



Town of Newmarket

Agenda

Council - Electronic

Date: Monday, March 1, 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, February 28, 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(s)

Note: There are no public hearing matters scheduled for March 1, 2021.

5. Presentations & Recognitions

6. Deputations

6.1. Active Transportation Implementation Plan - Bicycle Lanes

Note: Peggy Stevens, on behalf of Cycle Newmarket, will be in attendance to provide a deputation on this matter.

1. That the deputation provided by Peggy Stevens regarding the Active Transportation Implementation Plan - Bicycle Lanes be received.

7. Minutes

7.1. Council - Electronic Meeting Minutes of February 8, 2021

1. That the Council - Electronic Meeting Minutes of February 8, 2021 be approved.

8. Reports by Regional Representatives

9. Consent Items and Recommendations from Committees

9.1. Memorandum - Commercial Rooftop Patios

Note: This item is related to sub-item 9.3.13 below.

1. That the memorandum dated March 1, 2021 regarding Commercial Rooftop Patios be received.

9.2. Special Committee of the Whole - Electronic Meeting Minutes of February 9, 2021

1. That the Special Committee of the Whole - Electronic Meeting Minutes of February 9, 2021 be received and the recommendations noted within be adopted.

9.2.1. Presentation - Mulock Property Developed Design Concept

Note: This item was dealt with under sub-item 9.2.2. See sub-item 9.2.2 for motion.

9.2.2. Mulock Property Developed Design Concept

1. That the presentation provided by Lisa Rapoport, PLANT Architect Inc. regarding the Mulock Property Emerging Design Concept be received; and,
2. That the correspondence provided by Ashley Day regarding the Mulock Property Developed Design Concept be received; and,

3. That the report entitled Mulock Property Developed Design Concept dated February 9, 2021 be received; and,
4. That comments on the developed design concept plan for the Mulock Park be received and incorporated into the preparation of the concept design to be illustrated at a Public Information Centre, and to prepare the final concept plan thereafter; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.2.1. Correspondence - Ashley Day

9.3. Committee of the Whole - Electronic Meeting Minutes of February 22, 2021

1. That the Committee of the Whole - Electronic Meeting Minutes of February 22, 2021 be received and the recommendations noted within be adopted.

9.3.1. Presentation - Multi Use Trails Safety Enhancements

Note: This item was dealt with under sub-item 9.3.12. See sub-item 9.3.12 for motion.

9.3.2. Deputation - 2021 Nature's Emporium Run for Southlake

1. That the deputation provided by Avia Eek, Run for Southlake Committee Member, regarding the 2021 Nature's Emporium Run for Southlake be received.

9.3.3. Deputation - Active Transportation Implementation Plan - Bicycle Lanes

Note: This item was dealt with under sub-item 9.3.11. Please see sub-item 9.3.11 for motion.

9.3.4. Deputation - Active Transportation Implementation Plan - Bicycle Lanes

Note: This item was dealt with under sub-item 9.3.11. Please see sub-item 9.3.11 for motion.

9.3.5. Deputation - Active Transportation Implementation Plan - Bicycle Lanes

Note: This item was dealt with under sub-item 9.3.11. Please see sub-item 9.3.11 for motion.

9.3.6. Deputation - Active Transportation Implementation Plan - Bicycle Lanes

Note: This item was dealt with under sub-item 9.3.11. Please see sub-item 9.3.11 for motion.

9.3.7. Deputation - Active Transportation Implementation Plan - Bicycle Lanes

Note: This item was dealt with under sub-item 9.3.11. Please see sub-item 9.3.11 for motion.

9.3.8. Deputation - Multi Use Trails Safety Enhancements

Note: This item was dealt with under sub-item 9.3.11. Please see sub-item 9.3.11 for motion.

9.3.9. Deputation - Clematis Parking Review

1. That the deputation provided by Angela West regarding the Clematis Parking Review be received.

9.3.10. INFO-2020-34: Active Transportation Implementation Plan - Bicycle Lanes

1. That the information report entitled Active Transportation Implementation Plan - Bicycle Lanes be referred to staff to organize a Council Workshop in Q3 2021, to look at ways to continue to implement bike infrastructure while looking at best practices to mitigate community impact; and,
2. That the 2021 projects identified in the Active Transportation Implementation Plan be deferred pending the Council Workshop; and,
3. That items 9.3.3, 9.3.4, 9.3.5, 9.3.6, 9.3.7 and 9.3.8 being deputations provided by David Kempton, Stephen Harper, Mina Abbas, Paul Jolie, David Coelho, and Peggy Stevens be received; and,
4. That sub-items 9.3.11.1, 9.3.11.2, 9.3.11.3, 9.3.11.4, 9.3.11.5, 9.3.11.6, 9.3.11.7, 9.3.11.8, 9.3.11.9, 9.3.11.11, 9.3.11.12, 9.3.11.13, 9.3.11.14, 9.3.11.15, 9.3.11.16, 9.3.11.17, 9.3.11.18, 9.3.11.19, 9.3.11.20, 9.3.11.21, 9.3.11.22, 9.3.11.23, and 9.3.11.24 being correspondence provided by Ann Abbas, David Callaghan, David Coelho, Sam Foti, Valerie Foti, Cathy Gifford, Anna Malinowski, Raza Mankani, Shari Northorp McLean, Cinzia and Joe Pittari, David and Samantha Petley, Peter Budziak, Carolina Begg, Thora Hunter, Peter Kuin, Todd Kyle, Laetitia Tam, Raza Mankani, Stacey Ewart, Anna Ihnatiuk, and Ashley Winders, Sharon and Laz Mandjik, Andrew, Pina, Andrew and Olivia Knoop, Sheila Johnson, and Jeff Hunter be received; and,
5. That sub item 9.3.11.10 being a Petition regarding Active Transportation Implementation Plan - Bicycle Lanes on

Clearmeadow Boulevard be received.

- 9.3.10.1. Correspondence - Ann Abbas
- 9.3.10.2. Correspondence - David Callaghan
- 9.3.10.3. Correspondence - David Coelho
- 9.3.10.4. Correspondence - Sam Foti
- 9.3.10.5. Correspondence - Valerie Foti
- 9.3.10.6. Correspondence - Cathy Gifford
- 9.3.10.7. Correspondence - Anna Malinowski
- 9.3.10.8. Correspondence - Raza Mankani
- 9.3.10.9. Correspondence - Shari Northorp McLean
- 9.3.10.10. Petition regarding Active Transportation Implementation Plan -
Bicycle Lanes on Clearmeadow Boulevard
- 9.3.10.11. Correspondence - Cinzia and Joe Pittari
- 9.3.10.12. Correspondence - David and Samantha Petley
- 9.3.10.13. Correspondence - Peter Budziak
- 9.3.10.14. Correspondence - Carolina Begg
- 9.3.10.15. Correspondence - Thora Hunter
- 9.3.10.16. Correspondence - Peter Kuin
- 9.3.10.17. Correspondence - Todd Kyle
- 9.3.10.18. Correspondence - Laetitia Tam
- 9.3.10.19. Correspondence - Raza Mankani
- 9.3.10.20. Correspondence - Stacey Ewart, Anna Ihnatiuk, and Ashley
Winders
- 9.3.10.21. Correspondence - Sharon and Laz Mandjik

9.3.10.22. Correspondence - Andrew, Pina, Andrew and Olivia Knoop

9.3.10.23. Correspondence - Sheila Johnson

9.3.10.24. Correspondence - Jeff Hunter

9.3.11. Multi Use Trails Safety Enhancements

1. That the presentation provided by the Manager of Parks & Property Services and the Claims & Risk Analyst regarding the Multi Use Trails Safety Enhancements be received; and,
2. That the report entitled Multi Use Trails Safety Enhancements dated February 22, 2021 be received; and,
3. That the trail safety enhancements on the Tom Taylor Trail be approved, which include:
 - a. Painting of a centre line;
 - b. Increasing sight lines;
 - c. Increasing signage for hazards and trail safety;
 - d. Implement a public education program; and,
4. That staff be authorized to hire two (2) summer students as Parks and Trails Ambassadors; and,
5. That staff proceed with coordinating a Council Workshop to explore the future direction and priorities for developing multi use trails, by Q3 2021; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.12. Clematis Parking Review

1. That the report entitled Clematis Road Parking Review dated February 22, 2021 be received; and,
2. That the proposed parking amendments outlined in Appendix A be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.13. Commercial Rooftop Patios

1. That the report entitled Commercial Rooftop Patios dated February

22, 2021 be received; and,

2. That the Commercial Rooftop Patios Zoning By-law Amendment be approved; and,
3. That Business Licence By-law 2020-31 be amended to include new regulations for Commercial Rooftop Patios, as amended by Committee of the Whole; and,
4. That Outdoor Serving Area By-law 2016-29 be repealed and its regulations relocated into Business Licence By-law 2020-31;
5. That the modifications to the Town's Site Plan Application Process Manual outlined in this report be approved, as amended by Committee of the Whole;
6. That a new fee for a modified "quick" site plan application specific to Commercial Rooftop Patios of \$550 be created and waived for 2021 as a COVID response to support local businesses;
7. That the Business Licence fee, specifically for Commercial Rooftop Patios of \$374, also be waived for 2021 as a COVID response to support local businesses; and,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.3.14. Recreation Playbook Update

1. That staff be authorized to conduct a Request for Proposals (RFP) for architectural services specific to construction of an outdoor ice rink on the Ray Twinney Recreation Complex property; and,
2. That staff bring the budget impact for the aforementioned architectural services to Council for approval as part of a future supplemental capital budget report; and,
3. That the remaining Recreation Playbook updates contained in the report be received.

9.3.15. Resolution regarding 2021 Census of Population

Whereas accurate and complete census data support programs and services that benefit our community;

Now therefore be it resolved:

1. That the Council of the Corporation of the Town of Newmarket supports the 2021 Census, and encourages all residents to complete their census questionnaire online at www.census.gc.ca.

- 9.3.16. Accessibility Advisory Committee Meeting Minutes of November 19, 2020
1. That the Accessibility Advisory Committee Meeting Minutes of November 19, 2020 be received.
- 9.3.17. Heritage Newmarket Advisory Committee Meeting Minutes of December 1, 2020
1. That the Heritage Newmarket Advisory Committee Meeting Minutes of December 1, 2020 be received.
- 9.3.18. Main Street District Business Improvement Area Board of Management Meeting Minutes of January 6, 2021 and the Special Meeting Minutes of January 12, 2021
1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of January 6, 2021 and the Special Meeting Minutes of January 12, 2021 be received.
- 9.3.19. Newmarket Public Library Board Meeting Minutes of November 18, 2020 and January 4, 2021
1. That the Newmarket Public Library Board Meeting Minutes of November 18, 2020 and January 4, 2021 be received.
- 9.3.20. COVID-19 Pandemic - Financial Impact and Service Delivery Options
1. That the report entitled Covid-19 Pandemic – Financial Impact and Service Delivery Options dated February 22, 2021 be received; and,
 2. That Council provide direction on service level options as follows:
 1. Reduce the garbage bag limit to 3;
 2. Reduce maintenance levels as described with the exception of sports fields;
 3. Maintain four ice pads to prioritize youth sports and authorize staff to lease ice surfaces if necessary;
 4. Maintain a modified summer camp program;
 5. Defer the decision on reopening the Ray Twinney pool until May 2021;
 6. Open the Gorman Pool per the regular schedule;
 7. Continue to offer special events using alternative methods; and,

3. That staff provide monthly progress reports; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution; and,
5. That sub-items 9.3.20.1, 9.3.20.2, 9.3.20.3, 9.3.20.4, 9.3.20.5, and 9.3.20.6 being correspondence provided by Susan Dowell, Carl Milroy, Elaine Adam, Rachel Diltz, Faye Longhurst, and Nancy Fish regarding COVID-19 Pandemic - Financial Impact and Service Delivery Options be received.

9.3.20.1. Correspondence - Susan Dowell

9.3.20.2. Correspondence - Carl Milroy

9.3.20.3. Correspondence - Elaine Adam

9.3.20.4. Correspondence - Rachel Diltz

9.3.20.5. Correspondence - Faye Longhurst

9.3.20.6. Correspondence - Nancy Fish

9.3.21. Stop Sign at Cane Parkway and William Roe Boulevard

1. That Council support in principle the installation of an all way stop sign at Cane Parkway and William Roe Boulevard; and,
2. That staff be delegated the authority to implement and install the stop sign upon completion of the necessary study.

*9.4. Correspondence regarding INFO-2020-34: Active Transportation Implementation Plan - Bicycle Lanes - Paul Jolie

Note: This correspondence is related to item 9.3.10.

1. That the correspondence provided by Paul Jolie regarding INFO-2020-34: Active Transportation Implementation Plan - Bicycle Lanes be received.

10. By-laws

2021-07 A By-law to amend by-law 2019-63, as amended, being a by-law to regulate parking within the Town of Newmarket (Clematis Road).

2021-08 A By-law to amend By-law Numbers 2010-40 and 2019-06 being zoning by-laws (Commercial Rooftop Patios – Town Wide).

2021-09 A By-law to amend By-law 2020-31 being a By-law to regulate and licence businesses in the Town of Newmarket.

2021-10 A By-law to amend Fees and Charges By-law 2019-52 being a by-law to adopt fees

and charges for services or activities provided by the Town of Newmarket (Legislative Services - Licensing Charges) (Commercial Rooftop Patios).

2021-11 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 (Business License By-law Fees).

2021-12 A By-law to Dedicate certain lands as a Public Highway (Isaac Phillips Way and Kalinda Road located South of Mulock Drive and West of Yonge Street – Ward 6).

1. That By-laws 2021-07, 2021-08, 2021-09, 2021-10, 2021-11, and 2021-12 be enacted.

11. Notices of Motions

12. Motions Where Notice has Already been Provided

13. New Business

14. Closed Session (if required)

14.1. Appointment to the Accessibility Advisory Committee (1 vacant position)

Personal matters about an identifiable individual, including municipal or local board employees as per Section 239(2)(b) of the Municipal Act, 2001.

15. Confirmatory By-law

2021-13 A By-law to Confirm the Proceedings of the March 1, 2021 Council - Electronic meeting

1. That By-law 2021-13 be enacted.

16. Adjournment


SAFE TRANSPORTATION

Providing exceptional transportation experiences across all modes through continuous improvement of accessibility, safety, and efficiency

Initiatives

The following initiatives have been identified as key programs in achieving the goals of the strategic priority.

Click on the 'Explore' button to see the actions that the Town is taking to support these two initiatives.



Transportation Improvements

🔄 Underway

Continue to implement the traffic mitigation strategy and Active Transportation Plan and explore / advance an off-road Mulock multi-use path

Explore



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, February 8, 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
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
J. Unger, Director of Planning & Building Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:02 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 recognized the recent passing of James Barber who had been a longtime employee at the Town of Newmarket and acknowledged his many contributions to the Town over his career.

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. Public Hearing Matter

None.

5. Presentations & Recognitions

None.

6. Deputations

None.

7. Minutes

7.1 Council - Electronic Meeting Minutes of January 18, 2021

Moved by:	Councillor Twinney
Seconded by:	Councillor Broome

1. That the Council - Electronic Meeting Minutes of January 18, 2021 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh advised of the recent York Region Council special meeting regarding COVID-19 in York Region, including the spread of COVID-19 variants in York Region and ongoing vaccination efforts for front line workers.

Mayor Taylor provided an update on the Medical Officer of Health's position regarding reopening in relation to the prevalence of COVID-19 variants in York Region.

9. Consent Items and Recommendations from Committees

9.1 Memorandum - Fourth Update to the Outstanding Matters List for 2020

Moved by: Councillor Woodhouse
Seconded by: Councillor Morrison

1. That the memorandum dated February 8, 2021 regarding the Fourth Quarterly Update to the Outstanding Matters List for 2020 be received; and,
2. That the revised Outstanding Matters List be approved.

Carried

9.2 Committee of the Whole - Electronic Meeting Minutes of February 1, 2021

Moved by: Councillor Simon
Seconded by: Councillor Broome

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

be adopted with the exception of sub-item 9.2.5. See following sub-item 9.2.5 for motion.

Carried

9.2.1 Deputation - William Roe Boulevard / Dixon Boulevard Traffic Review

1. That the deputation provided by Paul Fisher regarding William Roe Boulevard/Dixon Boulevard Traffic Review be received.

9.2.2 William Roe Boulevard / Dixon Boulevard Traffic Review

1. That items 9.2.2.1, 9.2.2.2, 9.2.2.3, 9.2.2.4, 9.2.2.5, 9.2.2.6, 9.2.2.7, and 9.2.2.8 being correspondence provided by Lynda Newman, Doug Mossop, Linda Pearson, Tyler Raponi, Wolfgang and Rita Benz, Paul Fisher, Beverley Varcoe, and Catherine Ross be received; and,
2. That the report entitled William Roe Boulevard /Dixon Boulevard Traffic Review dated February 1, 2021 be referred back to staff in order to gather further traffic data and to provide a report to a future Committee of the Whole meeting.

9.2.2.1 Correspondence - Lynda Newman

9.2.2.2 Correspondence - Doug Mossop

9.2.2.3 Correspondence - Linda Pearson

9.2.2.4 Correspondence - Tyler Raponi

9.2.2.5 Correspondence - Wolfgang and Rita Benz

9.2.2.6 Correspondence - Paul Fisher

9.2.2.7 Correspondence - Beverley Varcoe

9.2.2.8 Correspondence - Catherine Ross

9.2.3 Flagstone Avenue Speed Hump Request

1. That item 9.2.3.1 being correspondence provided by Christine Smith be received; and,
2. That the report entitled Flagstone Avenue Speed Hump Request dated February 1, 2021 be received; and,

3. That speed humps not be implemented at this time; and,
4. That Category 1 measures be implemented on the street to mitigate speeds; and,
5. That the street be monitored in 2021 to determine impact of the mitigation measures, and that Staff report back to Town Council if additional measures are necessary; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.3.1 Correspondence - Christine Smith

9.2.4 Simcoe Street Traffic Review

1. That the report entitled Simcoe Street Traffic Review dated February 1, 2021 be received; and,
2. That the solar radar display board be deployed on Simcoe Street; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.5 Servicing Allocation Six-month Review

Moved by: Councillor Kwapis
 Seconded by: Councillor Broome

1. That the report entitled Servicing Allocation Six-Month Review dated February 1, 2021 be received; and,
2. That the Town's remaining servicing capacity (the Town Reserve) of 1833 persons of allocation, of which 16 persons is to be held in the Severance Reserve, be maintained for future development; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2.6 Fourth Quarterly Update to the Outstanding Matters List for 2020

1. That the report entitled Fourth Quarterly Update to the Outstanding Matters List for 2020 dated February 1, 2021 be received; and,
2. That Council adopt the updated Outstanding Matters List; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.7 Main Street District Business Improvement Area Board of Management Meeting Minutes of December 16, 2020

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of December 16, 2020 be received.

10. By-laws

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That By-law 2021-05 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

13.1 Community Ice Rink

Councillor Broome thanked volunteers for their efforts to help prepare the community ice rink at Whipper Watson Park.

13.2 Stormwater Management Ponds

Councillor Morrison inquired if there was currently more information regarding activities such as skating on the Town's stormwater management ponds. The Chief Administrative Officer advised that the Town's approach has been educational through Regulatory Services and that staff were gathering more information for further reporting to Council.

14. Closed Session

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

14.1 Committee of the Whole - Electronic Meeting (Closed Session) Minutes of February 1, 2021

Moved by: Councillor Kwapis
Seconded by: Councillor Woodhouse

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

Carried

14.1.1 Appointment to the Newmarket Economic Development Advisory Committee (NEDAC) - Newmarket Chamber of Commerce Representative

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

1. That Tracy Walters be appointed to the Newmarket Economic Development Advisory Committee (NEDAC) as the Newmarket Chamber of Commerce representative.

Carried

14.1.2 Proposed Disposition of Land - Property in Ward 6

Moved by: Councillor Broome
Seconded by: Councillor Morrison

1. That the confidential direction to staff be approved.

Carried

14.1.3 Appeal to the Local Planning Appeal Tribunal re: 55 Eagle Street East (Ward 5)

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That Closed Session Report CL-2021-02 dated February 1, 2021 entitled "Appeal to Local Planning Appeal Tribunal re: 55 Eagle Street East (Ward 5)" be received; and,
2. That the recommendations in Closed Session Report CL-2021-02 dated February 1, 2021 be adopted.

Carried

14.1.4 Litigation Update on Superior Court matters involving construction (Ward 2) and a disputed janitorial contract, a Small Claims Court matter involving construction (Wards 3 & 5) and a Human Rights Tribunal Matter involving Park Avenue (Ward 5)

Moved by: Councillor Simon
Seconded by: Councillor Woodhouse

1. That Closed Session Report CL-2021-01 dated February 1, 2021 entitled "Litigation Update on a Superior Court matter involving construction (Ward 2), a Superior Court matter involving a disputed janitorial contract, a Small Claims Court matter involving construction (Wards 3 & 5) and a Human Rights Tribunal Matter involving Park Avenue (Ward 5)" be received; and,
2. That the recommendations in Closed Session Report CL-2021-01 dated February 1, 2021 be adopted.

Carried

15. Confirmatory By-law

Moved by: Councillor Morrison
Seconded by: Councillor Broome

1. That By-law 2021-06 be enacted.

Carried

16. Adjournment

Moved by: Councillor Kwapis
Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 1:24 PM.

Carried

John Taylor, Mayor

Kiran Saini, Deputy Town Clerk

Memorandum: Commercial Rooftop Patios

March 1, 2021

To: Mayor and Members of Council

From: Jason Unger, Director, Planning & Building Services

Re: **Amendment to proposed Site Plan Guidelines for Commercial Rooftop Patios and Business Licence By-law**

At the February 22, 2021 Committee of the Whole meeting, Council reviewed the Commercial Rooftop Patio staff report. Comments received at the meeting included clarifying that noise mitigation may be required regardless of the location of the commercial rooftop patio. Specifically, that a noise wall will be required if the rooftop patio is within 40m of a residential property, and that it may still be required if the patio is beyond 40m from a residential property.

Accordingly, the amended site plan manual guidelines now read as follows:

“When reviewing a Commercial Rooftop Patio Council and staff shall consider that:

1. Any noise impacts of a Commercial Rooftop Patio must be mitigated.
 - a. A noise mitigation wall will be required when a Commercial Rooftop Patio is located within 40m of the property line of an adjacent residential property.
 - b. Commercial Rooftop Patios located over 40m from the property line of an adjacent residential property may also require a noise mitigation wall where deemed necessary by the Town.

A “noise mitigation wall” is generally a solid translucent or opaque barrier of a minimum of six feet in height for the purpose of noise reduction.”

We believe this will ensure that all applicants are notified at the earliest part of the process that they may need to provide a noise wall.

For additional information, please contact Meghan White, Senior Planner, Development at mwhite@newmarket.ca

In addition to an amended site plan manual, Town staff has also made changes to the proposed Business Licence By-law by:

1. Amending Section 8.4(4) to state: *No **Owner** or **Operator** shall operate or permit the occupancy of any **Outdoor Serving Area** between the hours of 1:00 a.m. and 11:00 a.m.*

This section has been amended to revert the hours of operation back to what is currently enacted by by-law with no regulatory changes proposed.

2. Amending Section 8.5(6) to state: *Every **Commercial Rooftop Patio** shall be required to install a solid, translucent, or Opaque Barrier that is a minimum of 1.8m in height along its perimeter for the purpose of noise reduction and security, unless otherwise authorized by the Town.*

This section has been amended to remove the locational requirement relating to a sound reduction wall of a Commercial Rooftop Patio within 40m of an adjacent residential property. This section will now require all Commercial Rooftop Patios have a sound reduction wall, unless otherwise permitted by the Town (i.e. through the site plan process).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Unger', with a checkmark-like flourish at the end.

Jason Unger, MCIP, RPP
Director, Planning & Building Services

Corporation of the Town of Newmarket

By-law 2021-XX

A By-law to amend By-law 2020-31 being a By-law to regulate and licence businesses in the Town of Newmarket.

Whereas Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

And whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

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

1. That Section 2 “Definitions” to the By-law 2020-31 be amended to add the following:

“Commercial Rooftop Patio” means any portion of a rooftop dedicated as a serving area that is an accessory use to a restaurant or to a commercial use.”

“Licensee” means a Person licensed under this By-law;

“Live Music” means any live performance utilizing an instrument, ones’ voice, a device or electronic equipment to amplify music, or any other form of live performance.

“Outdoor Serving Area” means any area on private or public property which is licensed to serve alcohol and is used by a business for the serving or consumption of food, beverages or refreshments which is not enclosed within a building structure or is exposed to the outdoors;

“Opaque Barrier” means a barrier which does not permit the transmission of light through its structure;

2. That Section 8 to the By-law 2020-31 be amended to add the following sections:

8.4 Outdoor Serving Areas

- (1) Prior to the submission of their business licence application, every **Owner** or **Operator** shall ensure that they are in compliance with all federal, provincial, and municipal requirements, including but not limited to the:

- (a) Alcohol and Gaming Commission of Ontario;
- (b) Central York Fire Services;

- (c) Town's Planning Department;
- (d) Town's Building Department; and
- (e) York Region Public Health.

- (2) Every **Owner** or **Operator** who proposes to sell or offer for sale alcohol from the **Outdoor Serving Area** shall provide to the Manager, at the time of their application, a copy of the Liquor Licence issued by the Alcohol and Gaming Commission of Ontario.
- (3) Every **Owner** or **Operator** shall ensure the **Outdoor Serving Area** operates at all times in accordance with the Alcohol and Gaming Commission of Ontario.

(4) No **Owner** or **Operator** shall operate or permit the occupancy of any **Outdoor Serving Area** between the hours of 1:00 a.m. and 11:00 a.m.

~~Every **Owner** or **Operator** shall only operate or permit the occupancy of any **Outdoor Serving Area** between the hours established by, and in accordance with, the Alcohol and Gaming Commission of Ontario.~~

- (5) Every **Outdoor Serving Area** that is located within 40m of the property line of an adjacent residential property shall be required to install a solid, translucent, or Opaque Barrier that is a minimum of 1.8m in height along its perimeter for the purpose of noise reduction and security.
- (6) Every **Outdoor Serving Area** which is illuminated in an area adjacent to a residential use shall ensure all lighting fixtures and illumination are arranged, designed, and installed to deflect the light down and away from residential buildings, lots, and streets.
- (7) Any Person that proposes to operate an **Outdoor Serving Area** on public property along Main Street and between Millard Avenue and Water Street must first obtain approval from the Town's Planning Department.
- (8) Notwithstanding Section 6(1) of this By-law, every **Outdoor Serving Area** located on public property shall only be permitted between April 1st and October 30th within the same calendar year.

8.5 Commercial Rooftop Patios

- (1) Prior to the submission of their business licence application, every **Owner** or **Operator** shall ensure that they are in compliance with all federal, provincial, and municipal requirements, including but not limited to the:
 - (a) Alcohol and Gaming Commission of Ontario;
 - (b) Central York Fire Services;
 - (c) Town's Planning Department;
 - (d) Town's Building Department; and
 - (e) York Region Public Health.
- (2) Every **Owner** or **Operator** shall only operate or permit the

occupancy of any **Commercial Rooftop Patio** between the hours of 9:00 a.m. and 11:00 p.m. within the same calendar day.

- (3) No **Live Music** shall be permitted on any **Commercial Rooftop Patio** at any time.
- (4) Notwithstanding Section 8.5(3) above, an **Owner** or **Operator** of a **Commercial Rooftop Patio** can apply for a noise exemption permit to allow **Live Music** for special event purposes.
- (5) Any other form of music permitted on a **Commercial Rooftop Patio** shall comply with the Town of Newmarket Noise Bylaw 2017-76, as amended.
- (6) Every **Commercial Rooftop Patio** ~~that is located within 40m of the property line of an adjacent residential property~~ shall be required to install a solid, translucent, or Opaque Barrier that is a minimum of 1.8m in height along its perimeter for the purpose of noise reduction and security, unless otherwise authorized by the Town.
- (7) Every **Commercial Rooftop Patio** which is illuminated in an area adjacent to a residential use shall ensure all lighting fixtures and illumination are arranged, designed, and installed to be dark sky compliant and to deflect the light down and away from residential buildings, lots, and streets.

3. That the following Section 11 be added to By-law 2020-31:

11. Repeal

- (1) Outdoor Serving Areas By-law 2016-29 is hereby repealed.

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Special Committee of the Whole - Electronic

Date: Tuesday, February 9, 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
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

Guests: Lisa Rapoport, PLANT Architect Inc.
Paul Boken, MBL

For consideration by Council on March 1, 2021.
The meeting was called to order at 1:02 PM.

Mayor Taylor in the Chair.

Deputy Mayor & Regional Councillor Vegh in the Chair from 2:09 PM to 2:14 PM.

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

The Clerk advised of the following addition to the agenda:

- Item 6.1.1: Correspondence provided by Ashley Day regarding the Mulock Property Developed Design Concept

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the addition to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Mulock Property Developed Design Concept

Note: This item was dealt with under item 6.1. See item 6.1 for motion.

The Commissioner of Development & Infrastructure Services provided an introduction to the presentation and an overview of the process that has occurred thus far. He reviewed the themed design concepts presented to Council at their previous Special Committee of the Whole meetings and

provided next steps for engagement on the designs including a Public Information Centre scheduled for March 2021.

Lisa Rapoport of PLANT Architect Inc. provided a presentation on the Mulock Arboretum design concept. The presentation included a detailed overview of the site including features such as the skate trail, splash pad and pavilion, conservatory and diversity gardens and an artist residency and historic garden. The presentation continued with an overview of sustainability measures to be included on the site, including targets for energy use, material use strategy and water conservation. The presentation continued with various options for landscape lighting and the overall strategy for incorporating lighting throughout the site. The presentation concluded with next steps for the project, with the Master Plan targeted for Council approval in April 2021.

Members of Council queried the presenter on the proposed site plan including vehicle access, drop-off, traffic flow and parking in relation to seasonal uses and amenities. Members further discussed the lighting plans for the grounds, use of existing buildings, water features, the skating trail and plans for the house.

5. Deputations

None.

6. Items

6.1 Mulock Property Developed Design Concept

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

Moved by: Councillor Broome

Seconded by: Councillor Morrison

- 1. That the presentation provided by Lisa Rapoport, PLANT Architect Inc. regarding the Mulock Property Emerging Design Concept be received; and,**
- 2. That the correspondence provided by Ashley Day regarding the Mulock Property Developed Design Concept be received; and,**
3. That the report entitled Mulock Property Developed Design Concept dated February 9, 2021 be received; and,

4. That comments on the developed design concept plan for the Mulock Park be received and incorporated into the preparation of the concept design to be illustrated at a Public Information Centre, and to prepare the final concept plan thereafter; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.1.1 Correspondence - Ashley Day

7. Closed Session

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

8. Adjournment

Moved by: Councillor Kwapis


Seconded by: Councillor Simon

1. That the meeting be adjourned at 3:10 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



P L A N T

PLANT ARCHITECT INC.

**Walter Fedy
GBCA
PROCESS
Dew Inc.
MBL
A.W. Hooker
Custom Ice Inc.
Trina Moyan Bell
Eric Beck Rubin**

MULOCK PROPERTY

**Special Committee of the Whole
February 9, 2021**

AGENDA

Plan Updates

Material & Outbuildings Concepts

Site Tour

- Young & Mulock Entry
- House & Great Lawn
- Skate Trail, Splash Pad & Pavilion
- Conservatory & Diversity Gardens
- Artist Residency & Historic Garden
- Jim Bond Park & Playground

Sustainability

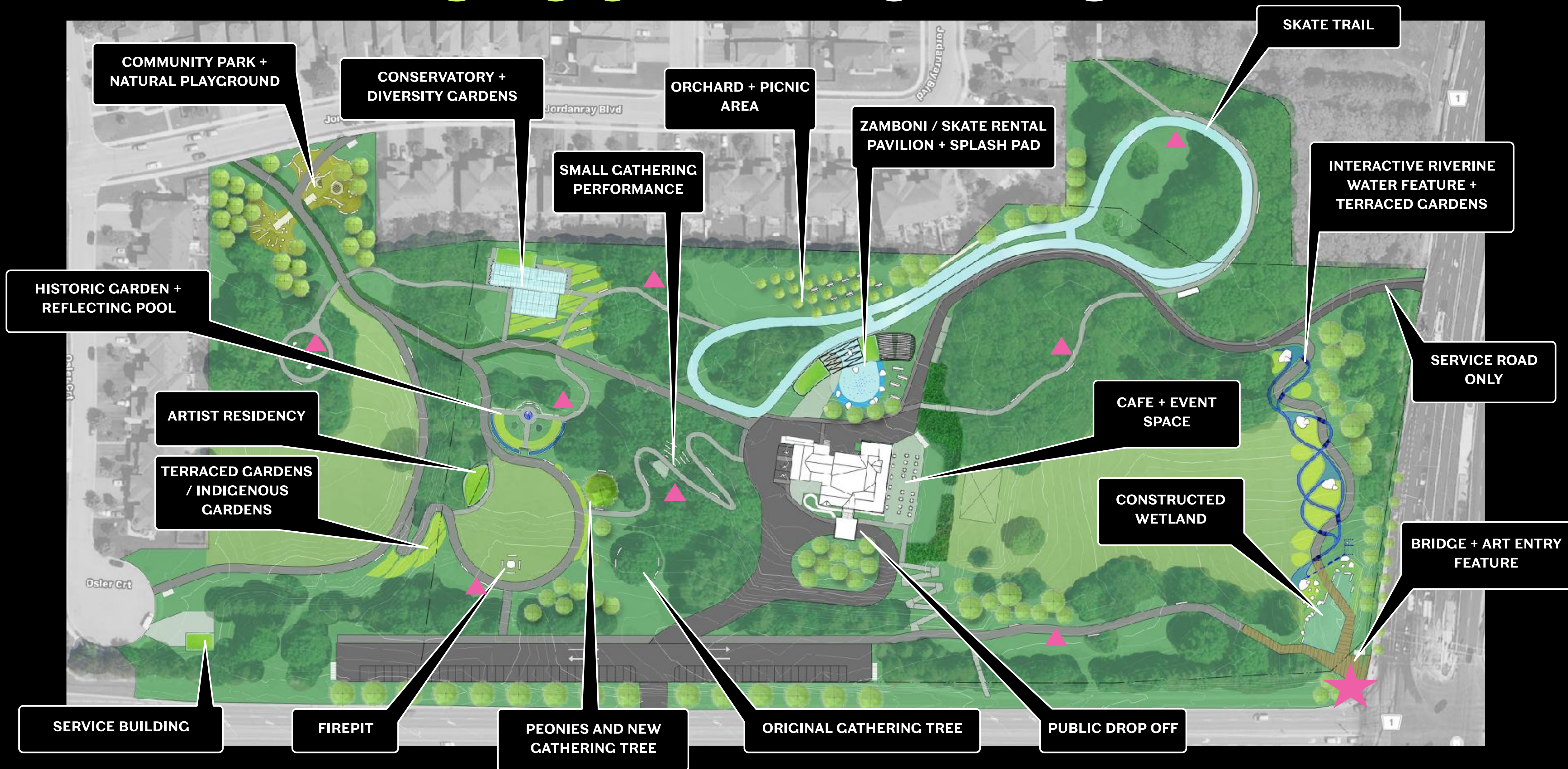
Lighting -

- Paul Boken, MBL present for Q&A

MULOCK ARBORETUM



MULOCK ARBORETUM



MULOCK ARBORETUM

WHAT'S CHANGED?

LANDSCAPE:

- Entryway feature
- Riverine water feature
- terraced gardens/Yonge frontage
- Orchard planting and picnic area adjacent to skate trail, new buffers
- Tent relocation to south of house
- Parkette and natural play area at Jim Bond / Jordanray Blvd entrance

ARCHITECTURE:

- Conservatory
- Artist's Residency studio
- Skate Building/Infrastructure
- Service Building



PARK PATH HIERARCHY



Legend:

- Road
- Existing Path
- Bridge
- Primary Path
- Secondary Path
- Access Ramp
- Skate Path (Winter)
Multi-Use Path (Summer)

PARK PATHS - WINTER



Legend:

- Accessible Path
maintained in winter
(0-5% slope or ramp)
- Not maintained in winter
- Skate Trail

**REVEAL LAYERS OF
MATERIAL HISTORY
NATURAL AND CULTURAL
—
WOOD AND STONE**

WOOD



arboretum and forest – wood showing its nature and the hand that shapes it – consciousness of wood

- felled trees (for wildlife habitat)
- repurposed trees for play, furniture and building structure and cladding, cured on site
- revel in tree forms

STONE



Recalling the geology of the moraine:
glaciation, kettle lakes – scraped
surfaces, erratics (randomly placed
stone in the landscape)

- stone singular, sculptural, irregular
- partially shaped by hand



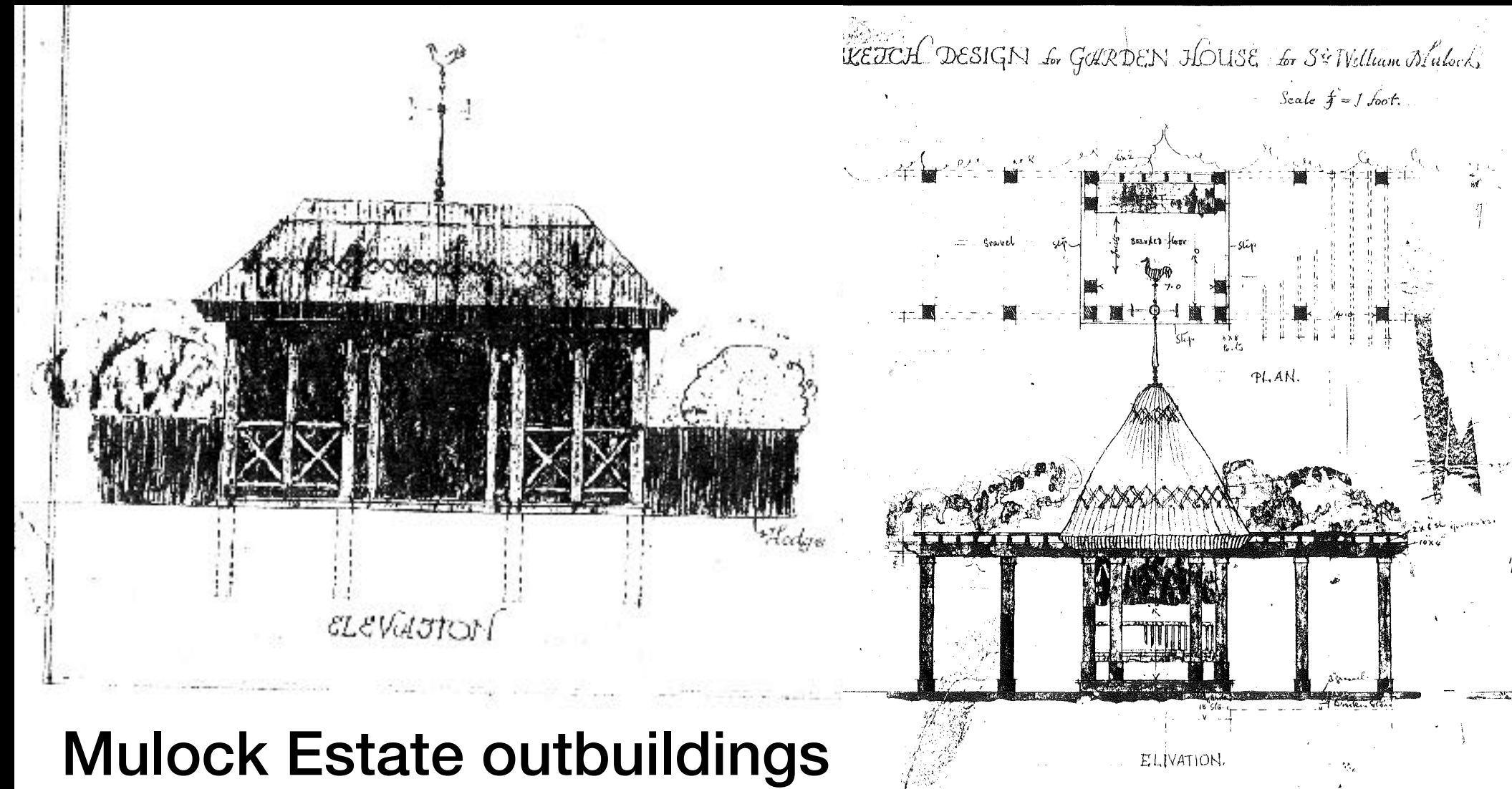
FURNITURE



wood with metal, made from trees, analogous to trees, showing off trees

IN DIALOGUE WITH THE HOUSE

RUSTICNESS – VICTORIAN



Mullock Estate outbuildings



In contrast to the complex assembly of the house – simpler forms, highly textured, in the woods – the country leisure as opposed to the city

