision Area; and,**
6. That the attached draft Zoning By-law be enacted **as amended**; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.1.1 Correspondence - Frank Orsi

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. That the correspondence provided by Frank Orsi regarding the Established Neighbourhood Compatibility Study and Policy Recommendations be received.

Carried

9.2 Special Committee of the Whole - Electronic Meeting Minutes of December 1, 2020

Moved by: Councillor Broome
Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the Special Committee of the Whole - Electronic Meeting Minutes of December 1, 2020 be received and the recommendations noted within be adopted.

Carried

9.2.1 Presentation - Mulock Property Emerging Design Concept

1. That the presentation provided by Lisa Rapoport, PLANT Architect Inc. and Sara Udow, Process, regarding the Mulock Property Emerging Design Concept be received.

9.2.2 Mulock Property Emerging Design Concept

1. That the correspondence provided by Tori Maxwell-Turanski regarding the Mulock Property Emerging Design Concept be received; and,
2. That the report entitled Mulock Property Emerging Design Concept dated December 1, 2020 be received; and,
3. That comments on the emerging design concept and Mulock Park amenities be received and used as input to a further developed concept plan to again be presented to Council and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.3 Correspondence - Tori Maxwell-Turanski

Note: See sub-item 9.2.2 above.

9.3 Committee of the Whole - Electronic Meeting Minutes of December 7, 2020

Moved by: Councillor Woodhouse

Seconded by: Councillor Simon

1. That the Committee of the Whole - Electronic Meeting Minutes of December 7, 2020 be received and the recommendations noted within be adopted with the exception of sub-items 9.3.2 and 9.3.5. See following sub-items 9.3.2 and 9.3.5 for motions.

Carried

9.3.1 Presentation - Draft 2021 Operating and Capital Budgets

Note: See sub-item 9.3.2 below.

9.3.2 Draft 2021 Operating and Capital Budgets

Note: An alternate motion was presented and is noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. **That Council approve up to an additional \$15,000 to be allocated towards the Town of Newmarket community support programs.**

Carried

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

2. That the presentation provided by the Director of Financial Services/Treasurer and the Manager of Accounting & Finance regarding the Draft 2021 Operating and Capital Budgets be received; and,
3. That the report entitled Draft 2021 Operating and Capital Budgets dated December 7, 2020 be received; and,

4. That the COVID-19 contingency fund contribution be increased to 0.8%, primarily through the use of anticipated savings and revenue from REV it Up initiatives, while maintaining the overall tax levy increase of 1.98% and in doing so, not impact service levels and continue to preserve fiscal sustainability; and,
5. That the Draft 2021 Operating Budget with expenditures of \$137,020,270 be approved, which is comprised of the following components:
 - a. \$68,956,971 for Town purposes, including a \$500,000 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
6. That a Capital Spending Authority of \$42,400,000 be established, being \$37,900,000 for 2021 and \$4,500,000 for 2022; and,
7. That costs for the COVID-19 pandemic outlined in this report in excess of the Contingency, be funded by the Rate Stabilization Reserve; and,
8. That staff be directed to prepare option for 2021 Financial Relief Measures to be presented to Council in January, 2021; and,
9. That the funding for support to local businesses be set as a range between \$50,000 to \$100,000; and,
10. That the draft 2021 Operating and Capital Budgets be forwarded to the Council meeting of December 14, 2020 for final approval; and

11. 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,

12. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.3.3 2021 Fees and Charges Overview

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

9.3.4 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.

9.3.5 2021 Water and Wastewater Rates

Moved by: Councillor Twinney
Seconded by: Councillor Morrison

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.

Carried

9.3.6 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.

9.3.7 Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations

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.

9.3.8 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.

9.3.9 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.

9.3.10 INFO-2020-37: Newmarket Patio Program - 2020

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

9.3.11 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 Fire Services Report JCC-2020-11 dated November 24, 2020 entitled Renewal of Fire Dispatch Agreement be received; and,
2. That the Fire Chief be authorized 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.

9.3.12 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.

9.3.13 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.

10. By-laws

Moved by: Councillor Twinney
 Seconded by: Councillor Simon

1. That By-laws 2020-64, 2020-65, 2020-66, 2020-67, 2020-68, 2020-69, 2020-70, 2020-71, and 2020-72 be enacted; and,
2. That By-law 2020-63 be enacted as amended.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

None.

14. Closed Session

Mayor Taylor advised there was no requirement for a Closed Session.

14.1 Applications to the Anti-Black Racism Task Force (1 vacant position)

Moved by: Councillor Bisanz
Seconded by: Councillor Morrison

1. That Jeremiah Leslie Serieux be appointed to the Anti-Black Racism Task Force.

Carried

15. Confirmatory By-law

Moved by: Councillor Morrison
Seconded by: Councillor Twinney

1. That By-law 2020-73 be enacted.

Carried

16. Adjournment

Moved by: Councillor Morrison
Seconded by: Councillor Twinney

1. That the meeting be adjourned at 2:36 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, January 11, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
K. Saini, Deputy Town Clerk
F. Scott, Manager of Regulatory Services
M. Agnoletto, Director of Public Works Services
M. Mayes, Director of Financial Services/Treasurer
L. Villanueva, Supervisor of Property Tax and Assessment
J. Unger, Director of Planning & Building Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on January 18, 2021.
The meeting was called to order at 1:00 PM.
Mayor Taylor in the Chair.

1. Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 2021 Financial Relief Program in Response to COVID-19

Note: This item was dealt with under sub-item 6.1. Please see sub-item 6.1 for motion.

The Supervisor of Property Tax and Assessment provided a presentation regarding the 2021 Financial Relief Program in Response to COVID-19 which provided an overview of the current relief measures, a comparison with neighbouring municipalities, and the details of the proposed relief program. The presentation concluded with an overview of the funding sources for the relief program.

5. Deputations

None.

6. Consent Items

Moved by: Councillor Woodhouse
Seconded by: Councillor Kwapis

1. That sub-items 6.2, 6.4, 6.5, 6.6, and 6.7 be adopted on consent. See following sub-items 6.1 and 6.3 for motions.

Carried

6.1 2021 Financial Relief Program in Response to COVID-19

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Twinney
Seconded by: Councillor Broome

1. **That the presentation provided by the Supervisor of Property Tax and Assessment regarding the 2021 Financial Relief Program in Response to COVID-19 be received;** and,
2. That the report entitled 2021 Financial Relief Program in Response to COVID-19 dated January 11, 2021 be received; and,
3. That Council approve the 2021 Financial Relief Program, which consists of:
 - a. Waiving Penalty and Interest on Unpaid Property Taxes for Eligible Residential Property Owners until December 31, 2021;
 - b. Increase Property Tax Assistance to the Elderly from \$320 to \$450;
 - c. Increase Water and Waste Water Rebate from \$354 to \$420;
 - d. Water Rebate of \$1,000 for Eligible Small Businesses; and,
4. That Council approve the 2021 Financial Relief Program to begin on February 1, 2021 until December 31, 2021; and,
5. That Council approve one (1) temporary part-time staff to assist Financial Services Department in administering the Financial Relief Program in 2021; and,
6. **That Staff be directed to implement an application process for the water rebate program which includes an attestation of financial need or hardship;** and,
7. **That Staff be directed to target the water rebate program to the first half of 2021;** and,

8. That Staff be directed to report back to Council if revisions to the program are required based on resident feedback, new Provincial initiatives or a substantial change in the state of pandemic; and,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.2 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan

1. That the report entitled 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan dated January 11, 2021 be received; and,
2. That the 2020 Accessibility Status Update be approved; and
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.3 INFO-2020-39: Regulatory Services Review During COVID-19

Moved by: Councillor Morrison
Seconded by: Councillor Simon

1. That the Information Report entitled Regulatory Services Review during COVID-19, dated December 23, 2020 be received.

Carried

6.4 Item 7.3 from September 1, 2020 Heritage Newmarket Advisory Committee Meeting Minutes

1. That the following be referred to staff:
 - a. That the Heritage Newmarket Advisory Committee recommend to Council that the location of the house at 1075 Gorham Street be taken into consideration as part of the Heritage designation.

6.5 Heritage Newmarket Advisory Committee Meeting Minutes of September 1, 2020

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of September 1, 2020 be received.

6.6 Main Street District Business Improvement Area Board of Management Meeting Minutes of October 21, 2020 and November 18, 2020, Special Meeting Minutes of November 4, 2020 and November 11, 2020, and the Annual General Meeting Minutes of November 5, 2019

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of October 21, 2020 and November 18, 2020, Special Meeting Minutes of November 4, 2020 and November 11, 2020, and the Annual General Meeting Minutes of November 5, 2019 be received.

6.7 Accessibility Advisory Committee Meeting Minutes of September 17, 2020

1. That the Accessibility Advisory Committee Meeting Minutes of September 17, 2020 be received.

7. Action Items

None.

8. Notices of Motion

None.

9. Motions Where Notice has Already been Provided

None.

10. New Business

10.1 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan

Councillor Broome recognized the work of the Newmarket Accessibility Advisory Committee and staff for their efforts to remove accessibility barriers throughout the Town.

10.2 Damage to Lawns Due to Snow Removal

Councillor Bisanz inquired as to plans to avoid damage to lawns caused by snow removal on sidewalks. The Director of Public Works advised that staff would prepare an information report to summarize the information available.

Moved by: Councillor Bisanz
Seconded by: Councillor Twinney

1. That Council direct staff to provide an information report regarding damage to lawns caused by snow removal.

Carried

11. Closed Session

11.1 Update from ENVI

Moved by: Councillor Kwapis
Seconded by: Councillor Woodhouse

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - a. Update from ENVI - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization as per Section 239 (2) (i) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 2:38 PM.
The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Open Session at 4:16 PM

12. Adjournment

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That the meeting be adjourned at 4:16 PM.

Carried

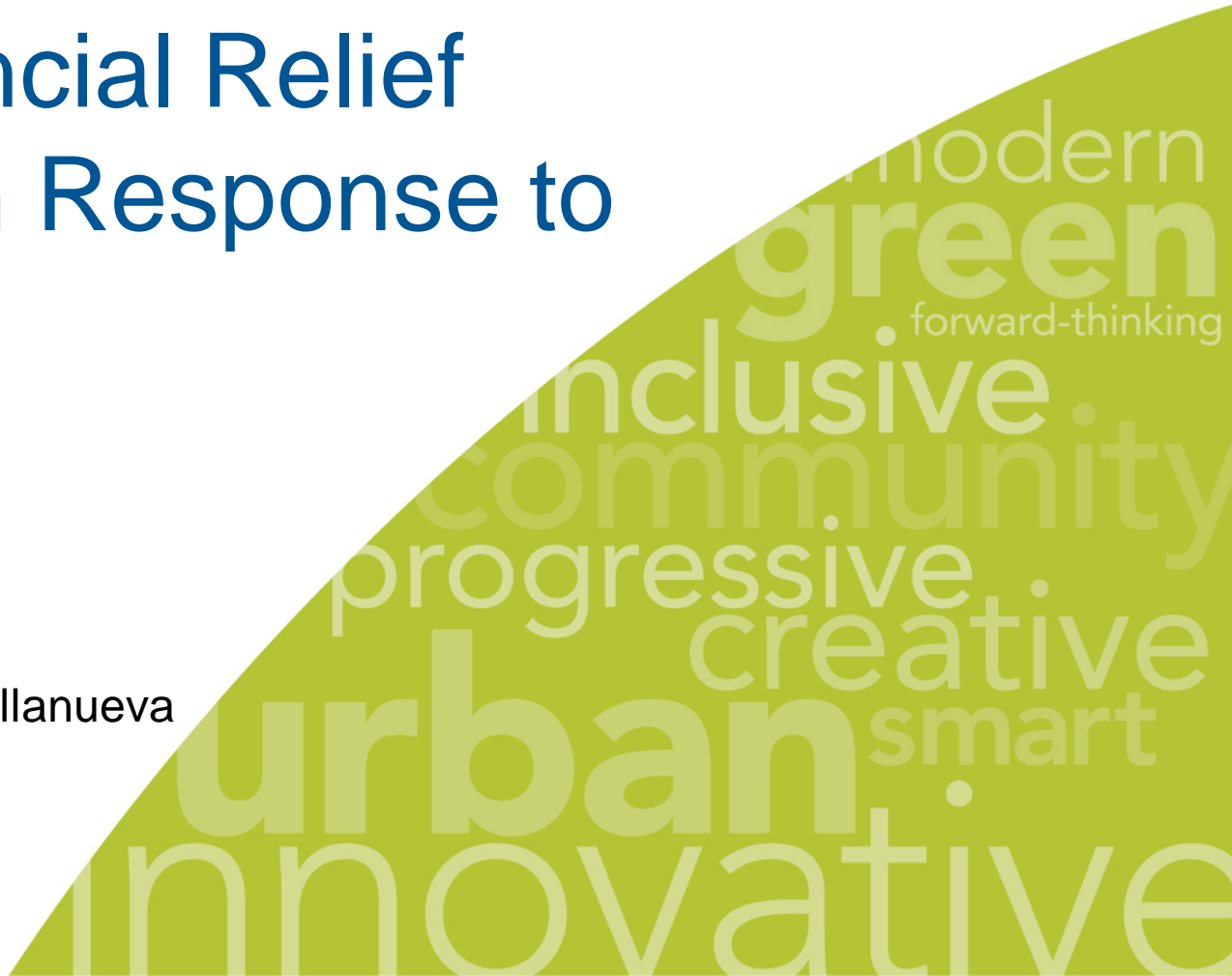
John Taylor, Mayor

Kiran Saini, Deputy Town Clerk

2021 Financial Relief Program in Response to COVID-19

Presenter: Lawrence Villanueva

Date: January 11, 2021



Current Landscape



- Current Financial Relief Program
 - Extended to January 31, 2021
- Pandemic is still in effect in 2021



York Region Municipalities



Municipality	2021 Budgetary Increase*	Extend Financial Relief Program in 2021*
Markham	0% Increase	Yes with modification
King	1% Increase	No current plans
Whitchurch-Stouffville	1.89% Increase	No current plans
Georgina	1.45% Increase	No current plans
Richmond Hill	0.5% Increase	No current plans
East Gwillimbury	0% Increase	No current plans
Vaughan	0% Increase	No current plans
Aurora	1.96% Increase	No current plans

*Information available as of January 1, 2021; may be subject to change



Newmarket's Approach



- 2021 Budgetary Increase of 1.98%
 - Average residential increase of \$43
- Revised Financial Relief Program
 - Effective February 1, 2021



2021 Financial Relief Program



Developed using the following principles:

1. Staff administration cost kept to a minimum
2. Assistance directed to individuals experiencing financial hardship



Relief Program Details

- No interest on unpaid property taxes for eligible residential owners
- Increase property tax rebate to eligible seniors
- Increase residential water/waste water rebate
- \$1,000 water rebate for eligible small businesses



Relief Program Summary

Initiatives	2021	2020	Diff (\$)
Waive Interest for Unpaid Property Taxes	\$800	\$600	\$200
Property Tax Assistance to the Elderly	\$450	\$320	\$130
Residential Water/Waste Water Rebate	\$420	\$354	\$66
Total Assistance Available for Residents	\$1,670	\$1,274	\$396
Provincial Property Tax and Energy Rebate for Businesses	\$8,750	\$0	\$8,750
Water Rebate for Eligible Small Businesses	\$1,000	\$0	\$1,000
Total Assistance Available for Businesses	\$9,750	\$0	\$9,750



Program Funding

- Contingency Reserves
 - Waiving of interest for unpaid property taxes for residential owners
 - Tax assistance to Elderly
- York Region's 0% Water Rate Increase
 - Residential water/waste water rebate
 - \$1,000 water rebate for eligible small businesses



Questions



2021 Financial Relief Program in Response to Covid-19 Staff Report to Council

Report Number: 2021-02

Department(s): Financial Services

Author(s): Lawrence Villanueva, Supervisor, Property Tax and Assessment

Meeting Date: January 11, 2021

Recommendations

1. That the report entitled 2021 Financial Relief Program in Response to COVID-19 dated January 11, 2021 be received; and,
2. That Council approve the 2021 Financial Relief Program, which consists of:
 - i. Waiving Penalty and Interest on Unpaid Property Taxes for Eligible Residential Property Owners until December 31, 2021;
 - ii. Increase Property Tax Assistance to the Elderly from \$320 to \$450;
 - iii. Increase Water and Waste Water Rebate from \$354 to \$420;
 - iv. Water Rebate of \$1,000 for Eligible Small Businesses; and,
3. That Council approve the 2021 Financial Relief Program to begin on February 1, 2021 until December 31, 2021; and,
4. That Council approve a one (1) temporary part-time staff to assist Financial Services Department in administering the Financial Relief Program in 2021; and,
5. That Staff be directed to report back to Council if revisions to the program is required based on resident feedback, new Provincial initiatives or a substantial change in the state of pandemic; and,
6. 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 seek approval for a new Financial Relief Program to replace the current Program. The current Financial Relief Program was approved by Council to be extended until January 31, 2021. As a result, this new program will take effect on February 1, 2021

Background

On April 27, 2020, Council approved a Financial Relief Program for residents and business owners to assist those financially affected by the COVID-19 Pandemic. The relief program was originally set to end on January 1, 2021 but was recently extended to January 31, 2021. Currently, the relief available to property owners are listed below:

- No penalty and interest charges on property tax payments until January 1, 2021
- No penalty and interest charges for late payment of water/wastewater bills until January 1, 2021
- Reducing water and wastewater rates by 4.69 per cent beginning May 1, 2020
- Waiving all Non-Sufficient Fund (NSF) penalties until the end of June 2020
- No penalty and interest charges for all Town accounts receivable including development agreements, leases and sponsorships

In addition to the current Financial Relief Program, the Town of Newmarket provides the following financial assistance to eligible residents:

- Tax Assistance to the Elderly Program; and,
- Water Rebate Program.

Tax Assistance to the Elderly Program

In 2020, eligible low-income seniors receiving the Federal Guaranteed Income Supplement could apply for a tax rebate of \$320 through Newmarket's Tax Assistance to the Elderly Program. In normal circumstances, the tax rebate available for low-income seniors would have been \$326 in 2021. On average, 112 residents apply and receive this rebate annually. This amount is annually adjusted with the budgetary increase – 1.98% for 2021.

Water Rebate Program

Residents/seniors who receive any of the following: Guaranteed Income Supplement or Ontario Disability Support Program or Ontario Works Assistance can apply to receive a monthly rebate of \$29.50 (or \$354 annually) applied directly to their utility bill. Approximately 208 residents applied and received this rebate in 2020. In normal circumstances, the water rebate available for eligible residents would have remained the same at \$29.50 monthly or \$354 annually in 2021.

Discussion

With the current financial relief program assistance set to end on January 31, 2021, staff is proposing to replace the program with a more targeted alternative that will provide assistance to those affected by the pandemic. As a result, staff is proposing the following Financial Relief be available for 2021:

1. Waive Penalty and Interest on Unpaid Property Taxes for Eligible Residential Property Owners;
2. Increase Property Tax Assistance to the Elderly from \$320 to \$450;
3. Increase Residential Water and Waste Water Rebate from \$354 to \$420; and,
4. Water Rebate of \$1,000 for Eligible Small Businesses

1. Waive Penalty and Interest on Unpaid Property Taxes for Eligible Residential Property Owners

As part of the current Financial Relief Program, by waiving penalty and interest charges, all property owners are effectively able to defer paying their taxes until January 31, 2021. Upon further review, staff determined that this current approach is not sustainable. A more targeted approach is necessary to ensure that assistance reaches those severely affected by the pandemic. As a result, staff is proposing an application-based method of waiving penalty and interest on unpaid property taxes until December 31, 2021.

In addition to the change in how penalty and interest is waived (now through an application basis), staff is also recommending that this initiative be offered to residential property owners only. The following addresses the concerns regarding the availability of a similar assistance for tenants and business property owners.

Tenants

Although the Town can waive penalty and interest on taxes for the landlord/property owner, the Town does not have the authority to enforce rent payment reductions on landlords as a result. Applying for Provincial assistance such as the Canada Recovery Benefit (CRB) provides a better alternative for tenants affected by the pandemic.

Business Property Owners

On November 5, 2020, The Province released the *2020 Ontario Budget*, which included a number of measures aimed to support business owners affected by the pandemic.

Examples of assistance available to business owners include:

- Support for Employers in COVID-19 Hotspots. The Province will provide financial assistance to businesses affected by modified stage 2 restrictions (or lockdown). Assistance is extended to property taxes and energy bills (the energy bills covered under this initiative includes Hydro and Gas).
- Reduction of Business Education Tax (BET) rates for eligible businesses
- New Optional Small Business Tax Class – currently under review by York Region

If approved, waiving penalty and interest on unpaid property taxes for eligible residential property owners will take effect on February 1, 2021. Eligible residents can apply to have their penalty and interest waived until December 31, 2021. In order to be eligible, the applicant must:

1. Be a residential property owner in Newmarket;
2. Have suffered reduced hours, job loss or significant loss of income as a result of the pandemic
 - a. Be required to provide documents to support financial hardship (e.g., letter from employer, CRB, CRSB, CRCB or EI eligibility letter); and,
3. Designate one residential property for financial relief

The application form will be made available through the Town's website. Staff is also looking at the possibility of utilizing electronic forms that can be submitted online.

The administration of this program is manually intensive and will require staff to review and approve applications as well as adjust penalty and interest on a monthly basis. Staff anticipates an additional 0.25 of a full-time employee (approximately \$25,000) is required to administer the program.

2. Increase Property Tax Assistance to the Elderly from \$320 to \$450 in 2021

In 2020, low-income seniors who qualified for the Federal Guaranteed Income Supplement were eligible to apply for a property tax rebate of \$320. Since 2015, the number of eligible applicants in the program has stayed relatively the same (average of 112 annually).

The effect of the pandemic on the elder population highlighted the need for all levels of Government to provide support to ensure their well-being. Many, including seniors have to cope with the economic uncertainties of this pandemic. As a result, staff is recommending to temporarily increase the rebate available to low-income seniors by approximately 40% or \$130 in 2021. Effectively increasing the rebate from \$320 to \$450 in 2021.

3. Increase Residential Water and Waste Water Rebate from \$354 to \$420

The Town offers eligible residents a water and waste water rebate if they qualify for any of the following:

- Guaranteed Income Supplement under the Old Age Security Act;
- Support under the Ontario Disability Program; and,
- Ontario Works Assistance

If eligible, the resident can submit an application to the Town for review. In 2020, eligible residents received a credit of \$29.50 per month or \$354 for the year, applied directly to their monthly utility bill.

As part of the 2021 Financial Relief Program, staff is recommending a temporary increase of \$66 or approximately 19% in 2021. Effectively increasing the rebate from \$354 to \$420 in 2021 or \$35 monthly. If approved, eligible residents who qualify for this program will receive a rebate equal to that of their basic monthly meter charge (basic monthly meter charge in 2021 is \$35).

4. Water Rebate of \$1,000 for Eligible Small Businesses

As indicated earlier, the Province of Ontario will be providing property tax and energy bill (e.g., Hydro and Gas) rebates to businesses that are affected by the Provincial lockdown and modified stage 2 measures. Staff recognized that this Provincial initiative falls short in providing a rebate for the water portion of business' utility bills.

As a result, staff is recommending a \$1,000 water rebate directed to Eligible Small Businesses in 2021. This is a temporary rebate available only in 2021. Staff identified approximately 420, Non-residential utility accounts that are eligible for this rebate. For the purpose of this rebate, the eligibility is outlined as follows:

- The utility account must be identified as Non-residential (ICI account);
- Meter size must be less than 2"

Staff is aware that the definition used to define small businesses for the purpose of this rebate is simplified. However, in order to reduce administration costs and to ensure that this assistance reaches as many businesses as possible, staff is recommending the definition above. In addition, this rebate is not limited to property owners only. Eligible Small Business tenants will receive this rebate if the utility account is registered under their name.

Eligible Small Businesses do not need to apply for the rebate. The water rebate of \$1,000 will be applied in ten (10) instalments or \$100 per instalment, directly on the utility bill. Business owners should expect to see a \$100 rebate line item on their utility bill starting February 2021 until November 2021.

Conclusion

Due to the recent announcement from the Province to place York Region under “lockdown” measures, continued assistance to residents and business owners is still necessary in 2021.

In developing the revised Financial Relief Program for 2021, staff adhered to the following principles:

- Administration costs associated with the program must be kept to a minimum; and,
- Assistance must be directed to individuals in need of financial assistance/support

The result is a list of four (4) initiatives to make up the 2021 Financial Relief Program, including the Provincial Property Tax and Energy Rebate for Businesses affected by the Provincial restrictions. These are illustrated in Table A – 2021 Financial Relief Summary.

Table A - 2021 Financial Relief Summary				
Initiatives	2021	2020	Difference (\$)	Difference (%)
Waive Penalty and Interest for Unpaid Property Taxes for Eligible Residential Property Owners*	\$800	\$600	\$200	33%
Property Tax Assistance to the Elderly	\$450	\$320	\$130	41%
Residential Water/Waste Water Rebate	\$420	\$354	\$66	19%
Assistance Available for Residential Property Owners	\$1,670	\$1,274	\$396	13%
Provincial Property Tax and Energy Rebate for Businesses**	\$8,750	\$0	\$8,750	New in 2021
Water Rebate for Eligible Small Businesses	\$1,000	\$0	\$1,000	
Assistance Available for Businesses	\$9,750	\$0	\$9,750	
*Penalty and Interest waived on a single-detached home with a Current Value Assessment (CVA) of \$700,000				
**If the Lockdown/Stage 2 measures continue to be in effect until March 31, 2021, a small commercial property with a 2020 CVA of \$1.3M will receive approximately \$8,750, broken up as follows:				
- Property Tax Rebate of \$5,750 [Property Tax of \$23,000 x (3/12)]				
- Hydro Rebate of \$3,000 [Based on an annual Hydro bill of \$12,000 x (3/12)]				

Staff developed the recommendations for the 2021 Financial Relief Program with information available as of the date of this report. If revisions to the program is required based on resident feedback, new Provincial initiatives or a substantial change in the state of pandemic, Staff will report back to Council with a recommendation.

Business Plan and Strategic Plan Linkages

These measures do not directly support any of Council's stated long-term priorities. The 2021 Financial Relief Program however, meets Council's desire to help residents financially impacted by the pandemic.

Consultation

- Economic Development Staff reviewed and support the \$1,000 Water Rebate available for Eligible Small Businesses
- The Town engaged residents in the 2021 budget process through an online survey that asked residents to rank the budget priorities that are most important to them. Results from the survey showed that residents wanted the Town to continue to maintain all its service levels, while providing more support for local businesses during the pandemic
- Finance Staff will consult with Human Resources Staff to review options of hiring one (1) temporary part-time employee to assist with the Financial Relief Program in 2021

Human Resource Considerations

To assist with reviewing, approving and administration of Waiving Penalty and Interest for Eligible Residential Property Owners, staff is looking for approval for one (1) temporary part-time employee. Finance Staff will work with Human Resources Staff to prioritize hiring from the pool of Town of Newmarket Employees that were laid-off as a result of the pandemic. The cost required is approximately \$25,000.

Budget Impact

To fund the program, staff is recommending the use of the following:

Contingency Reserves

The waiving of penalty and interest on unpaid property taxes for eligible residential property owners and the tax rebate for the elderly will require approximately \$276,500 in 2021. Staff recommends drawing this amount from Contingency reserves. The budget impact which makes up the \$276,500 is illustrated in Table B – Contingency Reserve Draw.

Table B – Contingency Reserve Draw		
Impact to Budget	Effective	Amount
2020 Financial Relief Program extension to January 31, 2021	January 31, 2021	\$83,000
2021 Financial Relief Program – Waiving of Penalty and Interest on Unpaid Property Taxes for Eligible Residential Properties	February 1, 2021 to December 31, 2021	\$180,000
2021 Financial Relief Program – Property Tax Assistance to the Elderly	February 1, 2021 to December 31, 2021	\$13,500
Total Budget Impact in 2021		\$276,500

Region's Water Increase Announcement of 0% for 2021

The Regional Municipality of York supplies water to the Town and treats the Town's wastewater. The Town anticipated a 2.9% increase in fees for 2021. As a result, the increase was built into the budget. However, the Region waived the increase for 2021, which resulted in a savings of up to \$500,000. Town staff is proposing to use the savings to fund the water rebates available to residents and eligible small businesses.