IN DIALOGUE WITH THE HOUSE

RUSTICNESS MODERN – TEXTURE



highly textured, woodsy, shows off texture of wood

IN DIALOGUE WITH THE HOUSE

RUSTICNESS MODERN – FORM



simple forms with high texture and shadow

IN DIALOGUE WITH THE HOUSE

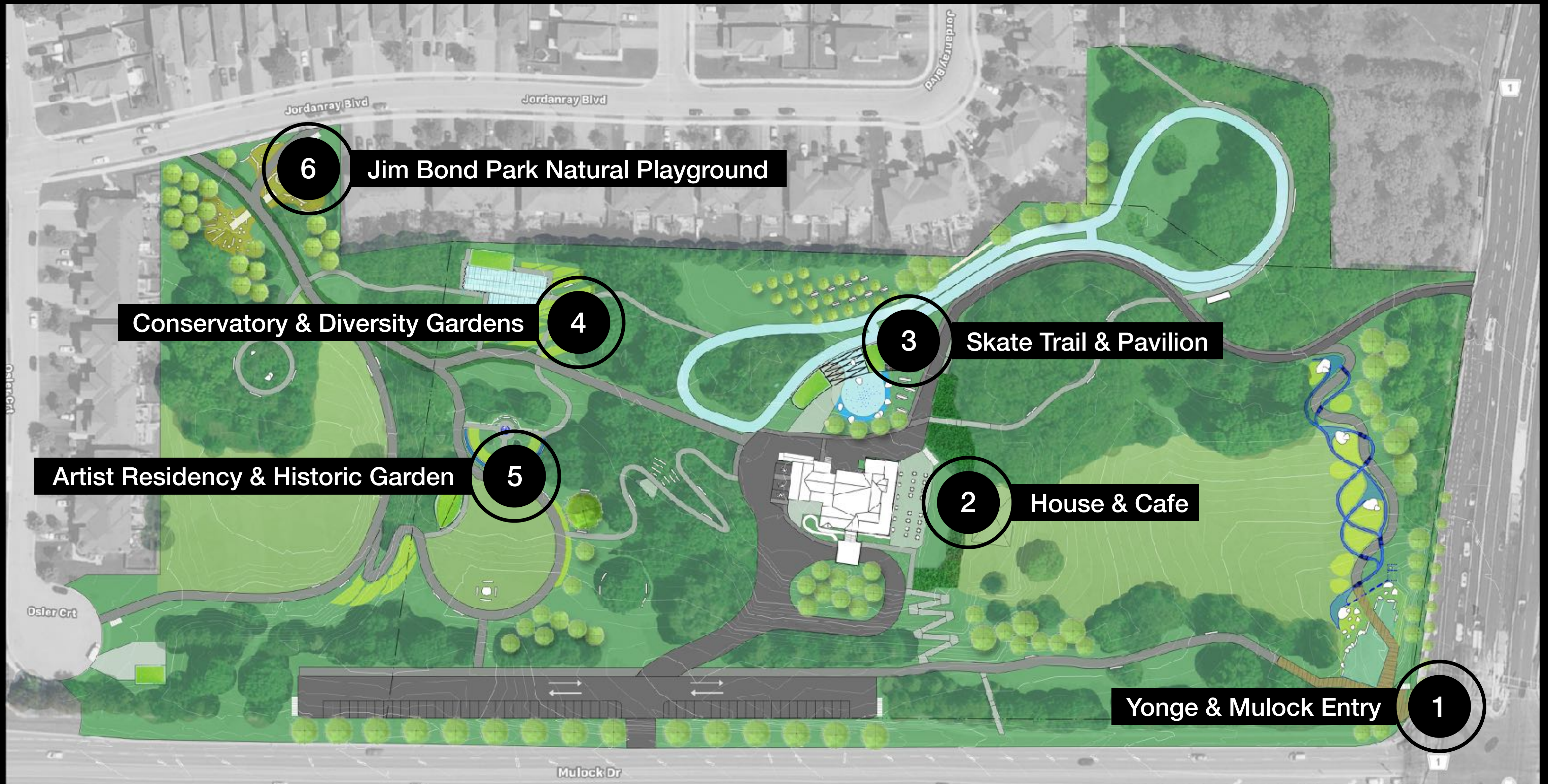
INSIDE/OUTSIDE SPACES



Porches, overhangs, inside outside spaces and many front doors mark them as garden buildings always engaged with the landscape



MULOCK ARBORETUM: SITE TOUR





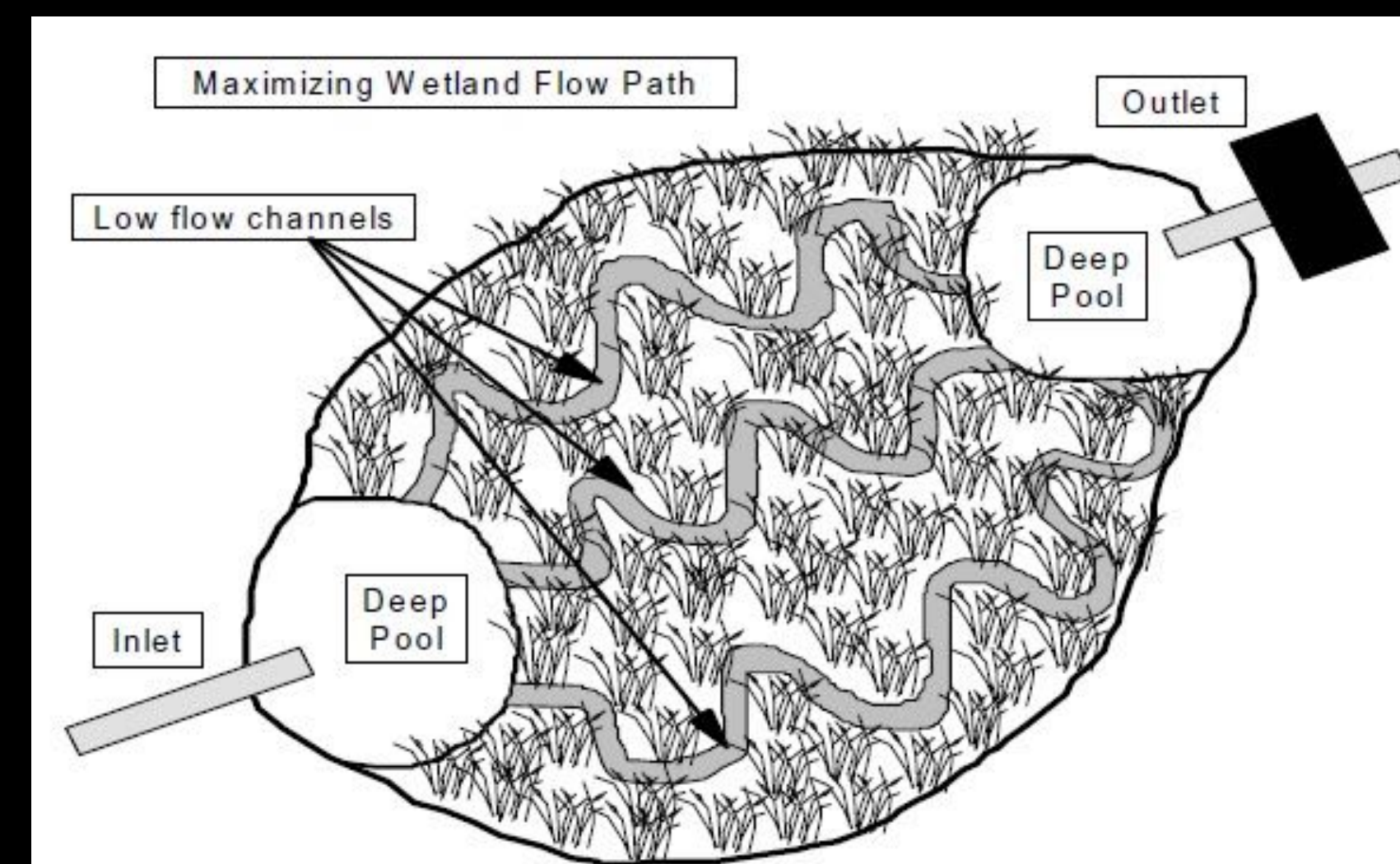
YONGE & MULOCK ENTRY



ENTRY AT YONGE & MULOCK



ENTRY PRECEDENTS



ENTRY







RIVERINE WATER SITE



RIVERINE WATER CONCEPT



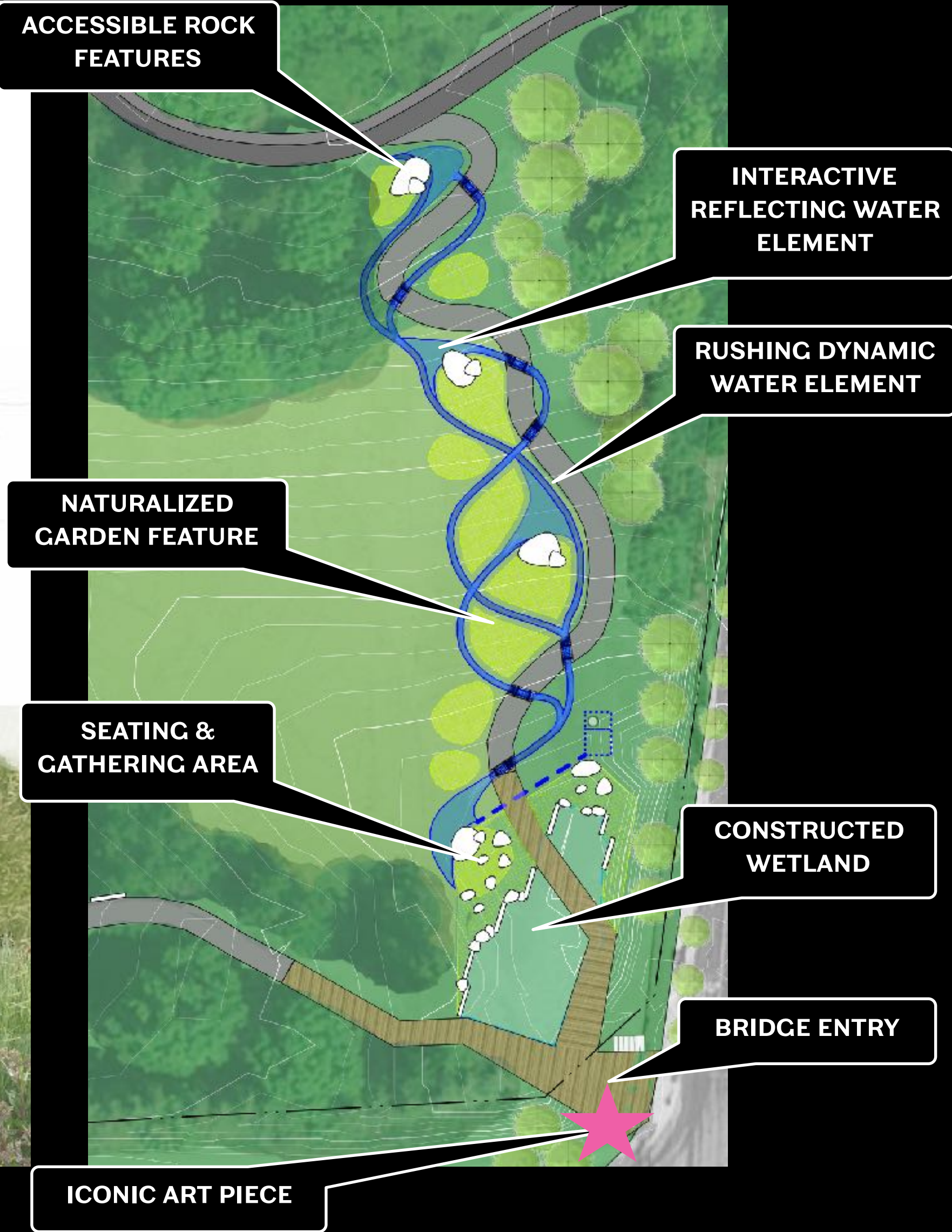
Braided stream, glacial river, call back to geological moraine

RIVERINE WATER PRECEDENTS



Sound, cascades, rugged/elegance, interactive.

RIVER BOULDER GARDEN CONCEPT





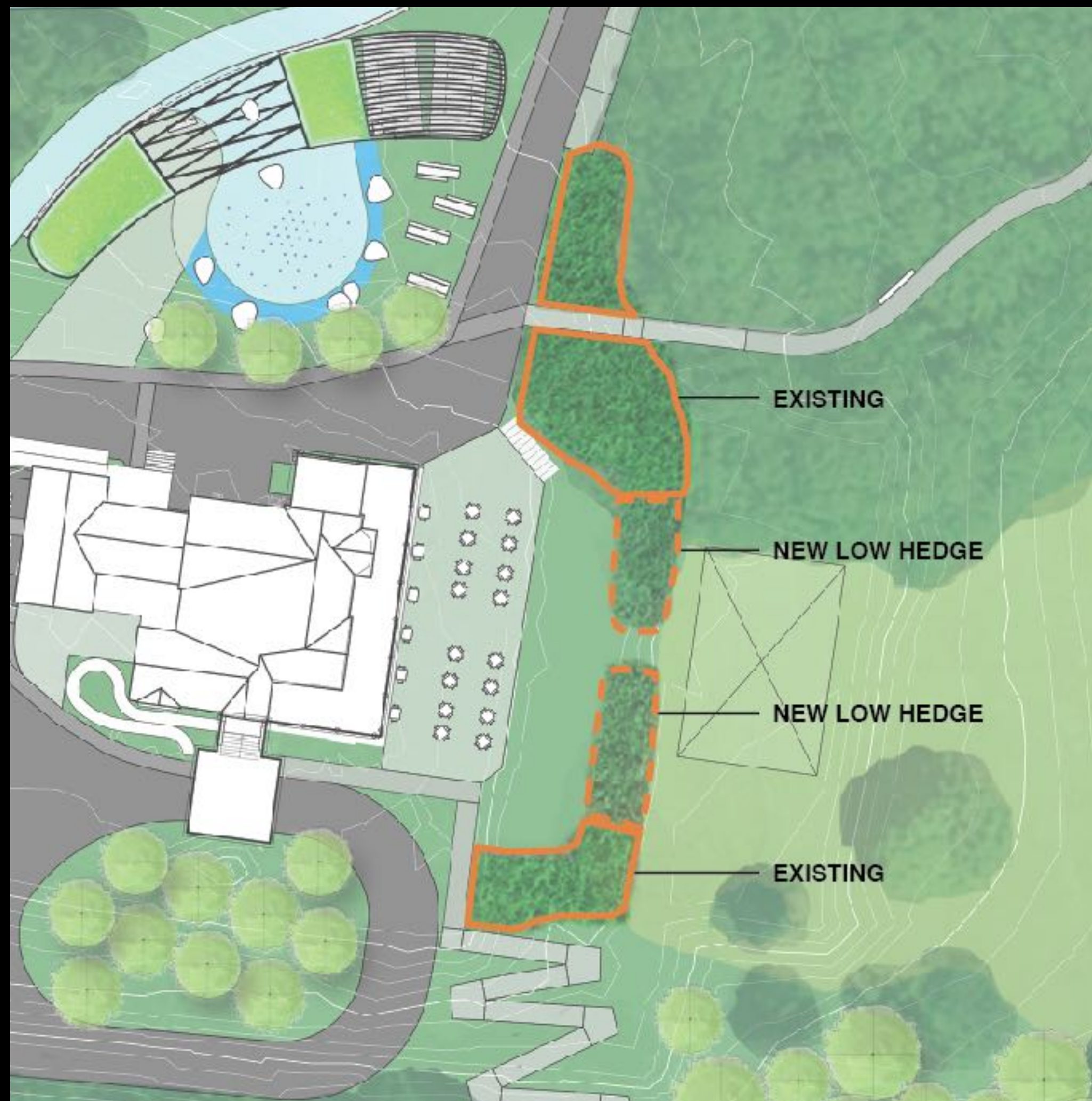


HOUSE & GREAT LAWN

CONNECTING HOUSE AND LAWN



CONNECTING HOUSE AND LAWN



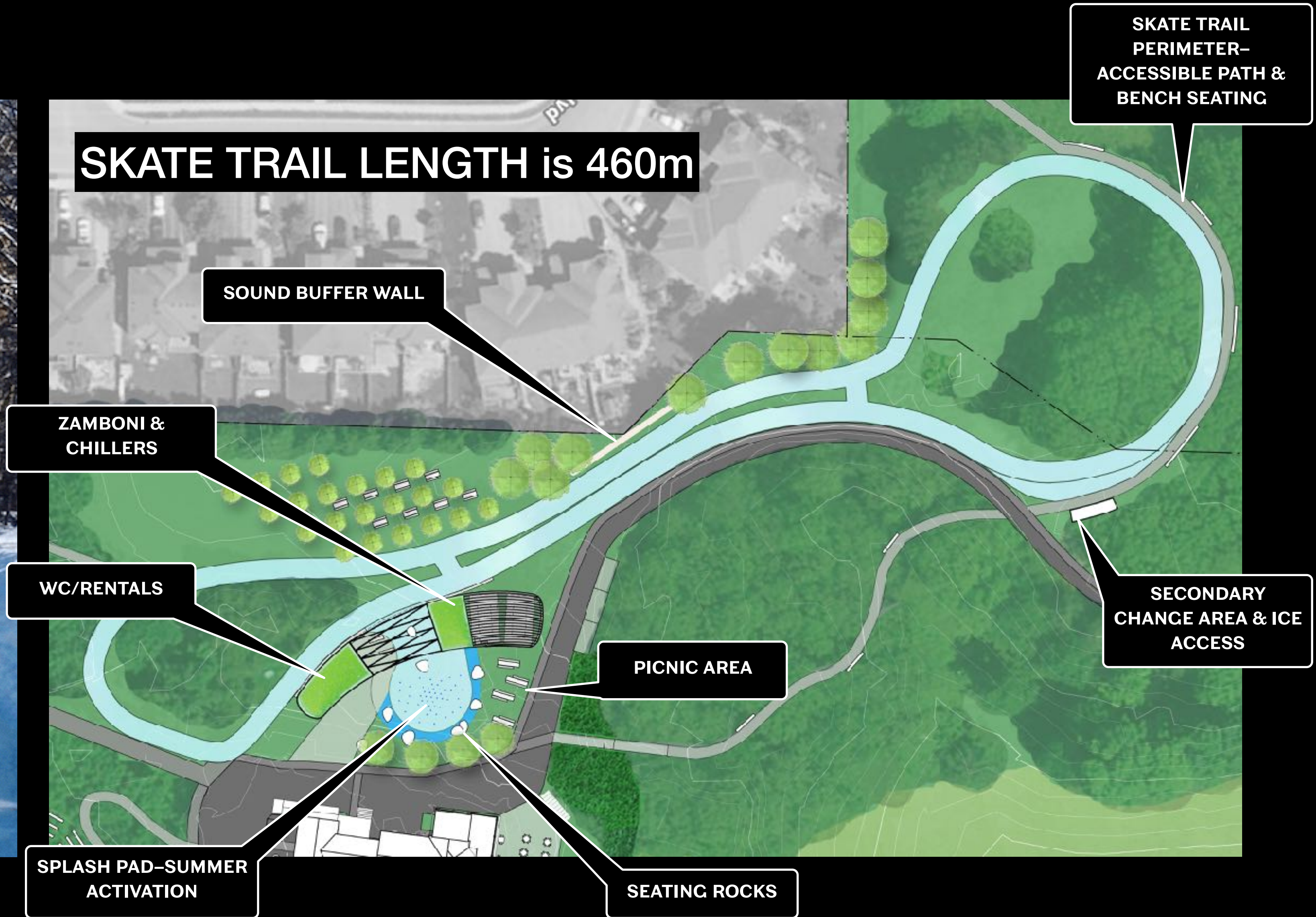






SKATE TRAIL, SPLASH PAD & PAVILION

ICE INFRASTRUCTURE

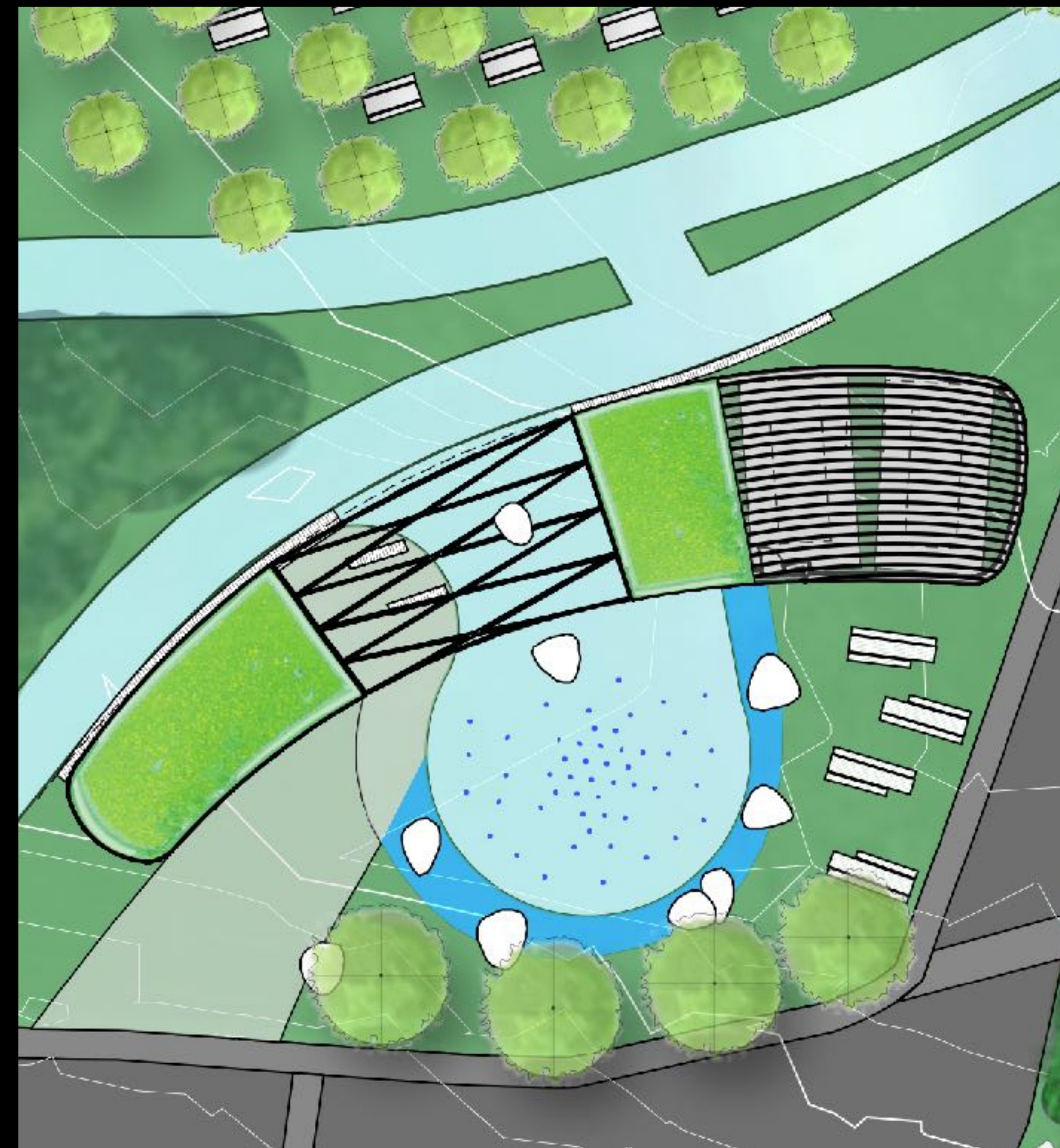




ICE/SPLASH PAD SITE



SPLASH PAD CONCEPT



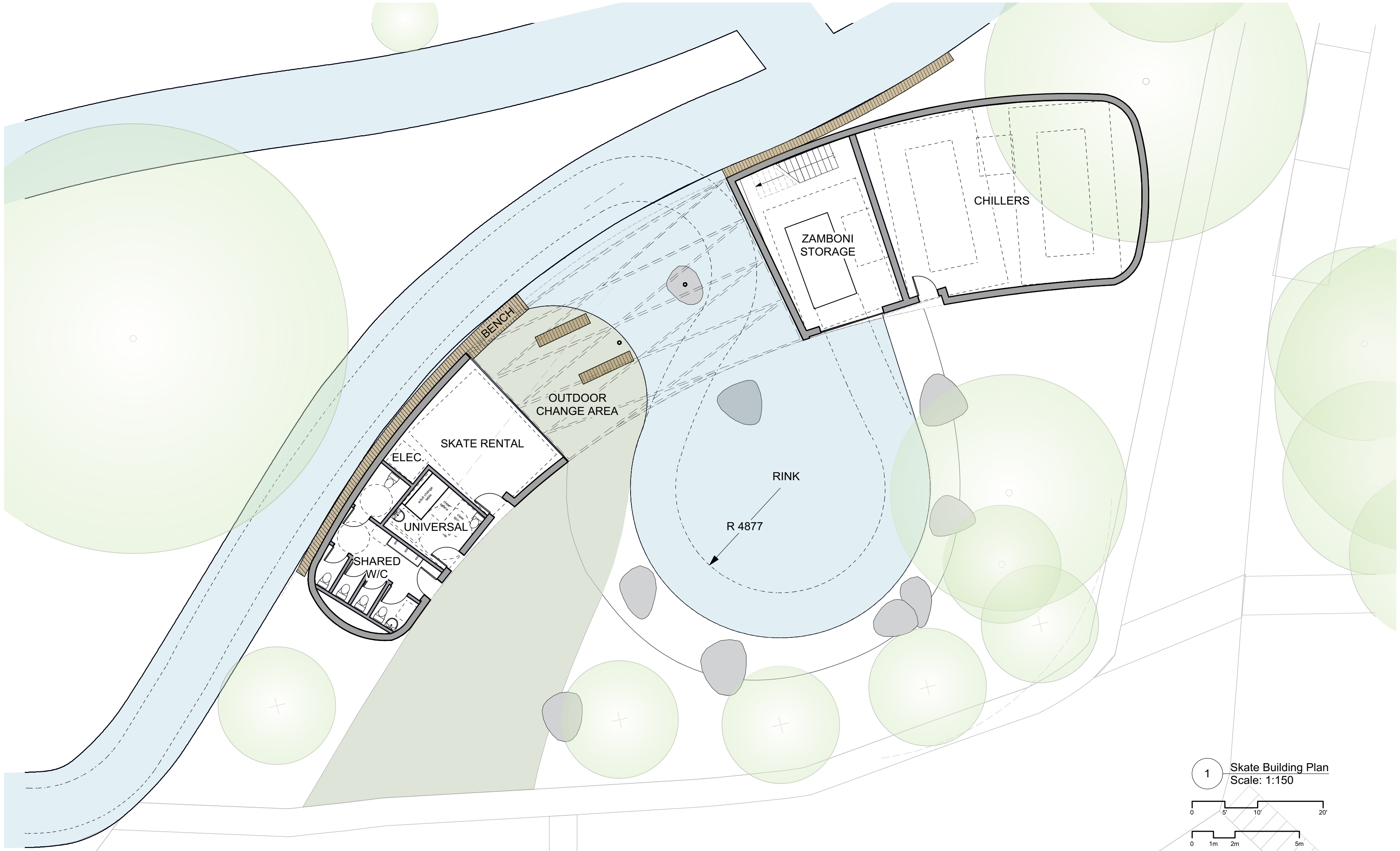
Wet plaza with seating and overlooks

SPLASH PAD PRECEDENTS

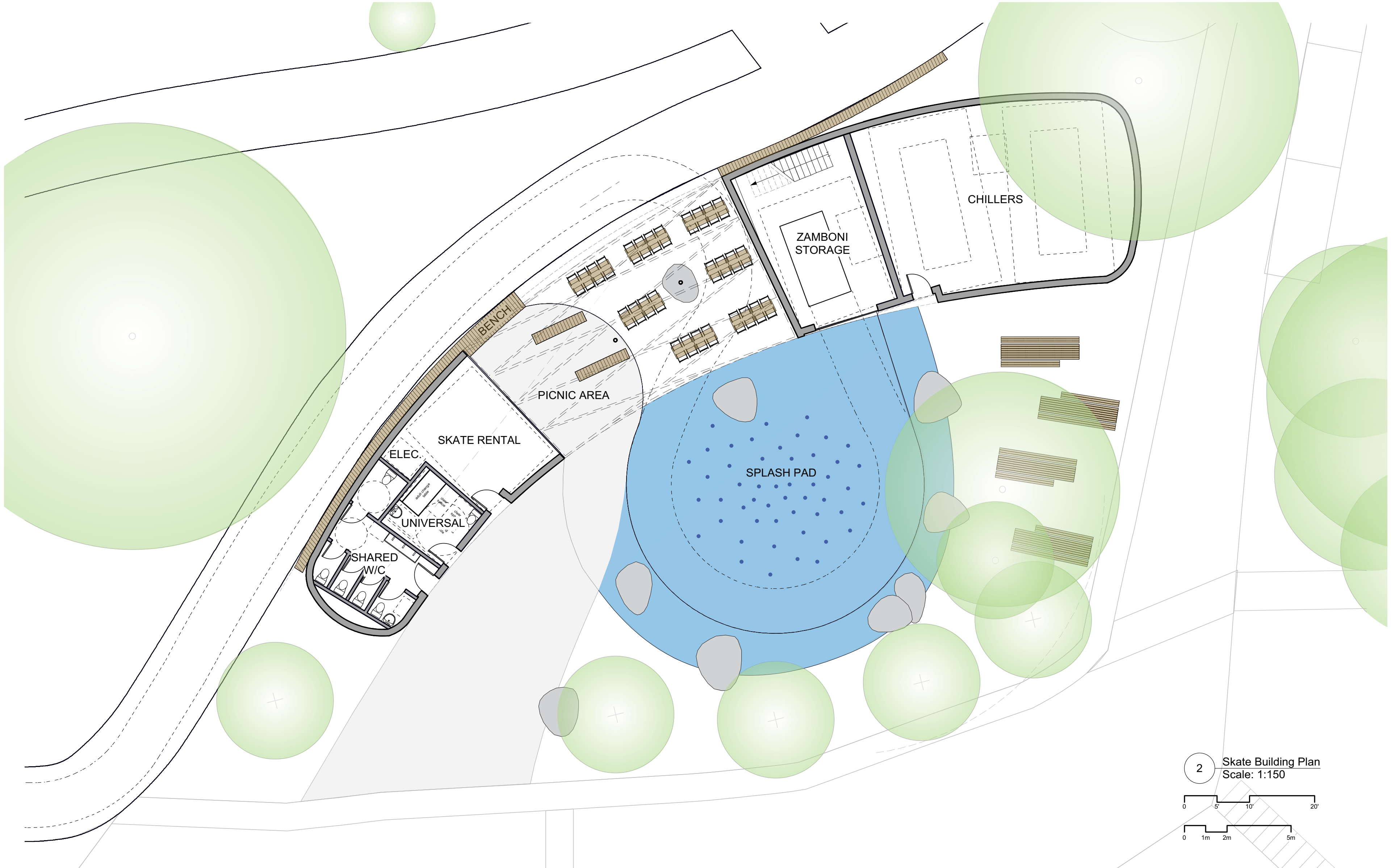


Plaza surface as an art piece, stones with some shape and can be play things when no water

SKATE PAVILION WINTER

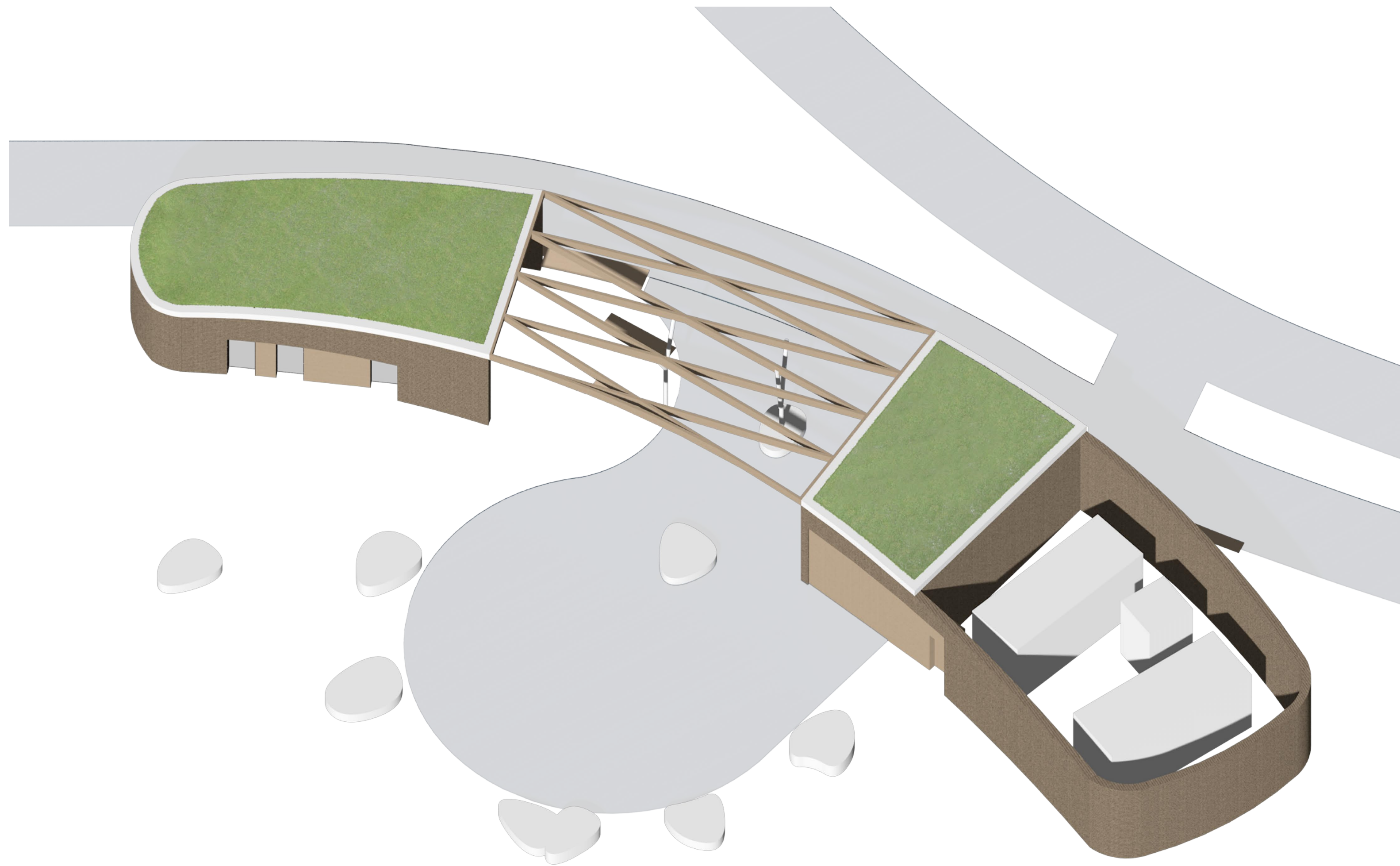


SKATE PAVILION SUMMER



2 Skate Building Plan
Scale: 1:150

SKATE PAVILION



SKATE PAVILION



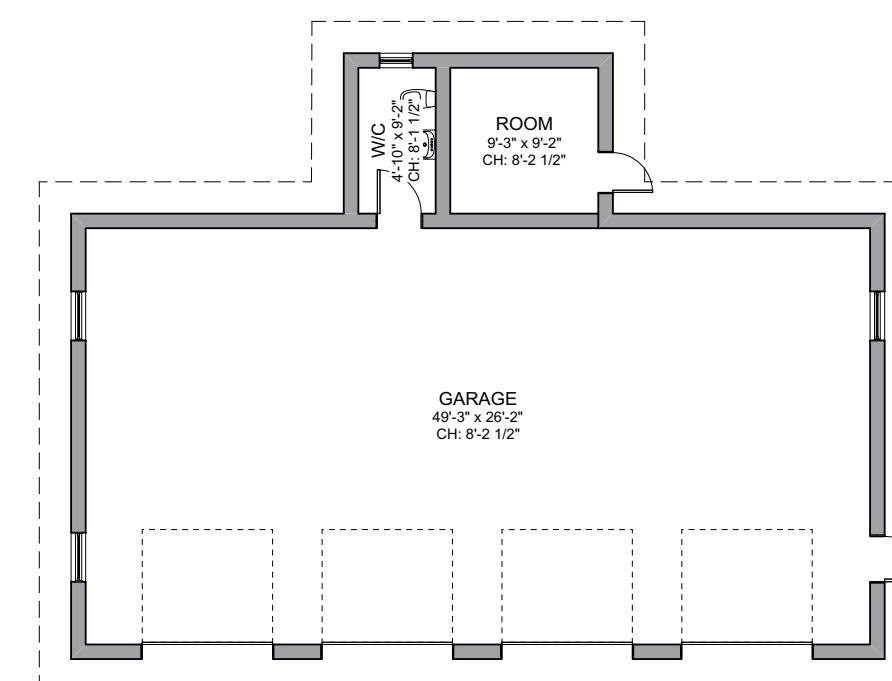
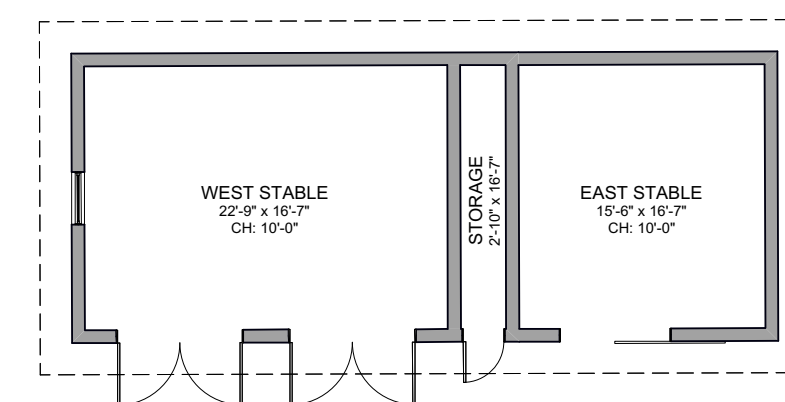




CONSERVATORY & DIVERSITY GARDENS



CONSERVATORY SITE

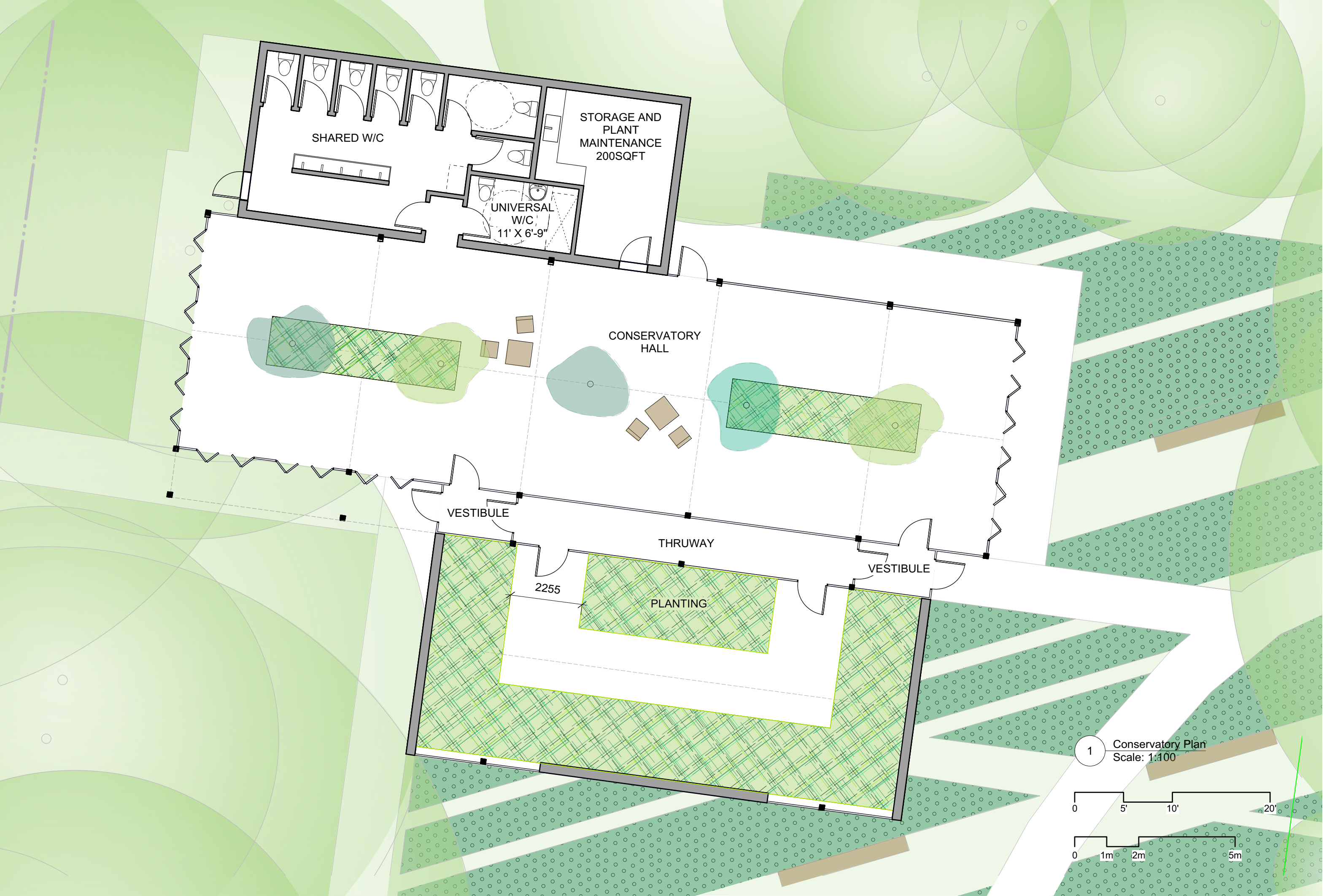
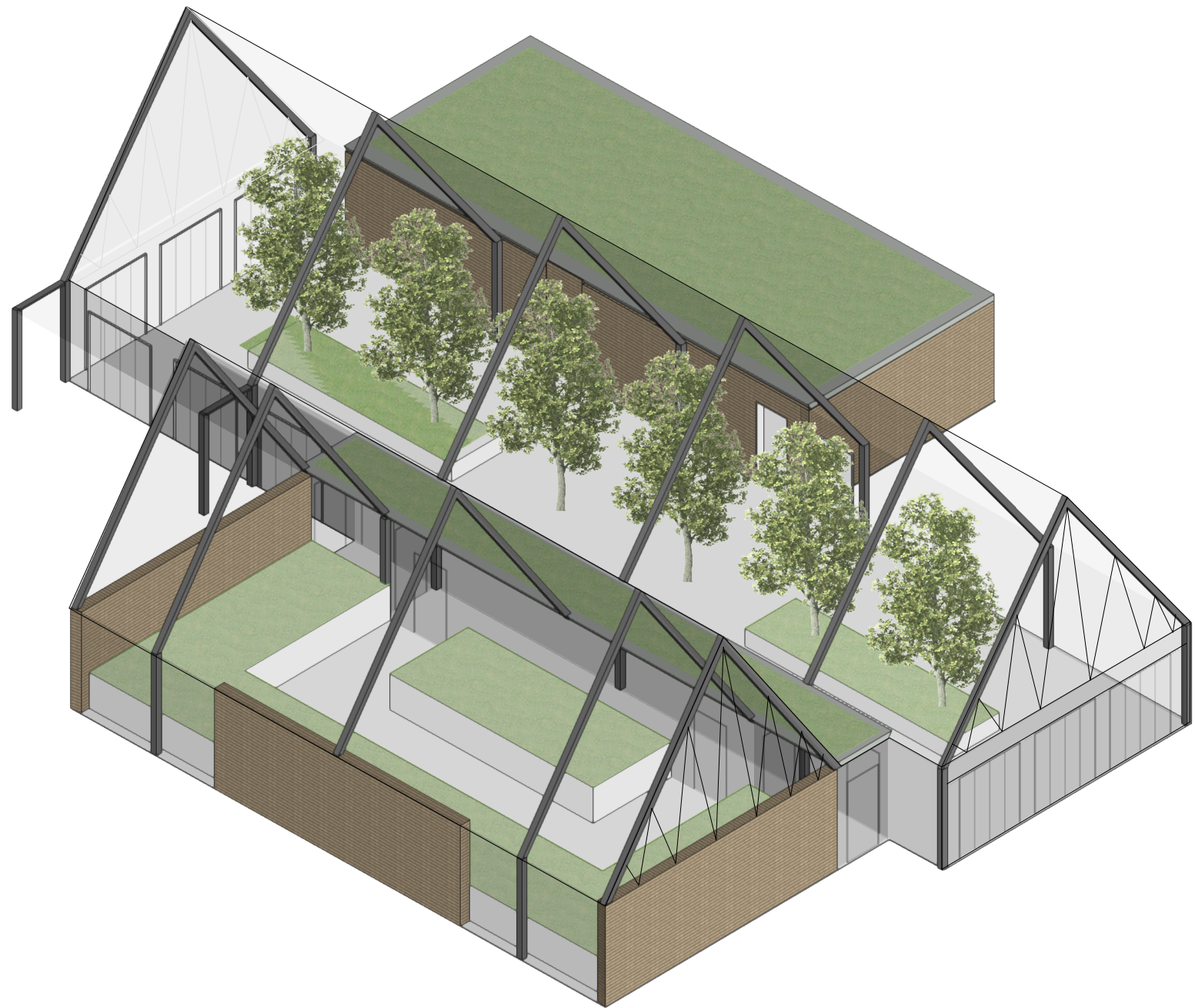