- The Water/Waste Water Rebate for residential properties will cost approximately \$85,000. With a current budget of \$75,000 for 2021, the impact to the Town is \$10,000
- The \$1,000 Water Rebate for Eligible Small Businesses is a new, temporary initiative for 2021. As a result, there is no budget set for this rebate. The financial impact to the Town is estimated to be \$420,000 (Rebate of \$1,000 x 420 Eligible Small Businesses)

The Region's recent announcement to waive the water rate increase provides savings of up to \$500,000 in 2021. As a result, this amount does not affect the budget for 2021.

Attachments

None

Approval

Mike Mayes, CPA, CGA, DPA
Director of Financial Services

Esther Armchuk, LL.B
Commissioner, Corporate Services

Jag Sharma
Chief Administrative Officer

Contact

Lawrence Villanueva, AIMA

Supervisor, Property Tax and Assessment, lvillanueva@newmarket.ca (ext. 2143)



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

2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan Staff Report to Council

Report Number: 2021-01

Department(s): Legislative Services

Author(s): Jaclyn Grossi, Legislative Coordinator

Meeting Date: January 11, 2021

Recommendations

1. That the report entitled 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan dated January 11, 2021 be received; and,
2. That the 2020 Accessibility Status Update (**Attachment A**) be approved; 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 for Council to approve and adopt the 2020 Annual Status Update to the 2019-2023 Multi-Year Accessibility Plan.

Background

Ontario municipalities are required to establish, implement, maintain and document a Multi-Year Accessibility Plan and provide annual updates on the plan's progress through the Integrated Accessibility Standards Regulation (IASR) standard. Council approved the current 2019-2023 Multi-Year Accessibility Plan at their [Council Meeting on October 21, 2019](#), and this report serves to provide the 2020 annual status update to the current multi-year plan.

Discussion

The Town of Newmarket is committed to creating an accessible environment by removing barriers for people of all abilities in our community. This includes Town staff, community and business partners, residents and visitors.

This annual status update was developed with input from staff across the entire Corporation, and the Newmarket Accessibility Advisory Committee (AAC). The update is broken down by each department in the Corporation to highlight the work they have completed in 2020, and features a section on the annual accomplishments of the AAC.

This year was unique due to the unforeseen COVID-19 pandemic which underscored the value and need for implementing accessibility enhancement projects. Newmarket Council led by example in 2017 when it adopted the Electronic Participation in Meetings Policy for the Accessibility Advisory Committee. While the Committee Members did not use this Policy because of the legislative restrictions regarding quorum and some technical challenges, the processes adopted by the Town for remote meetings has now provided the Committee with an opportunity to fully participate in electronic meetings.

Attachment A details many other additional accessibility enhancements that the Town implemented in 2020 that were new or not contemplated and were a direct result of the pandemic.

Conclusion

As required by the IASR, staff will post the Council approved 2020 Status Update on the Town's website following Council approval.

Business Plan and Strategic Plan Linkages

This report aligns with Council's Strategic Priority pillar regarding Extraordinary Places and Spaces (priority focus on Mulock Property): Creating an environment for an engaged, accessible and inclusive community, and highlights a list of projects across the Corporation which align with all six pillars of Council's Strategic Priorities. The report also aligns with the Town's vision of being a community that is Well Beyond the Ordinary.

Consultation

Staff from various departments were consulted in the development of the 2020 Accessibility Status Update, primarily through the Accessibility Working Group who were involved in the development of the 2019-2023 Multi-Year Accessibility Plan as well.

The Newmarket Accessibility Advisory Committee was consulted and provided input, and endorsed the 2020 Accessibility Status Update at their November 19, 2020 meeting.

Human Resource Considerations

There are no Human Resources considerations related to this report.

Budget Impact

Costs to implement requirements of the Multi-Year Accessibility Plan will continue to be addressed by the various responsible departments.

Attachments

Attachment A - 2020 Accessibility Status Update

Approval

Kiran Saini, Deputy Clerk

Lisa Lyons, Director of Legislative Services/Town Clerk

Esther Armchuk, Commissioner, Corporate Services

Ian McDougall, Commissioner, Community Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Jag Sharma, Chief Administrative Officer

Contact

For more information on this report, please contact Jaclyn Grossi, Legislative Coordinator at 905-953-5300 extension 2207 or via email at jgrossi@newmarket.ca

Questions about the individual projects completed within **Attachment A** should be directed to the applicable department.

Multi-Year Accessibility Plan

Equal Opportunity | Integration | Independence | Dignity



Newmarket

2020 Annual Status Update

A Message from Newmarket Council

The Town of Newmarket is dedicated to continuous improvement regarding accessibility and meeting the needs of our community. Council is pleased to present the 2020 Accessibility Status Report. The Town continues its efforts to improve its services, facilities and programs in order to encourage accessibility for everyone that lives in and visits Newmarket.

We will continue to work with Newmarket's Accessibility Advisory Committee, staff, and other community partners to enhance and foster an inclusive community that meets the needs of people with disabilities in the Town of Newmarket and supports the vision of the Town of being a community 'Well Beyond the Ordinary'. This vision was re-established with the 2018-2022 Strategic Pillar "Extraordinary Places and Spaces" which seeks to create the environment for an engaged, accessible, inclusive community.

A Message from the Newmarket Accessibility Advisory Committee

The Town of Newmarket's Accessibility Advisory Committee's goal is to encourage and facilitate accessibility for all persons with disabilities in the Town of Newmarket by providing advice, recommendations and assistance to Council and staff to develop and facilitate strategies for the identification and elimination of barriers for citizens with disabilities. We are pleased to be provided with the opportunity to act on the community's behalf by advising Council on a number of key initiatives that support achieving an accessible Newmarket. The 2020 Accessibility Status Report demonstrates the work that has been completed to identify and remove barriers in accordance with the Accessibility for Ontarians with Disabilities Act (AODA).

The Newmarket Accessibility Advisory Committee is honoured to continue to support the Town of Newmarket in implementing and achieving the goals of the Multi-Year Plan and the vision of a community that we all can be proud of, and that is 'Well Beyond the Ordinary.'

We invite your comments, participation and commitment to assist the Town of Newmarket in achieving a fully accessible community.

Accessibility Advisory Committee Members

Jeffrey Fabian, Vice Chair

Steve Foglia, Chair

Cindy Gorlewski

Felim Greene

Linda Jones

Allen Matrosov

Patricia Monteath

Councillor Grace Simon
Huma Tahir

Accessibility Advisory Committee Staff Support

Kiran Saini, Deputy Clerk
Pat McIntosh - Recreation Programmer, Seniors & Special Needs
Jaclyn Grossi, Legislative Coordinator

Accessibility Advisory Committee Update

The Newmarket Accessibility Advisory Committee continues to provide valuable advice and feedback to Council and staff, in addition to participating in various accessibility related activities. In 2020, the Accessibility Advisory Committee has:

- Consulted, reviewed plans and provided recommendations for the initiatives and projects which include the following:
 - Stickwood Walker Farmhouse
 - Patterson Sidewalk
 - North West Quadrant Trail System Design Concepts
 - Electric Vehicle Parking
 - Fairy Lake Accessible Washrooms
- Conducted an audit of the entrances and exists to storefronts on Main Street in the Town of Newmarket, with a goal to make Main Street accessible for all.
- Reviewed Site Plan applications and provided recommendations on accessibility related conditions to staff.
- Participated in the annual National AccessAbility Week Celebrations virtually through recorded interviews and videos.
- Consulted with external partners and provided assistance with the Upper Canada Mall accessible washroom renovations.
- Provided recommendations for the downtown parking analysis and reviewed planned short-term, medium-term and long-term options.
- Continually reviewed Federal and Provincial grant opportunities related to accessible projects.
- Worked with businesses in the Town of Newmarket to increase accessibility at the entrances and exists to stores.
- Reviewed plans to use the MobiMats for outdoor Town-led events to increase accessibility for all residents.
- Provided recommendations regarding accessible van parking signage surrounding Riverwalk Commons and Fairy Lake.
- Provided advice on the Town of Newmarket's annual Accessibility Plan update
- Provided ongoing public awareness of accessibility.

Barrier Identification Update

Initiatives have taken place in the Town of Newmarket to identify, remove and prevent barriers to persons with disabilities. These actions are identified in past Accessibility Plans which are available on the Town of Newmarket website, newmarket.ca/accessibility.

Actions Completed in 2020

Central York Fire Services

- Station 4-1
 - Front ramp, curbs, and walkway were renovated in 2019/2020 to provide easier access at the front of the station for all.
 - Currently in the design phase for renovations for the crew quarters and Fire Prevention/Public Education areas. The need for the AODA to be at the forefront of the project has been highlighted for the design firm as they initiate their process.
- Station 4-2
 - Parking lot has been updated to add additional spaces, as well as changes to the accessible parking spots to provide better access to the main entrance of the station.

Corporate Communications

- Continued to train and provide assistance to departments who were uploading content to the corporate website to ensure it met the WACG.2.0 and AODA website/communication requirements.
- A program called Site Improve was used to ensure broken links, alt text for images, description for hyperlinks were included on the website and fixed if required to ensure accessibility needs are met.
- When designing publications / documents for the website and for public distribution, the accessibility guide was followed to ensure the fonts used, size of text, colours and graphic etc. were designed with accessibility in mind. For example, the most recent Asset Management Plan was designed with accessibility in mind to ensure the bulk of the report was able to be scanned with optical character recognition (OCR) and made accessible as opposed to creating a fully designed report that may cause issues during the accessibility conversion process. If required, text versions of corporate publication can be provided upon request.
- Begun to create signage with language barriers in mind. For example, using universal graphics to communicate the message as opposed to only using text. This style of design can be seen in our COVID-19 messaging when communicating mask, hand washing and capacity limit requirements.

Engineering Services

- Tom Taylor Trail
 - Completed new bridge Installation and installed new trail to separate vehicular traffic from non-vehicular traffic.
 - Slopes, Rest areas as per AODA.
- College Manor Trail, Concession Street Trail/Bridge
 - Completed paving of trails to provide slopes, rest areas as per AODA, where topography allows.
- Arkinstall Splash Pad
 - Constructed Wheelchair accessibility throughout and spray features designed for wheelchair use.
 - Design Consultant hired 'Design Able' as a consultant to help design from an accessibility perspective.
 - Constructed accessible pads for wheelchairs beside most benches.
- Patterson Street Watermain Replacement - Reconstructed 1.35m sidewalks with 1.5m sidewalks from Irwin Crescent to Davis Drive.
 - Tactile Walking Surface Indicators (TWSI) placed at intersections.
- Timothy Street and Cedar Street intersection improvements and parking lot paving.
 - Replaced existing sidewalk at the intersection (1.2m or less) with 1.5m AODA compliant sidewalks (with TWSI) and installed new sidewalk through parking lot entrance.
- Resurfacing Projects – Completed sidewalk repairs to eliminate trip hazards and installed TWSI on Sandford Street from Mulock Drive to William Roe Boulevard, William Roe Boulevard from Yonge Street to Sandford Street, Dixon Boulevard from William Roe Boulevard to Eagle Street, Eagle Street from Yonge Street to Lorne Avenue.
 - AODA compliant public notices, construction corners and public communications: Capital Department has ensured that all the public notices, construction corners and public communications formats and contents are AODA compliant.
 - AODA compliant projects' websites and web content: Capital Department complies with AODA requirements (font size, contrast, image, etc.) when designing print and digital materials for the Town's website.
- Accessibility Advisory Committee (AAC) Consultation
 - Consulted the AAC on North West Quadrant Phase 5 Trail project with respect to design challenges to meet grades and rest areas.
- Road and sidewalk construction projects (Longford Drive, Willow Lane, Niagara, Simcoe Street, Lorne Avenue) being designed to ensure AODA compliant sidewalk widths, grades and include TWSI plates.
- New sidewalk being designed on Cody Crescent from Armitage Drive to Cul-de-sac and on Lorne Avenue west side from Calgain Road to Millard Avenue.
- Sidewalk on both sides of the Queen Street Bridge over the CN Tracks is being designed to widen to 1.5m minimum width.

- Feasibility consultant has been selected for the proposed Mulock Multi-Use Path (MUP) from Harry Walker Parkway to Yonge Street.
- Bathurst /Davis MUP is being designed to provide connection from Bulmer Crescent to Woodspring Avenue.
- Constructed Harry Walker Parkway, east side new sidewalk (1.5m to 1.8m width).
- Painted 'Ladder' Crossings at various controlled intersections throughout Town for contrast for low vision users and to delineate intersection crossing limits for drivers.
- Constructed AODA Pathways were to playground areas at National Homes Park and Glenway Park.

Human Resources

- Accessible Forms
 - Reviewed Town of Newmarket forms from a Diversity and Inclusion lens, which includes reviewing them from an accessibility standpoint.
- Reviewed all new and revised policies for accessibility compliance.

Information Technology

- Initiated a photocopier replacement program for the Corporation and evaluated each replacement option on accessibility features.
- Implemented tap contactless payment processing.
- Assisted with the Newmarket Remote Participant Project for electronic Council and Committee meetings with various vendors.
- Implemented a digital attendance timesheet and I-Heart-It modifications.
- Facilitated various upgrades and software purchases to fulfill the urgent need for work from home requirements, which created a more accessible working environment for staff.
- Continue to work on developing and launching a live chat feature for staff.
- Geographic Information System (GIS)
 - Initiated the replacement of the remote meeting platform used by the Corporation to enable remote meetings internally and externally.
 - Launched the online COVID-19 Public Self-Assessment Tool to enable paperless and contactless public screening at town facilities.
 - Implemented a corporate wide online COVID-19 Self-Screening Tool with supervisor dashboard access providing real time staff check-in status, work location and close contact information.
 - Developed the Council Strategic Dashboard public website with the inclusion of alternative text and AODA accessibility compliance.