CONSERVATORY CONCEPTS



Indoor/outdoor experience, views of the sky and tree canopy, wood and metal structure tree like

CONSERVATORY



CONSERVATORY







ARTIST RESIDENCY & HISTORIC GARDEN



HISTORIC FOUNTAIN SITE



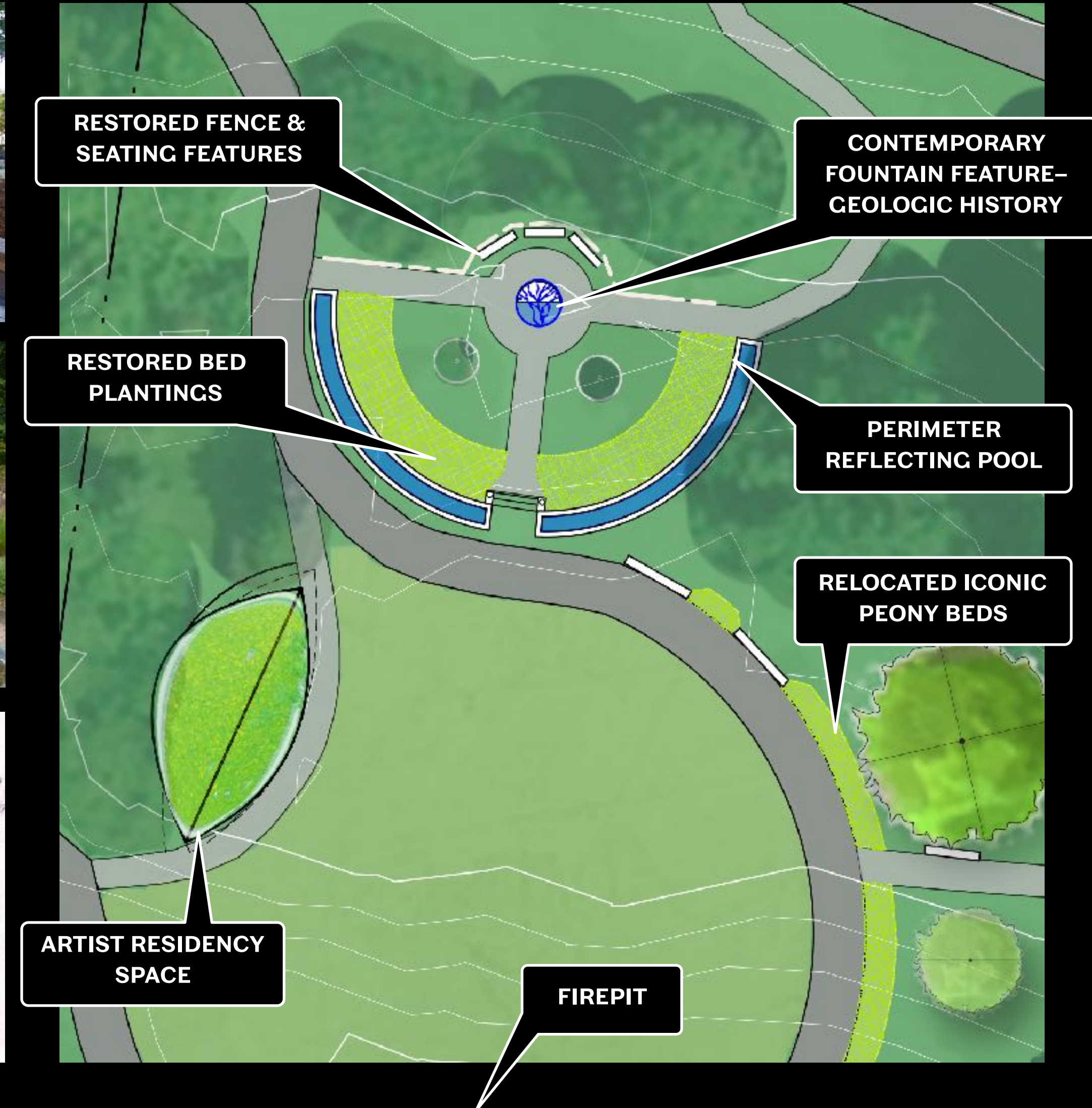
REFLECTING POOL SITE



ARTIST RESIDENCY SITE



HISTORIC GARDEN WATERWORKS

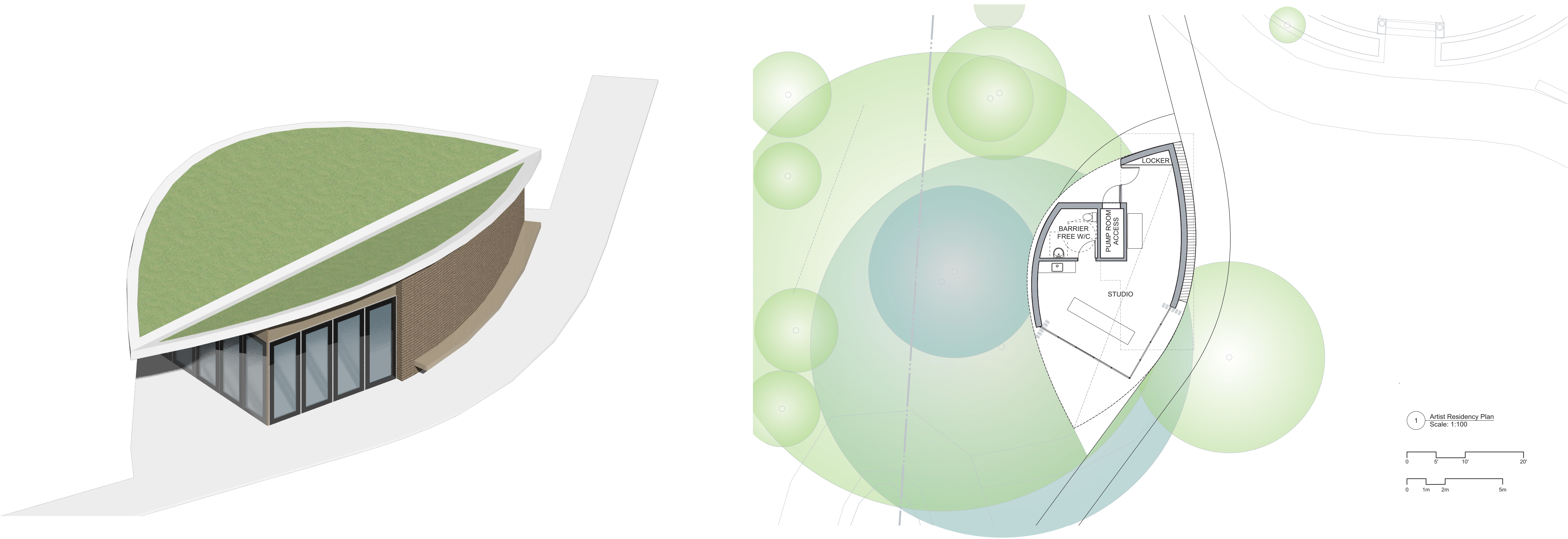


Calm, elegant, reflecting, rippling with glacial stone sculpture

ARTIST RESIDENCY PRECEDENTS



ARTIST RESIDENCY



ARTIST RESIDENCY



ARTIST RESIDENCY



ARTIST RESIDENCY







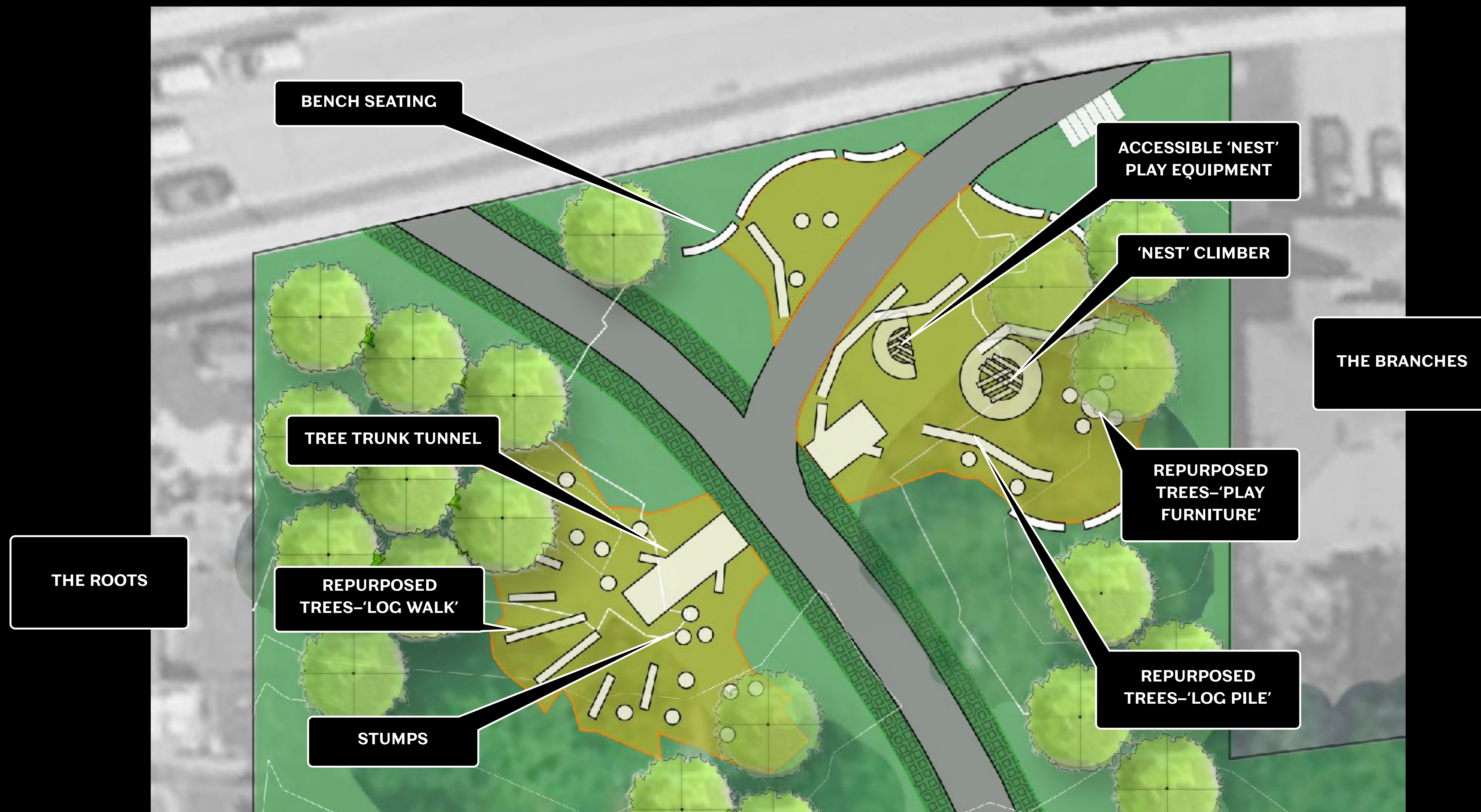
JIM BOND & NATURAL PLAYGROUND



NATURAL PLAY CONCEPTS



THE TREE PLAYGROUND





SUSTAINABILITY

SUSTAINABILITY

Energy

- Targeting - worth town's emerging energy targets
- Commit to partnership with green energy, evaluate possible on site generation – ground source heat pump, parking lot solar panels
- Minimize energy uses for light/fountain with programming and controls

Material Strategy

- Local, reuse from the site - wood appropriate uses (walnut interior, cedar exterior.etc)
- Minimize non permeable paving

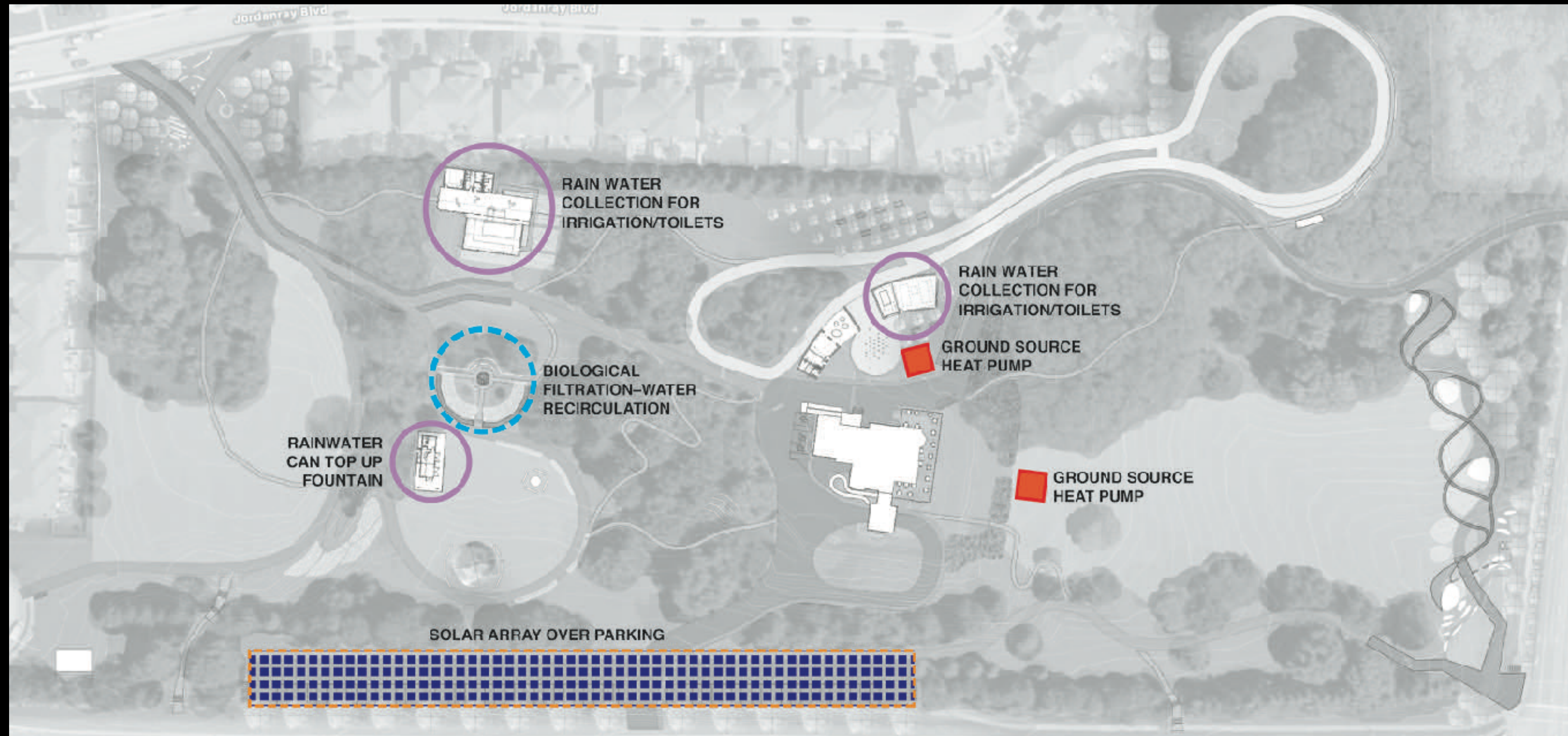
Saving water

- Rainwater collection and reuse – irrigation or top up for biologically treated fountains
- Reuse of grey water has costs – explore in implementation
- All fountains recirculating
- Slow storm water impacts - green roofs, rainwater collection

Integrated Design Process/Construction Process

- In implementation

SUSTAINABILITY



Rain gardens or infiltration basins

- Depending on local soil conditions
- At stormwater runoff source points throughout the site esp – roof drainage at artists' residence + main house – reduces overall peak flows and time to peak over the entire site.

Overall site:

- Stormwater quality and quantity control in engineered wetland
- Public education opportunity



LIGHTING

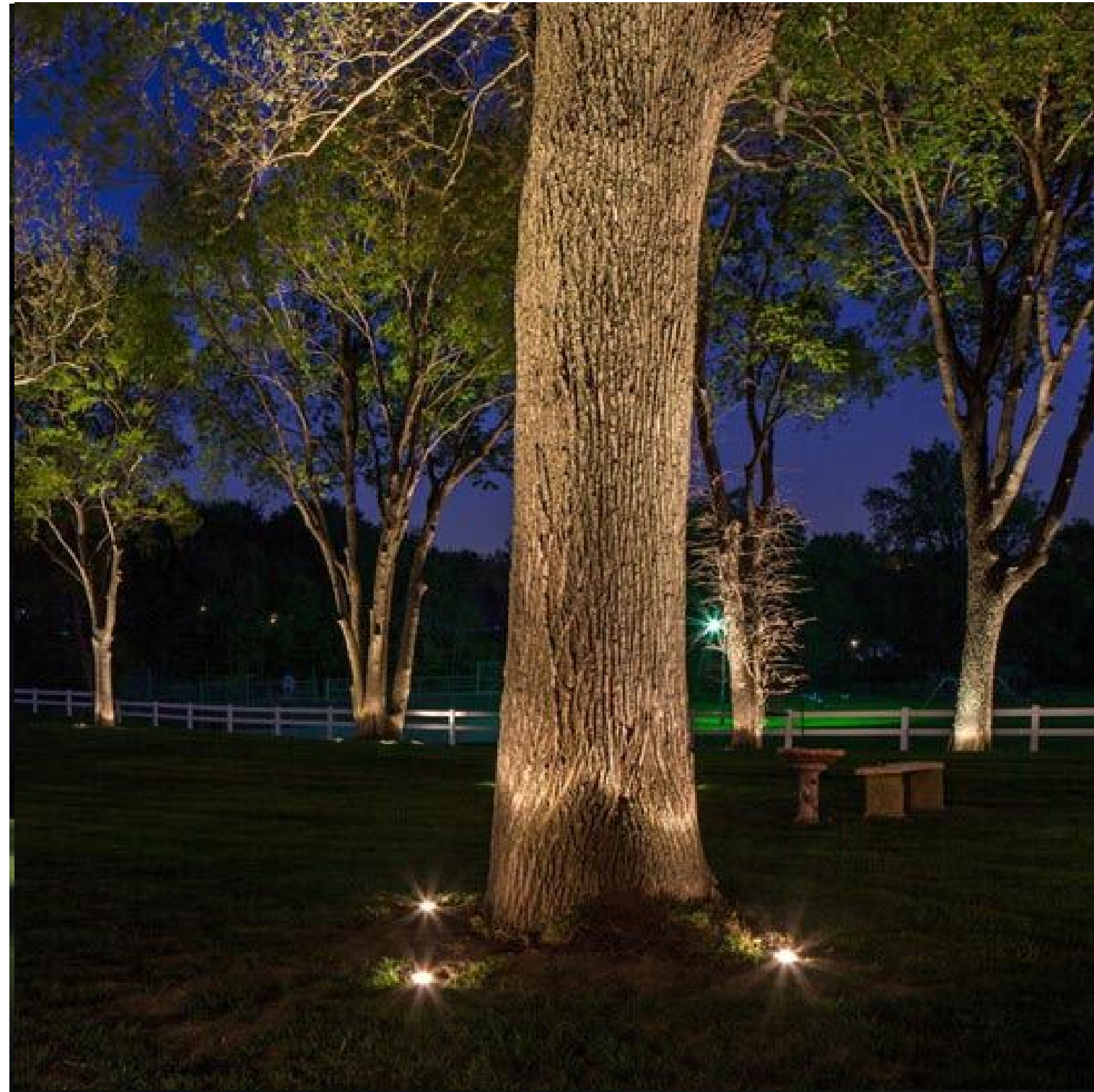


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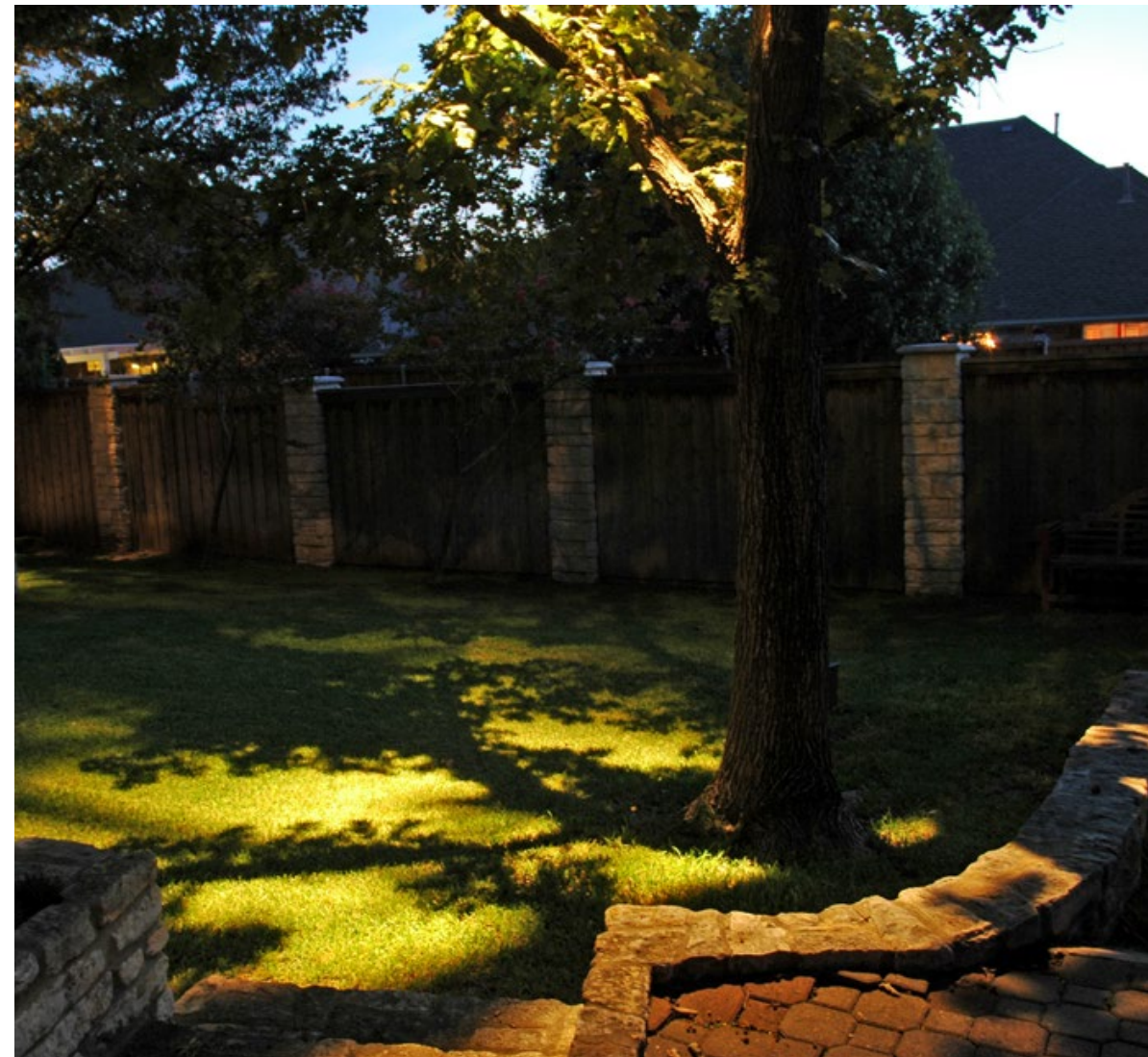
M U L O C K E S T A T E L A N D S C A P E L I G H T I N G S T R A T E G Y

S C H E M A T I C D E S I G N

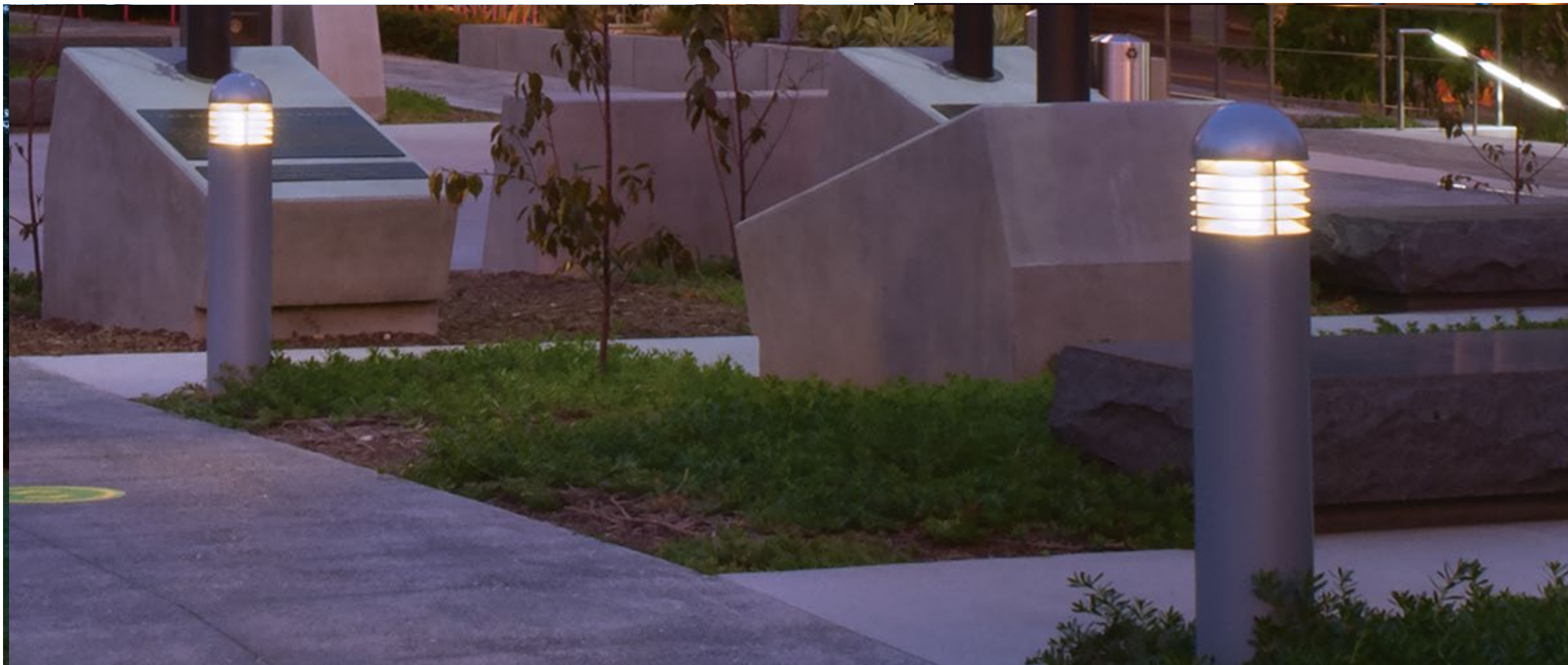
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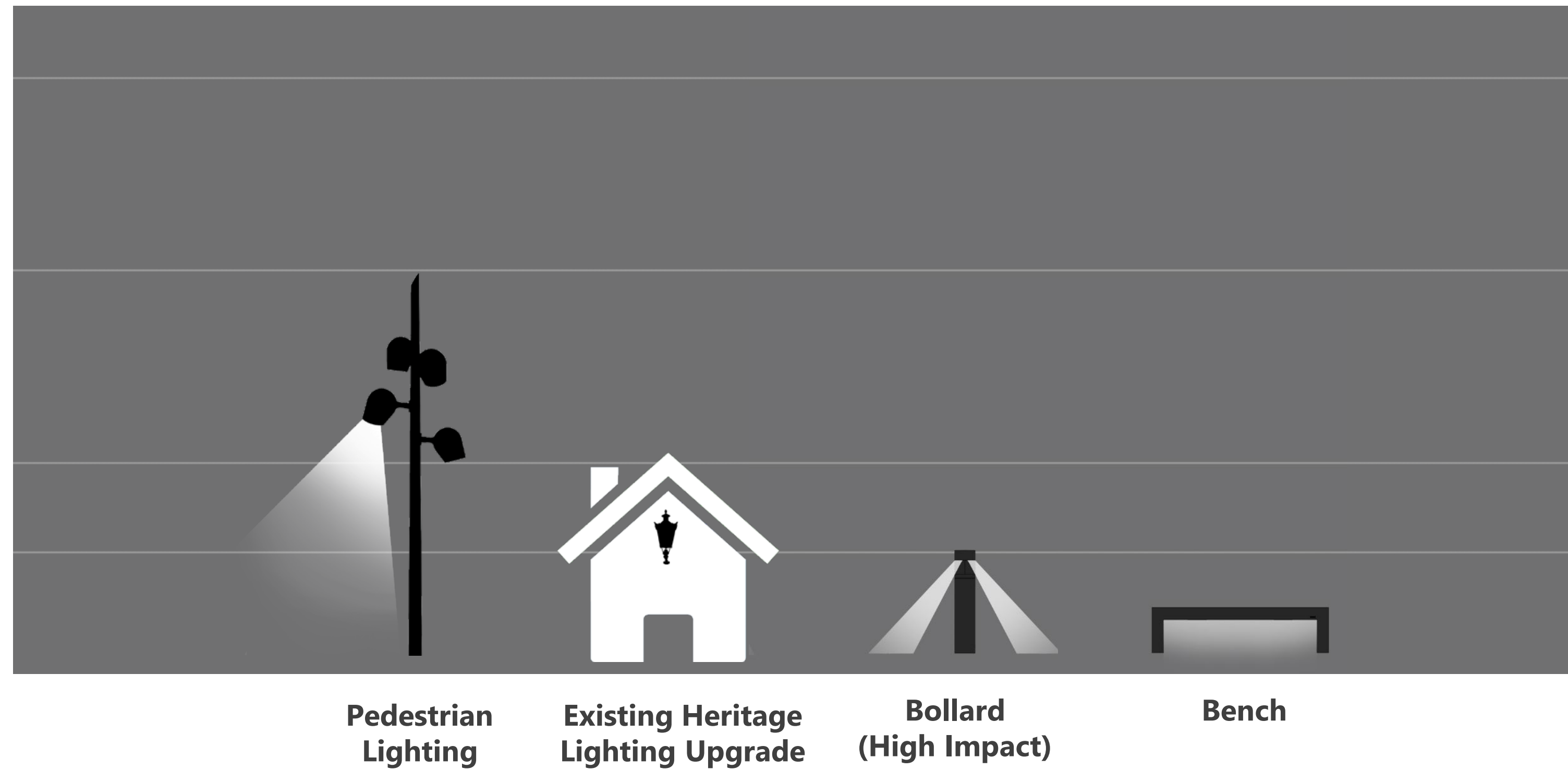
REFERENCE IMAGES



REFERENCE IMAGES

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

MBL









LUMINAIRE – HIERARCHY AND SCALE

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY



AVERAGE TARGETED LIGHT LEVELS

	Nature Interpretation / Estate	15-20 Lux
	Skate Trail	10-15 Lux
	Vehicles Roads	10-15 Lux
	Trail – Main	10 Lux
	Trail – Secondary	5 Lux
	No Light Zone	

LIGHT LEVELS

THE 5 PILLARS

- ROOTED IN HISTORY
 - Lighting design will reflect the natural setting of Mulock Estate and exhibit various layers of lighting moods
 - Lighting fixtures will be specified with subtle natural looking elements and the materials will blend in with the landscape
 - Highlighting the house façade will centralize the focus and connect all the unique elements of the park together.
- A DESTINATION
 - This specific lighting will showcase and highlight all 4 seasons throughout the year
 - Mulock Drive and Yonge Street will become an attractive and welcoming place to meet family and friends
 - Enhanced opportunities for Art Works, and Light Walks, plus available electrical infrastructure for temporary events
- INCLUSIVE AND ACCESSIBLE
 - Lighting will promote a safe, enjoyable and accessible atmosphere
 - Lighting design will create a comfortable atmosphere for public and private events
- NATURAL FEATURES
 - Paths, and trellises will be highlighted to enhance the natural feel of the park
 - Lighting fixtures will be specified with focused optical distributions to eliminate sky glow
 - Lighting levels kept at a minimum in respect for the circadian rhythms of wildlife
- CONNECTIONS
 - A sense of hierarchy will be designed though various layers of light in combination with outbuildings as beacons
 - Smooth lighting transitions will be added to the each area and path of the park
 - Lights will connect the neighboring park -*Jim Bond Park*, and bring together local communities, and people
 - Lighting will highlight the park entries as beacons

THE FIVE PILLARS

IK Rating - Impact Resistance

1 200 g 7.5cm ↓ 0.15 joule impact	2 200 g 10cm ↓ 0.20 joule impact	3 200 g 17.5cm ↓ 0.35 joule impact	4 200 g 25cm ↓ 0.5 joule impact	5 500 g 35cm ↓ 0.7 joule impact
6 500 g 20cm ↓ 1 joule impact	7 500 g 20cm ↓ 2 joule impact	8 5 kg 10cm ↓ 5 joule impact	9 5 kg 20cm ↓ 10 joule impact	10 10 kg 40cm ↓ 20 joule impact



• VANDAL-RESISTANT BOLLARDS

- Low level luminaires can be subject to vandalism in unsecured areas. The Vandal resistant bollards are engineered to provide superior strength through extra thick components and bast-to-grade connections that withstand considerable force.
- IK10 - Highest rating possible for resistance to damage.



VANDAL RESISTANT BOLLARDS RATINGS

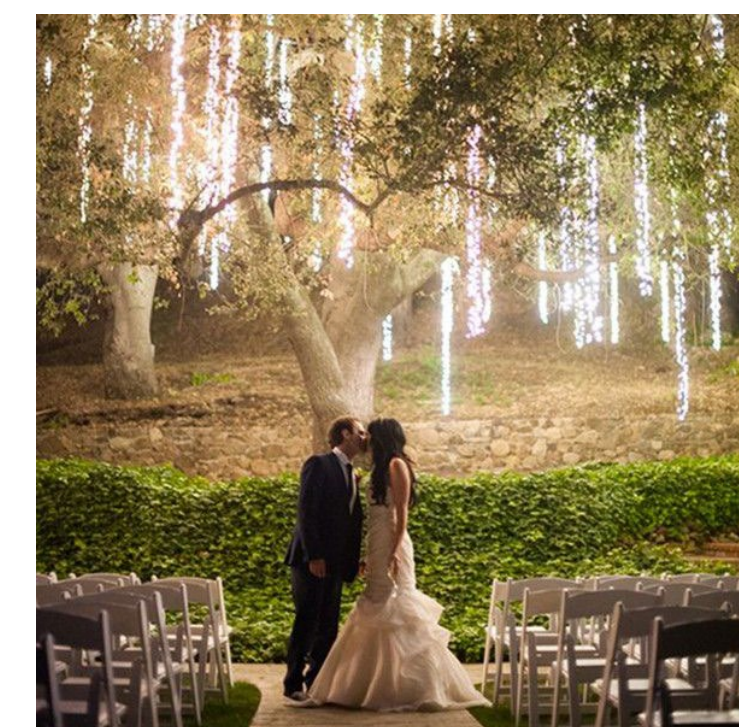
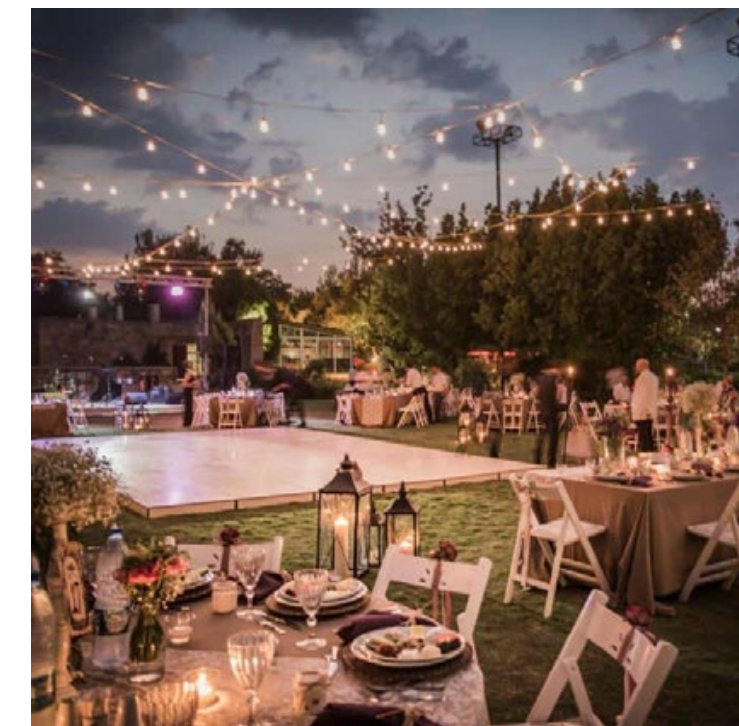
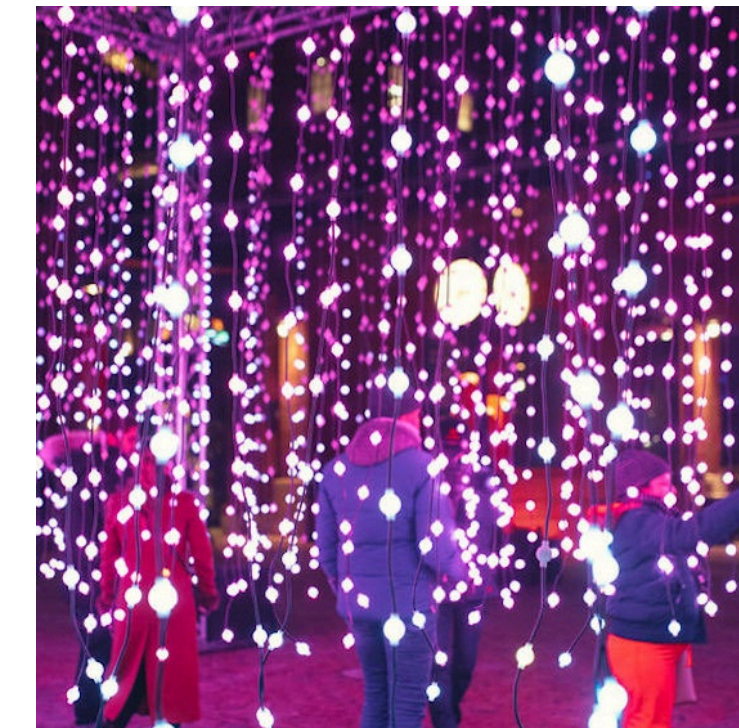


• TEMPORARY POWER CONSIDERATIONS

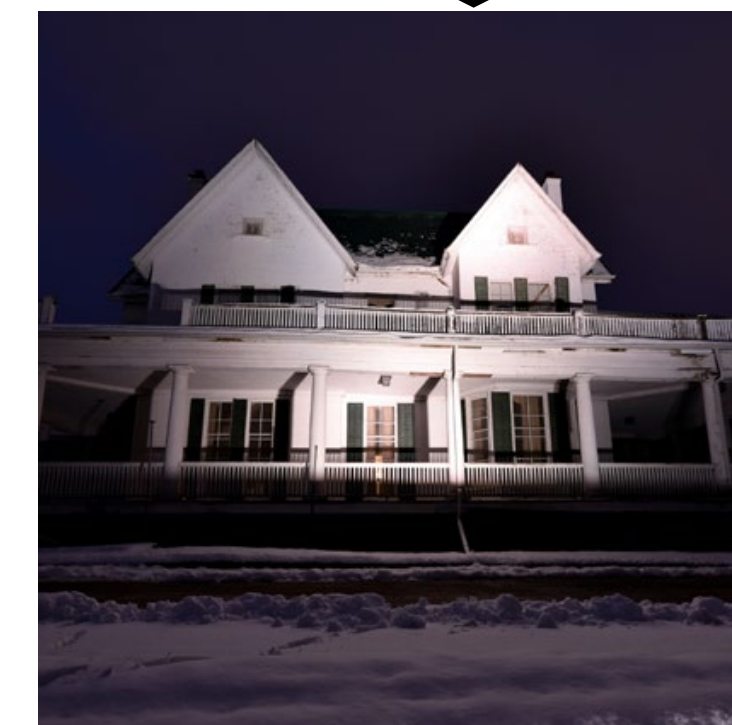
- Electricity is one of the most important components of any special event or show.
- Above-ground power boxes with outlets (pedestals)
- Pedestals for generators and electrical distribution boxes
- Integrated GFCI receptacles in poles and bollards

• SPECIAL EVENT EXAMPLES

- Concerts
- Outdoor Weddings
- Movie Nights
- Festivals
- Movie Productions



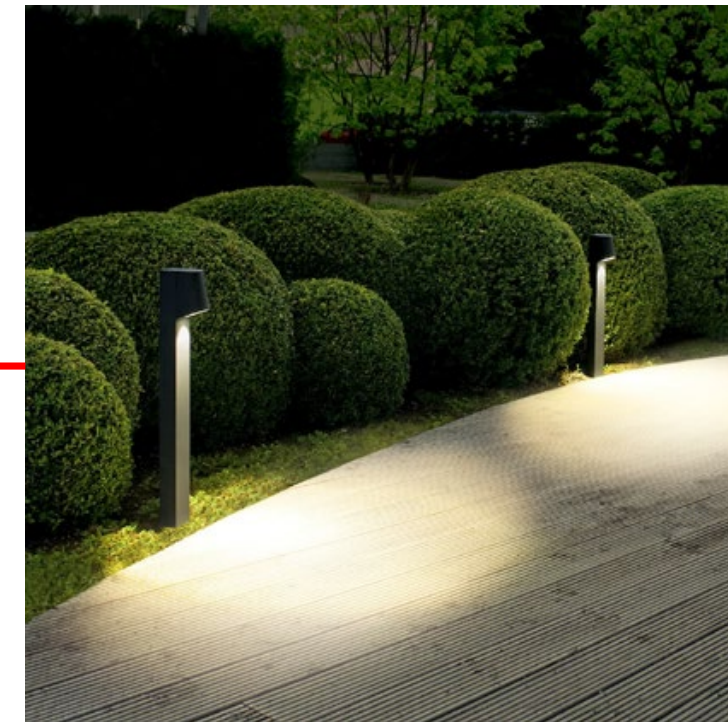
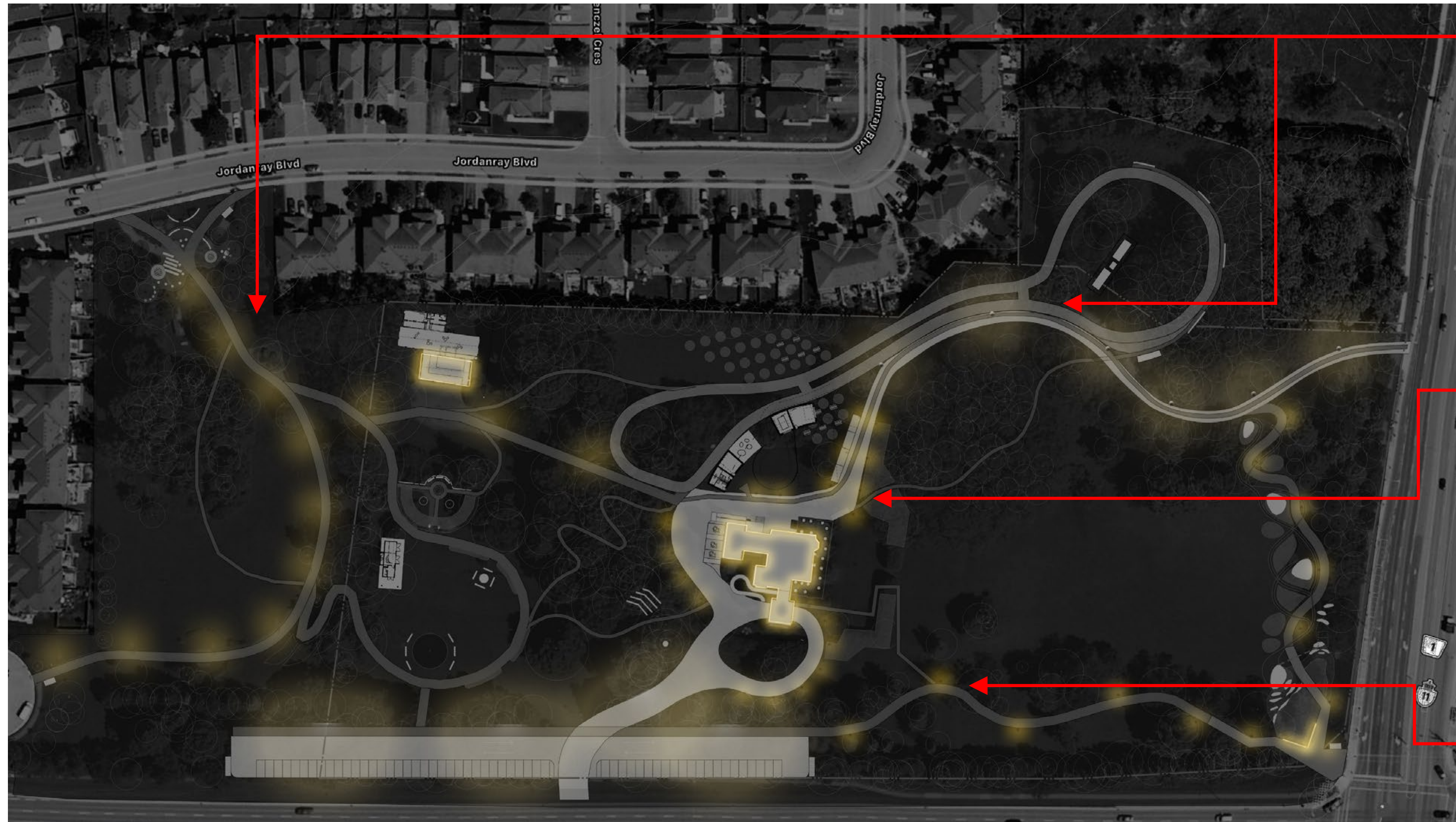
INFRASTRUCTURE FOR POWER



FAÇADE LIGHTING

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

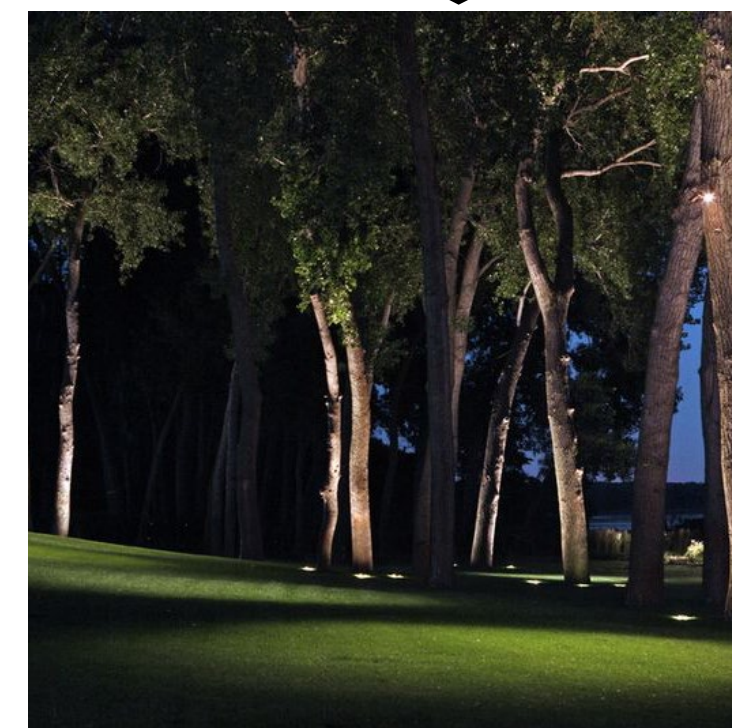
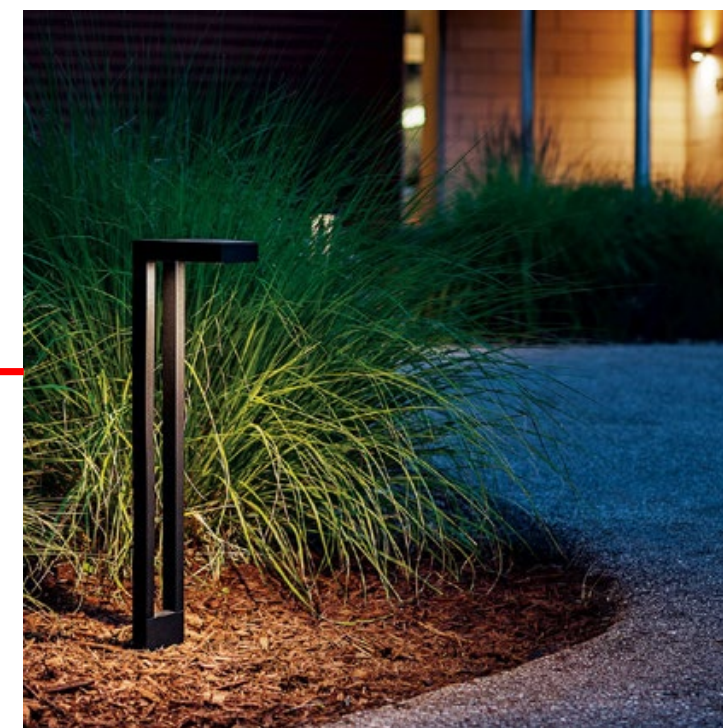
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ENTRANCES AND MAIN TRAILS

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

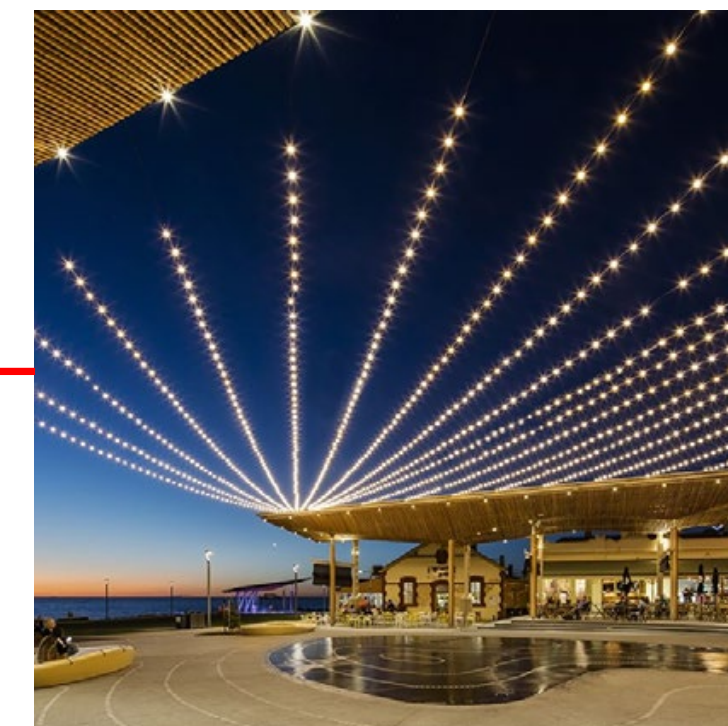
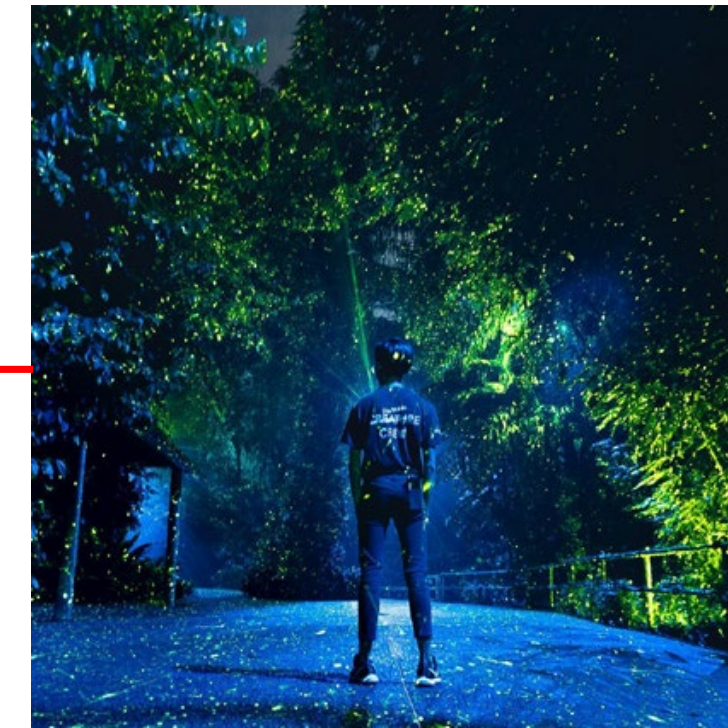
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SECONDARY TRAILS

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

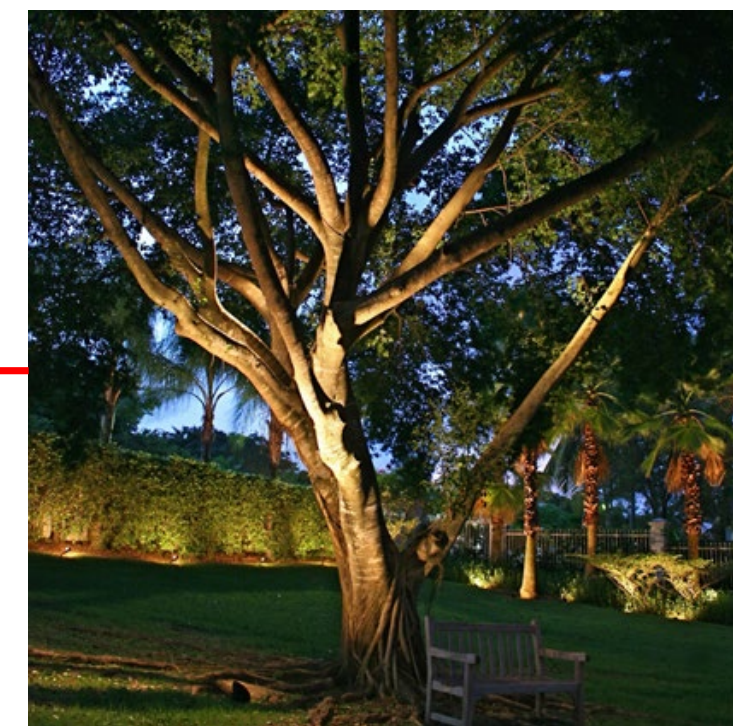
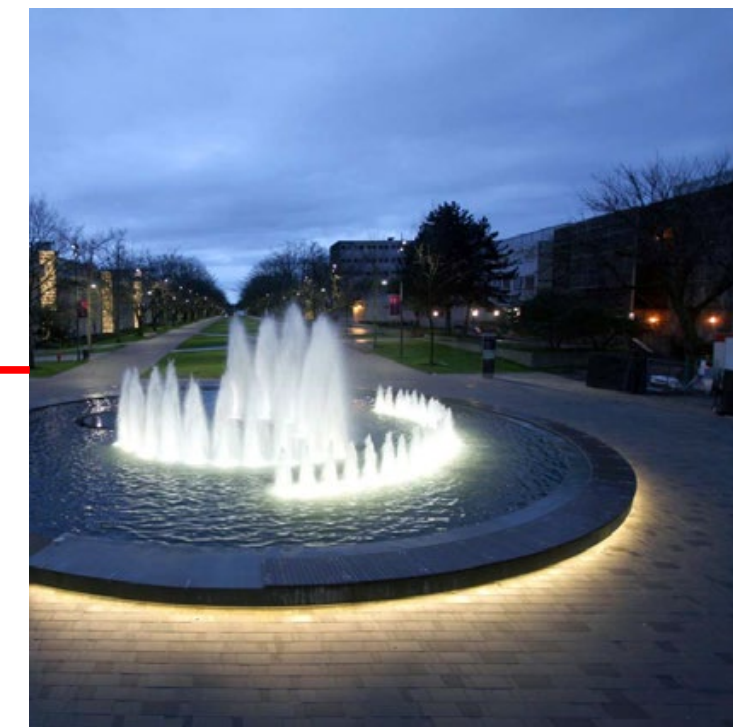
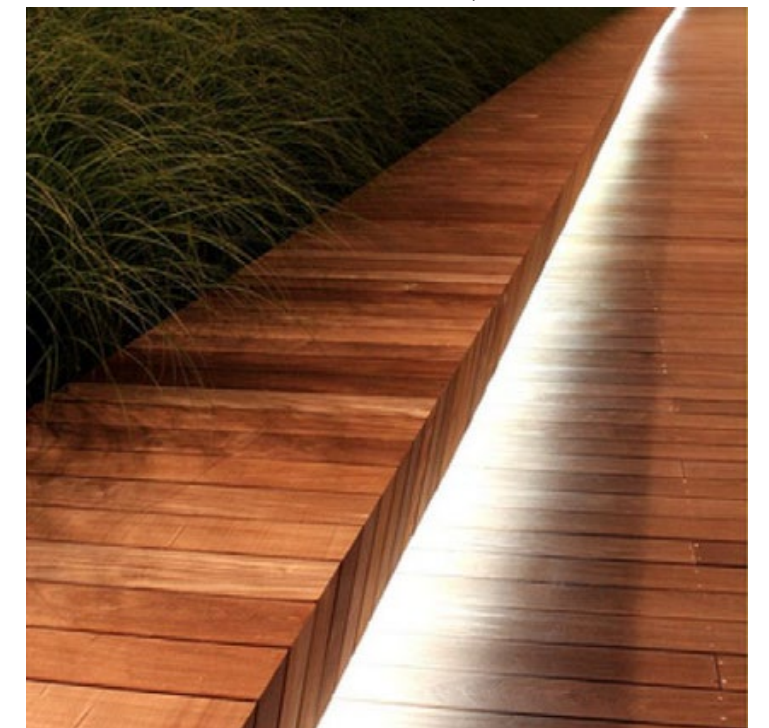
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SKATE TRAIL EXPERIENCE

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

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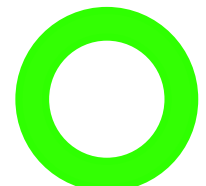

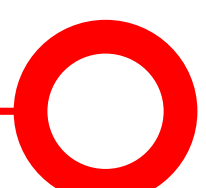


FEATURE LIGHTING

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

MBL



-  ELECTRICAL ROOM
-  EXISTING POWER
-  POWER PEDESTALS

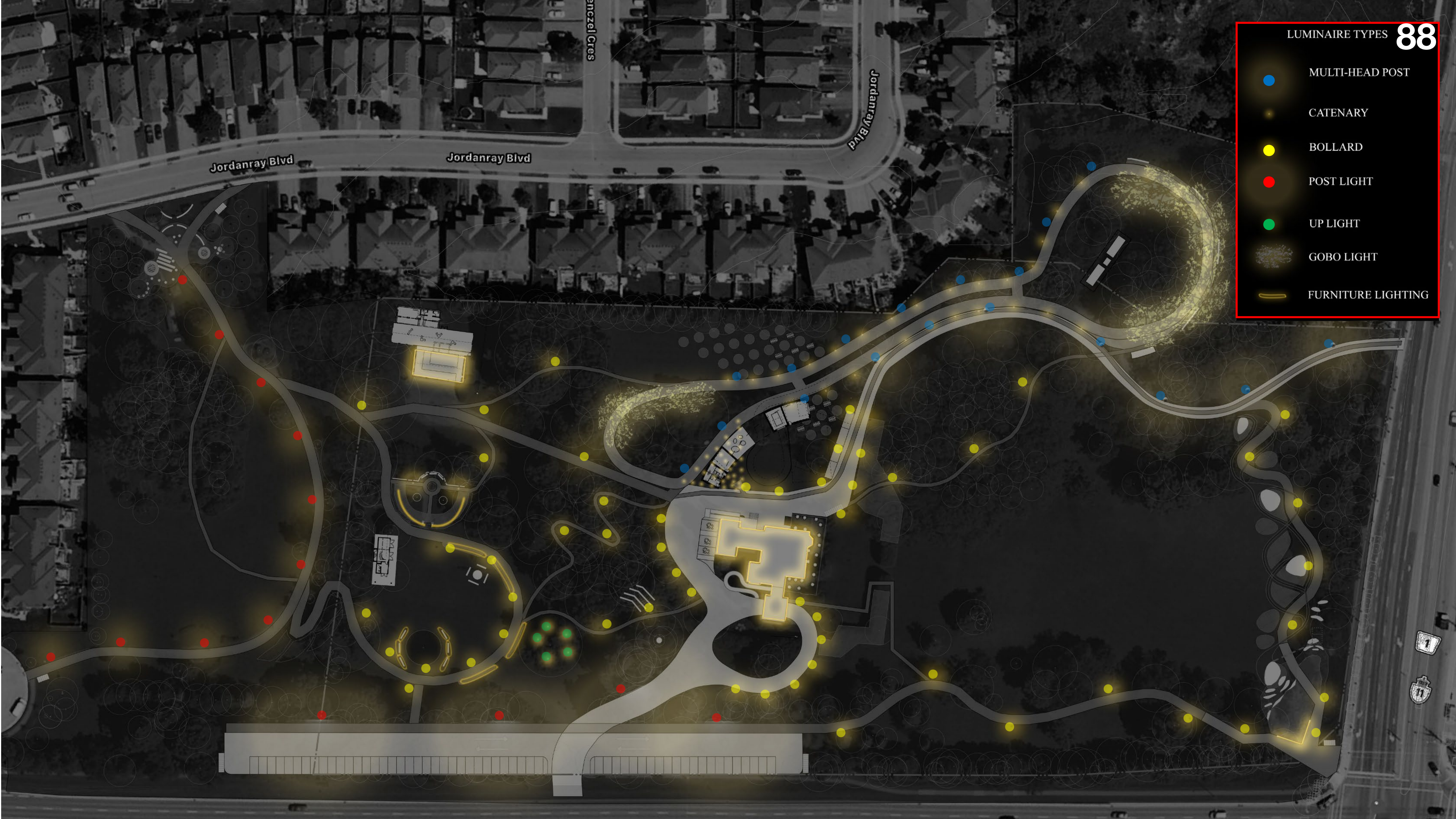


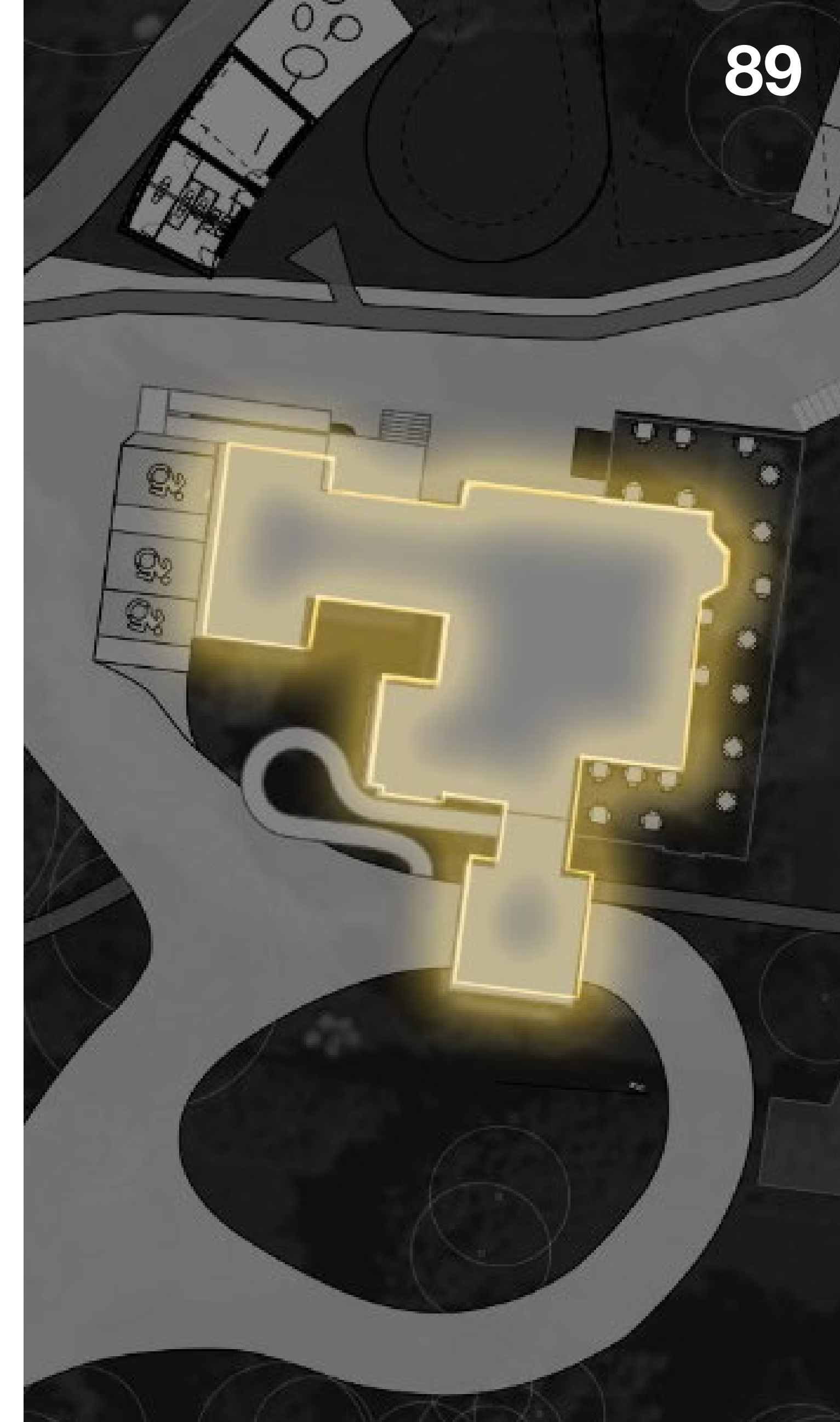
ELECTRICAL INFRASTRUCTURE

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

MBL

- MULTI-HEAD POST
- CATENARY
- BOLLARD
- POST LIGHT
- UP LIGHT
- GOBO LIGHT
- FURNITURE LIGHTING





CENTRAL BEACON

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY



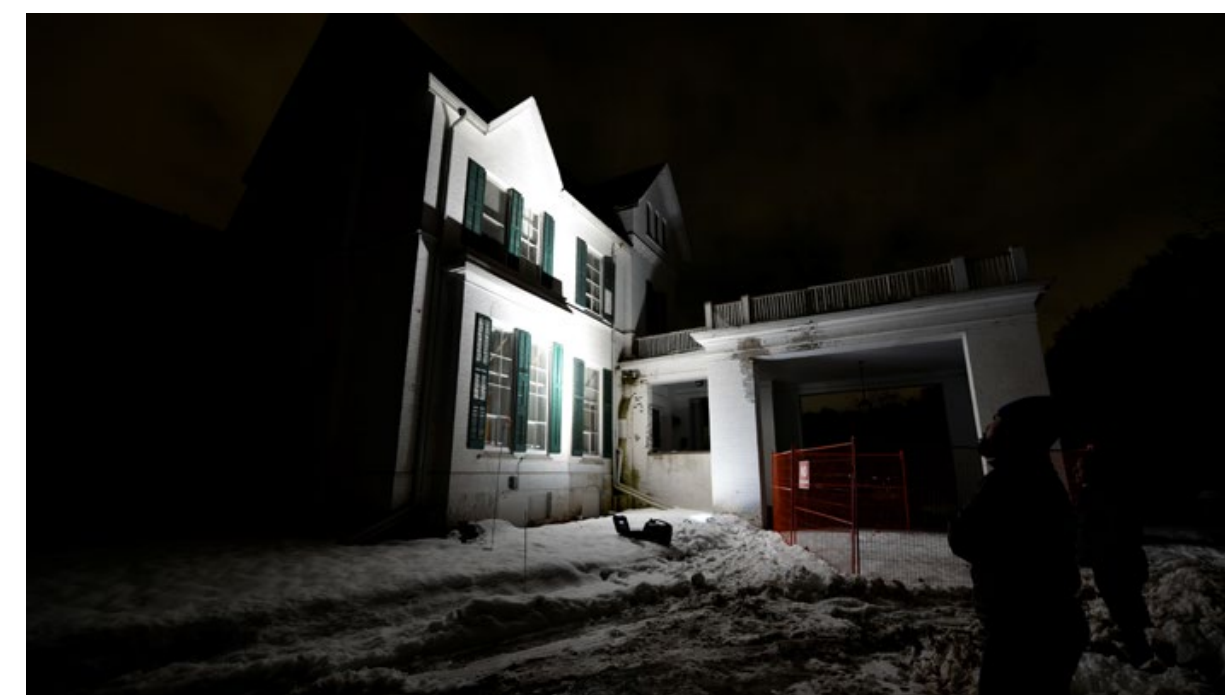
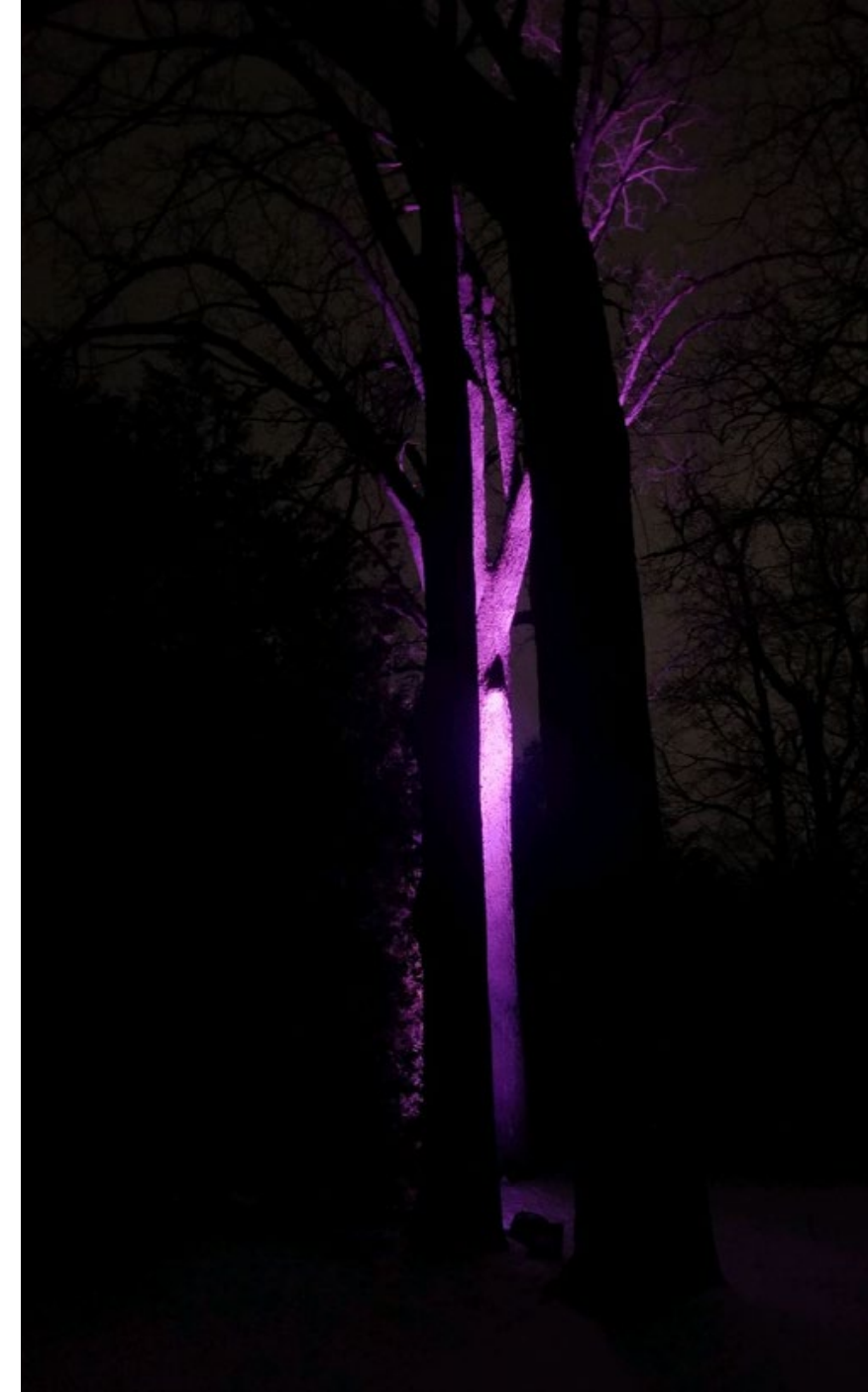
LIGHTING TESTS

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY



LIGHTING TESTS (BEACON SIGHTLINES)

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY



LIGHTING TESTS (HEDGES, TEXTURES, AND BEACON)

MULOCK ESTATES LANDSCAPE LIGHTING STRATEGY

NEXT STEPS

- Budget Costing
- Next Task Force Feb 25/2021
- PIC Mar 11/2021
- Master Plan Document Circulation Mar/April
- Council Approval of Master Plan April 19/2021

QUESTIONS

P L A N T



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

Mulock Property Developed Design Concept Staff Report to Council

Report Number: 2021-08

Department(s): Development & Infrastructure Services

Author(s): Peter Noehammer

Meeting Date: February 9, 2021

Recommendations

1. That the report entitled Mulock Property Developed Design Concept dated February 9, 2021 be received; and,
2. That comments on the developed design concept plan for the Mulock Park be received and incorporated into the preparation of the concept design to be illustrated at a Public Information Centre, and to prepare the final concept plan thereafter; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to provide an update on further development of the concept plan for the Mulock Property. Previous updates to Council were provided at Special Committee of the Whole meetings in September and December of 2020, where the design team conveyed results of feedback from various stakeholders and presented design concepts that went from three themes down to one emerging preferred concept plan. A further developed design concept has now incorporated the input from functional design team members whose contributions have been with respect to: lighting, fire access requirements, water/wastewater and storm water servicing, ice trail and related infrastructure planning, and refinement of architectural and landscape considerations.

Staff have already provided some feedback during project team meetings, and at this point further input and comments on the developed concept plan are being sought from Council. These comments will help to finalize the materials for presentation at a Public Information Centre scheduled for March 2021 where the developed concept plan will be shared with the community. The final concept plan will be provided to Council in April, at which point the Master Planning component for the Mulock Property will be complete.

Background

At the September 29, 2020 Special Committee of the Whole (Electronic) meeting, staff provided Council with report 2020-68, and the design team led by PLANT Architect Inc. gave a presentation related to three “themed” design concepts. They were themed as: Energized -- Village Green, Expressive -- Culture Hub, and Peaceful – Arboretum.

The three design concepts included elements such as: trails and pathways providing access to and within the park, including a skating trail, parking and vehicular pick-up/drop-off loop, large and moderately-sized open space areas, preservation of significant natural heritage features, restoration of historic gardens and creation of new community gardens and horticultural areas including a conservatory, water features, fire pit, iconic art and interpretive art installations and integration of the existing Jim Bond Park in a passive way connecting to existing trails and open spaces.

At the subsequent December 1, 2020 Special Committee of the Whole (Electronic) meeting, staff provided Council with report 2020-89, that provided a description of the emerging design concept. This was presented by the design team led by PLANT Architect Inc. after compiling, assessing and summarizing the feedback received from all of the inputs based on the earlier three themes. This included a Council tour, a public meeting over Facebook Live, an on-line survey through the HeyNewmarket digital platform, and stakeholder comments through a diverse thinkers group. The resulting concept was presented as the Mulock Arboretum plan, and while it emphasized preservation of the natural beauty of the property, it included elements from each of the three previously presented themes. The further refinement of this design concept has been the focus of work over the past several weeks.

Discussion

The presentation to Council at the February 9, 2021 Special Committee of the Whole (Electronic) meeting by PLANT Architect Inc. will illustrate a more rendered version of the Mulock Arboretum plan shown in December 2020. Landscape, architectural and functional elements including the water features, skating trail, gardens, access routes, paths, trails and accessory buildings have now been further refined with input from

design team members with specialties in lighting, ice infrastructure, vehicular routing and functional servicing.

There has also been an opportunity to meet with two advisory committees at the Town, namely: the Accessibility Advisory Committee (January 21st) and the Heritage Committee (February 2nd). Their comments and input have been received and will be taken into account as the plan continues to be refined and finalized.

Feedback from Council on this developed design concept and the amenities proposed within will be welcomed at this time as the plan is nearing finalization.

Next Steps

The design team has already received some feedback from staff through a staff task force and working groups on the Mulock Property. After receiving comments from Council, the next step will be for the concept plan to be prepared for illustration with the community at the upcoming Public Information Centre in March.

A detailed draft Master Plan for the Mulock Park would then be prepared and presented to Council for final receipt/approval at an April Committee of the Whole meeting, bringing the Master Planning component of the Mulock Park to completion.

Staff will be presenting Council with a further report on plans to initiate the detailed design component so that implementation of the Master Plan can follow.

Conclusion

This report provides an update to Council on the further development of the design concept for the Mulock Property. Since three “themed” design concepts were unveiled in late-September 2020, significant consultation was conducted and much appreciated commentary and feedback from the public and Council was received. A single emerging design concept was presented in December 2020, and since that time the plan was further refined with input from functional specialists on the consultant team. This plan is now being presented for feedback before being shared with the community more widely at a Public Information Centre. A detailed draft Master Plan for the Mulock Park is expected to be presented to Council for final receipt/approval in April 2021.

Business Plan and Strategic Plan Linkages

The development of a Mulock Property Master Plan is an important Council Strategic Priority for the 2018-2022 term of Council.

Consultation

The development of this report and the emerging design concept plan was the result of significant consultation with members of the public through virtual means, Council, stakeholders, the consultant design team and staff. The Accessibility Advisory Committee and the Heritage Committee have recently received a presentation of the plan and their comments have been provided to the design team.

Human Resource Considerations

None at this time.

Budget Impact

Funding for this project has been approved in the 2020 Capital Budget.

Attachments

None.

Approval

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

Peter Noehammer, pnoehammer@newmarket.ca, (905) 953-5300 x2201

Hello,

I am a Newmarket resident who lives within walking distance of the proposed Mulock development. I have been reviewing the draft development plan and have a couple of questions/concerns.

1) The amount of allotted parking does not look sufficient enough to serve the project in question. With so many amenities that are being proposed it is within reason to suggest the Mulock development will attract many from outside the region. More parking needs to be considered to avoid potential patrons from parking on local streets that already see large amounts of traffic and parking challenges.

2) I noticed that there is an area for Indigenous gardens in the latest draft. As a resident with both Indigenous and settler identities (Dene/English) I wonder what opportunities for consultation/leadership have been available for Indigenous Peoples/communities/artists? This is critical if you want to move forward with a feature labelled 'Indigenous.'

Sincerely,

Ashley Day



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, February 22, 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
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
F. Scott, Manager of Regulatory Services
J. Quinn, Claims & Risk Analyst
M. Agnoletto, Director of Public Works Services
J. Bond, Manager, Parks & Property Services
J. Unger, Director of Planning & Building Services
R. Prudhomme, Director of Engineering Services
C. Service, Director of Recreation & Culture
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

For consideration by Council on March 1, 2021.

The meeting was called to order at 1:01 PM.

Mayor Taylor in the Chair.

Committee of the Whole recessed at 3:34 PM and reconvened at 3:44 PM.

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

The Clerk advised of the following additions to the agenda:

- Item 7.1: COVID-19 Pandemic - Financial Impact and Service Delivery Options Staff Report
- Items 7.1.1 through 7.1.6: Correspondence provided by Susan Dowell, Carl Milroy, Elaine Adam, Rachel Diltz, Faye Longhurst, and Nancy Fish regarding the COVID-19 Pandemic - Financial Impact and Service Delivery Options Staff Report.

The Clerk advised of the following correction to the agenda:

- Item 5.9: Deputation regarding Clematis Parking Review - Thomas Irvin withdrew his deputation request.

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That the additions and corrections to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Multi Use Trails Safety Enhancements

Note: This item was dealt with under sub-item 6.2. Please see sub-item 6.2 for motion.

The Director of Public Works Services provided an introduction to the presentation. The Claims & Risk Analyst provided a presentation which outlined the Tom Taylor Trail system in Newmarket, the types of use on the trail, the results of analysis of trail use volumes and a risk assessment for the trail. The Manager, Parks & Property Services continued the presentation with an overview of proposed immediate safety improvements, a comparison with other municipalities, and proposed education efforts.

5. Deputations

5.1 2021 Nature's Emporium Run for Southlake

Avia Eek provided a remote deputation on behalf of the Run for Southlake Committee. Her deputation provided an overview of the Run for Southlake event which will take place over four weeks, from April 12, 2021 to May 9, 2021. She also encouraged Council to participate in the Mayor's Challenge fundraising event.