Innovation and Strategic Initiatives

- Performance Reporting
 - Developing online digital dashboards related to the execution of Council's 2018-2022 Strategic Priorities to improve communications with all community members and to enhance performance reporting.

For example, current practices use both stop light colours (green, red and yellow) and symbols to indicate the status of priorities to ensure fairness of access to information to differently abled members of the community on the status of initiatives. Any new digital dashboards are being designed to accessibility standards for readability by all.

- Grants
 - Continued corporate support for grant funding applications which serve to improve accessibility of Town facilities and playgrounds through both the physical environment and program experiences of participants. The intent of the applications is to assist to accelerate planned capital projects that remove barriers to accessibility. In 2020, grant dollars received through the New Horizons for Seniors Program funded virtual, online seniors fitness classes for all levels of abilities during the “COVID – Lets Stay Connected” Campaign.
- Policy
 - Corporate support for new policy using the new document formats, applying a plain language approach for improved clarity, simplicity, transparency, and readability for all employees. Providing support to Human Resources to convert existing employment related policies to new policy and procedure document templates in compliance with AODA legislation requirements.

Legislative Services

- Launched virtual Administrative Monetary Penalty System (AMPS) Hearings for increased accessibility through remote participation, and public attendance.
- Meeting Management Solution
 - Continued implementation of a meeting management solution which produces accessible HTML-based agendas and minutes.
 - Live-streamed Council and Committee of the Whole meetings are equipped with closed captioning.
 - Archived videos are bookmarked to agenda items for increased ease of access to video recordings.
 - Continued review of report templates for increased accessibility.
- Electronic Meetings
 - Implemented electronic Committee of the Whole, Council and local Committee and Board meetings to allow for remote participation, and public attendance.
 - Increased access to meetings electronically through an online audiovisual platform.

Newmarket Public Library

- Following appropriate safety protocols per COVID-19 guidelines, ensured the set-up of Library when opening to customers for limited services, provided proper customer flow and maintained accessibility requirements.
- Library programs moved to a virtual platform which has been successful, and programs well attended. The Library will continue to offer programs virtually giving broader access to the community to participate in Library programs.
- Parking lot wheelchair accessibility improved with expanded ramp to sidewalk.
- Installation of AODA compliant emergency communication device in elevator completed. Device is hands free and enables communication between persons inside the elevator cab and a monitoring service.
- Launched online membership. Applicants can now securely attach proof of ID/address to an online form, therefore they do not have to be in the library to complete the application process. New registrants are emailed their card number and the physical card is mailed to them. Registrants no longer need to physically come into the Library in order to get a library card or renew their library card.
- Exterior doors replaced with automatic sliding door for full accessibility. Interior door adjusted for greater accessibility with removal of divider bar.

Planning & Building Services

- Continue to participate in accessibility training as part of the professional certifications.
- Site Plan Review
 - Continued to present on the Town's development processes to the Accessibility Advisory Committee (AAC) and made plans available to the AAC for review.
 - Endeavoured to ensure that all sites comply with the Design of Public Spaces Standard (DOPS) and municipal standards for accessibility throughout the Site Plan process.
 - Continued to collaborate with the AAC to enhance their role in the Site Plan Review process by engaging them as a review partners and ensuring response to their comments and concerns are provided by applicants.
- Continue to review the Town's zoning by-laws to ensure that AODA standards are integrated and that less-accessible standards are replaced.
 - Implementing the Urban Centres Secondary Plan Zoning By-law including updated accessibility standards therein.
- Intends to participate in additional training in the IASR DOPS for Planning and Building staff.

Procurement Services

- Continues to offer an online bids and tenders bidding solution that is AODA compliant.
- Collects accessibility information from client groups with the pre-bid form required to initiate the competitive process.

Public Works Services

- Initiated a review of the Tom Taylor Trail for design and multi-use improvements.
- Ray Twinney Recreation Complex Lounges – New service/bar counters installed to incorporate AODA and barrier-free design.
- Ongoing program for upgrading park washrooms to current Ontario Building Code barrier-free requirements and AODA standards.
- Ongoing discussion and review of current accessibility features in buildings.
- Identified, through conducting regular building walk-throughs of the various buildings in our portfolio, areas for improvement to increase accessibility such as providing barrier free paths of travel and accessibility in washrooms (fixtures, push buttons, accessories) where possible.
- Conducted monthly checks of working condition of automatic door operators and other motorized accessibility features.
- Continued to present upcoming projects and received feedback from the Accessibility Advisory Committee (AAC) in the early stages of projects as an opportunity to improve accessibility and incorporate best practices. This included receiving, evaluating and implementing where possible suggestions from the general public relative to accessibility in the buildings. Some examples of this consultation includes the following:
 - College Manor Park washroom renovation is currently underway.

Recreation & Culture

- A virtual forum was hosted for National AccessAbility Week Celebrations. It included recorded interviews of members of the community speaking about the importance of Accessibility in our community. Additional links to resources and promotion of awareness of AODA completed the virtual platform. <https://www.newmarket.ca/naaw>
- Installation & design of *Newmarket Community Living Room* intentionally made space for up to 2 wheelchairs to join the conversation.
- Seek n' Search summer park pop ups provided two accessible activities at each park.
- Full scale scavenger hunt and an "in pace" hunt, allowing for participation of all abilities.
- Use of graphics to assist in identifying scavenger items.

- Through the pandemic, staff contacted members of our Seniors Meeting Place and also past program participants (some with disabilities) via weekly Zoom chats. This includes providing some instruction for Zoom accessibility.
- Staff prepared mobile sensory activity space camp programs. This may be used as a set up with special events to provide a break from potentially overwhelming/overstimulating activities.
- The mobile equipment included 2 dark room shelters with light cubes, sensory building blocks and manipulatives, bean bag chairs, headphones.

Plans for the Removal of Barriers from 2020 Onward

Information and Communication Standard

- The Human Resources training module will be reviewed again in 2021 and updated as needed.
- The Corporate Communications department continues to review its accessibility process pieces and accessibility guides to ensure they remain updated and in line with regulations. New staff members continue to be trained and current staff members re-trained to ensure staff members recognize the importance of accessibility for all. All communications pieces are also review by the Corporate Communications department from an accessibility lens.

Design of Public Spaces Standard

- Re-design the exterior, concrete apron at Old Town Hall to include and address accessibility.
- Ray Twinney Recreation Complex pool change rooms renovation to incorporate AODA and barrier-free design (design underway/construction pending budget approval).
- Ray Twinney Recreation Complex lobby and common areas renovation (pending budget approval).
- National Homes/Kingsmere Trail
 - Asphalt Paving of open space to allow access from Kingsmere sidewalk to new Park
- Breathing Space/Haskett Trail
 - Slopes, rest areas, widths as per AODA
 - Handrails and surfaces as per AODA
 - Wheelchair accessible Picnic tables and seating areas
- Lorne Ave Reconstruction Project (2020/2021 Construction):
 - Existing sidewalks on both sides are 1.2m or less. 1.5m and 1.8m at school will be AODA compliant sidewalks on both sides of the road have been incorporated into the design.
 - Tactile Walking Surface Indicators will be installed at all intersections
- Millard, Church and Elm Road Reconstruction Project (2023 Construction):

- Existing sidewalk on both sides are 1.2m or less. 1.5m AODA compliant sidewalks on both sides of the road have been incorporated into the design.
 - Tactile Walking Surface Indicators will be installed at all intersections
- Mulock Property
 - Continue to refine design concepts for the Mulock Farmhouse and property with accessibility incorporated into all aspects of the plan.

As outlined in this Status Report, many initiatives are underway with more anticipated to be completed in the future. The Town of Newmarket will continue to identify and remove barriers in order to create accessible spaces and services that everyone can use. Newmarket is committed to moving forward and ensuring that the town continues with its commitment to being a community '**Well Beyond the Ordinary**'.



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Regulatory Services Review During COVID-19

Information Report to Council

Report Number: INFO-2020-39

Department(s): Legislative Services

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

Distribution Date: December 23, 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 present Council with a modified project plan in relation to regulatory projects identified to come forward on the Outstanding Matter List. This report also provides Council with additional information in relation to a recent request from Town staff to allocate approximately \$80,000 for increased enforcement initiatives relating to COVID-19 throughout the Town of Newmarket.

Background

On March 17, 2020, the Province of Ontario declared a state of emergency pursuant to the Emergency Management and Civil Protection Act ("EMCPA") for the novel Coronavirus 19 ("COVID-19").

On March 18, 2020, the Corporation of the Town of Newmarket ("Town") declared a local state of emergency.

Orders continue to be enacted by the Province through provincial legislation to prohibit and regulate certain activities in the interest of public health and safety. All provincial legislation relating to COVID-19 has been amended to empower municipal enforcement officers to enforce the rules established by the province and regional public health authorities.

On April 27, 2020, Town Council adopted [Emergency Measures By-law 2020-20](#) to further support provincial and public health guidelines. This by-law further empowers municipal enforcement officers to enforce provincial and public health regulations through the Town's Administrative Monetary Penalty System (AMPS) model rather than through the provincial court system, where service delivery timelines remain significantly impacted by the pandemic.

Throughout the COVID-19 pandemic, Town municipal enforcement officers have been redeployed on several instances to meet the needs of an unpredictable and ever-changing environment. Town staff recognizes the importance of flexibility and adaptability in shifting educational and enforcement strategies abruptly in order to align with evolving provincial and public health requirements. In conjunction with adapting to redeployment requirements relating to COVID-19, municipal enforcement officers have also been responsible for their day-to-day responsibilities, including parking, property standards, and business licensing administration and enforcement.

With recent, stronger emphasis placed on educational and enforcement initiatives relating to COVID-19 throughout York Region, Town staff are requesting additional resources be provided to the Regulatory Services Division to support COVID-19 mitigation efforts. In addition to this request, Town staff has also reviewed the Outstanding Matters List to recommend amendments to the existing project plan timelines for bringing matters forward to Council for consideration in 2021.

Discussion

Additional resources relating to COVID-19

On December 7, 2020, at a regular Committee of the Whole meeting, the Town's Treasurer presented the [Draft 2021 Operating and Capital Budgets Report](#). During his presentation, the Treasurer spoke to a proposed amendment for the Town's Regulatory Services Division to request additional resources of approximately \$50,000 to \$100,000. This amount would directly support educational and enforcement initiatives relating to COVID-19. Town staff would like to present Council with a summary of the proposed additional resources, as provided below.

Contract Two Part-time Overnight Parking Officers

As municipal enforcement officers continue to be redeployed for matters relating to COVID-19, they are also being asked to simultaneously remain responsible for their regular full-time duties, including proactive and reactive enforcement of overnight winter parking restrictions. Town staff has recognized a gap in available staff resources to balance overall community expectations and the Regulatory Services Division has not been able to fill shift vacancies using the current compliment of staff resources available. As community expectations for enforcement continues to grow, the Regulatory Services Division is proposing a temporary operational restructure as follows:

- Council to authorize hiring two part-time parking officers for the purpose of enforcing overnight winter parking restrictions;
- These two proposed positions will incur a total estimated cost of **\$15,120** over a 4 month duration; and
- These positions will only be required while winter parking restrictions remain in effect until April 15, 2021.

By implementing two part-time parking officers with a sole focus on overnight parking restrictions, regular fulltime municipal enforcement officers can be better utilized to educate and enforce all COVID-19 regulations. Emphasis will be placed on scheduling fulltime municipal enforcement officers to work both day and afternoon shifts to increase response rates for ongoing complaints received in relation to COVID-19. By offsetting night shift requirements of fulltime staff with two temporary part-time positions,

the community will also experience increased service levels and response rates for calls relating to COVID-19, as well as daytime roles and responsibilities relating to parking enforcement.

Redeploy 8 Part-time Recreation and Culture Staff into Regulatory Services

Regulatory Services has recently formed an internal COVID-19 Response Team to focus on educational and enforcement initiatives relating to business protocols and requirements. The formation of this team directly relates to increased and expanded expectations for municipal enforcement initiatives across York Region. A large focus of this team involves conducting proactive inspections of businesses to verify compliance with all provincial and public health restrictions imposed. It is relevant to note that this team has proactively inspected 95 businesses from November 27–December 8, 2020. Initial feedback from the team has recognized that most businesses inspected will require additional re-inspections to verify compliance. Re-inspections not only add to existing workload demands, but also negatively impacts staffing availability to conduct new proactive inspections of businesses to monitor and verify compliance.

The Regulatory Services Division is requesting 8 part-time recreational staff be redeployed to the COVID-19 Response Team to provide additional assistance as follows:

- Conduct initial inspections of businesses in plain clothes to identify what violations exist, if any;
- Observe and report any businesses of concern to the COVID-19 Response Team for follow up;
- Proactively educate local businesses on the rules and regulations and verify that all businesses have developed and posted a safety plan, as required by the Province;
- Provide greater assistance to local business owners by being readily available to help them with any questions relating to their safety plan and other protocol requirements;
- Review and contact businesses that have received a verbal/written warning to reiterate that a follow up inspection will be conducted to verify compliance; and
- Assist the COVID-19 Response Team with any administrative responsibilities to streamline an overall approach for better utilizing enforcement staff resources accordingly.

A compliment of enforcement and regular staff will significantly alleviate pressure on municipal enforcement officers by allowing Town staff to develop a streamlined approach to both education and enforcement initiatives relating to COVID-19.

Projects Plan – Outstanding Matters List

Due to the COVID-19 pandemic and the necessity to shift resources for focus on educational and enforcement initiatives pursuant to provincial legislation, several projects identified on the Town's Outstanding Matters List and presented during the Regulatory Review Workshop on March 25, 2019 are now delayed. These projects will require further consideration as to the appropriate timelines to proceed forward as we continue to navigate through a pandemic environment. Legislative Services' staff has identified several projects as either delayed or subject to being potentially delayed in 2021.

Tables 1 and 2 (see below) provides a list of projects and their original timelines, in addition to Town staff's recommended amendments for new timelines being proposed as follows:

Delayed Projects in 2020	Current timeline to be brought forward to Council	Newly proposed timeline to be brought forward to Council
Hawkers & Peddlers By-law	Q2 2020	Q1 2022
Body Rub Parlours By-law	Q4 2020	Q2 2021
Personal Service Shops By-law	Q4 2020	Q2 2021

*Table 1 – delayed projects from 2020.