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the deputation provided by Avia Eek, Run for Southlake Committee Member, regarding the 2021 Nature's Emporium Run for Southlake be received.

Carried

5.2 Active Transportation Implementation Plan - Bicycle Lanes

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

David Kempton provided a remote deputation on behalf of Cycle Newmarket. His deputation outlined the development of the bicycle lane program in Newmarket and the importance of providing safe cycling lanes for cyclists.

5.3 Active Transportation Implementation Plan - Bicycle Lanes

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

Stephen Harper provided a remote deputation which provided his personal experience in a traffic accident while riding a bicycle. He expressed his belief that the importance of bicycle lanes to cyclist safety and the benefit to the community outweighs the loss of on-street parking.

5.4 Active Transportation Implementation Plan - Bicycle Lanes

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

Mina Abbas provided a remote deputation which outlined her concerns with bicycle lanes being located on Clearmeadow Boulevard. She advised she believed that high traffic on the street, loss of on-street parking and high traffic speeds made the street unsuitable for bicycle lanes.

5.5 Active Transportation Implementation Plan - Bicycle Lanes

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

Paul Jolie provided a remote deputation in which he outlined his belief that bicycle lanes offer greater protection for cyclists on the roads. He advised that narrower roads lead to lower traffic speeds, which further increases safety.

5.6 Active Transportation Implementation Plan - Bicycle Lanes

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

David Coelho provided a remote deputation which outlined his concerns with the location of bicycle lanes on Clearmeadow Boulevard due to the loss of on-street parking. He suggested that Mulock Drive would be a more effective location for bicycle lanes.

5.7 Multi Use Trails Safety Enhancements

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

Peggy Stevens provided a remote deputation regarding multi use trails safety enhancements and expressed her concern that the enhancements would limit the active transportation function of the trails. She provided suggestions on safety enhancements such as a dashed centre line to enable passing for cyclists.

5.8 Clematis Parking Review

Angela West provided a remote deputation which outlined her concerns with parking restrictions on Clematis Road. She advised that she represented the Parent Council for St. Elizabeth Seton Catholic Elementary School and expressed concerns on behalf of the parents regarding drop-off for the school and the proposed no parking restrictions on Clematis Road.

Moved by: Councillor Twinney
Seconded by: Councillor Woodhouse

1. That the deputation provided by Angela West regarding the Clematis Parking Review be received.

Carried

5.9 Clematis Parking Review

Note: Thomas Irvin withdrew his request to provide a remote deputation.

6. Consent Items

Moved by: Councillor Twinney
Seconded by: Councillor Morrison

1. That sub-items 6.6, 6.7, 6.8, 6.9 and 6.10 be adopted on consent. See following sub-items 6.1, 6.2, 6.3, 6.4, and 6.5 for motions.

Carried

6.1 INFO-2020-34: Active Transportation Implementation Plan - Bicycle Lanes

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

Moved by: Councillor Kwapis
Seconded by: Councillor Broome

- 1. That the information report entitled Active Transportation Implementation Plan - Bicycle Lanes be referred to staff to organize a Council Workshop in Q3 2021, to look at ways to continue to implement bike infrastructure while looking at best practices to mitigate community impact; and,**
- 2. That the 2021 projects identified in the Active Transportation Implementation Plan be deferred pending the Council Workshop.**

Carried

Moved by: Councillor Broome
Seconded by: Councillor Bisanz

3. That items 5.2, 5.3, 5.4, 5.5, 5.6, and 5.7 being deputations provided by David Kempton, Stephen Harper, Mina Abbas, Paul Jolie, David Coelho, and Peggy Stevens be received.

Carried

Moved by: Councillor Broome
Seconded by: Councillor Woodhouse

4. That sub-items 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.1.7, 6.1.8, 6.1.9, 6.1.11, 6.1.12, 6.1.13, 6.1.14, 6.1.15, 6.1.16, 6.1.17, 6.1.18, 6.1.19, 6.1.20, 6.1.21, 6.1.22, 6.1.23, and 6.1.24 being correspondence provided by Ann Abbas, David Callaghan, David Coelho, Sam Foti, Valerie Foti, Cathy Gifford, Anna Malinowski, Raza Mankani, Shari Northorp McLean, Cinzia and Joe Pittari, David and Samantha Petley, Peter Budziak, Carolina Begg, Thora

Hunter, Peter Kuin, Todd Kyle, Laetitia Tam, Raza Mankani, Stacey Ewart, Anna Ihnatiuk, and Ashley Winders, Sharon and Laz Mandjik, Andrew, Pina, Andrew and Olivia Knoop, Sheila Johnson, and Jeff Hunter be received; and,

5. That sub item 6.1.10 being a Petition regarding Active Transportation Implementation Plan - Bicycle Lanes on Clearmeadow Boulevard be received.

Carried

- 6.1.1 Correspondence - Ann Abbas
- 6.1.2 Correspondence - David Callaghan
- 6.1.3 Correspondence - David Coelho
- 6.1.4 Correspondence - Sam Foti
- 6.1.5 Correspondence - Valerie Foti
- 6.1.6 Correspondence - Cathy Gifford
- 6.1.7 Correspondence - Anna Malinowski
- 6.1.8 Correspondence - Raza Mankani
- 6.1.9 Correspondence - Shari Northorp McLean
- 6.1.10 Petition regarding Active Transportation Implementation Plan -
Bicycle Lanes on Clearmeadow Boulevard
- 6.1.11 Correspondence - Cinzia and Joe Pittari
- 6.1.12 Correspondence - David and Samantha Petley
- 6.1.13 Correspondence - Peter Budziak
- 6.1.14 Correspondence - Carolina Begg
- 6.1.15 Correspondence - Thora Hunter
- 6.1.16 Correspondence - Peter Kuin
- 6.1.17 Correspondence - Todd Kyle
- 6.1.18 Correspondence - Laetitia Tam
- 6.1.19 Correspondence - Raza Mankani

6.1.20 Correspondence - Stacey Ewart, Anna Ihnatiuk, and Ashley Winders

6.1.21 Correspondence - Sharon and Laz Mandjik

6.1.22 Correspondence - Andrew, Pina, Andrew and Olivia Knoop

6.1.23 Correspondence - Sheila Johnson

6.1.24 Correspondence - Jeff Hunter

6.2 Multi Use Trails Safety Enhancements

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

Moved by: Councillor Simon
Seconded by: Councillor Morrison

1. **That the presentation provided by the Manager of Parks & Property Services and the Claims & Risk Analyst regarding the Multi Use Trails Safety Enhancements be received; and,**
2. That the report entitled Multi Use Trails Safety Enhancements dated February 22, 2021 be received; and,
3. That the trail safety enhancements on the Tom Taylor Trail be approved, which include:
 - a. Painting of a centre line;
 - b. Increasing sight lines;
 - c. Increasing signage for hazards and trail safety;
 - d. Implement a public education program; and,
4. That staff be authorized to hire two (2) summer students as Parks and Trails Ambassadors; and,
5. That staff proceed with coordinating a Council Workshop to explore the future direction and priorities for developing multi use trails, by Q3 2021; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.3 Clematis Parking Review

Moved by: Councillor Twinney
Seconded by: Councillor Woodhouse

1. That the report entitled Clematis Road Parking Review dated February 22, 2021 be received; and,
2. That the proposed parking amendments outlined in Appendix A be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.4 Commercial Rooftop Patios

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

Moved by: Councillor Kwapis
Seconded by: Councillor Woodhouse

1. **That staff be directed to amend the Commercial Rooftop Patios draft by-laws with the amendments identified by the Committee of the Whole for consideration at the Council meeting of March 1, 2021.**

Carried

6.5 Recreation Playbook Update

Moved by: Councillor Bisanz
Seconded by: Councillor Broome

1. That staff be authorized to conduct a Request for Proposals (RFP) for architectural services specific to construction of an outdoor ice rink on the Ray Twinney Recreation Complex property; and,
2. That staff bring the budget impact for the aforementioned architectural services to Council for approval as part of a future supplemental capital budget report; and,
3. That the remaining Recreation Playbook updates contained in the report be received.

Carried

6.6 Resolution regarding 2021 Census of Population

The Strategic Leadership Team/Operational Leadership Team recommend:

Whereas accurate and complete census data support programs and services that benefit our community;

Now therefore be it resolved:

1. That the Council of the Corporation of the Town of Newmarket supports the 2021 Census, and encourages all residents to complete their census questionnaire online at www.census.gc.ca.

6.7 Accessibility Advisory Committee Meeting Minutes of November 19, 2020

1. That the Accessibility Advisory Committee Meeting Minutes of November 19, 2020 be received.

6.8 Heritage Newmarket Advisory Committee Meeting Minutes of December 1, 2020

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

6.9 Main Street District Business Improvement Area Board of Management Meeting Minutes of January 6, 2021 and the Special Meeting Minutes of January 12, 2021

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of January 6, 2021 and the Special Meeting Minutes of January 12, 2021 be received.

6.10 Newmarket Public Library Board Meeting Minutes of November 18, 2020 and January 4, 2021

1. That the Newmarket Public Library Board Meeting Minutes of November 18, 2020 and January 4, 2021 be received.

7. Action Items

7.1 COVID-19 Pandemic - Financial Impact and Service Delivery Options

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

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

1. That the report entitled Covid-19 Pandemic – Financial Impact and Service Delivery Options dated February 22, 2021 be received; and,
2. That Council provide direction on service level options as follows:
 - a. **Reduce the garbage bag limit to 3;**
 - b. **Reduce maintenance levels as described with the exception of sports fields;**
 - c. **Maintain four ice pads to prioritize youth sports and authorize staff to lease ice surfaces if necessary;**
 - d. **Maintain a modified summer camp program;**
 - e. **Defer the decision on reopening the Ray Twinney pool until May 2021;**
 - f. **Open the Gorman Pool per the regular schedule;**

**g. Continue to offer special events using alternative methods;
and,**

3. That staff provide monthly progress reports; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by: Councillor Kwapis
Seconded by: Councillor Morrison

5. That sub-items 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.5, and 7.1.6 being correspondence provided by Susan Dowell, Carl Milroy, Elaine Adam, Rachel Diltz, Faye Longhurst, and Nancy Fish regarding COVID-19 Pandemic - Financial Impact and Service Delivery Options be received.

Carried

- 7.1.1 Correspondence - Susan Dowell
- 7.1.2 Correspondence - Carl Milroy
- 7.1.3 Correspondence - Elaine Adam
- 7.1.4 Correspondence - Rachel Diltz
- 7.1.5 Correspondence - Faye Longhurst
- 7.1.6 Correspondence - Nancy Fish

8. Notices of Motion

None.

9. Motions Where Notice has Already been Provided

None.

10. New Business

10.1 Parking at York Region Forest Tracts

Councillor Woodhouse advised that York Region had provided for additional parking at the Davis forest tract and thanked Mayor Taylor and Deputy Mayor & Regional Councillor Vegh for bringing this issue to the Region.

10.2 Stop Sign at Cane Parkway and William Roe Boulevard

Councillor Kwapis advised that as the forcemain twinning construction on Cane Parkway is concluding, the temporary all way stop sign located at Cane Parkway and William Roe Boulevard has been removed. He requested that the stop sign be replaced, as residents have become accustomed to the sign and road construction will begin on the street in the near future. The Director of Engineering Services advised that a study needs to be completed before the sign can be installed, but that it could be completed relatively quickly.

Moved by: Councillor Kwapis
Seconded by: Councillor Morrison

1. That Council support in principle the installation of an all way stop sign at Cane Parkway and William Roe Boulevard; and,
2. That staff be delegated the authority to implement and install the stop sign upon completion of the necessary study.

Carried

10.3 Coldest Night of the Year

Councillor Broome congratulated the Town of Newmarket on the recent Coldest Night of the Year event. Mayor Taylor thanked the community and reported on the high level of fundraising in the Town.

11. Closed Session

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

12. Adjournment

Moved by: Councillor Woodhouse
Seconded by: Councillor Broome

1. That the meeting be adjourned at 5:01 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Multi Use Trail Safety Enhancements

February 22, 2021

Agenda

1. Purpose
2. Overview
3. Types of Users and Trail Volumes
4. Trail Risk Inspection
5. Recommendations
6. Timelines
7. Questions



Photo Credit: www.newmarkettoday.ca

Purpose

1. Council provided direction to report back on best practices and options for improving signage and markings on the TTT
2. Provide an overview of the existing situation along the TTT
3. Recommend best practices and options for improving trail use and safety on the TTT
4. Recommend next steps on the future development of multi use trail systems

Overview

- 42 KM of paved recreational trails in Newmarket
- Tom Taylor Trail (TTT) is the most prevalent multi use trail. It runs through the centre of the Town from the northern to southern boundary.
 - Critical route connecting key Town destinations and forms part of our multi use paths (MUPs) network, Nokiidaa Trail and Regional Lake to Lake Trail.
- Seeing increased volumes and we anticipate further growth
- Noticeable change in types of users (ex. cyclists)
- Concerns around overall trail experience and safety on trails

Overview

Analysis Undertaken

- Trail Count Analysis
- Trail Risk Assessment (BFL Canada and PM Law)
- Best Practices for High Use Trails



Types of Use

Tom Taylor Trail experiences a high-level of use by various types of users (usage varies in different parts of the trail)*

Cyclists

- 52% usage overall on the TTT
- 60% usage on the north and south ends of the TTT

Pedestrians and Joggers

- 46% usage overall on TTT
- 70% usage in the core parts of Town and 40% usage on the north and south ends of TTT

Other

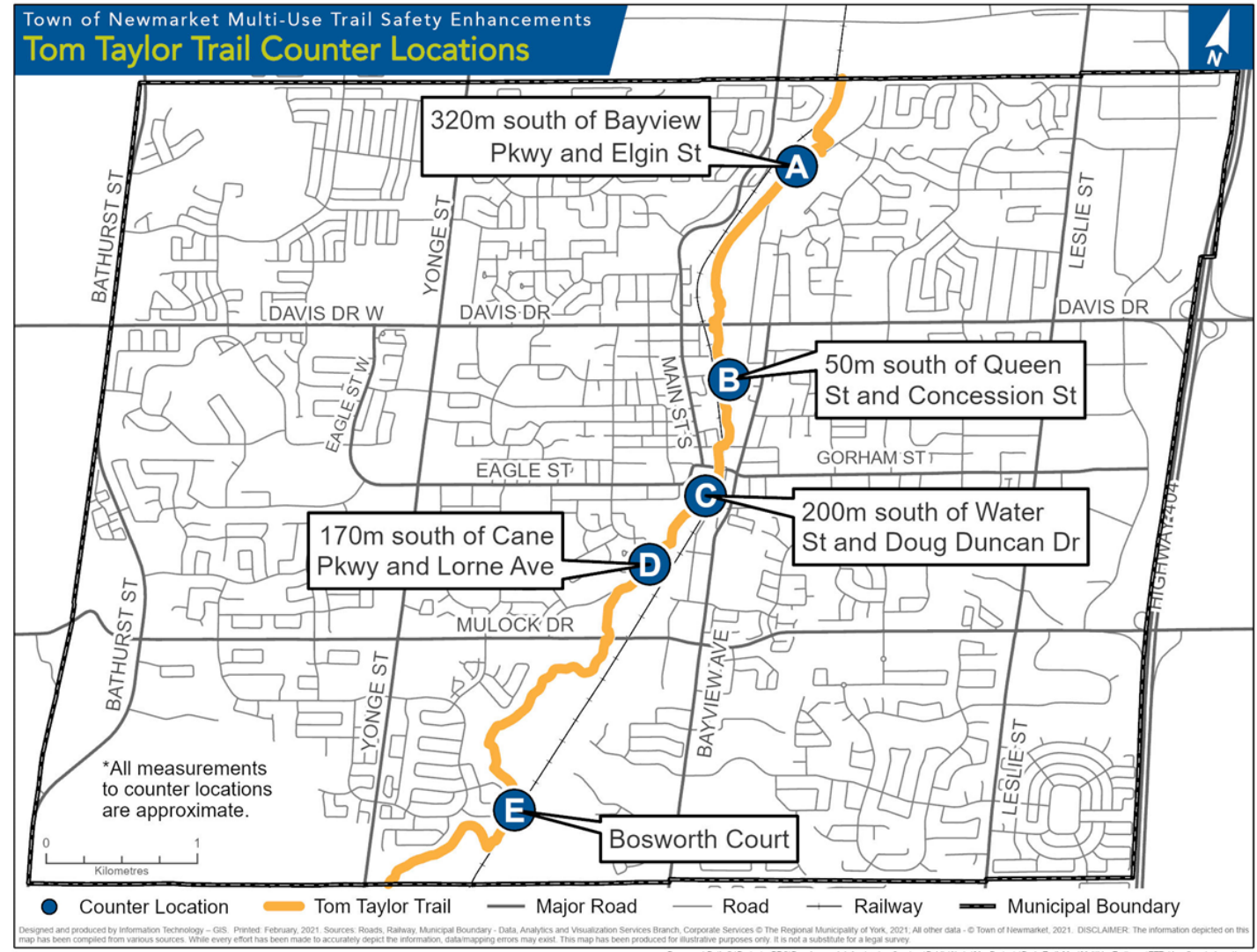
- 1-2% - Skateboarders, Accessibility Scooters, etc.

*Data taken from trail count analysis from a three day period in August 2020

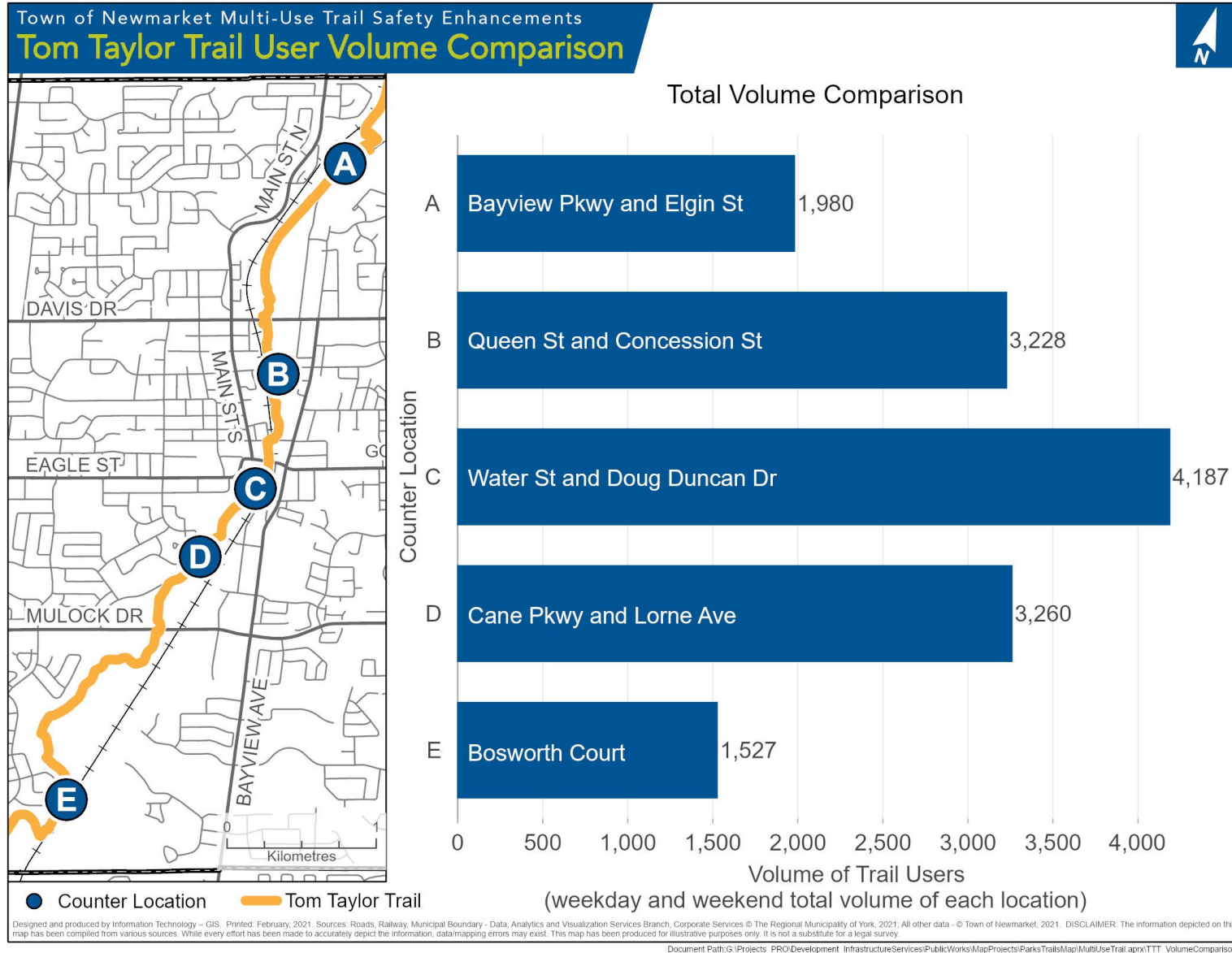
Trail Volumes

Trail count analysis

- Completed in August of 2020
- 3 days - one weekday and a weekend
- Very limited snap shot of trail usage
- Anticipate higher volumes during spring
- Covid impact on counts



Trail Volumes



Trail Risk Assessment

Risk Assessment and Inspection

- Completed in August of 2020
- On site review of the TTT

Key Observations

- Overall growth and a change in types of users
- Concerns with cyclists and speed of travel
- No centre lines or defined safe space
- Inconsistent signage
- Need for additional education
- Identification of locations with limited sight lines
- Other minor concerns and general trail hazards – to be dealt with by PWS

Recommendations

Two Phase Approach for Trail Development

1. Address immediate safety improvements
2. Undertake a Council Workshop to explore opportunities and clarify priorities for future development of multi use trails.

Immediate Safety Improvements

Centre Line Painting

- Create better visual separation and defined lane for users
- Effective for cyclist navigating hills
- Keep pedestrians in a safe space
- Follows traditional road traffic practices



Photo taken at: Ajax Waterfront Park Trail

Immediate Safety Improvements

Improve sight lines

- Increase visual sight lines
- Selective and sensitive tree and shrub removal
- Increased grass cutting in specific areas beyond the current one metre shoulder



Photo taken at: Tom Taylor Trail – Bosworth Court

Immediate Safety Improvements

Improved signage and pavement markings

- Additional hazard and educational signage be installed
- Early notification of hills, potential hazards such as curves, controlled intersections
- More cohesive and standardized signage/markings



Sample signage and pavement markings

Immediate Safety Improvements

Municipal Best Practices - Trail Safety Elements			
Municipality	Centre Lines	Hazard Signage	Education Program
Toronto	●	●	●
Ottawa	●	●	
Hamilton		●	
Burlington	●	●	●
London	●	●	●
Kitchener	●	●	
Vaughan	●	●	

Immediate Safety Improvements

Education

- Outreach program to communicate and educate all users on new improvements
- Educational trail ambassadors to support outreach program



Education and Enforcement

Communications and Outreach Plan

Goals

- Raise awareness and educate public about the new enhancements for trail safety.
- Remind all stakeholders of safety tips for cyclists, walkers, trail users with pets etc.
 - Trail etiquette, alternate routes, sharing the trails, trail safety, speed on trails and more

Tools and Tactics

- Work with Corporate Communications to deploy a number of communication tactics
- Examples: Media release, information on the website, social media, e-newsletters, ads in the local paper, educational video, materials for trail ambassadors, public engagement portal and more

Education and Enforcement

Educational-first approach via trail ambassadors is being recommended

- Educational-first approach is more favourable for residents
- Parks By-law allows for limited ability to manage negative behavior and actions on the trails
- Trail ambassadors can educate and engage with all trail users and resources can be combined with other ambassadorship needs within the Town (ex. Parks)
 - Proactive approach to mitigate and reduce complaints
 - This successful approach was previously used for the new Smoking By-law
- Trail ambassadors can carry out educational stops and use solar speed boards to educate cyclists
- Trail ambassadors can be used as a first point of contact with residents. If matters escalate, bylaws can assist

Increased enforcement on Town Trails is not being recommended

- Unfavourable for residents to have Bylaw Officers patrolling trails
- Impacts to Bylaw services for other areas of Town
- Impacts to budget requirements for Bylaws to monitor trails (resource impact)

Recommendations

Two Phase Approach for Trail Development

1. Address immediate safety improvements
- 2. Undertake a Council Workshop to explore opportunities and to clarify priorities for future development of multi use trails.**

Best Practices

Municipal Review

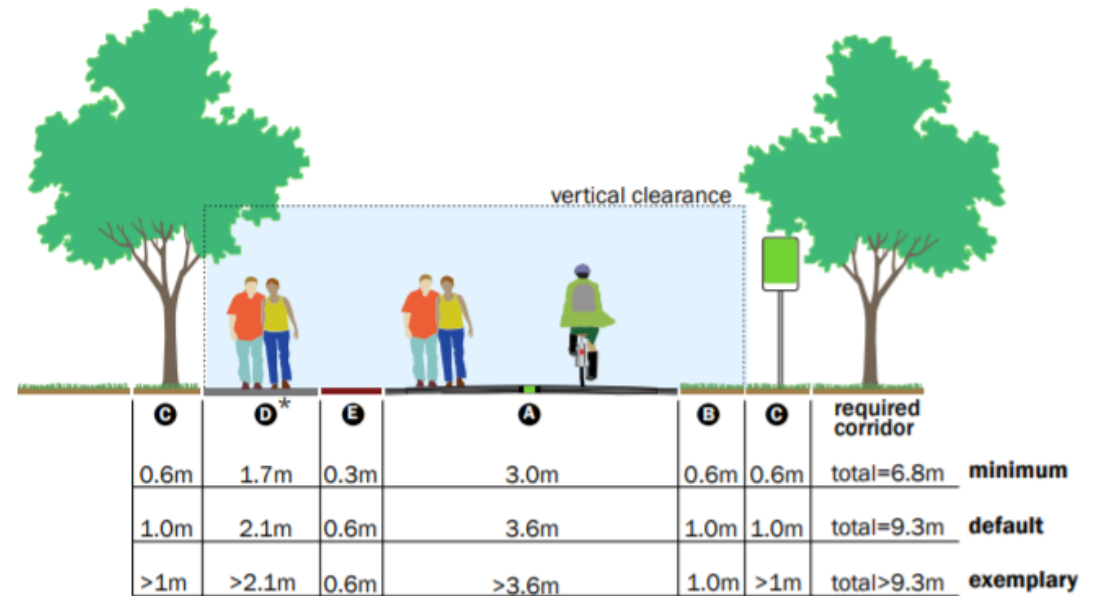
- Reviewed municipalities with high volume trails
- All had comprehensive formal design and construction guidelines
- Majority had formal maintenance standards
- While there are many best practices, there are varied or unique solutions specific to the municipality (ex. Line painting).
- Need a “Made in Newmarket” solution

Municipality	Formal Design Guidelines	Maintenance Standards	Expanded Trail Widths, >3m
Toronto	●	●	●
Ottawa	●		●
Hamilton	●	●	●
Burlington	●		●
London	●	●	●
Kitchener	●	●	●
Vaughan	●	●	●

Best Practices

Expanding Trail Capacity and Trail Types

- Trail counts and user types, indicate there may be a need for high capacity trails
- Central part of the TTT has significant volumes and should be reviewed for increasing trail capacity.
- Multi use trails need to be explored in conjunction with alternate routes and other transportation systems.
- Need to consider how multi use trails operate and interact with other MUP's (ex. similar signage, markings, rules, symbols where appropriate)



Source: City of Toronto High Capacity Trail Configuration, Toronto Trail Design Guidelines, 2015

Opportunities

Public Consultation

- Strong community attachment to our multi use trails
- Gain a better understanding of community experiences on trails and further needs
- Undertake a collaborative process for creating a long term vision

Other Opportunities

- Management of and opportunities for off-leash dogs
- Public WiFi and Data on trails
- Environmental Sustainability
- Accessibility
- Public Art and Cultural
- And more...

Council Workshop

Recommended Workshop

- Review current situation
- Explore opportunities
- Identify a long term vision
- Establish priorities
- Set a clear path for moving forward



Timeline

Spring 2021

- Proposed safety enhancements (line painting, sight line clearing and signage)
- Enhanced communications/education plan
- Recruiting trail ambassadors for deployment in spring

Q3 - 2021

- Council workshop to explore multi use trails in further detail, identify opportunities and priorities, and establish a clear direction for moving forward.

Questions?





Nature's
EMPORIUM **RUN FOR**
SOUTHLAKE
VIRTUAL CHALLENGE



Leading edge care, close to home

When your family or loved ones face a medical emergency there is comfort in knowing that leading edge care is right down the street.

Help us continue to deliver exceptional care, close to home for our community.

"Southlake is not bound by what a community hospital usually does. We are proud to deliver the same or better outcomes for patients as the large academic hospitals in Toronto."

Dr. Julius Toth

Physician Lead, Surgical Program



Join the Challenge

WEEK ONE

EAT WELL WITH SOUTHLAKE

Gear up this spring by focusing on your nutrition. Hear from professionals at Nature's Emporium about foods that fuel you. Set your own nutrition goal for the week!

WEEK TWO

MAKE IT A HABIT WITH SOUTHLAKE

Keeping your nutrition goals in mind, focus on how and how often you want to move this week. Work on your long-term health by making fitness a consistent part of your routine.

WEEK THREE

BUILD YOUR ENDURANCE WITH SOUTHLAKE

This week is all about endurance. Decide how long you want to move each time you get active. Is it 5 minutes a few times a day? Or one 30-minute workout class? Set goals based on what fits your schedule best.

WEEK FOUR

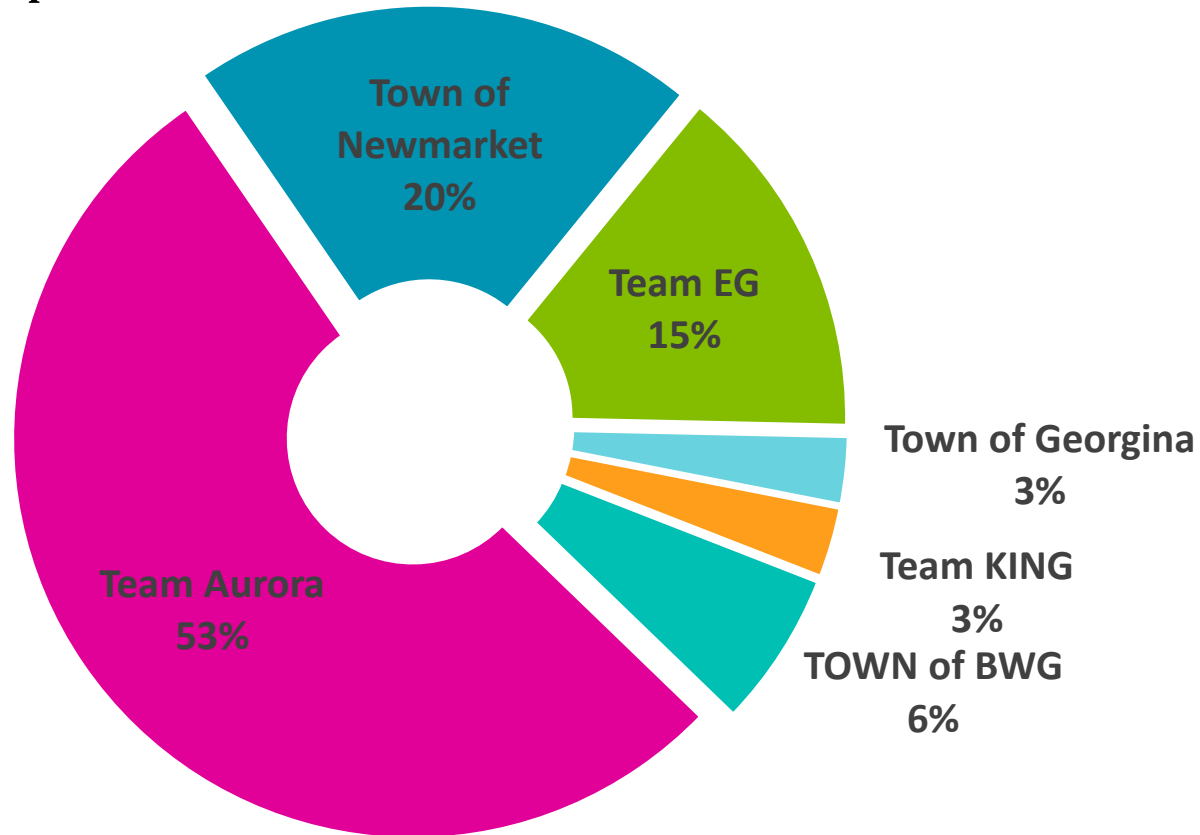
GO THE DISTANCE FOR SOUTHLAKE

You are in the home stretch! Want to run a marathon this week? Bike 10km in 30 minutes? Jump rope around the block? Set ANY personal distance goal! Decide how far YOU want to go for Southlake.



Mayor's Challenge

Friendly fundraising competition to see which team can raise the most in support of OUR hospital!





emi_leeeeeee • Follow

emi_leeeeeee We walk/run 5-10K every day. But this week, we do it for a cause.

Nope, the dogs are not impressed with us 😊.

#sl5k #sl5k2020 #sl5ktogetherapart #sl5kvirtualchallenge

3d

cherrymay01 We are so cute! 3d 2 likes Reply

dereksmithrmt Yes @cherrymay01yes you are! You guys are great!!

Liked by k_knizz and 85 others 3 DAYS AGO

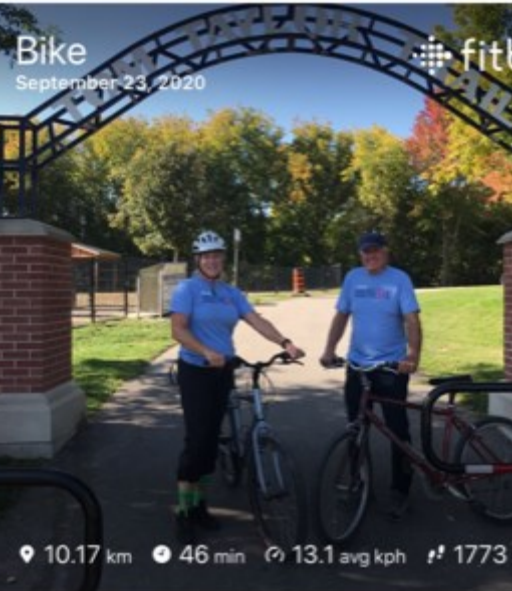
Add a comment...

michelle.kayak.life

aviaeek • Following



Nature's EMPORIUM RUN FOR SOUTHLAKE VIRTUAL CHALLENGE



Register now at
runforsouthlake.ca

Bike lanes on Clearmeadow & Wm. Roe

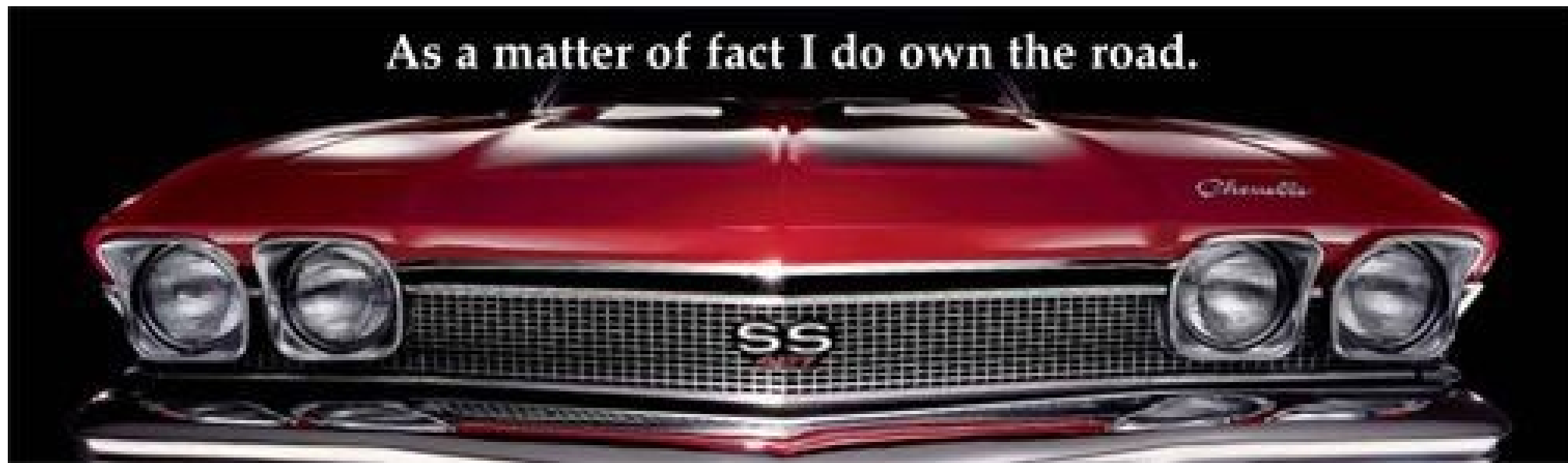
Active Transportation Implementation Strategy
February 22, 2021

Paul Jolie





As a matter of fact I do own the road.







STREETS are



for PEOPLE



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

Active Transportation Implementation Plan – Interim Report Information Report to Council

Report Number: INFO-2020-34

Department(s): Engineering Services

Author(s): M. Kryzanowski, Manager, Transportation Services

Distribution Date: October 16, 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 outline the progress and successes of the on-road Active Transportation Network, and provide some cost estimation for the 2021 budget, and future budgets. The report will outline the progress to date and the future plans. Also, the report will note some of the issues encountered and mitigation measures used to address these issues.

Background

The Active Transportation Network was contemplated in the Town's 2006 Official Plan. Specific roads in the Town were designated as on-street bike routes, and since 2010, the Town has implemented bike lanes. In 2015, the Secondary Plan process developed OPA#11, which updated the Active Transportation Network. In 2018, the Town developed an Active Transportation Implementation Plan (ATIP) which guided the installation of the plan for the short and longer terms. The first ATIP project, the 2017 East-west bike route, took advantage of Provincial funding through a successful Ontario Municipal Cycling Infrastructure Program grant application. Appendix 'A' outlines the implementation of the on-road Active Transportation Network.

Discussion

In 2019, Town Council received the Active Transportation Summary Report (Report #2018-54 dated March 15, 2019), which outline both the proposed on-road and trail routes in a 5-year plan (2019-2023) based on the ATIP. To date, the roadway bike lanes planned for 2019 and 2020 are largely completed. Appendix B illustrates the existing and future planned bike lanes planned, based on the ATIP.

2021 ATIP

In accordance with the ATIP, Lorne Avenue, Clearmeadow Boulevard and William Roe Boulevard on-road bike routes are planned for construction in 2021.

The Lorne Avenue bike lanes (Davis Drive to Eagle Street) are planned to be implemented in conjunction with a road reconstruction project. This would provide connections to: Davis Drive, the East-West bike route, Lion's Park, and Stuart Scott Public School. Lorne Avenue bike lane construction (Eagle Street to Cane Parkway) will be considered when Cane Parkway will be reconstructed in a few years.

The Clearmeadow Boulevard and William Roe Boulevard routes provide a long east-west network link. This link would connect the bike lanes on Bathurst Street, Clearmeadow Public School, the cycle tracks on Yonge Street, St. Paul's CES, and the Holland River trail at Cane Parkway. It could potentially provide internal connections to Mulock property as well.

Both routes provide excellent connections and the design of these routes will have to consider impacts at the schools and on-street parking.

2022 ATIP

The 2022 ATIP routes are planned to be implemented primarily on Ward 1 roads – Stonehaven Avenue, Kingsmere Avenue, Nellie Little Crescent, and Fernbank Road.

These routes connect to the Leslie Street bike lanes, Stonehaven PS, Notre Dame CES, the Magna Centre lands, and the future Mulock Multi-Use Path (MUP).

These routes provide excellent internal connections to the Magna Centre lands, and the design of these routes will need to consider the school operations, on-street parking, and the two roundabouts.

2023 ATIP

The 2023 ATIP routes are planned to be implemented primarily on Ward 3 roads – Huron Heights Drive, Waratah Avenue, Leslie Valley Drive, and Ringwell Drive.

These routes would connect the Davis Drive sharrows and would be an extension of the Alexander Drive bike lanes. The routes would also connect Huron Heights HS, Charles Van Zant Park, Elizabeth Seton CES and the industrial areas.

These routes provide excellent internal connections but the design of these routes will need to consider the school operations, on-street parking and older road designs.

Mulock Multi-Use Path (MUP)

Added by Town Council in 2019, the Mulock MUP will provide a major east-west connection. The Mulock MUP would connect the Harry Walker Parkway bike lanes, the Leslie Street bike lanes, the Magna Centre lands, Newmarket HS, the future Mulock GO station, the Holland River trails, the Yonge Street cycle tracks, the Mulock property, and the Bathurst Street bike lanes.

Currently, an RFP has been tendered for the Mulock MUP Feasibility Study, which will provide the preferred route(s) and preliminary construction cost estimates. At present, the goal is to complete the feasibility study by mid-2021. Detailed design is planned to be complete by the end of 2021 for construction commencement in 2022.

Lessons Learned

During the implementation of the ATIP, four important issues are of note.

On-street Parking. One of the perceived biggest issues in communities receiving bike lanes is the loss of their on-street parking, typically immediately in front of the residents' home. Realistically, the loss of on-street parking equates to the loss of 3-hour on-street parking. To help mitigate this issue, the Town illustrated at the PIC for the 2020 ATIP program, the amount of parking each household had fronting their property. Also, staff showed how much on-street parking there was within 100 metres of their home, and where it was located, including any available parking lots. As well, the benefits of bike lanes, such as speed reduction, were presented as trade-offs to balance the removal of 3-hour on-street parking.

Communication. The standard notification process used in previous years for ATIP streets created some surprise and confusion among some residents who are unaware of the bike lane program. To improve communications, the Town is proposing some advance notice, via boulevard signs and initial mailings, prior to design commencement. Appendix C illustrates the standard communication process, and includes the improvements. This Information Report is also meant to bring greater awareness of the ATIP and upcoming bike lane projects.

Costs. The on-street bike lane network has a relatively low impact to the Town's budget. Typically, the on-street bike lane network is funded through Development Charges (DCs). In 2017, 50% of the funding for the East-West bike route was provided through the Ontario Municipal Cycling Infrastructure Program (OMCIP). 80% of the 2018 and 2019 ATIP program was provided by the Ontario Municipal Commuter Cycling grant. In addition, the 2017 East-West project, which was designed and administered by a consultant, provided lessons learned for staff to assist them in designing and administering construction of future bike lane projects. Annual cost savings of \$50,000 to \$60,000 annually are now realized due to in-house expertise gained.

The numbers. There are two interesting set of numbers that have come from the monitoring of the bike lanes installations. Appendix D illustrates the bikes counted at our two permanent count stations on the East-West bikeway on Srigley Avenue and on the Eagle MUP. The graphic indicates a growing trend of usage year over year. The other interesting set of numbers is the impact on vehicle speeds on streets with bike lanes. Although there is no consistent change in speeds, the results indicate anywhere from a slight increase to a 7.5 km/h decrease on the operating speeds. In general, an overall average drop in speeds of 2.0 km/h can be interpolated for any bike lane with the present data set. The Town will continue to monitor the bike lanes, and have extent the monitoring to intersecting local streets to determine if the reduction extends away from the bike lanes.

With the planned completion of the ATIP in 2023, it is anticipated that the Active Transportation Network will be reviewed to determine additional needs to connect the network, and any additional route requirements.

Conclusion

The ATIP's on-road bike lanes are planned to be implemented according to the proposed timeframes. As well, additional communication efforts will be implemented for the upcoming future projects, starting with the 2021 ATIP program. Staff will continue to seek additional grant and funding sources to build the Active Transportation Network.

Business Plan and Strategic Plan Linkages

The ATIP addresses the Council Strategic Pillar entitled "Safe Transportation (Streets)". More specifically, the project addresses the following priorities under the "Safe Transportation (Streets)" Strategic Pillar:

- ii) Continue to implement the traffic mitigation strategy and Active Transportation Plan and explore/advance an off-road Mulock multi-use path;
- v) Develop a 'complete street' design and construction/reconstruction methodology to support ongoing safe street initiatives and continue to explore design options related to speed reduction, where appropriate.

Consultation

No consultation was undertaken in the preparation of this report. Appendix C illustrates the planned consultation process moving forward.

Human Resource Considerations

None.

Budget Impact

Each year, a budget is based on the design and submitted for approval by Town Council. It is anticipated that the funding sources will be from the Development Charges, offset by grant funding sources. The following outlines the budget estimates for the ATIP.

2021 - \$326,000. This includes Clearmeadow Boulevard, William Roe Boulevard, and the Mulock MUP Feasibility Study. This does not include the Lorne Avenue bike lanes, which are included in the planned road reconstruction project. As well, the estimate does not include the detailed design costs of the Mulock MUP.

2022 - \$150,750. This includes the above noted roads in Ward 1. This estimate does not include the construction of the Mulock MUP.

2023 - \$142,500. This includes the above noted roads in Ward 3.

Attachments

Appendix A – History of the On-Road Bicycle network

Appendix B – Bike Lane Map – Existing and Future Planned Routes from the ATIP

Appendix C – Communication Process

Appendix D – Bike Lane Counts

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca

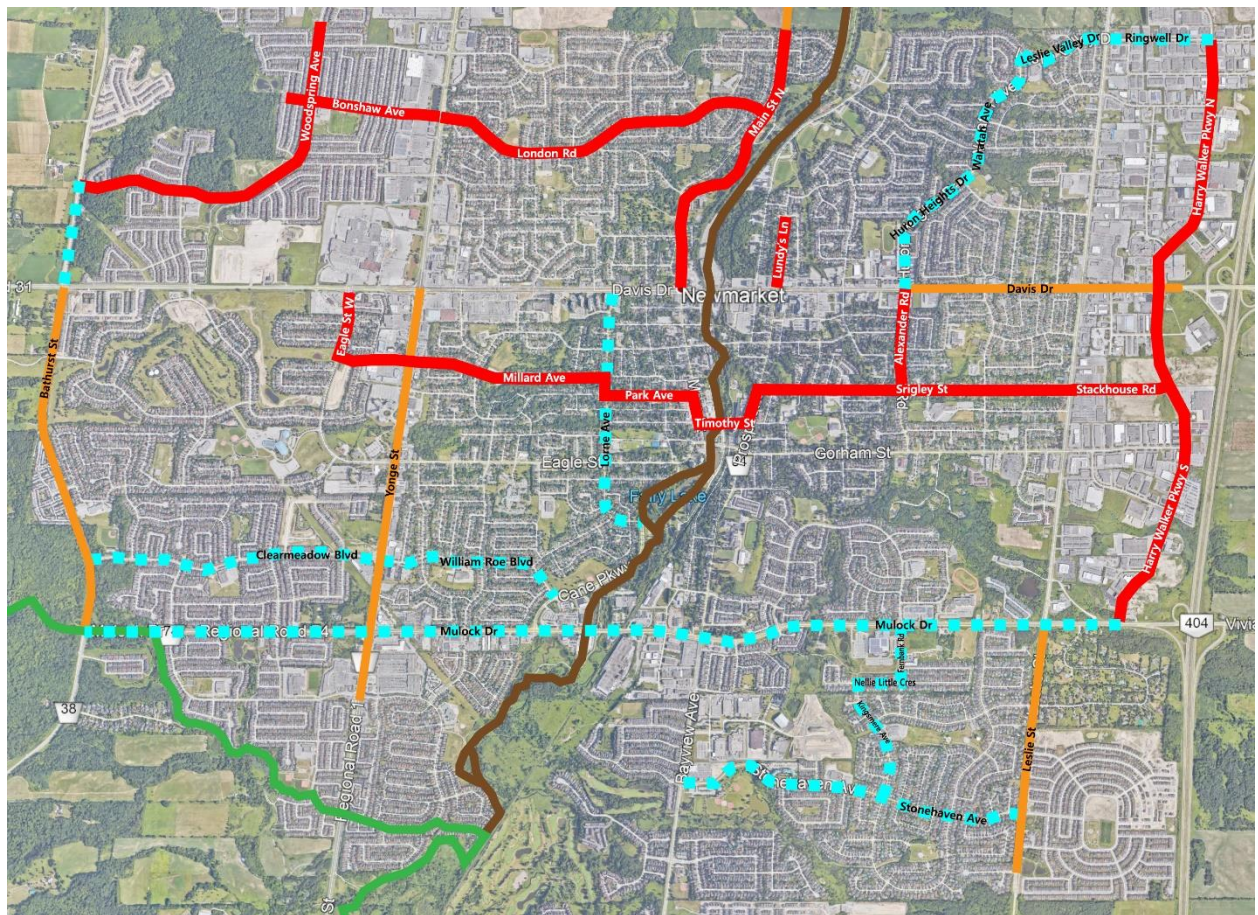
Approval

Peter Noehammer, Commissioner, Development & Infrastructure Services

Appendix A – History of the On-Road Bicycle network

1. 2006 Official Plan – Schedule D – On-road Active Transportation Network
2. 2010 – First bike lanes on Woodspring Avenue and Bonshaw Avenue
3. 2015 – Secondary Plan and OPA#11 Plan adopted – Update of Schedule D
4. 2015 – Bike lanes extended on Woodspring Avenue to Green Lane
5. 2016 – Transportation Business Unit formed – one primary goal is to construct the Active Transportation Network
6. 2017 – East-West bike way constructed – Srigley Street, Prospect Street, Timothy Street, Main Street, Park Avenue, Lorne Avenue, Millard Avenue, Eagle Street West – under OMCIIP grant
7. 2018 – Active Transportation Implementation Plan adopted
8. 2018 – Bike lanes on Main Street North and west end of Woodspring Avenue – OMCC grant
9. 2019 – Bike lanes on Harry Walker Parkway and Stackhouse Road – OMCC grant
10. 2020 – Bike lanes on London Road, north part of Alexander Road, west end of Bonshaw Avenue – OMCC grant
11. 2020 – Feasibility Study commences for Mulock MUP

Appendix B - Bike Lane Map – Existing and Future Planned Routes from the ATIP



- Existing On-street Bike Facilities – TOWN
- Existing On-street Bike Facilities – York Region
- Existing Holland River Trail – TOWN
- Existing Provincial Trail system
- - - Future On-street Bike Facilities - TOWN

Appendix C – Communication Process

Fall – year prior

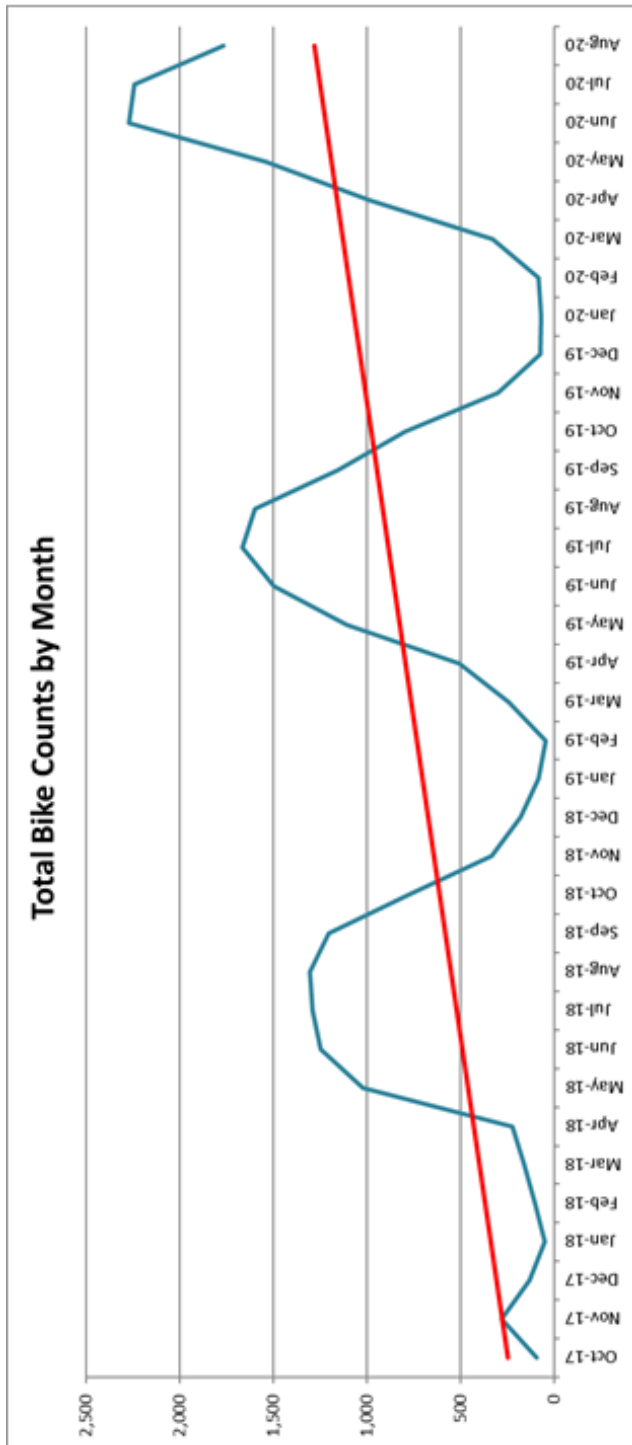
1. NEW – install boulevard signs indicating that ‘this street’ is being considered for bike lanes next year
2. NEW – mail out to all households indicating that their street is being considered for bike lanes and direction to staff and web site for information.
3. NEW – creation of web site with available information

Implementation Year

- Budget approved

1. Mail out notice for Public Information Centre
2. Public Information Centre
3. Replies to Comment Sheets
4. Installation of Project signs on boulevard
5. On-going responses to any resident inquiries
6. Mail-out notification of Parking and Traffic Bylaw changes – if required
7. Committee of the Whole Reports on Traffic and Parking bylaw changes – if required
8. Mail-out construction notification
9. Mail-out follow-up notification – if required

Appendix D – Bike Lane Counts



From: Ann A
Sent: December 4, 2020 7:50 PM
Subject: Bike Lane On Clearmeadow Blvd

Hello,

I hope you are well. I am emailing in regards to the future bike lane being built on Clearmeadow Blvd this upcoming year. As a resident of the street, I would like to voice my concern on this project. For the last couple of years and to this day, all houses on the block are currently undergoing extreme nuisance from the construction going on behind our houses on Rita Avenue with the development of the new houses. Every morning I am awakened by yelling from workers or machinery beeping. Unfortunately, I was also not able to enjoy my summer in the backyard due to all the dust from this expansion.

I understand that this does not specifically relate to the Town, however I am not sure if my neighbours and I will take well to having construction workers starting a new project on the other side of our houses. I am all for furthering environmentally friendly transportation, however is the bike lane on both sides of the street really necessary? As of right now, we are able to park vehicles on the north side of the street. With bike lanes being on both sides of the road, street parking will not be accessible at all for the whole Blvd. Where are we supposed to tell guests to park when our driveways don't have enough space? Additionally, as a resident who has lived on this street for over 16 years, I can attest that our street is currently busy enough. It is often challenging to even reverse out of our driveways with the amount of traffic on the street. Likewise, the road is already wide enough to accommodate both parked cars and the small number of cyclists who do ride down our street during the very few warm months of the year. Personally, I don't think the tax dollars that will go into this bike lane is even worth it when you can only bike for certain months of the year? Perhaps, a bike lane on the south side only will be a more viable option and allow us to still keep street parking for our community.

Please reconsider.
Looking forward to your response.

Thanks for your time,

Ann Abbas
-A resident of Clearmeadow Blvd for over 16 years.

Hi Kelly,

I am a resident of 53 Cleameadow Blvd and looking for your support of a petition that is being compiled to be presented to Newmarket Council. No consultation was held, the elimination of parking is a real issue, it also has the potential to reduce my property value on resale.

Mulock Drive is a non-residential road that connects Yonge and Bathurst - surely this would be a better choice to put in bike lanes.

Sincerely,
David Callaghan

Hi,

I recently received a letter about a proposed bike lane construction on Clearmeadow Boulevard. Although I am not against bike lanes, I am against the idea that on my street we will no longer be able to park on the north side or side.

I live on Clearmeadow Boulevard, a street with 140 homes on a residential street with a 40KM speed limit. On a 40KM residential street, I do not see the need to add designated bike lanes. I understand for streets that are 60KM and over, but if cars are travelling at 40KM there should be no need for bike lanes. This seems like a complete waste of hard-earned tax dollars. This will take away from the feel of a residential street and turn it into a feeder street like Mulock. My and other kids on the street cannot play on the street, so we move our cars to the street for a few hours so that our kids can play hockey on our driveway, we will no longer be able to do that with these proposed bike lanes. Therefore, they cannot play on the street nor my driveway, as there are no other parking options.

The letter states that one of the reasons for these bike lanes are to provide a connecting bike route from Bathurst to Yonge Street. Why not then create this connection on Mulock, a much larger street that is mostly used for connecting traffic between Yonge and Bathurst anyways. I do not understand why we feel the need to do these projects in our residential neighborhoods when we have streets like Mulock that can accomplish the same objective.

I have already contacted multiple residents on Clearmeadow and they are all angry and disappointed about this initiative. We are mobilizing to put together a petition against this proposed bike lane. We are not happy that we live on this street and have no say to this proposed project, we should be able to collectively agree or disagree to this proposal.

I urge that in the December budget process, you vote to reject this initiative.

Regards,
David Coelho, CPA, CA

I believe that this bike lane will creat a NIGHTMARE for the residents on Clearmeadow.
I believe that it is a WASTE OF TIME AND MONEY that will create a traffic hazard and
will

have a negative effect on the quality of life

PLEASE DO WHAT YOU CAN TO STOP THIS ! !

Thank you

Sam Foti

As a homeowners at the corner of Clearmeadow Blvd. & Carruthers Ave. We wish to submit to you our objections to the installation of bike lanes on the North & South sides of this thoroughfare.

There are in total 154 homes that need access to parking for guests & family visitors on this street. Of these ,55 have driveway parking limited to two vehicles as the subdivision plan permits. Corner homes like ours have driveway limits of two vehicles.

If the bike lanes are installed , then the town is considering the needs of a few cyclists rather than the needs of all the tax paying residents on this street. Cyclists would reasonably use the lanes for three seasons each year ,whereas we are not limited to visitors for three seasons only. . If these visitors requiring car park spaces are forced by the town

to park on adjacent side streets, you create traffic congestion as there are limited spaces available. Driveways , hydrants etc clearly limit the road space for cars. Your bike lanes in fact impose a transportation burden on the elderly, & the disabled as they would be forced to walk to visit family & friends.

In addition, on this street we have busses, Route 57A busses travel East & West up to 11:30pm with several bus stops on Clearmeadow. We also have school busses for students at Clearmeadow Public School & St. Nicholas Catholic School as well as stops for students at Sacred Heart Secondary School.

This traffic will be impacted by lanes that have been narrowed to accommodate cyclists who ride for recreation or personal exercise. There are trails available to these riders, but the cars & busses need the street. Another important consideration involves Whipper Billy Watson Park. There is limited parking for athletes & visitors at the baseball facility .

The overflow parks on Clearmeadow North side between Clearmeadow & Bathurst St. The bike lanes would prevent this parking opportunity. Your position is suggesting that cyclists have a greater right to use the street than baseball players do & these players have a league, a schedule for their games whereas cyclists pick & choose when they ride

without any pre arranged times. Why does their athletic pursuit have priority when they are able to ride on any trail or pavement, while the baseball players & fans have limits on the facilities available to them?

We have hundreds of signatures on a petition saying No to bike lanes & we pay in some cases in excess of \$5000.00 taxes per year to the town. The needs of 154 households are impacted 365 days a year,. Cyclists will argue they want to protect the environment with clean energy exercise. That is fair & reasonable ,but it should not take priority so

that a neighbourhood is compromised. The town has paved paths & trails in green spaces for cyclists to use . Please do not narrow our street that serves homes, Newmarket transit, & schools.

Sam & Valerie Foti

Name: Valerie Foti

Subject: Bike Lanes on Clearmeadow

Message: I strongly object to the proposed bike lane installation on Clearmeadow. In a democracy, I believe consultation is essential. I am unaware of any consultation of residents re changing the lanes on Clearmeadow. I live at the corner of Clearmeadow & Carruthers Ave. We have a driveway, like many residents, that can accommodate two cars. Where are guests & family members supposed to park? If you examine the available spaces on Carruthers, you will note a visitor would have to walk a fair distance to our home given all spaces will be sought after. Bus route 57A plus bike lanes & no parking is a complete disregard for taxpayers. The bus is on a residential street with a mere handful of passengers. This clearly is not profitable. Bike lanes for a handful of cyclists at the expense & inconvenience of homeowners. Where is the equity? If it is the intention of the council to ram these lanes through without any feedback from residents in the time of Covid, how will you act to represent our interests?

Hello,

I would like to voice my concern regarding bike lanes being installed in William Roe Blvd.

First, we were never informed about this until we received a letter stating it was happening.

Removing ALL street parking from Cane Parkway to Bathurst will have a devastating effect not only for all the side streets which will bear the brunt of the extra parking, not to mention decreasing property values. Since we are in the middle of a global pandemic, I'm sure money could be spent helping small business and feeding the hungry rather than something that seems to be of no use. I have never seen bikes on Millard where they installed bike lanes, and with William Roe being so close to Fairy Lakes lovely bike paths, what will be the benefit of this? Let's just add to the fact that taxes are increasing 2.99% when myself as a small business owner have zero business so zero revenue.

I would like to add my name and contact information to the petition.

Cathy Gifford
241 William Roe Blvd

Regards,

Cathy Gifford

From: Anna Malinowski

Date: December 4, 2020 at 9:52:53 PM EST

Subject: Clearmeadow Boulevard Bike Lanes

Hi there,

I currently reside on Clearmeadow Boulevard and I would like to voice my approval for the future bike lane installation on this street. I think this is a wonderful way for Newmarket to be more environmentally friendly and a great way to encourage methods of transportation other than the use of cars. I think Newmarket can be too car dependent and it's time to change that. I also think these bike lanes will make the road safer for cyclists, pedestrians and motorists. I have witnessed several instances of street parking on Clearmeadow making a potentially dangerous situation for children getting off school buses due to the lack of visibility this parking causes for passing motorists. I think bike lanes are more beneficial for the community than street parking.

There is currently misinformation being spread in the community via flyer stating that these bike lanes will lower property values when in actuality bike lanes can either increase or have no impact on property values (see: <https://www.cbc.ca/news/business/biking-lanes-business-health-1.5165954>) . I think it's important for city officials to combat these false narratives by informing residents of the multiple benefits bike lanes can provide.

Thank you for taking the time to read this e-mail,
Anna Malinowski

Hello Councillor Broome,

I am a resident of Clearmeadow Blvd Newmarket who recently received a letter from the Town regarding planned bike lanes on both sides of the street. Not sure how this project was evaluated and decided as a must-have, but the real stakeholders - us residents of Clearmeadow Blvd - were never consulted.

Clearmeadow is already very narrow with sidewalks on both sides of the street. By the time these lanes are done, motorists would have less space than bikers and pedestrians. Bike lanes would take about a third of the street for few months when you may have some bike traffic.

While bike lanes may be a safety feature, there needs to be serious rationale behind this decision given the huge inconvenience it will cause residents. Aside from several other concerns, is it fair for the residents to suffer with all of the parking gone - for guests, service vehicles, snow removal etc? Just for a few bikes that pass through maybe 4 months a year? This is absolutely unacceptable.

I'm not the only resident who has an issue with this. In case you haven't already, please have a look at this petition signed by 120 residents (and counting) affected by this proposal.

We all hope you will seriously consider our concerns and good sense will prevail so we can avoid unnecessary stress and inconvenience during these already difficult times.

Thank you,

Raza Mankani
68 Clearmeadow Blvd.
Newmarket ON

Good Afternoon;

I am the resident/ owner of 42 Clearmeadow Blvd, along with my husband Michael McLean.

I was very dismayed to receive a letter dated November 12, 2020 in my mailbox on Wednesday, December 2, 2020 and postmarked November 24, 2020, entitled " Notice of Proposed Bicycle Lane Construction".

The title itself is misleading. One would reasonably think that the letter contained information on what is proposed and that residents will be able to speak to their concerns and voice their opinions. It is clear the combination of the very late receipt of the letter is a barrier to this and the first line of the paragraph states " are to be constructed". I understand this will be decided at the December 7, 2020 Council meeting, leaving residents very little time to respond.

While I support green initiatives, I believe that installing Bicycle Lanes on Clearmeadow Blvd is an unwise decision. In the summer of 2019 we had traffic calming measures installed on this street, I supported this as there is a significant speeding problem on Clearmeadow, which worsened with the installation of lights at Bathurst Street. During the time the bollards were on the road, parking and driving was a nightmare. I will point out to you that these measures were not reinstalled in summer 2020.

Even during the pandemic Clearmeadow remains a street which is subject to a lot of street parking. The driveways are short and do not have room for parking of visitors, trades, etc. There are often cars parked perpendicularly at the end of driveways which is dangerous for residents backing out. This practice will increase greatly when Bicycle lanes are installed. I would also add that there is relatively little bicycle traffic on Clearmeadow and most of it is children who ride on the sidewalk.

When Bicycle lanes are installed there is guaranteed to be tension among neighbours. Cars that would normally park along Clearmeadow , Columbus and Plantation will be fighting with residents of the side streets in the area for street parking. I will remind you that there are a number of town houses in the area and already a lot of street parking. Residents might also choose to park in local plaza and school parking lots. This is neither an ideal solution nor should it be.

There is also the issue of resale ability and value for the residents effected by this. When prospective buyers come to view homes in any part of this neighbourhood they will be put off not only by the lack of parking but the congestion of the area.

I would urge Council to reconsider it's position at least for the time being. Your data gathered in 2018 is entirely outdated and does not take into account the changes in this neighbourhood over the past two years. There have been many new homes built in the area and the installation of lights at Bathurst Street has increased non local traffic significantly. There is also

the question of the great expense of bike lane installation for the few people who use them during a time when fiscal restraint should most definitely be practiced.

Sincerely,

Shari Northorp McLean

Hi Kelly,
Hi John,

I think based on the email discussions we have had so far, that it is clear that I believe the residents of Clearmeadow Blvd do not agree to have bike lanes installed on Clearmeadow Blvd that would eliminate the use of temporary street parking.

Unfortunately, as we did not receive the proposed letter in a reasonable time, as the letter was received only on December 2nd (although the date of letter had November 12th), and with impact of COVID19 we were only able to set up an online petition and distribute petition letters on Clearmeadow. However, with that being said, even with the above two restrictions we were still able to obtain 123 petitions. The details of the petitions are attached to this email. This number continues to grow, and more resident details are being obtained.

I believe with more time and dialogue this number would surely increase.

See link to petition: www.change.org/clearmeadow

In the process of sending out this petition letter we received a lot of email/call feedback thanking us for putting this together and being a voice for them. The consistent message we received is that they all feel like they received the letter too late and although it says proposed, it does not provide details on how they can object and have their voice heard. This bike lane proposal has sparked a lot of discussion and passion amongst Newmarket residents as many are asking why they were not specifically consulted with.

As an alternative to Clearmeadow, I would suggest as do many of the residents of Clearmeadow from the feedback we received, to move these bike lanes to Mulock Drive.

- It provides the same solution as connecting the already existing bike lanes on Bathurst and Yonge.
- Bike lanes on Mulock would connect directly to the Mulock Property park on Yonge and Mulock.
- Mulock is only 400 meters from Clearmeadow
- It will have little to no disruption to any of the local residents as opposed to Clearmeadow with the large impact of removing temporary street parking.
- There is also ample room on Mulock street to create dedicated bike lanes.
- Clearmeadow is a 40KM limit street, with vehicles going this speed it should be reasonable to cycle safely on the street. Mulock with its 60KM speed would benefit more from having these designated bike lanes and would really have very little impact on vehicle traffic.

I would like to know if a Mulock was considered instead of Clearmeadow and if so, why it was not chosen as a better option than Mulock.

I know that other residents have also reached out to their councillors in Ward 1 and Ward 5 which are also affected by these bike lanes.

In conclusion we believe fundamentally that a true proposal should include direct feedback by the community members which are most effected by the proposal.

Regards,
David Coelho, CPA, CA

Note: This petition has been redacted to remove personal information.

#	Name	Signed On	City	Address	Phone Number	Email	Province	Postal Code
1		12/4/2020	Newmarket		-		Ontario	
2		12/5/2020	Newmarket		-		Ontario	
3		12/6/2020	Newmarket		-		Ontario	
4		12/4/2020	Newmarket		-		Ontario	
5		12/6/2020	Newmarket		-		Ontario	
6		12/4/2020	Newmarket		-		Ontario	
7		12/4/2020	Newmarket		-		Ontario	
8		12/6/2020	Newmarket		-		Ontario	
9		12/4/2020	Newmarket		-		Ontario	
10		12/5/2020	Newmarket		-		Ontario	
11		12/5/2020	Newmarket		-		Ontario	
12		12/4/2020	Newmarket		-		Ontario	
13		12/5/2020	Newmarket		-		Ontario	
14		12/5/2020	Newmarket		-		Ontario	
15		12/5/2020	Newmarket		-		Ontario	
16		12/5/2020	Newmarket		-		Ontario	
17		12/5/2020	Newmarket		-		Ontario	
18		12/6/2020	Newmarket.		-		Ontario	
19		12/4/2020	Newmarket		-		Ontario	
20		12/6/2020	Newmarket		-		Ontario	
21		12/4/2020	Newmarket		-		Ontario	
22		12/6/2020	Newmarket		-		Ontario	
23		12/5/2020	Newmarket		-		Ontario	
24		12/6/2020	Newmarket		-		Ontario	
25		12/5/2020	Newmarket		-		Ontario	
26		12/5/2020	Newmarket		-		Ontario	
27		12/5/2020	Newmarket		-		Ontario	
28		12/6/2020	Newmarket		-		Ontario	
29		12/6/2020			-		Ontario	
30		12/4/2020	Newmarket		-		Ontario	
31		12/5/2020	Newmarket		-		Ontario	
32		12/4/2020	Newmarket		-		Ontario	
33		12/4/2020	Newmarket		-		Ontario	
34		12/4/2020	Newmarket		-		Ontario	
35		12/4/2020	Newmarket		-		Ontario	
36		12/5/2020	Newmarket		-		Ontario	
37		12/5/2020	Newmarket		-		Ontario	
38		12/5/2020	Newmarket		-		Ontario	
39		12/6/2020	Newmarket		-		Ontario	
40		12/6/2020	Newmarket		-		Ontario	
41		12/6/2020	Newmarket		-		Ontario	
42		12/6/2020	Newmarket		-		Ontario	
43		12/6/2020	Newmarket		-		Ontario	
44		12/4/2020	Newmarket		-		Ontario	
45		12/5/2020	Newmarket		-		Ontario	
46		12/4/2020	Newmarket		-		Ontario	
47		12/6/2020	Newmarket		-		Ontario	
48		12/4/2020	Newmarket		-		Ontario	
49		12/4/2020	Newmarket		-		Ontario	
50		12/6/2020	Newmarket		-		Ontario	
51		12/4/2020	Newmarket		-		Ontario	
52		12/4/2020	Newmarket		-		Ontario	
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57		12/4/2020	Newmarket		-		Ontario	
58		12/4/2020	Newmarket		-		Ontario	
59		12/4/2020	Newmarket		-		Ontario	
60		12/5/2020	Newmarket		-		Ontario	
61		12/5/2020	Newmarket		-		Ontario	
62		12/5/2020	Newmarket		-		Ontario	
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66		12/5/2020	Newmarket		-		Ontario	
67		12/5/2020	Newmarket		-		Ontario	
68		12/5/2020	Newmarket		-		Ontario	
69		12/5/2020	Newmarket		-		Ontario	
70		12/5/2020	Newmarket		-		Ontario	
71		12/5/2020	Newmarket		-		Ontario	
72		12/5/2020	Newmarket		-		Ontario	
73		12/5/2020	Newmarket		-		Ontario	
74		12/5/2020	Newmarket		-		Ontario	
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76		12/5/2020	Newmarket		-		Ontario	
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81		12/6/2020	Newmarket		-		Ontario	
82		12/6/2020	Newmarket		-		Ontario	

83	12/6/2020	Newmarket	Ontario
84	12/6/2020	Newmarket	Ontario
85	12/6/2020	Newmarket	Ontario
86	12/6/2020	Newmarket	Ontario
87	12/6/2020	Newmarket	Ontario
88	12/6/2020	Newmarket	Ontario
89	12/6/2020	Newmarket	Ontario
90	12/6/2020	Newmarket	Ontario
91	12/6/2020	Newmarket	Ontario
92	12/6/2020	Newmarket	Ontario
93	12/6/2020	Newmarket	Ontario
94	12/6/2020	Newmarket	Ontario
95	12/6/2020	Newmarket	Ontario
96	12/6/2020	Newmarket	Ontario
97	12/6/2020	Newmarket.	Ontario
98	12/6/2020	Newmarket	Ontario
99	12/5/2020	Aurora	Ontario
100	12/5/2020	Aurora	Ontario
101	12/5/2020	Aurora	Ontario
102	12/5/2020	Aurora	Ontario
103	12/6/2020	Aurora	Ontario
104	12/6/2020	Aurora	Ontario
105	12/7/2020	Aurora	Ontario
106	12/5/2020	Richmondhill	Ontario
107	12/5/2020	Holland Landing	Ontario
108	12/5/2020	Ridgeway	Ontario
109	12/5/2020	Ottawa	Ontario
110	12/5/2020	Toronto	Ontario
111	12/5/2020	Kingston	Ontario
112	12/6/2020	Bradford	Ontario
113	12/6/2020	Vaughan	Ontario
114	12/6/2020	Toronto	Ontario
115	12/4/2020	Richmond Hill	Ontario
116	12/6/2020	Harwood	Ontario
117	12/4/2020	Ajax	Ontario
118	12/6/2020	Shannonville	Ontario
119	12/4/2020	Vaughan	Ontario
120	12/5/2020	Fredericton	
121	12/5/2020	Surrey	
122	12/5/2020	Cooks Creek	

As a resident on Clearmeadow Blvd it is very disappointing to hear that you want to put a bike lane and not just on one side but BOTH sides!!!!

This street is busy enough, to add bike lanes that will also take away our extra parking space is NOT FAIR to the people who live on the street. It is NOT necessary to add these ridiculous bike lanes on a residential street. Think about adding a bike lane on Mulock!

Cinzia & Joe Pittari

Hi There,

I am emailing in regards to the meeting about the possible implementation of bicycle lanes on Clearmeadow Blvd. I would like to attend the live meeting if there is a link available for viewing. Furthermore, I have included an opposing view that I would like to be discussed in the meeting below.

After receiving a notice in the mail in regards to the proposed bicycle lanes on Clearmeadow Blvd, multiple issues have been raised for those living on the street. Firstly, the implementation of bike lanes on both sides of the street permanently removes the ability of street parking. With this being said, our families and friends will no longer be able to park in front of our houses, which is a major issue. The driveways on Clearmeadow Blvd are insufficient to be able to support numerous guests. In addition, Whipper Billy Watson Baseball Diamond will face extreme difficulties. When it is the baseball season, families are parked bumper to bumper on the street, as there is not enough parking spaces to accommodate the amount of people. Furthermore, when a major decision, such as these bike lanes, are possibly being implemented it should be with the consent of the home owners, or at least the large majority. I hope these implications are taken under consideration. It would be reasonable to go forth with making a bicycle lane on the side of the street that is already a no park zone. This would keep the retrospective side of the road still available for parking that is much needed. It is simply a requirement for our newmarket residents to have street parking available. A petition has also been made by one of my fellow neighbours to stop the construction of bicycle lanes with an overwhelming response. It has been made evident that the residents of Clearmeadow Blvd, and our street neighbours that would be affected by the bicycle lanes, due to external factors, such as having to use their streets near by for street parking, would create further problems and a lot of upset Newmarket residents. With all this being said, going forward with one bicycle lane on the no park zone of Clearmeadow Blvd appears to be the only beneficial and middle ground option.

Thank you for the consideration,

David Petley and Samantha Petley

Good afternoon,

I would like to state my opposition to the proposed bike lanes that are planned for Clearmeadow Blvd. The amount of foot traffic, car traffic and families that live on the street does not allow for something as busy and road consuming as bike lanes. These lanes can be better placed on non-residential streets that would make it safe for not only families that live on these streets, but also the cyclists.

Thank you for your time.

Peter Budziak

Hi,

I am opposed to the bike lanes being put on Clearmeadow/ William Roe. The residents should have a say and it should be valued and respected. A majority of the residents have spoken to oppose this based on the petition.

Our street parking will be eliminated, we specifically do not have a parking lot nearby and our aging parents would need to walk two blocks to visit. Our street will increase naturally in (car, foot) traffic due to the Mulock park, we do not want to further clog our streets.

Mulock is approved for a multi-use lane which is a better use of a bike lane, which in turn nulls the reasoning for one 400 m away on Clearmeadow.

If there is a speed issue, we should address that with the mitigation tactics, the town has outlined on street studies and not rely on bike lanes. We see very few bikers in our neighbourhood. mostly children who feel safer on the sidewalks.

In discussion with Newmarket residents other streets in Newmarket who had petitions previously seemed to be ignored so I ask that you take into consideration the voices and opinions of the residents.

Thank You,
Carolina Begg

Hi there

I would like to voice my opposition to the proposed bike lanes on Clearmeadow.

I live on the western edge of the historical part of downtown Newmarket. Bike lanes were implemented in this area several years ago.

I ride my bike to work every day from April to November and I can tell you that the bike lanes are completely unnecessary and a waste of money.

I agree with the implementation of bike lanes on busy streets such as Davis Drive and Yonge Street. On largely residential side streets such as Clearmeadow (or Millard and Park Ave) they do nothing to promote safe biking. They simply make it more difficult for residents to find parking.

As an avid biker, I am completely opposed to this and I would like the town to please consider my submission when considering this proposal.

Sincerely,

Thora Hunter

Dear Mayor Taylor and Members of Council

As an avid cyclist, I wish to add my voice to the proposal to create cycling lanes on Clearmeadow Boulevard in Newmarket.

While I acknowledge the concerns of residents who are opposed to the change of roadway use in their neighbourhood, clearly, we must also acknowledge the benefits that this change will bring, both to Newmarket, and to its residents.

As Newmarket continues to expand its "green" initiatives, which include cycling as an established means of transportation, the town has worked to create cycling lanes in areas that directly, and safely connect cyclists between main thoroughfares - in this case, it is considering the provision of a link between Bathurst Street and Yonge Street.

I understand that change does not come easily, particularly in a culture that promotes and encourages the use of vehicles, even for the closest of destinations. As someone who was born and raised in Holland, I can tell you that cycling, and public transit, are a major means of transportation, (as an example the train station in Utrecht Holland has indoor parking space for more than 12,000 bicycles) and cars are often left in driveways, unused for days at a time. Think of the benefits - recreation, health, longer vehicle life, and less reliance on gas, (both a financial, and a "green" benefit). But understand, that this has been achieved because Holland has created one of the world's best cycling infrastructures.

Here in Newmarket, we have been urging the town to help us to make cycling mainstream. In order to do this, cycling must be made safe, accessible, and there must be bike lanes on connecting roadways, that make "cycling sense". Clearmeadow is such a roadway.

Toda, COVID, is having a major impact on both our lives, and our lifestyles. We are largely confined to home, many work from home, and few have access to public recreation. Activities such as walking, and cycling have taken on a new importance. I have seen more walkers, and more cyclists than I ever can recall.

Let's, then take this opportunity to expand the number of cycling lanes in town, and add to those lanes, the proposed one along Clearmeadow. This will help to make cycling, with its many benefits, a commonplace, and most importantly, a safe, and sensible way to travel in this town.

Sincerely

Peter Kuin

Dear Mayor and Council,

I am in favour of the continued implementation of the Active Transportation Plan, including the scheduled installation of painted bicycle lanes on William Roe and Clearmeadow Blvds.

There are several evidence-based reasons why a network of safe, separated bicycle routes is needed:

- Every year in Canada, an average of 7500 cyclists are injured and 74 die (StatsCan/Canadian Automobile Association). The majority of collisions are caused by motorists, with the most common causes being unsafe turns, passing too closely, and opening a car door in a cyclist's path (Injury Lawyers of Ontario, CAA). How do we reduce these preventable injuries and deaths? Studies show that they decline when drivers expect to see cyclists on the road, and when there are more of them. Therefore, we need separate cycling lanes.
- We are all taxpayers—motorists, cyclists, walkers, seniors, people with disabilities—and our taxes pay for transportation infrastructure, including the streets we are talking about today. Those streets must provide for everyone's needs, not just motorists. Reserving space for street parking of private vehicles is the least valuable way to use that public resource and does not create any significant economic activity. According to a US study (<https://www.vox.com/2014/6/27/5849280/why-free-parking-is-bad-for-everyone>), each on-street parking space costs \$US 1,750 to build and \$400 to maintain annually.
- We know that cycling as a mode of transportation is healthy, environmentally friendly, and contributes to equity and social cohesion. A large proportion of trips made by car are to destinations that are less than 5km away, but the reason most people give for not cycling is that there is no safe route to get there. We therefore need a safe, connected network of cycle lanes, and they need to follow our streets so that they get people to their destinations.
- What destinations do I mean? I am a cyclist, and I live in the area of town that where the bike lanes we are talking about today are going to be installed. I cycle to accomplish my daily business: shopping, the farmers market, takeout food, medical appointments, the library, community events, and more. In fact, studies show that cyclists spend more money in local businesses than those who drive to their destinations.

Cycle lanes make our community safer, healthier, fairer, and more prosperous, and we need to keep building them as we planned.

Todd Kyle

Dear Mayor and Members of Council,

I would like to add my support for the bike lanes on William Roe and Clearmeadow Blvd.

I am a Newmarket cyclist, driver, and homeowner. Cycling is not just recreational activity for me, it is also how I get to work, go shopping, and see others (although from a distance, these days).

As a cyclist, the recreational trails are nice for a leisurely ride, but a connected network of dedicated bike lanes is what's needed to provide myself and a growing number of cyclists with safe transportation routes. Currently, with the exception of a few existing lanes, I have to choose to cycle inches from cars traveling three times my speed or risk getting doored by parked cars on the side of the street. With a network of dedicated bike lanes, I can feel safer and more confident riding to my destination.

As a driver, I admit getting stuck behind a cyclist can be annoying when I'm in a rush. Passing a cyclist can be quite unnerving at times too. Again, with a network of dedicated bike lanes, we each have our own space to get to where we need.

Finally, as a homeowner, I want to live in a safe neighborhood and have my property appreciate over time. Studies have shown that close proximity to cycling infrastructure positively affects property value, so expanding the network benefits our community as a whole too.

This is why the proposed bike lanes on William Roe and Clearmeadow Blvd should be constructed as planned. It will not only those in the immediate vicinity, but will contribute to the larger network of cycling lanes that will make Newmarket a safer and better place for everyone to live in and get around.

Thank You,
Laetitia Tam
269 Rogers Road, Newmarket

Hello,

Several residents including me had earlier reached out Kelly Broome, Councillor Ward 6 on the matter of planned bike lanes on both sides of the street. There needs to be serious rationale behind this proposal given its very low utilization vs the huge inconvenience it will cause us residents. While we are the main stakeholders' group, we were unfortunately never consulted on this issue and are strongly opposed to this whole plan for several critical reasons.