Identified Projects in Q1 2021	Current timeline to be brought forward to Council	Newly proposed timeline to be brought forward to Council
Tobacco Retail Sales By-law	Q1 2021	Q4 2021
ADUs: Increased Enforcement Options for Rentals (Information Report to Council)	Q1 2021	Q1 2021
Residential Parking Review	Q1 2021	Q3/Q4 2021
30min Parking on Main St (Information Report to Council)	Q1 2021	Q1 2021
Animal Control By-law – Phase II	Q1 2021	Q3/Q4 2021
Success of AMPS Model (Information Report to Council)	Q1 2021	Q2 2021

*Table 2 – projects previously identified to come forward in Q1 2021.

Operational changes for responding to complaints

Upon completing a review of all complaints received within the last two years, Town staff has recognized enforcement challenges directly relating to multiple complaints filed through the Town's Customer Services Department. Historically, the Town has accepted multiple formal complaints from residents at one time. This includes accepting long lists of various properties throughout Town with like-issues. For example, a resident may make a formal complaint against ten different properties for recreational vehicles parking in residential driveways. A more recent example includes one resident lodging 29 formal complaints against properties that may have unlawfully widened their driveways.

While there is validity to these formal complaints regarding a breach to Town by-laws, upon further review, Town staff has identified that nearly all of the multiple complaints received by one resident are a direct result of:

- the resident having been in violation of the same offence, themselves, and now filing several complaints for like-issues throughout the community; or
- the resident was not in violation of a similar offence, however, the multiple addresses being reported for by-law violations are found to have no direct impact to the resident lodging the formal complaint.

Both instances are problematic for various reasons. Most significantly, multiple complaints lodged have a direct impact on staff resources and the availability of staff to prioritize complaints where violations have a negative impact on neighbours or the neighbouring community. It is also relevant to note that, by allowing residents to file multiple complaints against multiple properties without proper justification for doing so, there are also negative consequences to residents within our community. For example, if a resident makes a formal complaint for multiple properties that have widened their driveways unlawfully, there are substantial costs incurred by the property owners to remediate the violation. While Town staff recognizes that identified violations should be remediated, they also want to ensure that all residents are treated fairly and are not being asked to perform work without demonstrated negative impacts to neighbouring properties or on the basis of legitimate concerns identified.

In an effort to provide enhanced customer service to all residents within the Town of Newmarket, Town staff will be amending internal practices and procedures relating to multiple complaints received by residents as follows:

- All formal complaints received by the Town will continue to be documented and input into the Town's CRM complaint software;
- Residents that wish to make a formal complaint against a property must not have any open investigation files against them. If there is an open file against this resident, they will be advised that the formal complaint will be received and responded to only after they, themselves, are fully compliant with any outstanding by-law contraventions on record;
- If multiple complaints are received by the Town for more than one property/location, the resident will be asked subsequent questions to verify one or more of the following criterion:
 - The alleged violation directly impacts a neighbouring property or a resident located on the same street/block;
 - The alleged violation poses a risk to health and safety. In this instance, there are no locational requirements to be fulfilled: health and safety complaints will always be received by the Town for immediate follow up; and
 - The alleged violation is unsightly and presents negative impacts to the Town as a whole. In this instance, matters such as garbage or debris will be accepted, as there are demonstrated impacts to the Town's overall appeal.

If a resident's list of property complaints do not meet the standards of demonstrating some form of negative impact, the resident will be notified that their complaint will be documented, however, the Town will screen these types of complaints to determine overall validity based on the criterion provided

above. Clear communication will be provided to any residents that contact the Town to make multiple formal complaints to inform them of this new process.

Conclusion

Town staff are recommending additional resources be provided to the Regulatory Services Division, as highlighted in the 'Discussion' section of this report. The overall recommendation would equate to 2 temporary part-time overnight parking officers and 8 part-time redeployed staff from the Town's Recreation and Culture department. These additional resources would significantly improve Regulatory Services' ability to manage the demands and expectations in relation to COVID-19 and educational and enforcement initiatives across York Region.

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 community. The wellness of our community has at all times been first and foremost in the actions taken to date.

Consultation

Consultation with the Town's Director of Recreation and Culture has occurred to confirm availability to provide eight part-time staff for redeployment into Regulatory Services for a duration of six months.

Consultation with the Town's Treasurer to capture this request under the 2021 Draft Budget for approval by Town Council has also been completed.

Human Resource Considerations

Two temporary part-time overnight parking officers will be added to the compliment of existing Regulatory Services staff. These two positions will be under contract for approximately four months in length, up until April 15, 2021, when seasonal overnight parking restrictions end for the Town.

Budget Impact

With the approval of two temporary part-time overnight parking officers, total budget impact for 2021 is approximately **\$15,120** over a four-month duration.

With the redeployment of eight part-time recreational staff, total budget impact for 2021 is approximately **\$61,440** over a six-month duration.

A total cost of approximately **\$76,560** is anticipated and these funds are being proposed and allocated through the Draft 2021 Budget approval process for Council's consideration.

Attachments

None.

Contact

Flynn Scott, Manager of Regulatory Services, Legislative Services

fscott@newmarket.ca

Approval

Lisa Lyons, Director/Town Clerk, Legislative Services

Esther Armchuk, Commissioner, Corporate Services



Town of Newmarket

Minutes

Heritage Newmarket Advisory Committee

Date: Tuesday, September 1, 2020

Time: 7:00 PM

Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Billie Locke, Chair
Councillor Bisanz (7:24 PM - 7:52 PM)
David McLennan
Mitch Sauder
Joan Seddon

Members Absent: Gord McCallum, Vice-Chair
Norman Friend

Staff Present: P. Cho, Planner
A. Walkom, Legislative Coordinator

The meeting was called to order at 7:03 PM. Billie Locke in the Chair.

- 1. Notice**
- 2. Additions & Corrections to the Agenda**
None.
- 3. Conflict of Interest Declarations**
None.
- 4. Presentations/Deputations**
None.
- 5. Approval of Minutes**

5.1 Heritage Newmarket Advisory Committee Meeting Minutes of March 3, 2020

Moved by: David McLennan

Seconded by: Joan Seddon

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of March 3, 2020 be received.

Carried

6. Correspondence

None.

7. Items

7.1 Designation Report - 17250 Yonge Street (York Region Administrative Centre)

The Planner provided an update on the designation process of the York Region Administrative Centre located at 17250 Yonge Street. The Committee discussed the content of the heritage designation report.

Moved by: Joan Seddon

Seconded by: Mitch Sauder

1. That the Heritage Newmarket Advisory Committee support the designation of 17250 Yonge Street (York Region Administrative Centre).

Carried

7.2 Designation Report - Newmarket Canal System

The Planner provided an update on the designation process of the Newmarket Canal System. The Committee discussed the content of the heritage designation report.

1. That the Heritage Newmarket Advisory Committee support the designation of the Newmarket Canal System.

7.3 Update on 1075 Gorham Street (Henry Minten House)

The Planner provided an update on the designation process for 1075 Gorham Street and advised that the matter was being considered at the Conservation Review Board.

Moved by: Mitch Sauder

Seconded by: Joan Seddon

1. That the Heritage Newmarket Advisory Committee recommend to Council that the location of the house at 1075 Gorham Street be taken into consideration as part of the Heritage designation.

Carried

7.4 Heritage Plaque Program

The Planner provided an update on the status of the Heritage Plaque program and advised of the proposed new process for receiving requests and creating plaques.

7.5 Refresher on Heritage Committee Mandate and Deliverables

The Committee discussed the ongoing research projects and the current difficulties due to the limited resources of the Newmarket Historical Society and the ongoing pandemic.

7.5.1 List of Non-Designated Properties

The Committee discussed the list of non-designated heritage properties and the need to review the list in order to determine the most significant properties. Committee members will review the list by several streets at a time in order to begin work on this process.

8. Reports of Committee Members

8.1 Designated Property Maintenance and Concerns

There was no update on this item.

8.1.1 Site Plaques

8.1.2 Residence Plaques

8.1.3 Heritage Location Plaques

9. Committee Reports

9.1 Elman W. Campbell Museum Board

Billie Locke advised the the Elman W. Campbell Museum has been closed due to the COVID-19 pandemic and the Board has not met during this time.

9.2 Lower Main Street South Heritage Conservation District Advisory Group

Mitch Sauder provided an update on the restoration work at 209 Main Street South and the changes to the designs since it was last discussed at the Heritage Committee.

10. New Business

None.

11. Adjournment

Moved by: Councillor Bisanz

Seconded by: David McLennan

1. That the meeting be adjourned at 7:52 PM.

Carried

Chair

Date



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Wednesday, October 21, 2020
Time: 8:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Tom Hempen, Chair (8:52 AM - 10:11 AM)
Councillor Kwapis
Councillor Twinney
Debbie Hill
Mark Iacovetta
Jennifer McLachlan
Ken Sparks

Members Absent: Allan Cockburn, Vice Chair
Rob Clark
Omar Saer

Staff Present: E. Hawkins, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 8:35 AM.
Councillor Kwapis in the Chair from 8:35 AM to 8:52 AM.
Tom Hempen in the Chair from 8:52 AM to 10:11 AM.

1. Notice

Councillor Kwapis advised that all Town facilities were closed to the public, and that members of the public were encouraged to attend an electronic Advisory

Committee or Board Meeting by joining through the ZOOM information provided with the agenda.

2. Additions and Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

None.

5. Deputations

5.1 The Inn Team and Construct

Representatives from Inn From the Cold and Blue Door provided a deputation to the Main Street District Business Improvement Area Board of Management regarding the opportunities available to business owners through their employment social enterprise program.

The Board Members discussed the types of jobs that would be included in the program and advised that they would share the program information with the general membership.

Moved by: Councillor Kwapis

Seconded by: Ken Sparks

1. That the presentation provided by representatives of Inn From the Cold and Blue Door regarding the Inn Team and Construct be received.

Carried

5.2 The Digital Main Street Lab

Darryl Erentzen provided a deputation to the Main Street District Business Improvement Area Board of Management regarding the Digital Main Street Lab opportunity for funding. Darryl provided information on the application process and the ability to use these funds towards updating the website.

The Board Members discussed the costs associated, the services that Darryl Erentzen would provide, and reviewed other BIAs who have used this funding for website updates.

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the deputation provided by Darryl Erentzen regarding the Digital Main Street Lab be received.

Carried

Moved by: Jennifer McLachlan

Seconded by: Ken Sparks

1. That the COVID-19 Marketing and Advertising sub-committee discuss this opportunity further with Darryl Erentzen and use the pre-approved budget to fund the application fees.

Carried

6. Approval of Minutes

6.1 Main Street District Business Improvement Area Board of Management Special Meeting Minutes of March 11, 2020

Note: This item was dealt with under item 6.2. See item 6.2 for motion.

6.2 Main Street District Business Improvement Area Board of Management Meeting Minutes of September 16, 2020

Moved by: Jennifer McLachlan

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area Board of Management Special Meeting Minutes of March 11, 2020 be approved; and,
2. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of September 16, 2020 be approved.

Carried

7. Items

7.1 COVID-19 Marketing & Advertising Sub-Committee Update

Tom Hempen advised that the COVID-19 Marketing & Advertising sub-committee was hoping to meet again soon and provide some ideas to the Board at a future meeting.

The Business Development Specialist provided information regarding an opportunity with Snapd regarding a historical tour of Main Street using their AR technology. The program would include beacons, marketing and historical videos paid for by the Town of Newmarket, with the option to include local business videos through partnerships. She advised that the Town was looking to partner with the BIA for this project, and was requesting \$5750 to cover the costs of producing 15 videos related to Main Street businesses. The Business Development Specialist advised that these videos could be updated in the future for an additional cost if necessary, but they would never expire in their current form.

The Board Members discussed the partnership with Snapd and the Town of Newmarket, the potential focus of the 15 videos, and the locations of the beacons. They queried Staff regarding the financial commitment from the Town and asked for the opportunity to share email contacts to increase reach.

Moved by: Jennifer McLachlan

Seconded by: Mark Iacovetta

1. That the Main Street District Business Improvement Area Board of Directors approve \$5750 towards the partnership with Snapd and the Town of Newmarket regarding a historical tour of Main Street using AR technology.

Carried

7.2 Garbage Update

Councillor Kwapis encouraged business owners to advise the Town if there are issues with garbage around the in-ground containers and advised that the Town will collect it as quickly as possible.

7.3 Parking Update

Tom Hempen advised that the parking situation on Main Street during Summer 2020 was not reflective of a typical year and that there were vacant parking spots on Main Street and in surrounding parking lots, once things get back to normal regarding COVID-19, we will continue to look for further parking solutions. He further advised that there was a lot of foot traffic on the street in the Summer months, creating a vibrant atmosphere.

7.4 Staff Update

7.4.1 Financial Update

The Business Development Specialist provided an overview of the current financial statements and advised that the COVID-19 Marketing & Advertising sub-committee had not spent any of their approved budget at this time.

7.4.2 Financial Incentive Program Staff Working Group Update

The Business Development Specialist advised that there were no further updates regarding the Financial Incentive Program Staff Working Group.

7.5 Next Meeting Dates

The Business Development Specialist and the Legislative Coordinator provided an update on the remaining meetings for 2020, including potential Annual General Meeting (AGM) dates. The Board Members provided their availability and asked Staff to schedule the 2020 AGM on Thursday November 19, 2020 at 6:00 PM.

8. New Business

8.1 Holiday Celebrations

Ken Sparks queried the Board Members and Staff regarding the Santa Parade and Candlelight Parade event plans for 2020. Staff advised that the Events team is working on holiday celebration options for 2020 and will provide additional information once it is available.

8.2 Delivery Services

Jennifer McLachlan advised the Board that she was developing a new delivery program for Main Street businesses and that additional information would be distributed by email once available. The Board Members congratulated her and advised that it would be a helpful addition to the street.

9. Closed Session

Tom Hempen advised that there was no requirement for Closed Session.