- Clearmeadow is already very narrow with sidewalks on both sides of the street. By the time these lanes are done, motorists would have less space than bikers and pedestrians.
- Bike lanes would take up a sizeable portion of the street, that too for just few months when you may have some bike traffic.
- We have lived here for almost 7 years now and regardless of what Cycle Newmarket or any other interest group or their skewed surveys and stats may tell you, Clearmeadow has never had enough bicycle traffic to warrant these special lanes. Why should the residents suffer for just a few bikes that may pass through maybe 4-5 months a year?
- Most homes have small driveways with sidewalk between driveway and curb that limits space even more.
- This is a residential street and several families with kids have also been biking here for years without any issue. With the convenience of street parking vehicles for a short time to let our kids play on the driveway is also something these bike lanes will take away from us.
- Street parking convenience was one of the major factors that most homeowners considered when buying on Clearmeadow.
- This street does not cross any by-lanes or other streets for most part and the one side street parking we have is absolutely necessary for all our needs including guest parking, service vehicles, street parking for snow removal etc.

To date around 280 residents have also signed this online petition against these bike lanes which is totally unacceptable to us. You should also read some of their comments.

<https://www.change.org/p/town-of-newmarket-say-no-to-bike-lanes-on-clearmeadow>

Is the Town really going to penalize its taxpayers by taking away even these little conveniences we've had? If executed, this change will not only severely inconvenience residents but will also compel several families to consider moving out of this neighbourhood.

We all hope that sense will prevail end of the day and the Town would pay heed to residents and tax payers before pressure groups by putting this plan back on the shelf where it belongs.

Thank you,

Raza Mankani
68 Clearmeadow Blvd.

To whom it may concern, the residents at 116 Clearmeadow are opposed to this bike lane proposal. Mulock St. perhaps, is an acceptable alternative that doesn't affect home owners/visitors/and parking. The reality is that these road lanes on Clearmwadow are narrow as it is, and the street is reasonably busy outside of rush hour, and congested throughout rush hour. Squeezing cyclists beside vehicles is not the safest option. These lanes will also be viable for less than half of the year, and the few cyclists who would be using them (ourselves included) would fair just as well using the sidewalks (for children) and roads safely. To take the already limited parking from residents and visitors seems cruel and unusual with a clear alternative available. Furthermore, completing a survey before this idea was even proposed to determine the level of need and utilization for surrounding residents would have been a more respectful approach to the people in this neighborhood, taking into consideration funding comes from our tax dollars and affects us directly. I know we personally would have appreciated it a great deal.

We implore you to consider alternatives to Clearmeadow Blvd.

Regards,
Stacey Ewart
Anna Ihnatiuk
& Ashley Winders

Dear Council,

We are writing to you today to oppose the bike lanes on Clearmeadow Boulevard.

We have been residents of Newmarket for over 25 years and we live on Clearmeadow Blvd.

We don't feel it is necessary to build a bike lane on this street. It will prevent residents like us and others from parking on the road, which at times is necessary. My husband and I have elderly parents and if they stop by for a visit they would have to park at the Rexall Plaza and walk. This would be the same for friends. That is ridiculous. If we need to have our car out of the garage for spring cleaning we cannot park it on the road.

We pay property taxes and we should have the option of parking on the street if we need to, just like every other Newmarket resident.

We have copied part of an article that was on the Newmarket Today website on January 23, 2021 explaining there will be a multi-use path being built on Mulock Drive, which is the street just south of Clearmeadow. That is a great idea, it will connect to the recently purchased Mulock Farm estate as well as Fairy Lake.

I don't see why we need both.

Partial from Article Newmarket Today, Jan 23, 2021.

“Early work begins for multi-use path along Newmarket's Mulock Drive

The path will run the entire length of the roadway, creating an east-west link across town; construction could begin in early 2022

The Town of Newmarket and York Region are planning to build a new multi-use path that will serve as a major east-west link across town.

The town has begun a feasibility study for a pathway that would run the entire length of Mulock Drive.

It would also connect destinations such as Newmarket High School, Magna Centre and fields, the future Mulock GO station, Newmarket Town Offices, Sir William Mulock Secondary School, the Yonge Street corridor, and Mulock Farm Property.

It would also serve as a link between existing walking path and bike lane systems, such as the Harry Walker Parkway on-road bicycle lanes, the Holland River trail and Yonge Street cycle tracks.”

Thank you for your consideration.

Sharon and Laz Mandjik

To: Newmarket Council

Council Meeting: February 22, 2021 at 1pm

Re: Clearmeadow Blvd. Bike Lanes

We are strongly opposed to Bike Lanes on Clearmeadow Blvd. for the following practical and safety reasons:

1. Increased cycling will interfere with Newmarket Buses, School Buses and Bus stops along with residential vehicles exiting/entering private driveways.
2. Cyclists will interfere with school buses and pedestrian traffic in front of Clearmeadow Public School.
3. Already have proposed Bike Lanes on Mulock Ave.
4. Will eliminate parking on Clearmeadow Blvd.
5. Bike Lane paint markings are not environmentally friendly and will increase the carbon footprint.
6. Bike Lanes are only used for 6 months out of the year.
7. Clearmeadow Blvd. is far too narrow to add bike lanes.
8. Numerous pedestrian and vehicular accidents already occur every year on Clearmeadow Blvd. Adding bike lanes will only compound the existing problem.

Once again, we are strongly opposed to bike lanes on Clearmeadow Blvd.

Thank you.

Andrew, Pina, Andrew and Olivia Knoop
313 Clearmeadow Blvd.

Dear Newmarket Council,

I want to add my voice in support of bicycle lanes on Clearmeadow Boulevard and William Roe Boulevard as they are part of the town's Active Transportation Implementation Plan.

Although I am not a resident of Newmarket, I do cycle in Newmarket. I work in Newmarket and bicycle commute almost every day of the year – rain, shine, or snow. My co-workers ask me about cycling. Some say they have tried cycling but they did not feel safe. I cannot disagree with them. There is a lack of safe bicycle routes in Newmarket and I am often concerned for my own safety during my commute.

I empathize with the residents of Clearmeadow and William Roe who have enjoyed the current situation for many years and wish it to remain unchanged. However, we must also consider the residents who will be living in the community in 5, 10 and 15 years from now. Change is already coming to our area. More and more houses are being built. More and more cars are being added to our streets. We must take steps to encourage environmentally friendly alternatives to driving to make our communities cleaner, greener, and sustainable.

Please support the bicycle lanes on Clearmeadow and William Roe Boulevards as part of the town's Active Transportation Implementation Plan. Make safe cycling a priority.

Thank you for your consideration,

Sheila Johnson

12 Kidd Circle

Aurora Ontario

Hello,

I just wanted to take a moment to express my opinion on bike lanes through our neighborhood. I feel that bike lanes through our neighborhood are not for the tax paying residents of our neighborhood. I have never seen a family ride through our neighborhood out for a leisurely ride thinking they would be better served with specially marked bike lanes. The traffic is quite manageable through the area if you are willing to ride and follow the rules of the road any child who can balance a bike should be able to navigate the area.

The people or groups pushing for the bike lanes are likely the people who want to ride through here in groups on weekend and disobey the stop signs In front of my home then scream obscenities at a lady who pushes her baby carriage out in front of the speeding group of cyclists. The people of my neighborhood are not looking for their quiet neighborhood to be interrupted with more of these people.

Please respect this neighborhood and don't encourage more of these people to ride here by increasing the level of entitlement they already believe they have by giving them special lanes . If we can get enforcement stepped up and curb their behavior so they realize that cyclists are not pedestrians but motorists then maybe the general masses would be more excepting of them.

Jeff Hunter



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

Multi Use Trails - Safety Enhancements Staff Report to Council

Report Number: 2021-11

Department(s): Public Works Services, Engineering Services

Author(s): Mark Agnoletto, Director of Public Works

Meeting Date: February 22, 2021

Recommendations

1. That the report entitled Multi Use Trails Safety Enhancements dated February 22, 2021 be received; and,
2. That the trail safety enhancements on the Tom Taylor Trail be approved, which include:
 - i. Painting of a centre line.
 - ii. Increasing sight lines.
 - iii. Increasing signage for hazards and trail safety.
 - iv. Implement a public education program; and,
3. That staff be authorized to hire two (2) summer students as Parks and Trails Ambassadors; and,
4. That staff proceed with coordinating a Council Workshop to explore the future direction and priorities for developing multi use trails, by Q3 2021; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

This report provides an overview of trail safety along the Tom Taylor Trail and looks at strategic ways to manage the ongoing growth and success of our trails in Newmarket. Various stakeholders were assembled to address these concerns and have compiled data and research to support both short and long term objectives. The recommendations put forward are intended to improve trail safety and improve

education of trail users with trail ambassadors. Furthermore there is a recommendation to undertake a Council workshop to explore and identify the future direction and priorities for multi use trails in Newmarket. Those concepts may include, but are not limited to, design and maintenance guidelines, public consultation and expanding trail capacity.

Purpose

To provide a review of existing multi use trails, best practices and options for improving trail use and safety. The report outlines recommendations for trail modifications and enhancements, as well as recommendations on future development of the trail system. Considerations for education and enforcement are also addressed.

Background

Newmarket has developed over 42 km of paved recreational trails throughout the Town. These amenities have become an integral part of our community for recreational and transportation purposes. The Tom Taylor Trail (TTT) is the most prevalent trail and runs through the centre of the Town, from the northern to southern boundaries. It has become a critical route connecting key Town destinations such as the historic Main St, the GO Station, Davis Drive, various Town facilities and other recreational amenities. In addition the TTT forms part of our multi use pathways (MUPs) network, the Nokiidaa Trail and the York Region Lake to Lake Trail.

The TTT has seen great success and has been embraced by the community and by the Region as a whole. This success has resulted in high levels of use as well as diverse types of use (cyclists, pedestrians, skateboards, mobility scooters etc.). Furthermore the trails are shared among various types of users, from dog walkers, joggers, families and even organized cycling groups. The combination of high volumes and diverse uses has raised some concerns around increased congestion, trail safety and the overall trail experience.

While overall trail use continues to be safe and enjoyable, there were two significant incidents in 2020 that required emergency services response along the trail. Both situations were serious in nature with significant injuries. The first was a head on collision between two cyclists, and the other involved a cyclist and a pedestrian. It is plausible that there have been other close calls or incidents that have occurred without being reported.

Throughout the years, ongoing improvements, modifications and public education measures have been implemented with the goal of improving trail safety while maintaining a positive user experience. Those enhancements would include initiatives such as minor trail modifications, regular inspections, improvement to sight lines, educational signage and ongoing public communication.

The overall growth of the Town and the increasing popularity of our trail systems, has uncovered the need to review our approach going forward. Newmarket's trail systems, and particularly the TTT have reached a point in their progression where changes may be necessary. As a result, a thorough and multi-layered approach is required to address these needs, in both the short and long term.

Discussion

Trail improvements are recommended to be addressed in two parts: (1) immediate safety improvements and education, (2) a Council workshop to identify the future direction and priorities for developing multi use trails.

Staff analysed key data and information collected for this report. The information was compiled from a number of key areas. An on-site trail inspection, focusing on trail safety, was completed by our insurance broker's Risk Manager (BFL Canada) and reviewed by our legal council (PM Law). This was also layered with a jurisdictional scan of other municipal practices around trail use, as well as a formal trail count on the TTT. Upon review of the information, staff applied the three E's concept, similar to our traffic reviews, which includes education (signage and outreach), enforcement (how managed) and engineering (how constructed).

The information and research clearly identified two particular needs. The first consists of short term needs, which recognize a requirement for enhanced education and trail safety. Following this, there are a number of long term actions that were considered. Considerations for formal trail guidelines or expanding trail capacity, as examples, illustrate the need for the Town to clarify their long term approach. Given the success, importance and complexity of multi use trails in Newmarket, the Town should establish a more strategic and formal long term plan.

It is proposed that the Town proceed with trail safety improvements on the Tom Taylor Trail, which include line painting, improvement of sight lines, hazard warning signage and improved user education.

A comprehensive trail inspection of the TTT was undertaken in August of 2020 by the Town's Insurance broker's Risk Manager (BFL Canada), see Appendix A – BFL Canada, Town of Newmarket Trail Inspection. This was further reviewed by staff and external legal council (PM Law). While the overall trail system is in good condition and well managed, there has been a noticeable change in the user volumes due to ongoing growth. There are a number of opportunities that have been recommended to improve trail safety and the overall trail experience.

There were a number of observations identified by BFL Canada, but a key observation during the review was the actions of cyclists. It specifically noted: "...many cyclists were riding at an unsafe speed and not taking into consideration others using the trails for different purposes. In general, cyclists did not appear to be overly cautious and in some cases rode in small groups taking over the entire trail." This observation illustrates the overall change in use that the TTT is experiencing and, as a result, the need for modifications.

The recommendations by the BFL Canada were also compared to other municipalities with high use trails. Town staff completed a jurisdictional scan that identified these key safety elements along similar and well developed trail systems. See Table 1.01 - Municipal Best Practices - Trail Safety Elements, below. Given the consistency between the report recommendations and municipal best practices, four (4) key recommendations are being made.

Key recommendations include:

1. ***Centre Line Painting*** – We need to establish a solid centre line through the entire length of the TTT. The intent is to create a better visual separation and defined lanes for users. This will be most effective for cyclists when navigating hills, corners and areas with limited sightlines. This will also help pedestrians, such as dog walkers, in keeping to a safe space. Users of all types will be expected to stay to the right side of their path of travel, particularly around corners and areas with limited sight lines. This follows traditional road traffic practices that trail users can easily understand.
2. ***Improved Sight Lines*** – While key sightlines are maintained along the trail, there is a recommendation to increase the visual line of sight even further, particularly given the speed and nature of use by cyclists. This would include selective and sensitive tree and shrub removal as well as increased grass cutting in specific areas, beyond the current 1m shoulder that is maintained.
3. ***Increased Signage*** – While varied signage occurs along the trails, it is recommended that additional hazard and educational signage be installed. Increased notification of hazards such as hills, curves, controlled intersections and overall improved trail information for users will allow users to better adapt their actions during trail use. This would be implemented to augment traditional signage and pavement symbols and markings.
4. ***Education*** – An education program and additional outreach is recommended to inform the public of alternate routes, trail etiquette and new rules. Areas of focus

would include, but not be limited to, cycling, dog walking and overall trail safety. Alternative routes for cyclists is another opportunity where education may improve overall trail use and reduce congestion.

Table 1.01 Municipal Best Practices - Trail Safety Elements			
Municipality	Centre Lines	Hazard Signage	Education Program
Toronto	•	•	•
Ottawa	•	•	
Hamilton		•	
Burlington	•	•	•
London	•	•	•
Kitchener	•	•	
Vaughan	•	•	

It is recommended that summer students be hired as educational ambassadors to support trail education on our trails as part of a comprehensive communications plan.

Educating and communicating with residents out in the field has proven to be highly impactful. As always, staff would support an “education first” approach prior to enforcement, when appropriate. A strong communication strategy, combined with the concept of trail ambassadors, would likely yield significant improvements to trail safety and the overall user experience. This approach may also provide support to monitor trail use, collect additional trail data and provide improved customer service in our parks and on our trails.

Communications

Corporate Communications will work with all stakeholders to develop a communications and public education plan that will target stakeholders by:

- Raising awareness of the public about the new enhancements for trail safety.
- Educating stakeholders on the new enhancements made on the trails and any new rules that should be followed on the trails.
- Reminding all stakeholders of safety tips for cyclists, walkers, trail users with pets etc.
 - Trail etiquette
 - Alternate routes
 - Importance of sharing the trails
 - General trail-related safety tips
 - Speed on trails

The Town's Corporate Communications Department will deploy a number of tactics that may include, but is not limited to, a media release, information on the website, social media, e-newsletters, ads in the Newmarket Era (Town Page), and an educational video. This could also be further supported and enhanced by the use of educational park and trail ambassadors. Future public engagement opportunities related to trail enhancements using HeyNewmarket and more tactics, can also be deployed.

Education and Enforcement

Option #1 – Education-first approach via trail ambassadors (recommended)

The Town traditionally practices an education first approach to enforcement, when appropriate. While trail use is controlled under the Parks By-Law, there are limited opportunities and resources to manage any negative behaviour and actions on trails. The concept of trail ambassadors has been considered, in which summer students are employed to walk, cycle and engage with users along the trail systems. These resources could be a combined effort for ambassadorship to fill other needs within the Town.

Town staff support the use of trail ambassadors as an alternative means to enforcement. The Town's Legislative Services Department adopted a similar approach in 2019 by utilizing summer students to promote the Town's new Smoking By-law and the regulations pertaining to smoking in parks and on trails. This campaign was extremely successful in using proactive education to mitigate and reduce complaint calls pertaining to newly implemented smoking laws.

In addition to the standard communication tactics, innovative approaches such as educational 'traps' for cyclists such as the strategic placement of mobile solar speed boards could be carried out by ambassadors in an effort to educate cyclists in particular. Trail ambassadors could be utilized as a first point of contact with residents and should matters escalate that require enforcement action, trail ambassadors would contact a municipal enforcement officer to provide assistance and confirm compliance with Town by-laws.

Option # 2 – Increased enforcement on Town trails (not recommended)

Alternatively, municipal enforcement officers could be tasked with increasing enforcement initiatives along the Town's trail system. While municipal enforcement officers will always take an education-first approach, this option presents a lower

threshold for tolerance by having enforcement officers proactively patrol Town trails to monitor for compliance with Town by-laws.

Under this option, there are impacts to both staff and financial resources that will require further consideration. For this reason, Town staff are recommending Option #1 to mitigate trail use concerns through proactive education by trail ambassadors and utilizing municipal enforcement officers for matters that escalate where voluntary compliance cannot be achieved or where “hot spot” locations have been identified as problematic and may require additional attention.

If speed limits along the trail system are adopted, which are not being recommended at this time, the Town will be legally responsible to ensure enforcement through Regulatory Services. Municipal enforcement officers will require photo radar equipment to monitor speed limits. Additional challenges may arise due to the intensive amount of resources required to monitor for compliance, as municipal enforcement officers will be required to conduct stationary blitzes at problematic locations along the trail system. While this option is feasible, there will be budget and resource impacts that will need to be carefully considered.

Staff support the combined approach of a strong communications plan and the deployment of trail ambassadors. This plan and education first approach, would be observed for the year as a pilot program to gauge its impact and value moving forward.

Undertake a Council workshop to explore the future direction and priorities for developing Multi Use Trails.

The benefits of recreational trails within a community are numerous and well documented. Over the past few decades, Newmarket has consistently and significantly invested in recreational trails. Through long term plans and a strong visionary approach, the Town was able to establish key networks, such as the Tom Taylor Trail and North West Quadrant/Dave Kerwin trail systems. That approach may need to be replicated to ensure continued success of the trail systems as the Town continues to grow.

Formal Trail Guidelines

Staff believe the Town has reached a point where a formal approach needs to be developed for the overall operation, design and maintenance of trails moving forward. See Table 1.02, Best Practices – Guidelines, Standards, Trail widths. This review of other municipalities has shown that other well developed and high use trail systems have detailed and formal design guidelines that set out clear standards for trail design, construction and maintenance.

Table 1.02 Best Practices - Guidelines, Standards, Trail Widths			
Municipality	Formal Design Guidelines	Maintenance Standards	Expanded Trail Widths, >3m
Toronto	•	•	•
Ottawa	•		•
Hamilton	•	•	•
Burlington	•		•
London	•	•	•
Kitchener	•	•	•
Vaughan	•	•	•

The Town currently utilizes some basic standards around trail development, design and maintenance. However, the establishment of a more formal approach will help in the long term development and ongoing operations of our multi-use trails. Newmarket also has a number of other transportation amenities that directly interrelate with the trails. Various multi use paths and other alternative transportation routes should be reviewed in conjunction with the trails to ensure consistency, efficiencies and to identify any other key opportunities to improve these systems.

Other well developed high use trail systems have established formal guidelines. Although Newmarket applies strict Engineering Standards in the design and construction of trails, there is no standard for consistency or differentiation of various trails where different standards would be beneficial. In keeping with best practices in other municipalities, Newmarket should consider such an approach. This approach would provide standards and direction on items such as, but not limited to:

- a. Trail categorizations and configurations based on volumes and types of users. (e.g., trail widening)
- b. Trail design standards for various site situations (e.g., topography, intersections, accessibility).
- c. Address special situations such as sensitive areas, constrained conditions and accessibility needs.
- d. Various design elements: Signage, lighting, security and site amenities.
- e. Construction, maintenance and inspection considerations.
- f. Enforcement and education.
- g. Special trail needs: (e.g., Opportunities for off leash dogs, trail Wi-Fi)

Addressing Trail Volumes and User Types

While there is a need to establish guidelines, there is also a need to address the volumes in the central portion of the TTT. The data collected and general observations have noted that the central section of TTT has significantly higher user volumes than the remainder of the trail. This illustrates the need to review the section of the TTT from Queen Street to Mulock Drive to accommodate increased trail capacity such as widening of the trails.

A brief but formal trail count analysis was completed in August of 2020 to provide data on trail use (see Appendix B – Holland River Trail Counts Analysis). While limited in its time frame, both a weekday and weekend count were completed. Five counters were installed along the TTT to collect trail user volume and their mode types. Please note that this data provides a brief and limited assessment, but is intended to gather some basic information around trail volumes and mode types used on the trail.

The data indicated that usage rates and mode types were varied depending on the location. The core section of the TTT (Fairy Lake) saw usage rates that were almost 3 times the volume seen in outer count TTT locations such as Bosworth Court and Bayview Parkway. User counts in Fairy Lake showed a total of 4,187 users over the three day study period. It is anticipated that user counts during peak seasons, such as the spring, are likely even higher.

Cycling was the primary mode of use, accounting for more than 52% of usage overall along the TTT. However, cycling and pedestrian use varied depending on location. Cycling was more prevalent outside of the core, and pedestrian and joggers accounted for the highest use within the core of the Town. Counts for pedestrians in the core reached almost 70%, with cyclists generally accounting for the remainder of users. On the north and south ends of the TTT, cyclists accounted for almost 60% and pedestrians generally accounted for the remainder of users. Less than 2% were other forms such as skateboards and mobility scooters.

The data collected through this trail count analysis confirms the high volumes in the central section of the TTT. While limited in scope, this information, combined with the practice of trail widening on high volume trails in other municipalities (as illustrated in Table 1.02) and the observed congestion in our Town's core, builds a strong case for exploring trail widening and expanding trail capacities.

Public Consultation

The high usage rates occurring on our trails and in particular the TTT, shows the strong connection our residents have with our trail systems. In 2020, our Customer Service CRM system received 14 formal complaints about trail issues. These were mostly associated with negative user experiences. However, staff suggest that the number of concerns may be much higher than those reported. As part of establishing a long term

plan for multi use trails, staff are suggesting that some form of public consultation be considered during the long term planning, in an effort to better understand the user experience and to gather public input on how we develop our trails moving forward.

Council Workshop

As already stated, there is a need for a more formalized and strategic approach to developing trails within Newmarket. Best practices in other municipalities (e.g.: trail guidelines, maintenance standards and expanded trail widths), combined with the data around user volumes, shows that there are a number of issues and opportunities for consideration. Staff are recommending a Council Workshop to explore the situation in further detail, to identify the opportunities and to establish a clear path in moving forward. This may provide the basis for the development of a scope of services for a RFP for trail consultation, a key list of action items for staff and a long term plan.

Timeline

Staff are recommending that the Town proceed with implementing the proposed safety enhancements, such as line painting, sight line clearing and signage, for the spring of 2021. In addition it is recommended that staff move forward with the enhanced communication and education plan, as well as recruiting the proposed trail ambassadors for deployment this spring. This would ensure quick action to improve the overall trail experience and improve safety on our trails.

Finally, staff are recommending that a Council workshop be targeted for Q3 of 2021.

Conclusion

The Tom Taylor Trail has seen tremendous success and, as a result, high rates of use by cyclists and pedestrians have changed how our trails operate. These circumstances require both a short term solution and a long term strategy. Immediate improvements to trail safety, combined with an education program facilitated by trail ambassadors, will have an immediate impact on the overall trail experience. The long term approach to managing trails requires further conversation, exploration and clarity of priorities in the form of a Council Workshop. These discussions can set the foundation for the growth of trails within Newmarket and ensure continued success, enhanced public safety and enjoyment for all trail users.

Business Plan and Strategic Plan Linkages

These recommendations influence and impact Council Strategic Priorities promoting extraordinary places and spaces and safe transportation.

Community Vision

Living Well - Focusing on health, safety and the environment to promote activity, innovation and create a truly livable and engaged community means we are creating meaningful, engaging, accessible recreation experiences.

Well-Balanced - Encouraging a sense of community by interweaving small town charm and big city conveniences means we are providing green and open spaces, parks, trails and sports fields.

Well-Planned and Connected - Planning for a vibrant and sustainable community by connecting people through ideas, technology and neighbourhoods means we are creating walking and biking trails, paths and lanes.

Consultation

A number of stakeholders were consulted during this review. Town staff developed an internal working group comprised of key departments and staff. They include Public Works Services, Engineering Services, Communications, Legal, Risk and By-Laws.

Furthermore, external stakeholders included BFL Canada, which is the Town's insurance adjustor, as well as PM Law, which is our external legal consultant regarding insurance litigation and risk management of recreational type amenities.

Human Resource Considerations

The recommendation for trail educational ambassadors, will require two (2) part-time contract student positions.

Budget Impact

The recommended capital costs are as follows:

Capital Costs	
Item	Budget
Trail Safety Enhancements - Line Painting, Signs, Site Lines	\$ 15,000.00
Education and Communication Plan	\$ 10,000.00
Total:	\$ 25,000.00
Operating Costs	
Item	Budget
Two (2) Student Trail Ambassadors for 2021	\$ 20,000.00
Total:	\$ 20,000.00

It is recommended that Council provide approval of the capital funds from the 2021 Capital Provisional Funds. Operating costs can be absorbed within the current 2021 PWS operating budget.

Attachments

Appendix A – BFL Canada, Town of Newmarket Trail Inspection

Appendix B – Holland River Trail Counts Analysis

Approval

Mark Agnoletto,
Director, Public Works Services

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

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

Contact

For more information on this report, please contact Mark Agnoletto, Director, Public Works Services at magnoletto@newmarket.ca, (905) 953-5300 (ext. 2281).

BFL CANADA

Town of Newmarket

Trail Inspection

Robin McCleave, BFL CANADA, V.P. Public Sector, Risk Management Leader

John Quinn, Town of Newmarket, Claims & Risk Analyst

August 14 2020



INSPECTION OF TRAIL SYSTEM

Change in use:

With the population of Newmarket and the surrounding area expanding rapidly, more people are using the Town's trail systems for commuting, running, walking and just getting out and enjoying nature. In addition, now that the risk of COVID-19 greatly limits what the public can do the number of people using the trail system on a more consistent basis and families getting out for leisurely strolls has increased significantly.

On the day of the inspection many cyclists were riding at an unsafe speed and not taking into consideration others using the trails for different purposes. In general, cyclists did not appear to be overly cautious and in some cases rode in small groups taking over the entire trail.

Painting a Centre Line:

At one point the trail did have a painted centre line. For the reasons advised above under "Change in use" we discussed having the centre lines repainted. This will create a better visual for users of the trail and in particular cyclists when riding their bicycles down hills or around corners.

It is our recommendation that the Town speak to their preferred legal counsel to get their thoughts.

If the Town moves forward with the painting of the centre lines, that policies be put in place on repainting the lines as required, the lines should not be allowed to fade to the point where they can no longer be seen.

Sections of the trail that should be closed to the public:

There were two sections of the trail where this applied – the path that took you to the bridge that was no longer being used/maintained and then onto an island; and the path that led to a bench beside a storm water management pond.

In regards to the path to the bridge, the materials used were stone dust and gravel. The entrance to the path could easily be blocked by planting trees, small shrubs and tall grass. If Town staff need to continue to have access to the bridge, bollards could be used along with signage stating that the trail was closed.

In regards to the path to the path leading to the storm water pond the entrance to the path could easily be blocked by planting trees, small shrubs and tall grass. The bench would also need to be removed.

The intent is to discourage the public from using these paths because these pathways are not intended to be extensions of the main trail system. If these pathways are not addressed, and appear to remain fully open to the public the pathways should be maintained by staff and signage erected stating "no winter maintenance".

Blocked Sight Lines:

Throughout the trail system sight lines were blocked by trees, overgrown shrubs and high grasses. It was discussed that if some of the trees and shrubs could be cleared, and the areas where the grass was cut widened, this would greatly increase pedestrians and cyclists ability to see each other as they were coming around corners and travelling up and down hills. For reference purposes please see the pictures on the following page.

BAILEY ECOLOGICAL PARK

DAVE KERWIN TRAIL

PAUL SEMPLE



In particular there were two sections of the trail where the site lines were blocked by foliage as cyclists and pedestrians were coming around a steep hill. Please see the pictures directly below, and on the following page.

Trail System @ South End, Looking towards Aurora:

TOP OF TRAIL BEFORE HILL



Trail System @ South End, Looking North, Newmarket:

TOP OF TRAIL BEFORE HILL



At one particularly busy intersection, site lines were blocked by a retaining wall built of large rocks. Our discussion centered on potentially leveling the ground area behind the top row and removing those rocks because they would no longer be needed. The Town's Risk & Claims Analyst will be speaking with engineering to see if this could be a solution.

Implementation:

Since the date of the inspection Town staff have been proactively clearing foliage as recommended in this report.

Signage:

In general, signage is used to identify the topography that can be found on the trail system, potential hazards, what activities are allowed and educate users of the trail. For example:

- **Topography**
 - steep hills;
 - winding trails;
 - large curves; and
 - intersecting trails.
- **Potential hazards**
 - dangerous plants or wildlife
 - low underpasses
 - narrowing of the trail
 - trail ending at a busy sidewalk or roadway
 - limited sight lines
 - fast moving cyclists
- **Activities on trail system:**
 - Multiuse, clarify what activities are allowed on the trail system. For example:
 - Pedestrian use only
 - Pedestrians and cyclists only, not motorized vehicles

- Clarifying what type of vehicle allowed, for example:
 - Scooters
 - Ebikes
 - Motorized vehicles
- Identify the trail as a recreational trail
- **Educational**
 - Advise users to stay on the trail, area contains environmentally sensitive plant and animal life.
 - Advise users to not feed the animals, they are wild and can be dangerous.
 - Create a trail map of the area.
 - Directional signs with distance.
 - Where appropriate to advise cyclists to slow down, share the trail.
 - Poop and scoop after your dog.
 - Keep your dog on the leash.
- **General Rule of Thumb**
 - Never use “must” unless you are able to enforce that rule.
 - Needs to be properly maintained, for example:
 - not being blocked by foliage,
 - ensure directional signs are pointing in the right direction
 - if vandalized the sign is repaired in a timely manner.
 - Where appropriate use pictures rather than words.

Town Signage

With respect to the signage currently on the Town’s trail system, it appeared to be inconsistent. In some sections of the trail it appeared to be the original signage, was faded, difficult to read.

Therefore our recommendation would be that the Town complete an inventory of their current signage taking into consideration the following points:

- Areas of the trail system where the topography can cause a hazard.
- Any incidents where having signage to warn the public would be a benefit.
- There were many fast moving cyclists on the trail, should speed limit signs be a consideration?
- Identifying environmentally sensitive areas.
- Better identifying distance points to the closet exit points. It will help users estimate how far they want, or can travel.
- Identify areas where the main section of a trail intersects with another trail system.
- Create consistency in your messaging. Of particular importance that the trail is a “recreational trail”.
- Consider educational signage focusing on:
 - respecting the environment,
 - keeping it clear of litter and debris,
 - clean up after pets e.g. poop and scoop
 - educates the public on the wildlife and plants that can be found. For example beside ponds/water systems. One pond in particular identified a pond area with turtles.

We also recommend that Town staff responsible for the signage, in conjunction with the Town’s Claim & Risk Analyst, speak with the Town’s preferred legal counsel on what would be considered standard verbiage for recreational trails systems; and where best to place your signs e.g. throughout the trail system and at entrances.

Please see the following below examples of signage that is currently being used throughout the trail system on the day of the inspection.

DAVE KERWIN TRAIL



SOUTH END TRAIL - AURORA



SOUTH END TRAIL - NEWMARKET



SOUTH END TRAIL - NEWMARKET



Examples of signs being used to warn users a steep hill and winding section of the trail is ahead.

Examples of Signage before Underpass@ Mulock Drive:

MULOCK UNDERPASS



The pictures above show what pedestrians and cyclists see on each side when on the trail before going under the bridge. The first picture shows a single sign with an arrow on the top and bottom with verbiage indicating the height in the middle. The second picture does not have the same sign. What is consistent is the sign attached to the bridge showing the height.

In addition in the first picture the single sign depicting the height has foliage that could potentially be blocking the messaging.

Trees posing potential hazards on day of visit:

FAIRY LAKE



WESLEY BROOKS



There were several trees that did not look very healthy with lots of dead branches on the day of the visit. In some cases the entire tree looked like it was dead. It is my understanding that the trees that were identified on the day of the visit have been removed.

FAIRY LAKE



PAUL SEMPLE



Low hanging foliage can reduce sight lines and cause injury when cyclists are moving through the trail system. The same could apply to pedestrians. Where necessary the foliage should be trimmed back.

Trails ending at sidewalks onto roadways, or directly onto a roadway:

SECTION OF TRAIL ENDING AT MULLOCK DRIVE



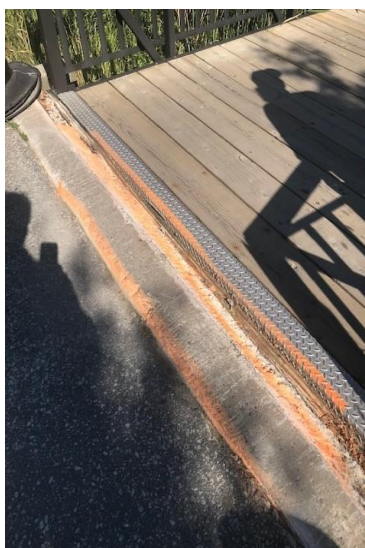
Using bollards to warn users that a section of the trail is ending directly onto a sidewalk or roadway, was not consistent throughout the trail system. This could place the Town in a difficult position if there was a loss and it was cited that the cyclist was expecting to see a bollard or a stop sign. Our recommendation would be speak with the Town's preferred legal counsel and ask if it would be in the Town's best interest to install bollards at all the sections of the trail where this would apply.

The same recommendation applies to signage.

General Trail Hazards

Trip Hazards:

WESLEY BROOKS



In the first right there was a bit of a drop between the trail and park land. When staff are following their policies on inspecting and maintaining the trail, consideration should be given to filling in the gaps with dirt or gravel.

In the second picture, there were several sections on the trail where trip ledges painted in orange. This posed a potential hazard for cyclists. Claims & Risk Analyst to see when repairs were potentially scheduled.

Collision Hazards:

WESLEY BROOKS



On a clear day this object could be seen however at dusk or at night that may not be the case. It was recommended that consideration be given to painting the object with reflective paint and potentially planting around the bottom so that it could be better identified by cyclists.

Intersections and Trail Systems

DAVE KERWIN TRAIL



There were several areas throughout the trail systems where one trail would intersect with another. In many cases users of the trails had good sight lines, could see from a far distance. Therefore based on how good the sight lines are and how busy that section of the trail is, consideration could be given to installing stop signs or yielding signs where the least busy trail ends. To have a better understanding of what is the standard practice is, our recommendation would be speak with the Town's preferred legal counsel.

Trail crossing at Water Street and Duncan Drive:

Overall while some improvements have been made to this intersection, but it is still a busy spot with lots of people and traffic coming and going. This is not about to change, especially during spring, summer and fall. Therefore we would suggest that consideration be given to building a full cross walk across that section of the road. It is our recommendation that this will be discussed with the Town's preferred legal counsel and with staff who would be responsible for erecting a crosswalk. My thought is staff would need to work with the MTO.

WATER STREET + DOUG DUNCAN DRIVE



* image obtained from Google Maps

THIS DOCUMENT WAS ISSUED BY:

BFL CANADA Risk and Insurance Services Inc.

181 University Avenue, Suite 1700

Toronto, Ontario M5H 3M7

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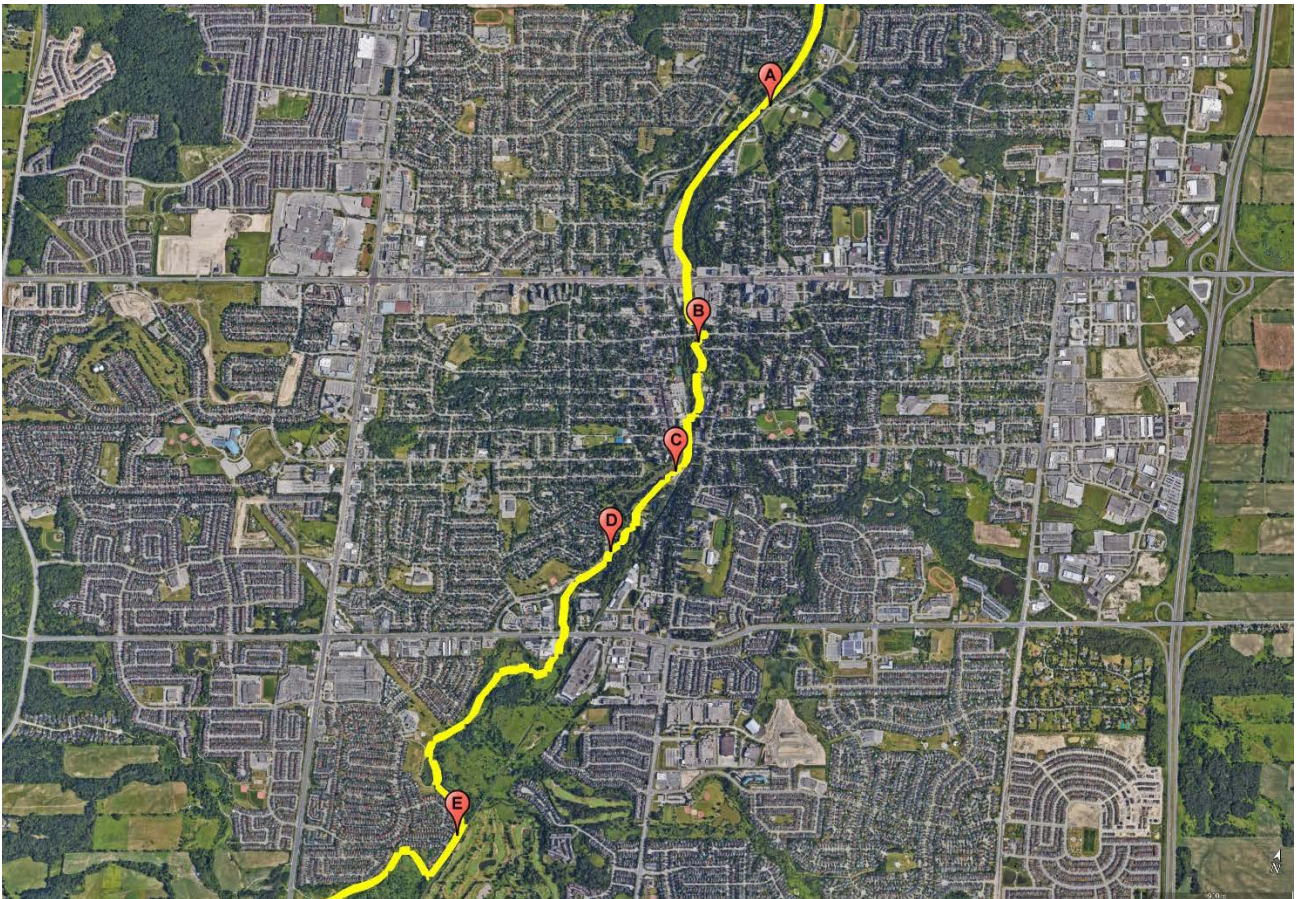
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MEMORANDUM

TO: M. Kryzanowski, BES, MCIP, RPP, Manager, Transportation Services
FROM: P. Choi, C.E.T., Traffic Technologist
DATE: September 23, 2020
RE: Holland River Trail Counts Analysis

The objective of this memorandum is to provide data analysis on the Holland River Trail counts analysis.

Count Stations



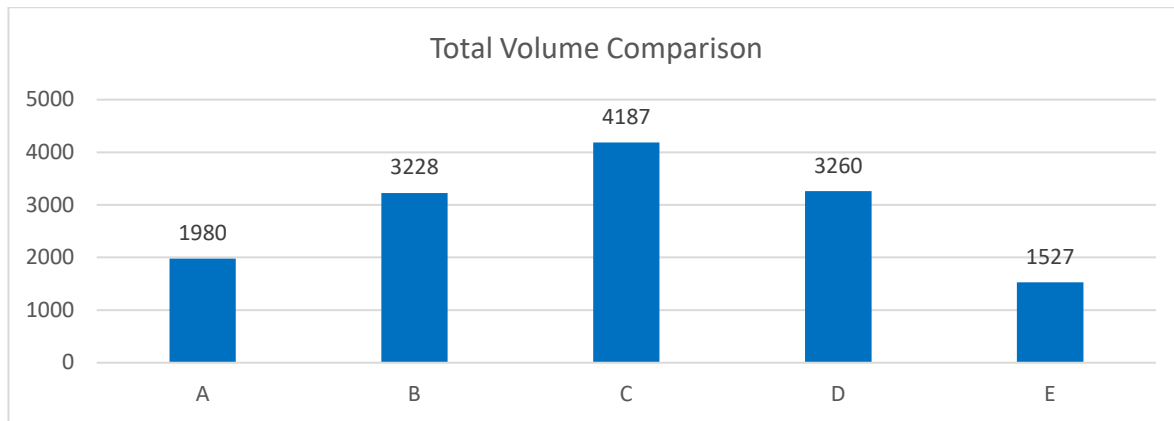
Five counters have been installed along the Holland River Trail on one weekday (Aug 20, 2020) and one weekend (Aug 21, 2020) between 6 am and 9 pm to collect trail user volume and their mode types.