10. Adjournment

Moved by: Jennifer McLachlan

Seconded by: Debbie Hill

1. That the meeting be adjourned at 10:11 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket
Minutes (Special Meeting)
Main Street District Business Improvement Area
Board of Management

Date: Wednesday, November 18, 2020
Time: 8:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Kwapis
Councillor Twinney
Debbie Hill
Jennifer McLachlan
Ken Sparks

Members Absent: Rob Clark
Mark Iacovetta
Omar Saer

Staff Present: M. Mayes, Director of Financial Services/Treasurer
E. Hawkins, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 8:31 PM.
Tom Hempen in the Chair.

- 1. Additions and Corrections to the Agenda**
None.
- 2. Conflict of Interest Declarations**

None.

3. **Presentations & Recognitions**

None.

4. **Deputations**

4.1 **Chanukah Community Wide Drive-By Event**

Rabbi Mendy Grossbaum was in attendance to provide the Main Street District Business Improvement Area Board of Management with a deputation regarding the Chanukah community wide drive-by event and requested a \$1000 donation from the BIA.

The Members discussed the event logistics and advised that a \$500 donation was made in 2019 for the annual Chanukah celebrations. They requested that the BIA logo be used in all social media and print advertising for the event as well.

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Debbie Hill

1. That the deputation provided by Rabbi Mendy Grossbaum regarding Chanukah Community Wide Drive-By Event be received; and,
2. **That the Main Street District Business Improvement Area Board of Management approve a \$500 donation to support the 2020 Chanukah event.**

Carried

5. **Approval of Minutes**

5.1 **Main Street District Business Improvement Area Board of Management Meeting Minutes of October 21, 2020**

An alternate motion was presented and is noted below in bold.

Moved by: Jennifer McLachlan

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of October 21, 2020 be approved, **as amended.**

Carried

6. Items

6.1 Strategic Priority Update

The Board Members provided updates on various items identified within the strategic plan, outlined below.

- a. Virtual Christmas Tree Lighting - Jennifer McLachlan advised that the filming of the event was underway with the lighting of the tree, a piano with Christmas carols, and a very limited guest list. She further advised that the video would be launched on Facebook on Friday, November 20, 2020 at 7:00 PM.
- b. Decorations for Main Street Businesses - Councillor Twinney provided price comparisons on various Christmas decor items from some local and big box stores, and the Members agreed that they would rather support local for these purchases. Councillor Kwapis, Councillor Twinney and Tom Hempen volunteered to distribute the Christmas decor to Main Street Businesses.
- c. Business to Business Discount Program - Tom Hempen advised that Rob Clark and his team at RC Design were developing a sticker for those who wish to participate in the program, and that an email was to be provided to all Main Street Businesses with additional information once confirmed.
- d. Main Street Online Networking Community - Al Cockburn advised that the opportunity for a Main Street online networking community would be discussed at the AGM on November 19, 2020 through a series of various zoom calls. He further explained that the first meeting would be open to all business owners and moderated by himself, with the option to determine smaller sector-specific groups going forward.

6.2 2021 Budget & Presentation to Council

The Main Street District Business Improvement Area Board of Management discussed the options regarding a 2021 budget and

reviewed the current 2020 financial statement. The Members outlined the opportunity to add a COVID-19 or emergency fund line to the 2021 budget due to the pandemic and its associated costs.

The Director of Financial Services/Treasurer for the Town of Newmarket provided guidance and input to the Members regarding the addition of an emergency reserve fund to their 2021 budget, and reviewed the brief presentation to Council scheduled for their December 7, 2020 Committee of the Whole - Electronic meeting.

Moved by: Councillor Kwapis

Seconded by: Allan Cockburn

1. That the draft 2021 Main Street District Business Improvement Area budget, composed of the following categories, be presented at the Annual General Meeting on November 19, 2020:
 - Stationary/Office \$500
 - Miscellaneous \$500
 - Promotion \$8,000
 - Advertising \$21,000; and,
2. That an Emergency Contingency Fund of \$10,000 be allocated in the 2021 budget, using reserve funds.

Carried

6.3 COVID-19 Marketing & Advertising Sub-Committee Update

An update on the COVID-19 Marketing & Advertising Sub-Committee was provided during the Strategic Priority Update. See item 6.1 for more information.

6.4 Sub-Committee Discussion

The Legislative Coordinator reviewed the list of current sub-committees of the Main Street District Business Improvement Area Board of Management.

6.5 Garbage Update

None.

6.6 Parking Update

None.

6.7 Staff Update

6.7.1 Financial Update

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the Main Street District Business Improvement Area Board of Management approve the financial statements; and,
2. That the invoice regarding the Tourism Oriented Directional Signing (TODS) Program for 2021 in the amount of \$1,695.00 be approved.

Carried

6.7.2 Financial Incentive Program Staff Working Group Update

The Business Development Specialist reminded the Board Members to advise businesses who are looking to do improvements that require a building permit to submit applications for the Financial Incentive Program before December 31, 2020. Tom Hempen asked Staff to provide an update on this program at the Annual General Meeting on November 19, 2020.

6.7.3 Historical Tour of Main Street partnership with Snapd

The Business Development Specialist provided an update on the videos for this program and the placement of the beacons. She further advised that a more fulsome update would be available at the December 16, 2020 Main Street District Business Improvement Area Board of Management Meeting.

6.7.4 Choose Local Campaign

The Business Development Specialist reviewed the Choose Local Campaign and advised that most listings have been claimed by the businesses, but asked that the Board Members reminded other business owners to claim their listings. She also outlined the Shop

Local Contest in partnership with the Newmarket Chamber of Commerce.

6.8 Draft 2021 Meeting Schedule

Councillor Kwapis advised that some of the 2020 meeting dates conflicted with Committee of Adjustment meetings, and requested that alternate meeting dates be presented. The Legislative Coordinator advised that she would email alternate 2021 meeting schedule options that do not conflict with other Board and Committee Meetings at the Town of Newmarket.

7. New Business

Tom Hempen discussed the Historical Tour of Main Street partnership with Snapd and the process regarding video placement at the various beacons in the Main Street area. The Members agreed that the video order within each beacon should be done fairly to avoid any conflict.

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the Main Street District Business Improvement Area Board of Management requests that Snapd uses a lottery system to determine the order of the videos related to Main Street businesses within the beacons being used for the Historical Tour of Main Street.

Carried

8. Closed Session

Tom Hempen advised that there was no required for Closed Session.

9. Adjournment

Moved by: Jennifer McLachlan

Seconded by: Allan Cockburn

1. That the meeting be adjourned at 9:49 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket
Minutes (Special Meeting)
Main Street District Business Improvement Area
Board of Management

Date: Wednesday, November 11, 2020
Time: 8:00 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Kwapis
Councillor Twinney (8:02 AM - 10:07 AM)
Rob Clark (8:22 AM - 10:07 AM)
Debbie Hill
Jennifer McLachlan
Ken Sparks (8:00 AM - 9:51 AM)

Members Absent: Mark Iacovetta
Omar Saer

Staff Present: E. Hawkins, Business Development Specialist
J. Grossi, Legislative Coordinator

Others Present Rob Dale, Master Coach, Rhapsody Strategies

The meeting was called to order at 8:00 AM.
Tom Hempen in the Chair.

1. Notice

Tom Hempen advised that all Town facilities were closed to the public, and that members of the public were encouraged to attend an electronic Advisory

Committee or Board Meeting by joining through the ZOOM information provided with the agenda.

2. Additions and Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Deputations

None.

5. Items

5.1 Main Street District Business Improvement Area Board of Management Strategic Priority Development Workshop

Rob Dale, Master Coach, Rhapsody Strategies reviewed the shared document that the Main Street District Business Improvement Area Board of Management contributed to with their ideas for short-term strategies (see attached). The Board discussed the values of the BIA and the markets that were being targeted through the delivery of this strategy.

The Members further discussed new issues introduced by COVID-19 and evaluated the groups that were most affected by them. They brainstormed potential goals for the next six to twelve months and identified specific tactics that would assist in achieving the goals. Rob Dale advised that a short-term strategic priority document would be presented to the Main Street District Business Improvement Area General Membership at their Annual General Meeting on November 19, 2020.

6. Adjournment

Moved by: Allan Cockburn

Seconded by: Rob Clark

1. That the meeting be adjourned at 10:07 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket
Minutes (Special Meeting)
Main Street District Business Improvement Area
Board of Management

Date: Wednesday, November 4, 2020
Time: 8:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Tom Hempen, Chair
Councillor Kwapis
Councillor Twinney (8:33 AM - 8:38 AM, 8:52 AM - 10:07 AM)
Rob Clark
Debbie Hill (8:33 AM - 9:25 AM)
Mark Iacovetta (8:37 AM - 9:37 AM)
Jennifer McLachlan
Ken Sparks

Members Absent: Allan Cockburn, Vice Chair
Omar Saer

Staff Present: E. Bryan, Business Development Specialist
J. Grossi, Legislative Coordinator

Guests: Rob Dale, Master Coach, Rhapsody Strategies

The meeting was called to order at 7:31 PM.
Tom Hempen in the Chair.

1. **Additions and Corrections to the Agenda**
None.
2. **Conflict of Interest Declarations**

None.

3. Deputations

None.

4. Items

4.1 Main Street District Business Improvement Area Board of Management Strategic Priority Development Workshop

Rob Dale, Master Coach, Rhapsody Strategies provided an introduction to the strategic priority development workshop and reviewed the conversations at the March 11, 2020 special meeting regarding the same. He provided an overview of the themes, topics and items discussed by the Main Street District Business Improvement Area Board of Management in relation to long term goals and strategic priority development. He further discussed the opportunity to adjust the scope of this workshop to reflect short term planning due to the COVID-19 pandemic and revisit the opportunity for long term planning at future meetings.

The Board of Management discussed their preferences regarding short term versus long term strategic planning and advised that the COVID-19 pandemic altered the intended long term goals for this exercise. They agreed to focus on short term goals for the foreseeable future, and intended to return to long term planning in the future.

Moved by: Rob Clark

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area Board of Management adjust the scope of the strategic priority exercise to reflect short term goals with a timeframe of six months to a year; and,
2. That up to \$5000 of the originally allocated budget be spent on the short term exercise; and,
3. That the short term strategic planning exercise include broad strokes related to the Main Street District Business Improvement Area advocacy and promotion long term; and,
4. That the opportunity for long term strategic planning be revisited before the end of the 2018-2022 term.

Carried

5. Adjournment

Moved by: Jennifer McLachlan

Seconded by: Rob Clark

1. That the meeting be adjourned at 10:07 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Tuesday, November 5, 2019
Time: 7:30 PM
Location: Community Centre - Hall #2
200 Doug Duncan Drive
Newmarket, ON L3Y 3Y9

BIA Board Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Kwapis
Councillor Twinney
Debbie Hill
Mark Iacovetta
Jennifer McLachlan
Omar Saer
Ken Sparks

BIA Board Members Absent: Rob Clark

Staff Present: C. Kallio, Economic Development Officer
E. Bryan, Business Development Specialist
J. Grossi, Legislative Coordinator

Guests: Leona Brown
 Georgette Dunn
 Maddie Graves
 Karen Henderson
 P. Ingram
 Anne Martin
 Olga Paiva
 Carmine Pereire
 Anne Robins
 Wendy Tsui

The meeting was called to order at 7:31 PM.
Tom Hempen in the Chair.

1. Additions and Corrections to the Agenda

The Legislative Coordinator advised of the following addition to the agenda:

- Item 4.1 being a deputation provided by Olga Paiva regarding In-ground Waste Containers for Commercial Waste on Main Street.

Moved by: Jane Twinney

Seconded by: Councillor Kwapis

1. That the addition to the agenda be approved.

Carried

2. Declarations of Pecuniary Interest

None.

3. Presentations & Recognitions

None.

4. Deputations

4.1 In-ground Waste Containers for Commercial Waste on Main Street

Olga Paiva provided a deputation regarding the in-ground waste container pilot project and expressed concerns.

Moved by: Jane Twinney

Seconded by: Councillor Kwapis

1. That the deputation provided by Olga Paiva regarding the In-ground Waste Containers for Commercial Waste on Main Street be received.

Carried

5. Approval of Minutes

5.1 Main Street District Business Improvement Area 2018 Annual General Meeting Minutes of November 20, 2018

Moved by: Councillor Kwapis

Seconded by: Omar Saer

1. That the Main Street District Business Improvement Area 2018 Annual General Meeting Minutes of November 20, 2018 be approved.

Carried

5.2 Main Street District Business Improvement Area General Membership Meeting Minutes of March 27, 2019

Moved by: Jennifer McLachlan

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area General Membership Meeting Minutes of March 27, 2019 be approved.

Carried

6. Items

6.1 2018 Financial Statements

The Business Development Specialist provided an overview of the Main Street District Business Improvement Area's financial statements for 2018.

Moved by: Allan Cockburn

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area Board of Management financial statements for the year ended 2018 be approved.

Carried

6.2 2019 Year in Review

Tom Hempen provided an overview of the events held by the BIA and upcoming events in 2019. He advised that standard operating procedures (SOPs) were being developed to assist with future events and would be continually improved.

Tom Hempen advised that a parking and garbage task force had been developed with the Town of Newmarket to address short-term and long-term solutions for these issues on Main Street. He also advised that additional parking enforcement occurred in the downtown area this year and would continue.

The Economic Development Officer advised that a request for proposal (RFP) has been issued by the Town of Newmarket regarding a consultant to conduct a town-wide garbage study and develop a long-term solution. This consultant will be seeking advice from the BIA throughout the process. Councillor Kwapis discussed the garbage issue on Main Street during festivities and organized events, and the garbage issue regarding residential units on Main Streets. He advised that these issues would be included in the town-wide garbage study.

6.3 2020 Budget

Tom Hempen provided an overview of the 2019 budget and the proposed 2020 budget composed of the following categories, totaling \$30,000:

- Stationary/Office \$500
- Miscellaneous \$500
- Promotion \$8,000
- Advertising \$21,000

Moved by: Jennifer McLachlan

Seconded by: Olga Paiva

1. That the 2020 Main Street District Business Improvement Area budget be approved.

Carried

6.4 Strategic Priorities

Tom Hempen outlined the strategic plan process and advised that a request for proposal (RFP) was circulated and submissions would be reviewed at the November 20, 2019 meeting.