The map above shows the Holland River Trail and the locations of count stations A, B, C, D, and E. The followings are details of the locations where the counters were installed:

- A: About 320m south of Bayview Pkwy and Elgin St
- B: About 50m south of Queen St and Concession St
- C: About 200m south of Water St and Doug Duncan Dr
- D: About 170m south of Cane Pkwy and Lorne Ave
- E: About 100m east of Kensit Ave and Jelley Ave

Total Volume

The graph below shows the weekday and weekend total volume of each location and comparison.



As the graph shows, location C has the highest volume, and there were similar volumes at location B&D and A&E. The location C volume was almost 3 times more than the volume at the location E. In location-wise, the volume increased in the centre of the town and decreased as it gets closer to the town limit.

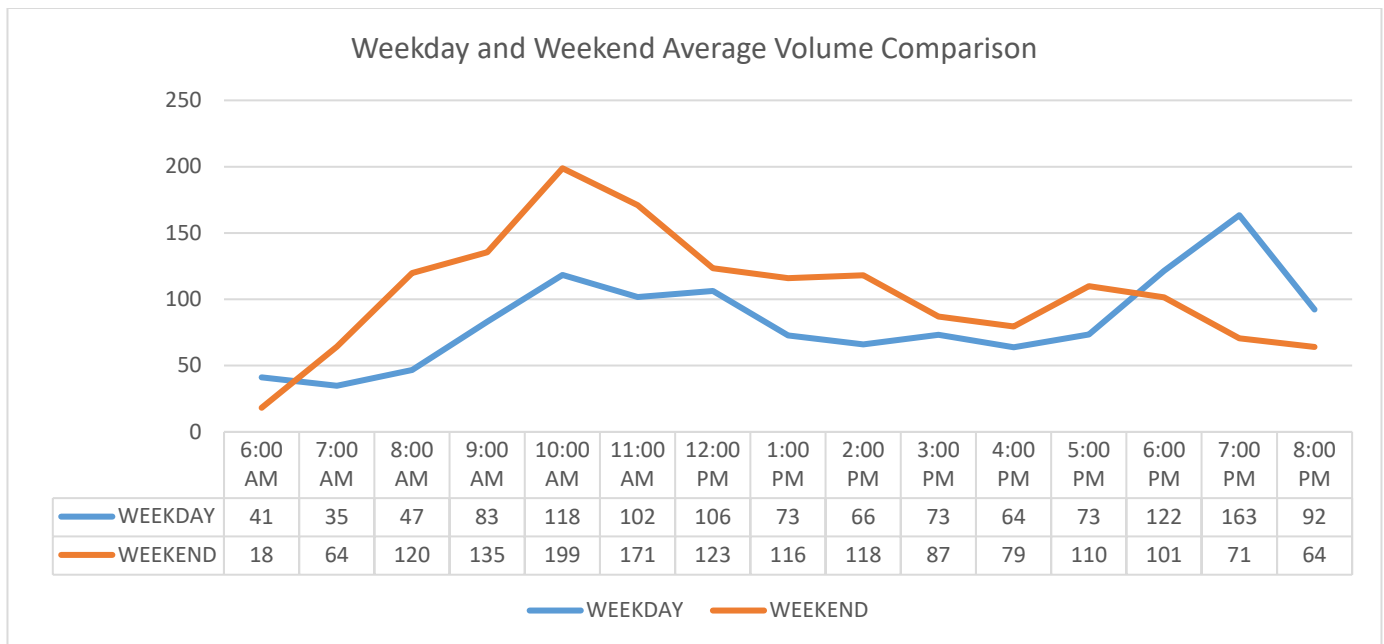
Weekday and Weekend Volume

The average weekday volume was 1,259 and the average weekend volume was 1,577, which means that there were about 25% more people enjoying the trail during the weekend compared to the weekday.

The table below shows the differences in total volume from each direction and location. The differences vary from 13% to 44%. It appears that there was much significant trail user volume increase on the north side of the Holland River trail on the weekend compared to the weekday than the south side of the trail. The location A volume raised 41% on the weekend, and the location E volume only increased by 17% compared to the weekday. It also demonstrates that the southbound volume increased more than northbound on the weekend from most locations except for location B.

Location	Description	Weekday	Weekend	Difference
A	NB	530	736	39%
	SB	293	421	44%
	Total	823	1,157	41%
B	NB	712	928	30%
	SB	730	858	18%
	Total	1,442	1,786	24%
C	NB	918	1,098	20%
	SB	981	1,190	21%
	Total	1,899	2,288	20%
D	NB	630	771	22%
	SB	798	1,061	33%
	Total	1,428	1,832	28%
E	NB	369	418	13%
	SB	334	406	22%
	Total	703	824	17%

The graph below shows the Weekday and Weekend Average Volume Comparison. For more details, Appendix A includes the graphs of weekday and weekend volume change from all locations.



As the graph shows, the peak hour of the weekday was 7 pm during the weekday, the second peak hour was 6 pm, and the third peak hour was 10 am on the weekday. It indicates that people used the trail more in the evening than other times of the weekday.

It also demonstrates that the peak hour of the weekend was 10 am, the second peak hour was 11 am, and the third peak hour was 9 am on the weekend. It means that trails users enjoyed the trail during the day more than in the evening on the weekend.

Directional Volume

Appendix B shows Weekday and Weekend Volume by Time from all locations and both directions. The interesting finding from the directional volume in the data is that the directional splits were not the same.

For example, 64 people were going northbound at location A at 11 am on the weekday, and only 28 people were going southbound at the same time. If 64 people who were going northbound were using the trail just for cycling, running, and walking, they would have returned to the south using the same trail and the southbound volume should have increased later on. However, the southbound volume increased just slightly, while the northbound volume consistently increased. It could mean that people are getting off the trails.

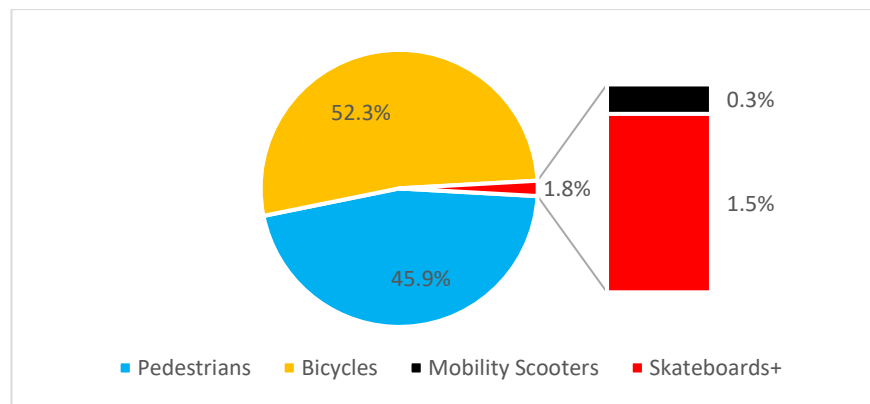
The table below shows how much volume is different from northbound to southbound. The most notable difference within all locations and directions is the location A northbound and southbound on the weekday. There were 81% more northbound users compared to the southbound volume on the weekday. The weekend counts also indicate that there was significantly greater volume in northbound on the weekend.

Location	Description	Weekday	Weekend
A	NB	530	736
	SB	293	421
	Difference	81%	75%
B	NB	712	928
	SB	730	858
	Difference	-2%	8%
C	NB	918	1,098
	SB	981	1,190
	Difference	-6%	-8%
D	NB	630	771
	SB	798	1,061
	Difference	-21%	-27%
E	NB	369	418
	SB	334	406
	Difference	10%	3%

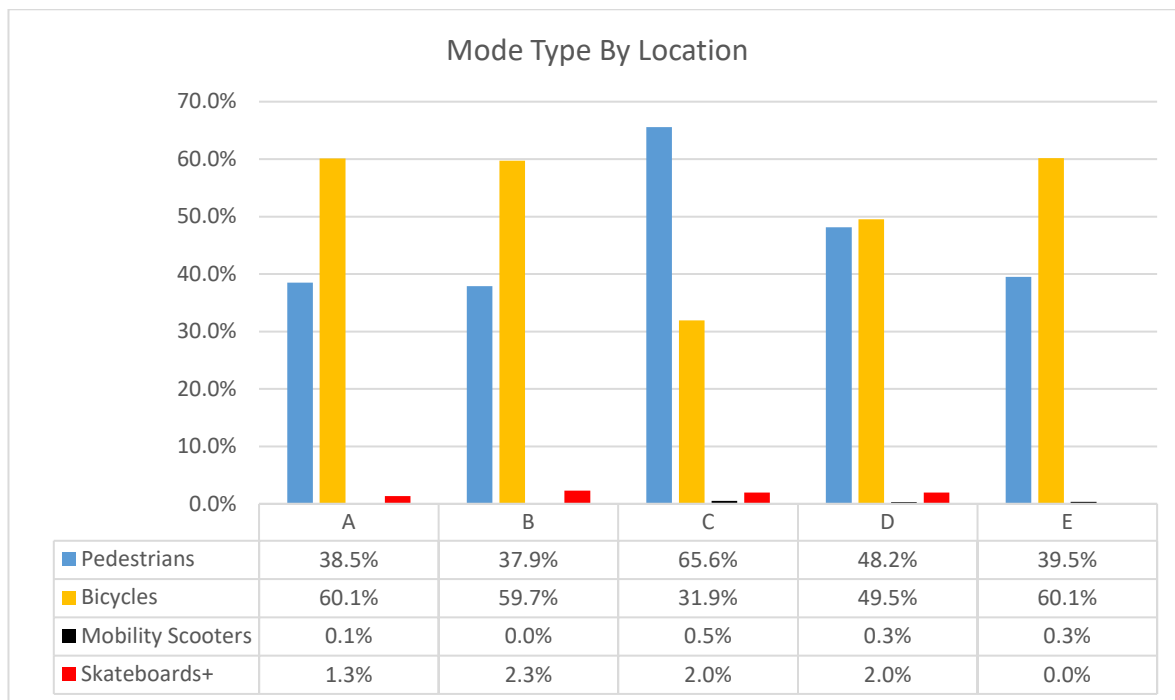
In location-wise, it demonstrates that 81-75% more people were going north from Davis Dr to the north town limit, 6-27% more people were going south from Water St to Mulock Dr, and 3-10% more people were going north from the south town limit to Mulock Dr.

Mode Type Volume

The graph below shows the Total Mode Type from all locations. In general, the bicycle volume was greater than any other modes including pedestrians. There were only 0.3% of mobility scooters users within the whole counts.



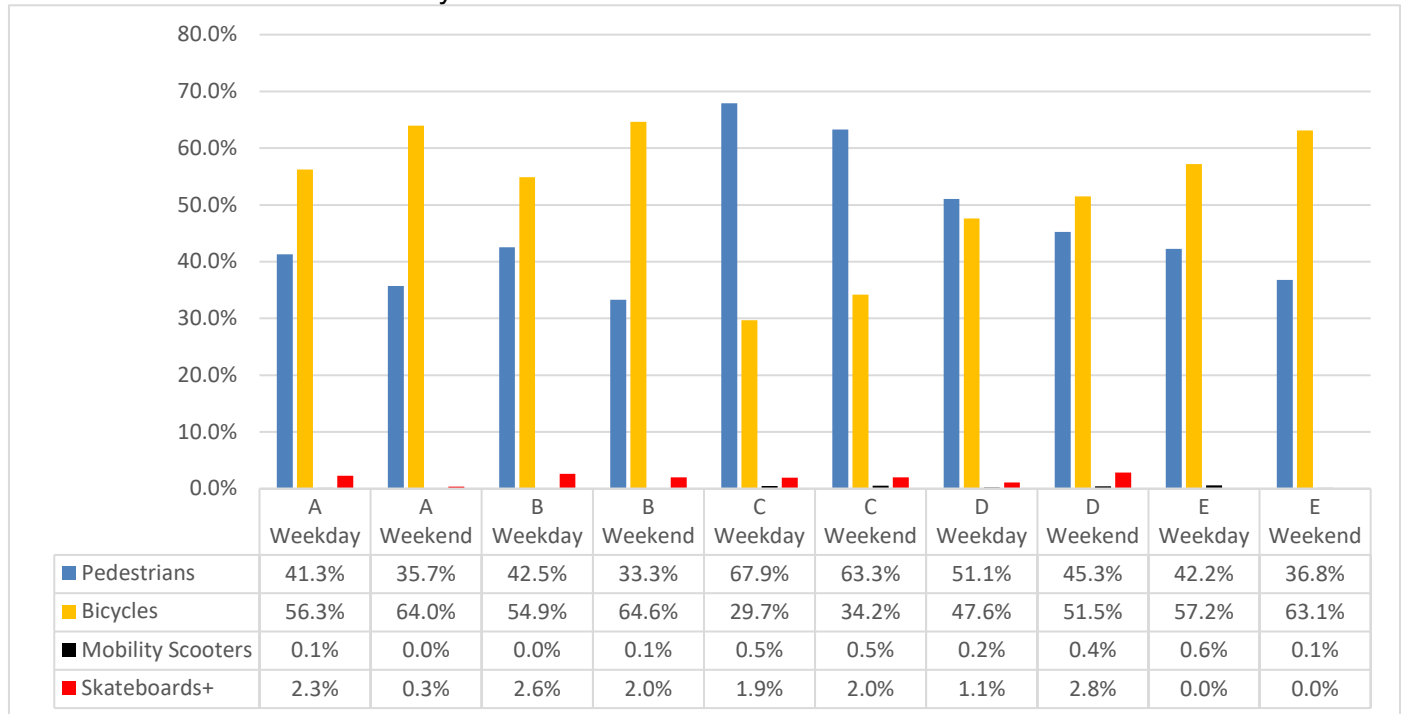
The graph below shows the Mode Type by Location. It shows that the cyclist volume was greater than pedestrians from most of the locations except for the location C.



Location A & E had the highest percentage of cyclist volume, which is 60%. On the other hand, the pedestrian volume was 66% at location C while there was only 32% bicycle volume. Location D had the most balanced percentage of trail users between cyclists and pedestrians.

Mode Type in Weekday and Weekend

The graph below shows what type of mode was used on each location on the weekday and weekend. As well, the table below demonstrates the pedestrians and bicycles percentage differences between weekend and weekday.



Location	Mode	Weekday	Weekend	Weekend - Weekday
A	Pedestrians	41.3%	35.7%	-5.6%
	Bicycles	56.3%	64.0%	7.7%
B	Pedestrians	42.5%	33.3%	-9.2%
	Bicycles	54.9%	64.6%	9.8%
C	Pedestrians	67.9%	63.3%	-4.6%
	Bicycles	29.7%	34.2%	4.5%
D	Pedestrians	51.1%	45.3%	-5.8%
	Bicycles	47.6%	51.5%	3.9%
E	Pedestrians	42.2%	36.8%	-5.5%
	Bicycles	57.2%	63.1%	5.9%

To compare the type of mode in the weekday and weekend, there was an average of 6.3% of cyclist volume increased in the weekend and an average of 6.1% of pedestrian volume declined on the weekend compared to the weekday.

Location B had the most dramatic change in bicycle percentage from 54.9% to 64.6% on the weekend. On the other hand, the pedestrian percentage dropped 9.2% compared to the weekday.

Appendix C has the graphs showing the weekday and weekend mode type by time from all locations.

Conclusion

The Holland River Trail count study analysis demonstrates the following information.

- the total trail user volume increases in the centre of the town,
- 25% more people were using the trail in the weekend compared to the weekday,
- the trails were mainly being used in the evening on the weekday and day time in the weekend,
- bicycle volume in the Holland River Trail was greater than other modes, and
- the cyclist percentage in trail users increased in the weekend.

Should you have any questions regarding the above, please contact the undersigned.

Sincerely,

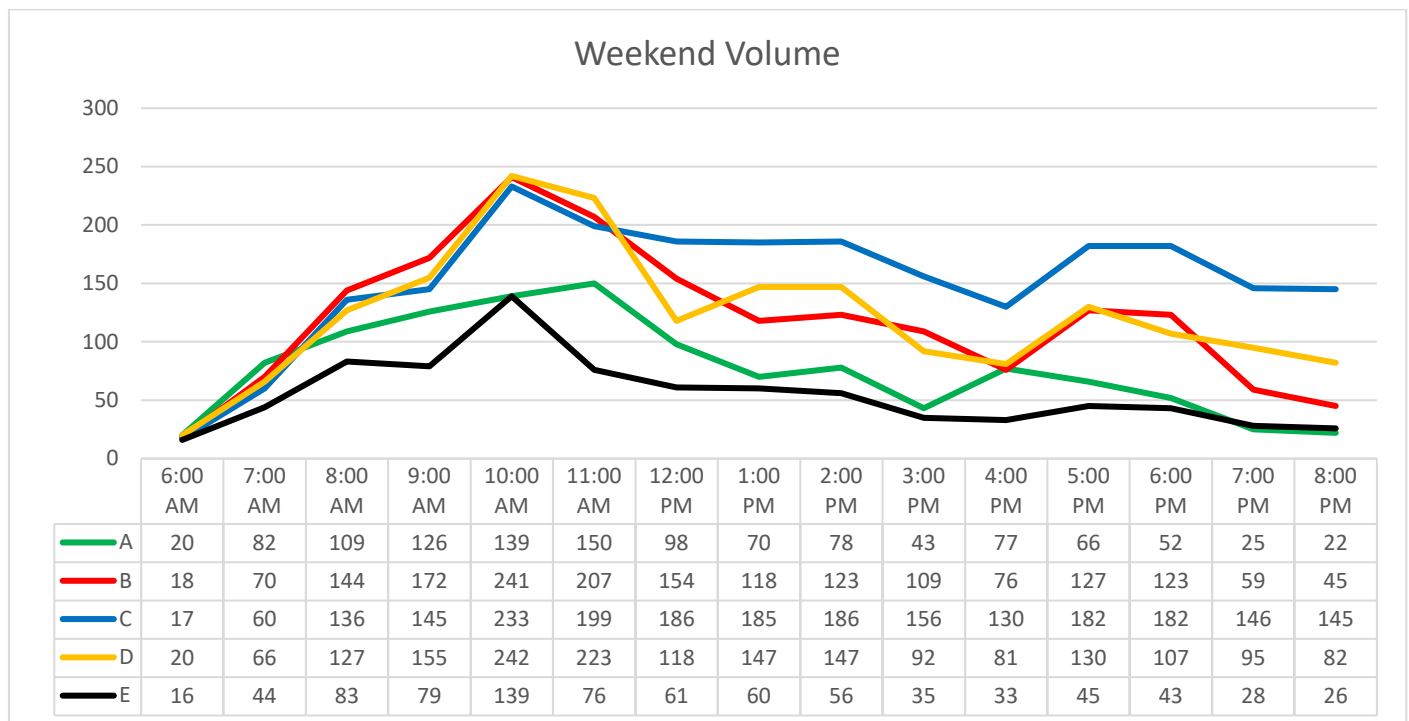
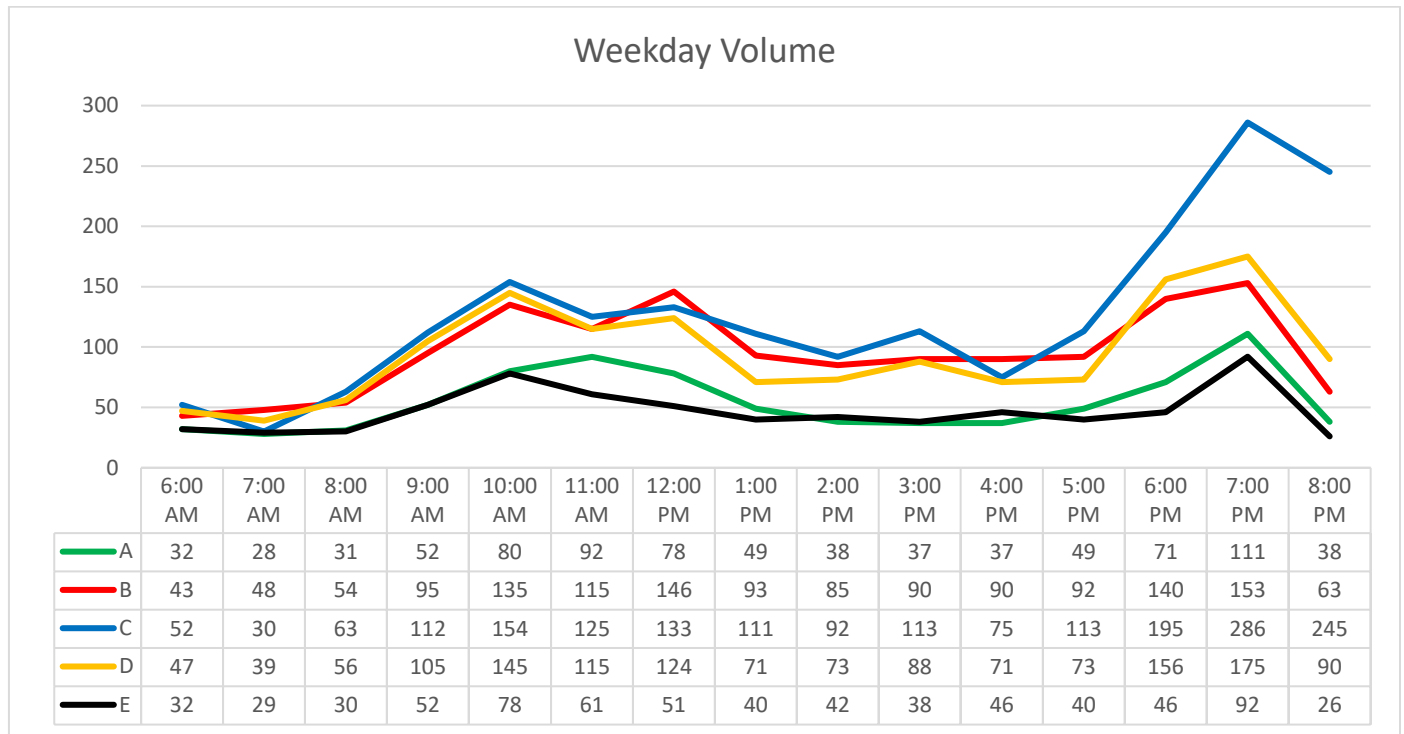
ENGINEERING SERVICES



P. Choi, C.E.T.
Traffic Technologist

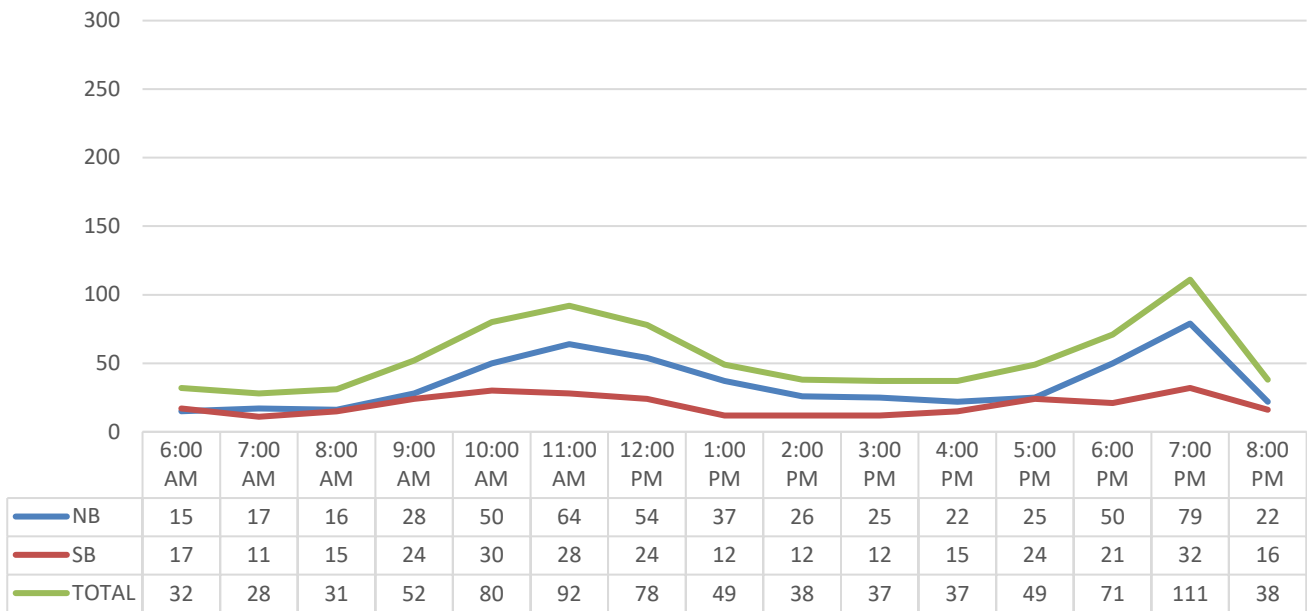
PC008M

Appendix A: Weekday and Weekend Volume by Time – All Direction

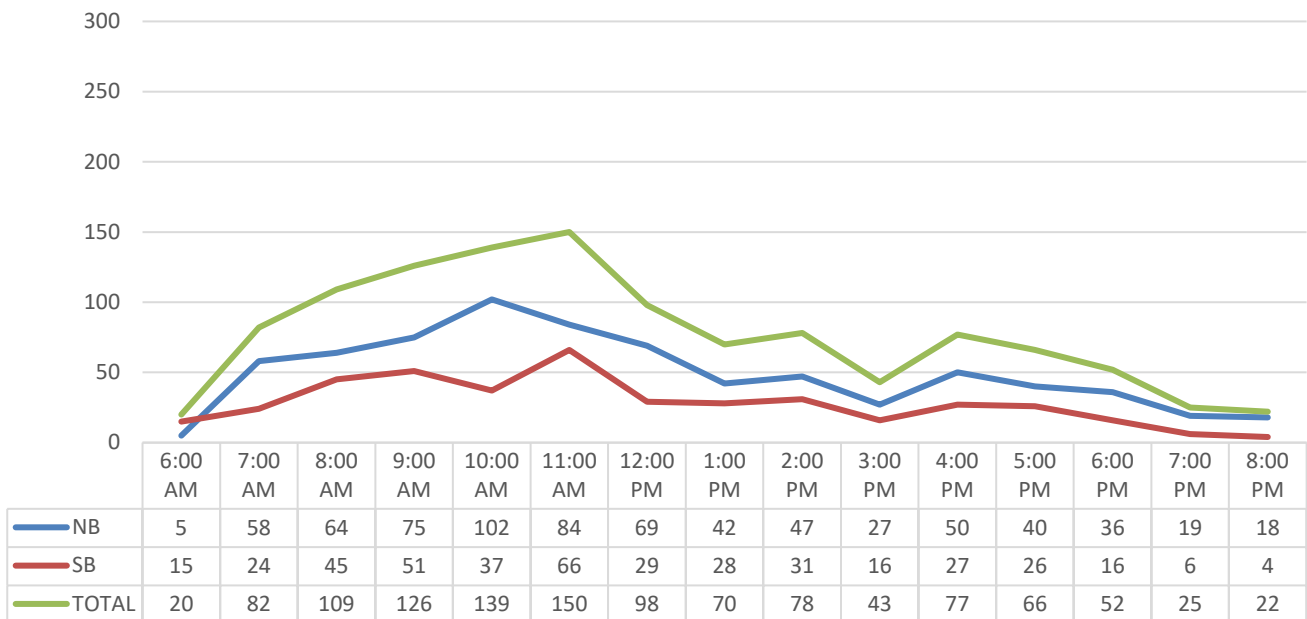


Appendix B: Weekday and Weekend Volume by Time – By-Direction

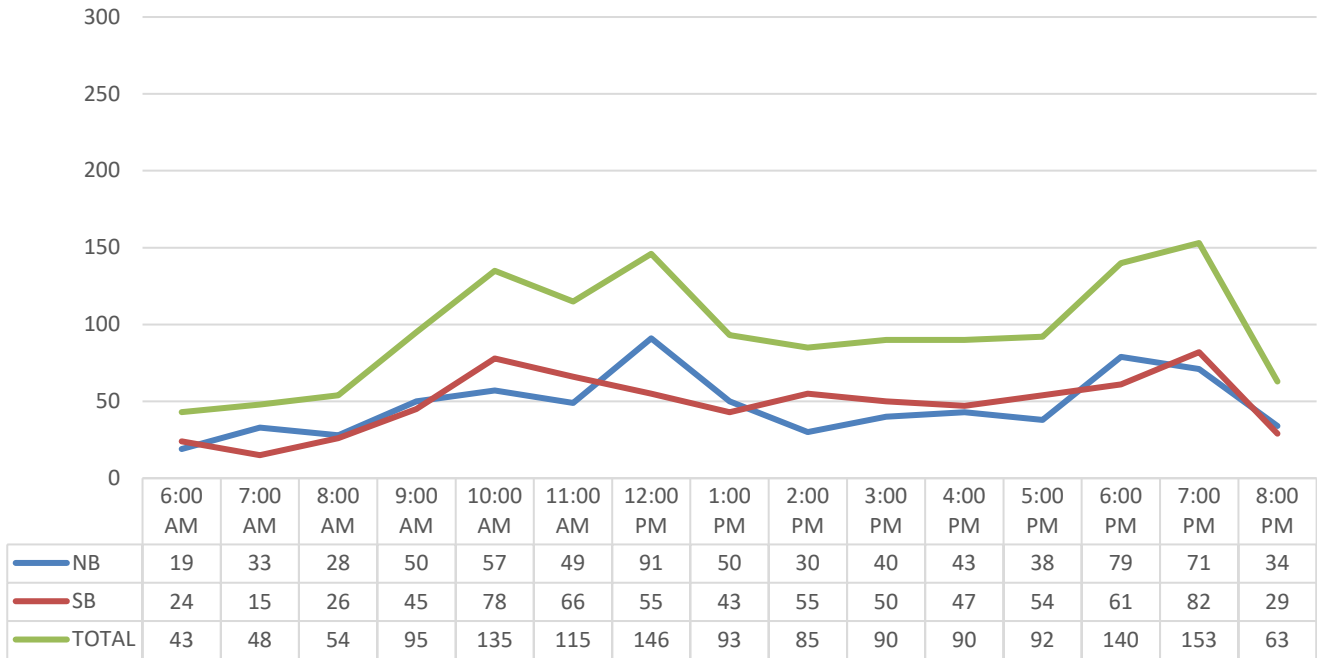
A: Weekday Volume by Time



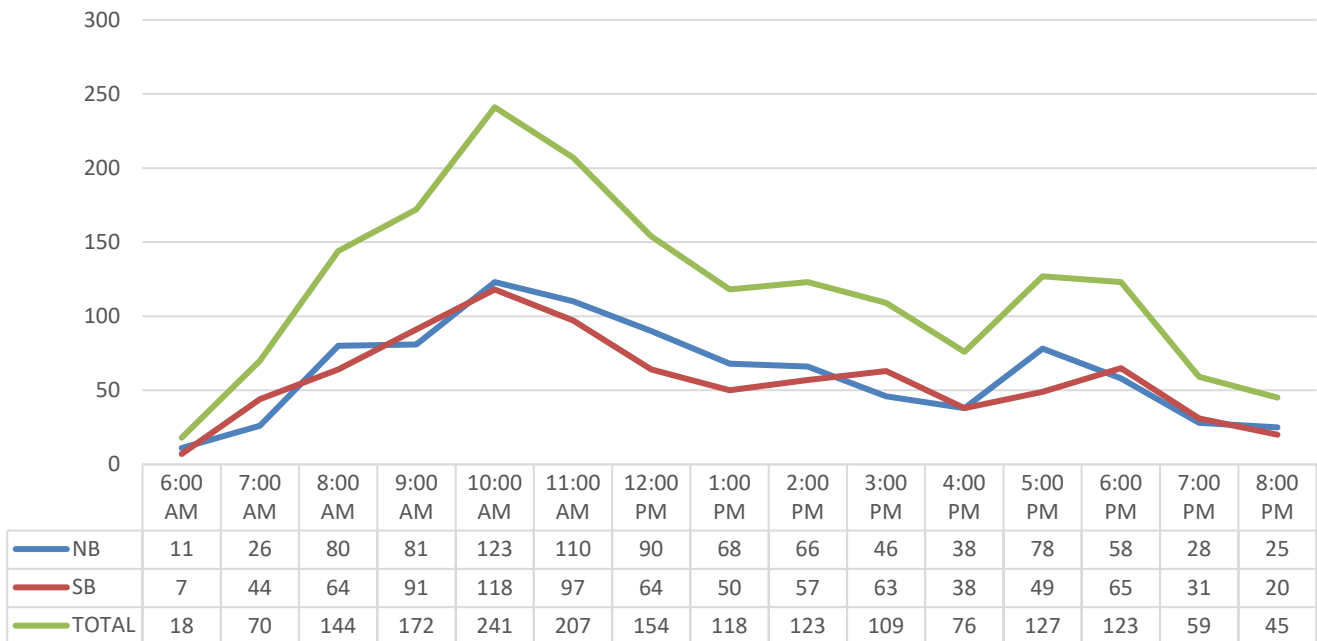
A: Weekend Volume by Time



B: Weekday Volume by Time



B: Weekend Volume by Time



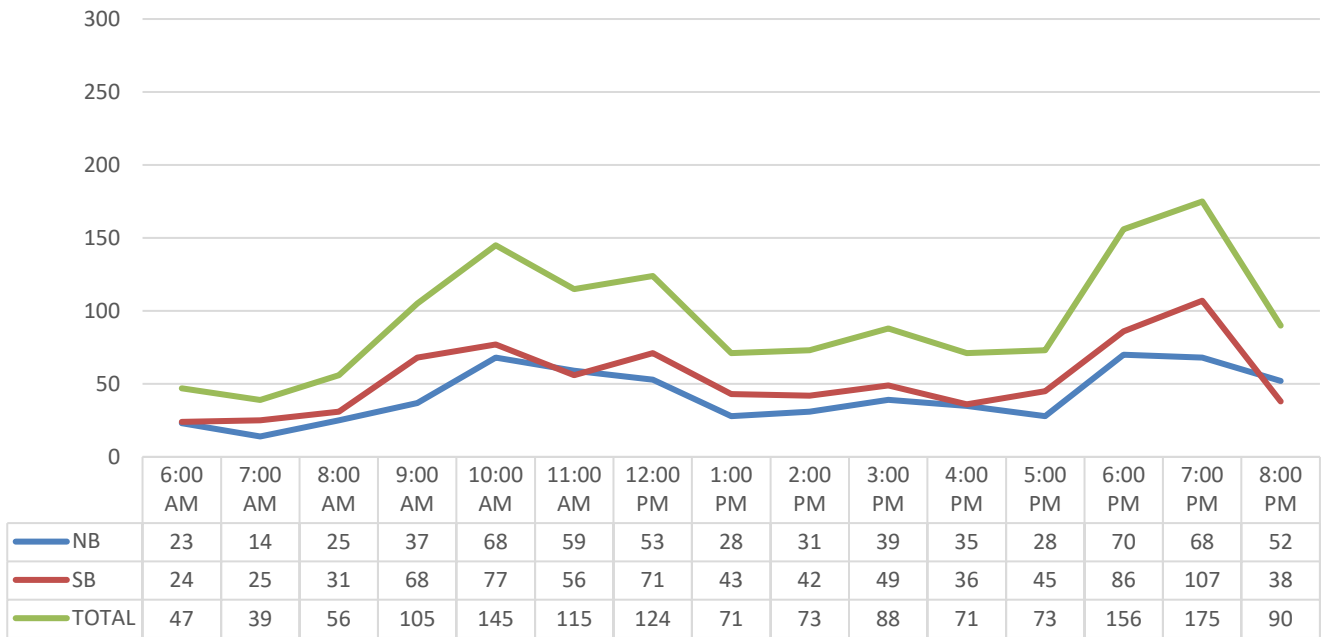
C: Weekday Volume by Time



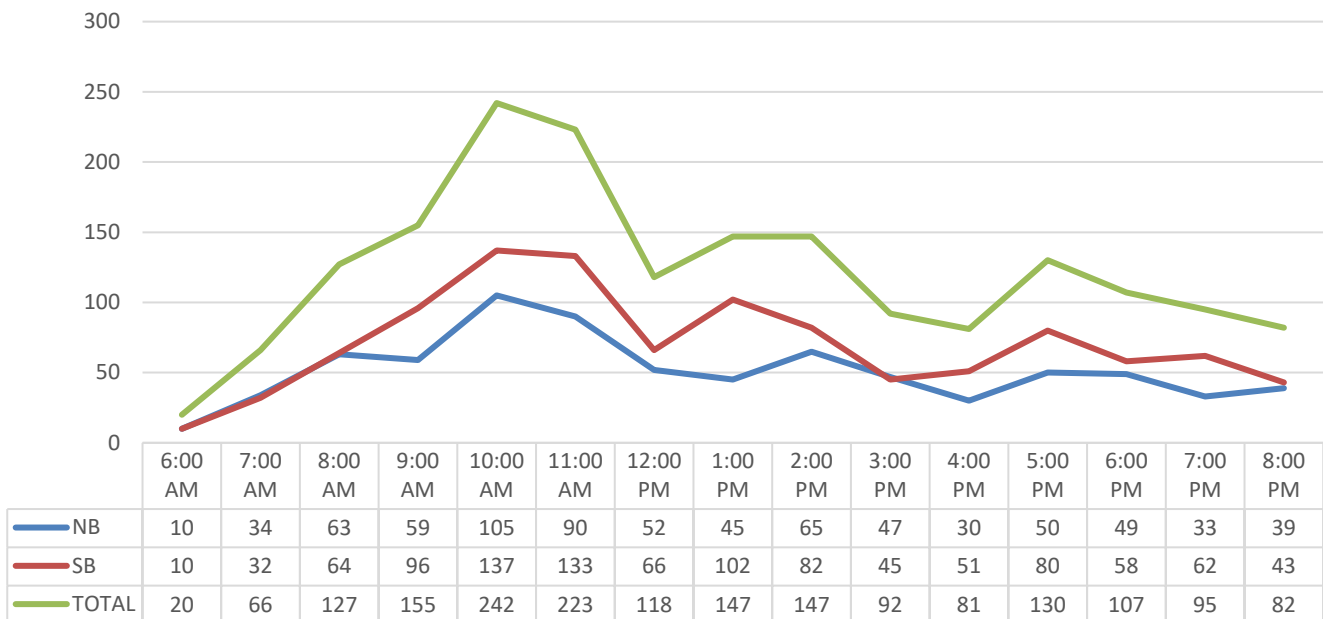
C: Weekend Volume by Time



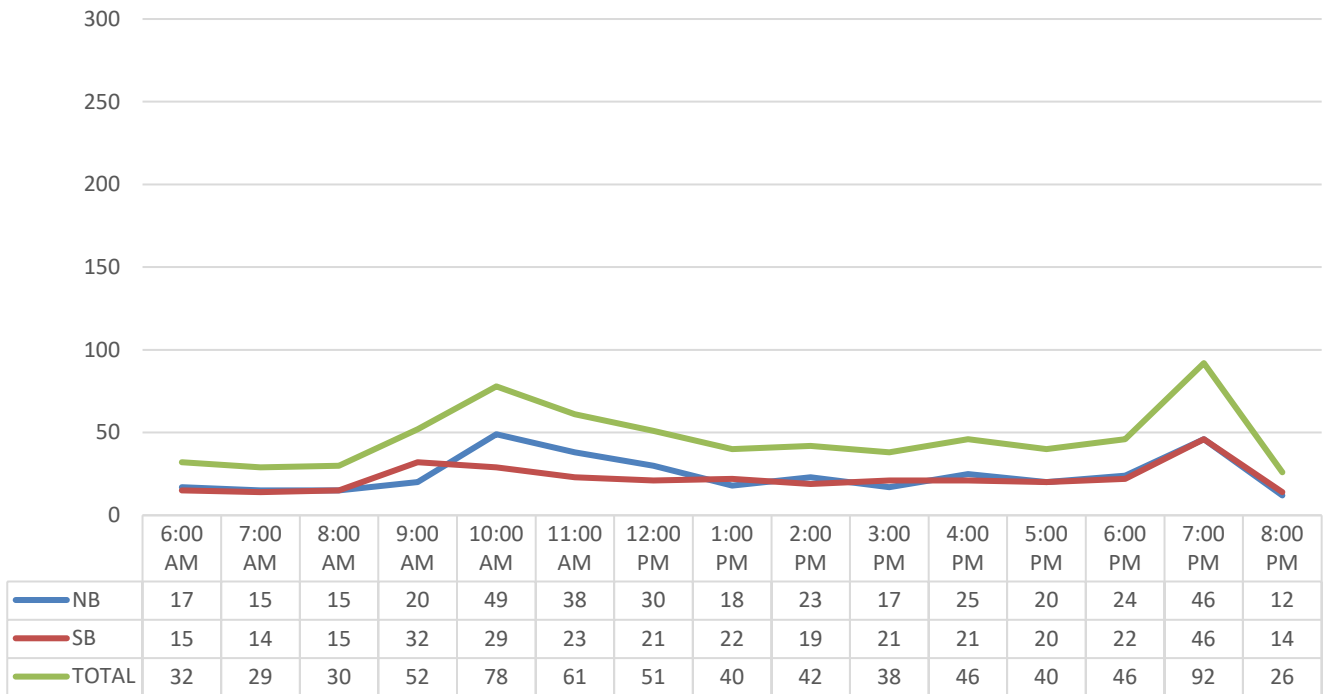
D: Weekday Volume by Time