7. New Business

7.1 Traffic Mitigation on Main Street

Al Cockburn expressed concern with the traffic on Main Street and advised that the speed limit is not being enforced, and expressed interest in traffic mitigation options such as speed bumps or making it pedestrian only. Councillor Twinney further discussed the options for traffic mitigation and the policies related to traffic studies prior to the installation of these measures.

7.2 Holiday Party Update

Tom Hempen provided an update regarding the Holiday Party and advised that catering had been booked with the Olde Village Free House. The Members discussed entertainment options for the party and the price of tickets for the event.

Moved by: Jennifer McLachlan

Seconded by: Mark Iacovetta

1. That the Main Street District Business Improvement Area set the price of the Holiday Party tickets at \$50 each, being the same as 2018.

Carried

7.3 Deputation Funding Requests

The Main Street District Business Improvement Area discussed the funding of community organizations and events that attend Board meetings and provide deputations. They discussed various options to streamline the process including annual or semi-annual dedicated meetings to hear from all community organizations, or allowing the events sub-committee to hear the proposals and bring recommendations to the Board. They also discussed the possibility of allocating a specific amount of money annually towards these requests to ensure a fair process. The Board of Directors advised that the options would be further discussed at their next regular meeting.

7.4 Question and Answer Opportunity

- The general membership discussed the garbage issue on Main Street and Councillor Kwapis advised that additional information would be provided on a long-term solution once a consultant had been hired to conduct the strategy.
- The general membership discussed store front and window decorations for the holidays and asked for everyone to participate before the annual Santa Parade. Tom Hempen advised that he would send an email to remind everyone to decorate their stores.
- Ken Sparks provided an update on the Tree Lighting Ceremony and Candle Light Parade, and advised that the Citizen's Band would be in attendance, the Choir would attend, and the candles had been purchased.
- Pedestrianization of Main Street was discussed and Tom Hempen advised that it would be explored throughout their strategic plan process. Additional information would be provided when available.
- Olga Paiva & Carmina Pereira queried Staff regarding the parking signage in the ground Burger Bar parking lot and expressed interest in having it removed. The Business Development Specialist advised that it was installed for the Farmers Market but that additional information could be received by Staff and provided to the membership.
- The general membership discussed options to track the success of businesses on the street beyond statistics regarding foot traffic.

8. Adjournment

Moved by: Jennifer McLachlan

Seconded by: Councillor Kwapis

1. That the meeting be adjourned at 8:59 PM.

Tom Hempen, Chair

Date



Town of Newmarket

Minutes

Accessibility Advisory Committee

Date: Thursday, September 17, 2020
Time: 10:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Steve Foglia, Chair
Jeffrey Fabian
Felim Greene
Linda Jones
Patricia Monteath
Councillor Simon (10:42 AM - 11:34 AM)

Members Absent: Cindy Gorlewski

Staff Present: K. Saini, Deputy Town Clerk
M. Ashworth, Capital Works Project Manager
E. Engman, Capital Projects Work Manager
P. McIntosh, Recreation Programmer - Seniors & Special Needs
B. Morrow, Grant Coordinator
J. Grossi, Legislative Coordinator

Guests: Tara Godfrey, Canadian Hearing Services (CHS)

The meeting was called to order at 10:30 AM.
Steve Foglia in the Chair.

1. Notice

Steve Foglia advised that all Town facilities were closed to the public, and that members of the public were encouraged to attend an electronic Advisory Committee or Board Meeting by joining through the ZOOM information provided with the agenda.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Deputations

None.

5. Approval of Minutes

5.1 Accessibility Advisory Committee Meeting Minutes of January 16, 2020

Moved by: Linda Jones

Seconded by: Patricia Monteath

1. That the Accessibility Advisory Committee Meeting Minutes of January 16, 2020 be approved.

Carried

6. Items

6.1 Appointment of Vice-Chair

Moved by: Patricia Monteath

Seconded by: Linda Jones

1. That Jeff Fabian be appointed the Vice Chair of the Accessibility Advisory Committee.

Carried

6.2 Major Disability Organizations' Open Letter to the Ford Government and Ontario Municipalities regarding Electric Scooters

The Members of the Accessibility Advisory Committee discussed the Major Disability Organizations' open letter to the Ford Government and Ontario municipalities regarding electric scooters and advised that they

agree with the current Town of Newmarket by-laws. Steve Foglia, Chair, provided background information on this item and the current by-law wording.

Moved by: Patricia Monteath

Seconded by: Felim Greene

1. That the News Release from the Accessibility for Ontarians with Disabilities Act (AODA) regarding Major Disability Organizations' Open Letter to the Ford Government and Ontario Municipalities regarding Electric Scooters be received; and,
2. That the Accessibility Advisory Committee endorse the current wording in Town of Newmarket by-laws regarding electric scooters.

Carried

6.3 North-West Quadrant Trail System Design Concepts

The Capital Works Project Managers provided an overview of the North-West Quadrant Trail System Design Concepts which included a detailed slope analysis, bridge design elements, and landing options along the trail.

The Members provided feedback regarding the slope preference along the trails and the options for landings, and expressed a preference for less landings and a more gentle slope, where possible. They also discussed the proximity of accessible parking to the trail entrances and exists, and the option for washrooms at various locations.

Moved by: Councillor Simon

Seconded by: Linda Jones

1. That the update provided by the Capital Works Project Managers regarding the North-West Quadrant Trail System Design Concepts be received.

Carried

6.4 Electric Vehicle Parking Project

The Grant Coordinator provided the Accessibility Advisory Committee with information regarding the Electric Vehicle Parking project and reviewed potential locations in the Town of Newmarket where they could be installed. He advised that the locations were going to be reviewed with the Ontario Power Generation (OPG) before being finalized. He further advised that this project would not affect any existing accessible parking spots at the identified locations.

The Members provided feedback regarding options for van friendly accessible parking spots and proximity to buildings or events.

6.5 Grant Funding for Accessible Washroom at Fairy Lake

The Grant Coordinator advised that the Town of Newmarket is continually watching for Provincial and Federal funding opportunities for accessibility projects, including the accessible washroom at Fairy Lake. The Accessibility Advisory Committee Members discussed the Upper Canada Mall washroom renovation and asked Staff to review the project when designing any future accessible washrooms. The Members also discussed accessible access and pathways to the washrooms.

Moved by: Felim Greene

Seconded by: Patricia Monteath

1. That the updates provided by the Grant Coordinator regarding the Electric vehicle Parking Project and the Grant Funding for Accessible Washroom at Fairy Lake be received.

Carried

6.6 Accessibility Advisory Committee Member Recruitment Update

The Legislative Coordinator provided an update on the recruitment process for an additional Accessibility Advisory Committee Member due to a recent resignation. She advised that Council would appoint a new member prior to the next Accessibility Advisory Committee meeting.

6.7 Next Meeting

The Legislative Coordinator advised that the next meeting was scheduled for Thursday, November 19, 2020 at 10:30 AM via Zoom.

7. New Business

7.1 Chair Updates

- The Chair asked for Staff to provide an update on downtown parking regarding accessible van friendly spots and increasing accessible parking spots available
- The Chair advised that increasing accessibility on Main Street was still a priority for this term and that it would be further discussed at a future meeting
- Disappointment was expressed in regards to the buildings that were demolished and rebuilt on Main Street because no accessible features were added to the building, and the entrance was rebuilt with the same accessible barriers that existed previously
- The Chair shared a story regarding accessibility issues at a local store and how they were resolved due to his actions and speaking to the appropriate people. He advised that the proper automatic door openers and curb cuts were installed to meet accessibility requirements. The Chair encouraged all Members to speak up with they recognize that accessibility improvement opportunities.

8. Adjournment

Moved by: Patricia Monteath

Seconded by: Jeffrey Fabian

1. That the meeting be adjourned at 11:34 AM.

Carried

Steven Foglia, Chair

Date

Dear whom this my concern,

Please consider this email as my written response that will form part of the public record. I have added the changes to the 'New Emergency Measure bylaw', attached.

Also, I want you all to think; about what kind of town you want to be creating by adding fines. People are scared, confused and stressed about this whole situation. We are creating a town where we snitch on our neighbours and get mad at someone for not wearing a mask. This is a very slippery slope. If we were all in this together we would be showing more compassion and caring. This is a great town! I was born here and have enjoyed living here for the last 42 years; but this pandemic has brought out the worst in people. You can see it every day. We need to reunite, not divide, to get through this.

There are people who can't wear masks for a variety of reasons. And because the disability is invisible, people just don't show any compassion. If we see someone in a wheelchair we understand, because we can see the wheelchair. Could you imagine, someone in a wheelchair trying to go into a store and the store owner said, 'sorry no wheelchairs in here, you will have to park it outside and walk around the store!' Of course not! But this is happening to people who can't wear a mask because of the conditions they have. We are being denied access to food, services and even medical treatment and, to be frank, its very scary. I want you all to imagine walking in someone else shoes for a minute. I want to go through some of the reasons people can't wear masks and I want you to think about how you would feel not being able to enter a store, or get medical treatment. Say at some point in your life you fell into the water and stopped breathing, thankfully someone was there to get you breathing again. You could suffer from a condition that doesn't allow you to put anything on your mouth because your body goes back to that moment and you experience this involuntary reflex where the larynx closes the throat. Or what if you were sexually assaulted as a child or as an adult and had someone placing their hand over your mouth, and the very thought of wearing a mask brings those memories rushing back. Lastly, your house burnt down and in the process of getting yourself and you family out you inhaled a lot of smoke and you are unable to wear a mask because you wouldn't be able to stop coughing.

We can change what's happening in our town and bring back compassion and caring, but it needs to start with you! I hope you consider my comments.

Alana Hollander, C. Tech.

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Please consider this email as my written response that will form part of the public record. I have added the changes to the 'New Emergency Measure bylaw', attached.

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We can change what's happening in our town and bring back compassion and caring, but it needs to start with you! I hope you consider my comments.

Alana Hollander, C. Tech.



Corporation of the Town of Newmarket

By-law 2021-01

A By-law to regulate activities deemed to have a potentially adverse impact on the health, safety, and wellbeing of the public during the **COVID-19 Emergency**.

WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (“COVID-19 pandemic”);

WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (“**EMCPA**”) related to COVID-19;

WHEREAS on January 12, 2021 a second Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the **EMCPA** related to COVID-19;

WHEREAS Section 4 of the **EMCPA** provides that the head of **Council** of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such **Orders** as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect **Property** and the health, safety and welfare of the inhabitants of the emergency area;

WHEREAS on March 18, 2020 the Corporation of the **Town** of Newmarket declared an emergency pursuant to section 4 of the **EMCPA**;

WHEREAS the Province of Ontario has issued **Orders** under the **EMCPA** and The Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c. 17 (“**ROA**”) to prohibit and regulate certain activities in the interest of public health, safety and wellbeing during the COVID-19 **Declared Emergency**;

WHEREAS on March 27, 2020 the Province of Ontario granted power to municipal law enforcement **Officers** to enforce **Orders** issued by the Province under the **EMCPA**;

WHEREAS section 11(2) of the **Municipal Act** provides that a municipality may pass bylaws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of **Persons**; and Protection of **Persons** and **Property**, including consumer protection;

WHEREAS section 425 of the **Municipal Act** provides that any **Person** who contravenes any by-law of the municipality is guilty of an offence;

WHEREAS section 429 of the **Municipal Act** provides for a municipality to establish a system of fines for offences under a by-law of the municipality passed under the Act;

WHEREAS The Corporation of the **Town** of Newmarket considers it desirable to enact regulations to support the intent and purpose of the

Provincial **Orders** made under the **EMCPA** and **ROA**, in addition to public health restrictions imposed pursuant to Section 22 of the Health Protection and Promotion Act, R.S.O. 1990. c. H.7 ("**HPPA**"), in **Order** to protect the health, safety and wellbeing of all **Persons** within the jurisdictional boundaries of the **Town** of Newmarket, by prohibiting or regulating certain activities of **Individuals** and **Businesses** during the **COVID-19 Emergency**;

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

1. Title

This By-law may be known and cited for all purposes as the "Emergency Measures By-law".

2. Definitions

In this By-law:

"**Business**" means any **Business**, or **Individual** operating a **Business**, wholly or partly carried on within a municipality even if the **Business** is being carried on from a location outside the municipality;

"**CAO**" means the **Town** of Newmarket Chief Administrative **Officer**;

"**Council**" means **Council** for the **Town** of Newmarket;

"**COVID-19 Emergency**" means the period of time commencing upon the date of passing of this By-law until the declaration of emergency made by **Council** for the **Town** of Newmarket in relation to the COVID-19 pandemic has been terminated;

"**Declared Emergency**" means the declaration of a state of emergency made by **Council** for the **Town** of Newmarket;

"**Dwelling Unit**" means a room or group of rooms to be used by one family that functions as a single independent housekeeping unit in which cooking facilities, living quarters, and sanitary facilities are provided for the exclusive use of those residing within the unit only, and with a private entrance from outside the building or from a common hallway or stairway inside;

"**EMCPA**" means the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9;

"**Emergency Order**" means any **Order** or regulation imposed by the Province of Ontario under the **EMCPA**, **ROA**, **HPPA**, or any other legislation enacted with respect to the **COVID-19 Emergency**;

"**Face Covering**" means a cloth (non-medical) mask, medical mask, or other face covering such as a bandana or scarf, that securely covers the nose, mouth and chin, and is in contact with the surrounding face without gapping, and filters respiratory droplets;

"**Guardian**" means a **Person** who has custody, care, and control of an **Individual** who is a member of the same **Household** and includes a parent as defined in the Family Law Act, R.S.O. 1990, c. F.3;

"**Household**" means **Individuals** living together in and sharing a **Dwelling Unit**;

"**HPPA**" means the Health Protection and Promotion Act, R.S.O. 1990. c.H.7;

“**Individual**” means a natural **Person** of any age;

“**Mayor**” means the **Mayor** elected for the **Town** of Newmarket;

“**Municipal Act**” means the **Municipal Act**, 2001, S.O. 2001, c.25, as amended;

“**Officer**” means a provincial offences **Officer** or municipal law enforcement **Officer** of the **Town**, or any other **Person** appointed by or under the authority of a **Town** by-law to enforce this By-law, and shall include a police **Officer** appointed by York Regional Police, the Ontario Provincial Police, or the Royal Canadian Mounted Police;

“**Order**” means a direction issued, in-writing, by the **Mayor** and **CAO** that forms part of this By-law;;

“**Park**” means any land owned by or made available by lease, agreement, or otherwise to the **Town** excluding **Property** leased to a third party by the **Town**, that is or may be established, dedicated, set apart or made available for use as public space, accessory to the use of the public space as a **Park** including any and all buildings, structures, facilities, trails, and improvements located in or on the land;

“**Person**” means a natural **Person** who is at least eighteen (18) years of age;

“**Property**” means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences, and erections thereon, and includes vacant **Property**;

“**Provincial Offences Act**” means the **Provincial Offences Act**, R.S.O. 1990, c.P. 33, as amended;

“**ROA**” means the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c. 17;

“**Physical Distance**” means a physical separation distance between **Individuals** or **Persons**;

“**Town**” means the **Town** of Newmarket.

3. General Regulations

- (1) No **Person** shall permit or allow gatherings of more than the number of **Individuals** prescribed by an **Emergency Order**, unless such **Individuals** are members of a single **Household**.
- (2) No **Person** shall enter or remain in any **Park** that has been deemed closed or temporarily closed by the **Town** of Newmarket.
- (3) Every **Person** shall maintain a two meter (2m) **Physical Distance** from any other **Individual**, unless such **Individual** is a member of the same **Household**. In the interest of clarity, this section applies to both public or private **Property**.
- (4) Every **Person** shall wear a mask or **Face Covering** as prescribed by an **Emergency Order**.
- (5) Every **Guardian** shall ensure any **Individual** under the age of sixteen (16) years complies with all **EMCPA**, **ROA**, **HPPA**, or any other legislation as prescribed by an **Emergency Order**.
- (6) No **Business** shall permit more than the number of **Individuals**

prescribed by an **Emergency Order** to enter a storefront at any one time.

- (7) Every **Business** and **Person** shall comply with all federal, provincial, or public health regulations as prescribed by an **Emergency Order**.
- (8) Every **Person** shall comply with an **Order** issued pursuant to this By-law.
- (9) Every **Business** in the **Town** of Newmarket shall comply with all federal, provincial, and public health regulations as prescribed by an **Emergency Order**.

4. Delegated Authority to the Mayor

- (1) Subject to the provisions established under Section 4 of this By-law, **Council** for the **Town** delegates its statutory authority under the **Municipal Act**, and under any other legislation, to the **Mayor**, in conjunction with the **CAO**, exclusively for the period over which this By-law is in force.
- (2) The authority delegated in Section 4(1) may only be exercised in accordance with the following criteria:
 - (a) It is necessary to utilize the authority to address a situation in a timely manner;
 - (b) In the opinion of the **Mayor**, it is reasonable to believe that the harm or damage will be alleviated by the exercise of the delegated authority and exercising the delegated authority is a reasonable alternative to other measures that might be taken to address the situation;
 - (c) The actions authorized under the delegated authority are exercised in a manner which, consistent with the objectives, reasonably limits their intrusiveness;
 - (d) The exercise of the delegated authority only applies to the areas of the **Town** where it is necessary; and
 - (e) The exercise of the delegated authority is effective only for as long as is reasonably necessary.
- (3) The **Mayor**, in conjunction with the **CAO**, shall advise the members of **Council** of any exercise of authority delegated under this By-law within 24 hours of the date of exercise of the authority.
- (4) The delegation of authority under Section 4 of this By-law shall only be effective for 30 days from the first exercise of the authority in response to an emergency, unless **Council** authorizes an extension of such delegated authority.
- (5) The **Mayor**, in conjunction with the **CAO**, may make **Orders** that are believed to be necessary and essential in the circumstances to prevent, reduce, or mitigate serious harm to **Persons**, believing:
 - (a) the harm will be alleviated by an **Order**; and
 - (b) making an **Order** is a reasonable alternative to other measures that might be taken to address an emergency.
- (6) **Orders** made under this By-law:

- (a) shall only apply to the areas of the **Town** where it is necessary;
- (b) shall be effective for as long as is necessary, but in no event shall be extended beyond the termination of a **Declared Emergency**;
- (c) shall be revoked 30 days after it is made, unless it is revoked sooner or it is otherwise stated in the **Order**;
- (d) takes effect immediately upon its making;
- (e) shall be posted on the **Town's** website in **Order** to bring it to the attention of affected **Persons** pending publication;
- (f) may be general or specific in its application; and
- (g) shall be made in writing.

5. Administration and Enforcement

- (1) The provisions of this By-law may be enforced by any **Officer** and an **Officer** is exempt from the provisions of this By-law.
- (2) In accordance with subsections 435 and 436 of the **Municipal Act**, every **Officer** shall have the right to enter lands to conduct an inspection to determine whether the provisions of this By-law and any **Order(s)** issued herein are being complied with.
- (3) No **Person** shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an **Officer** who is exercising a power or performing a duty under this By-law or any other legislation enacted pursuant to the **COVID-19 Emergency**.

6. Offences

- (1) Every **Person** who contravenes any provision of this By-law is liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62, as amended, and each day shall constitute a new and separate offence.
- (2) Every **Person** who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law 2019-62, as amended.
- (3) Any **Person** who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the **Provincial Offences Act**, R.S.O. 1990, Chapter P.33, as amended.
- (4) Where an **Individual** is under the age of sixteen (16) years, the **Guardian** or **Guardians** of the **Individual** shall be deemed to have allowed the contravention and be guilty of the offence.
- (5) Notwithstanding the repeal of this By-law, any enforcement, legal, or collection actions arising from this By-law while this By-law was in effect shall survive its repeal.

7. Penalties

- (1) Where a fine is in default, the **Town** may proceed with civil

enforcement against the **Person** upon whom the fine has been imposed, pursuant to the **Provincial Offences Act**.

- (2) The **Town** may make a request to the treasurer of a local municipality to add any part of a fine that is in default to the tax roll for any **Property** in the local municipality for which all of the owners are responsible for paying the fine, and to collect it in the same manner as municipal taxes.

8. Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of the **Council** in acting this By-law that the remainder of this By-law shall continue to be in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

9. Repeal

- (1) Emergency Measures By-law 2020-20 is hereby repealed.

Enacted this 18th day of January, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-02

A By-law to amend By-law 2019-62 being a By-law to implement an Administrative Monetary Penalty System in the Town of Newmarket.

Whereas the Municipal Act, 2001 and Ontario Regulation 333/07 authorizes a municipality to require a Person to pay an Administrative Penalty for a contravention of any By-law respecting the parking, standing or stopping of vehicles; and,

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2019-62 to implement an Administrative Monetary Penalty System in the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule A of By-law 2019-62 as it relates to the Designated By-law Provisions.

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

1. That Schedule A to the By-law 2019-62 be amended to remove the following section:

Emergency Measures By-law 2020-20						
Emergency Measures By-law 2020-20, as amended	1.	3(1)	Permit or gather with more than the number of individuals prescribed by an Emergency Order	450.00	600.00	750.00
	2.	3(2)	Enter or remain in any park deemed closed	450.00	600.00	750.00
	3.	3(3)	Failure to maintain a 2m physical distance	450.00	600.00	750.00
	4.	3(4)	Guardian permits or allows individual to not maintain 2m physical social distance	450.00	600.00	750.00
	5.	3(5)	Permit more than the number of individuals prescribed by an Emergency Order to enter premise at one time	450.00	600.00	750.00
	6.	3(6)	Failure to restrict access to enter premise	450.00	600.00	750.00
	7.	3(7)	Failure to maintain 2m physical distance of customers within premise	450.00	600.00	750.00
	8.	3(8)	Failure to comply with any order made during a declared emergency	450.00	600.00	750.00
	9.	5(3)	Obstruct a municipal enforcement officer	450.00	600.00	750.00

2. That Schedule A to the By-law 2019-62 be amended to add the following section:

Emergency Measures By-law 2021-01						
Emergency Measures By-law 2021-01	10.	3(1)	Permit or gather with more than the number of individuals prescribed by an Emergency Order	450.00	600.00	750.00
	11.	3(2)	Enter or remain in any park deemed closed	450.00	600.00	750.00
	12.	3(3)	Failure to maintain a 2m physical distance	450.00	600.00	750.00
	13.	3(4)	Failure to wear face covering	450.00	600.00	750.00
	14.	3(5)	Failure to ensure minor complies with provincial legislation	450.00	600.00	750.00

	15.	3(6)	Permit more than the number of individuals prescribed by an Emergency Order to enter premise at one time	450.00	600.00	750.00
	16.	3(7)	Failure to comply with provincial regulations as prescribed by an Emergency Order	450.00	600.00	750.00
	17.	3(8)	Failure to comply with any order made during a declared emergency	450.00	600.00	750.00
	18.	5(3)	Obstruct a municipal enforcement officer	450.00	600.00	750.00

Enacted this 18th day of January, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-03

A By-law to exempt certain lands from the part lot control provisions of the Planning Act.

1209104 Ontario Limited – Lots 15, 16, 17, 18, 19, 20, 31 and 32, Plan 65M-4523.

Whereas it deemed advisable to exempt certain lands from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13;

And whereas the land use to be accommodated by the exemption, the parcels to be created, and any remaining parcel, are in conformity with the governing Official Plan and are permitted and in conformity with the Zoning By-law in effect for the area in question;

And whereas Plan 65M-4523 was registered on August 31, 2016 and the construction of the units have now advanced to a point where it is appropriate to enact the required by-law;

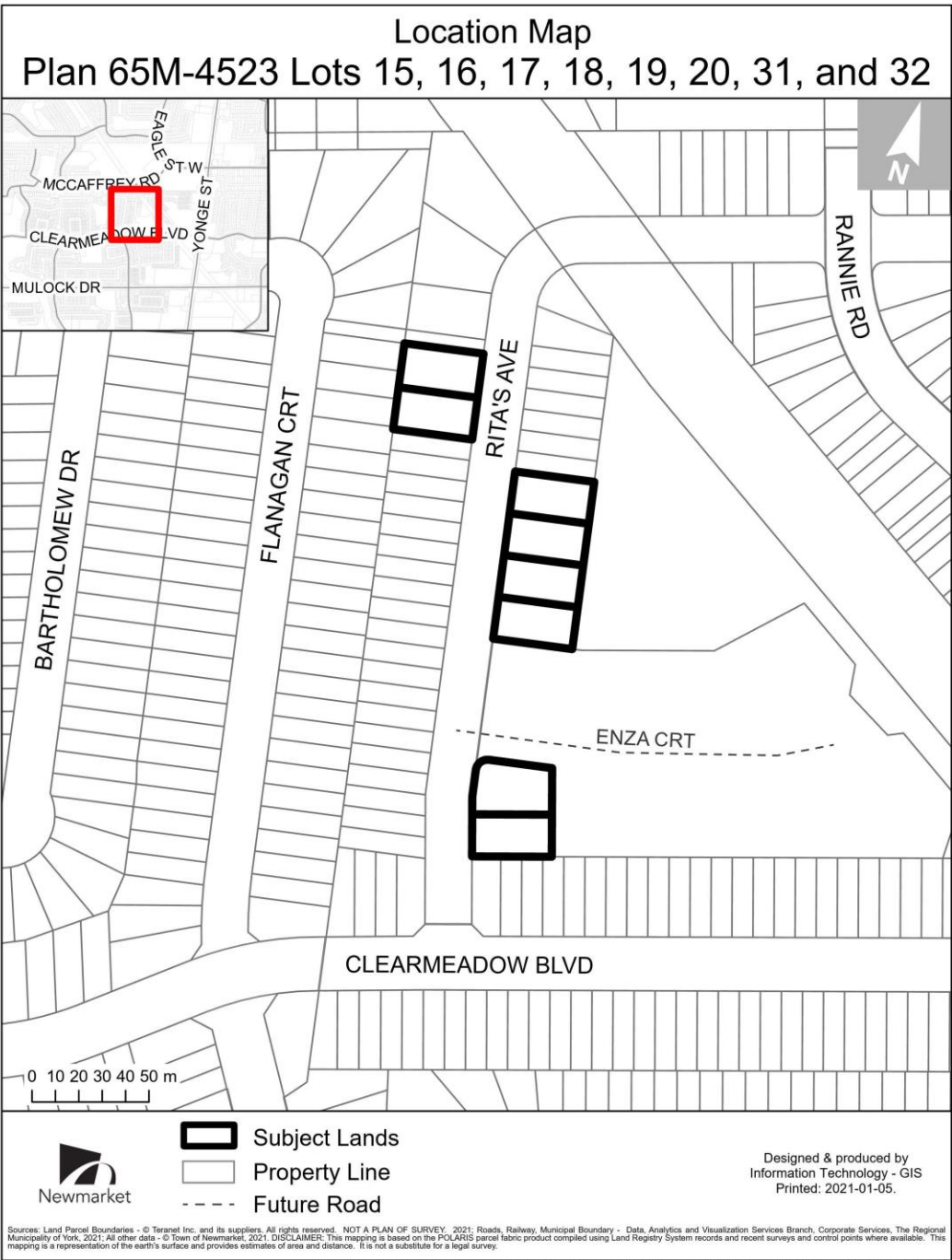
Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the provisions of Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13 do not apply to the lands described as Lots 15, 16, 17, 18, 19, 20, 31 and 32, Plan 65M-4523, and further described as Parts 1 through 18 inclusive, Plan 65R-38318 Town of Newmarket, Regional Municipality of York.
2. And that the Municipal Solicitor or designate be authorized and directed to electronically sign and register this By-law on title.
3. And that this By-law will lapse after a period of two (2) years from the date of enactment.

Enacted this 18th day of January, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk





Corporation of the Town of Newmarket

By-law 2021-04

A By-law to confirm the proceedings of a meeting of Council - Electronic – January 18, 2021.

Whereas s. 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that the powers of a municipal corporation shall be exercised by its Council; and,

Whereas s. 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and,

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

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

1. That subject to Section 3 of this by-law, every decision of Council, as evidenced by resolution or motion, taken at the meeting at which this by-law is passed, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted;
2. And that the execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized;
3. And that nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied;
4. And that any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

Enacted this 18th day of January, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk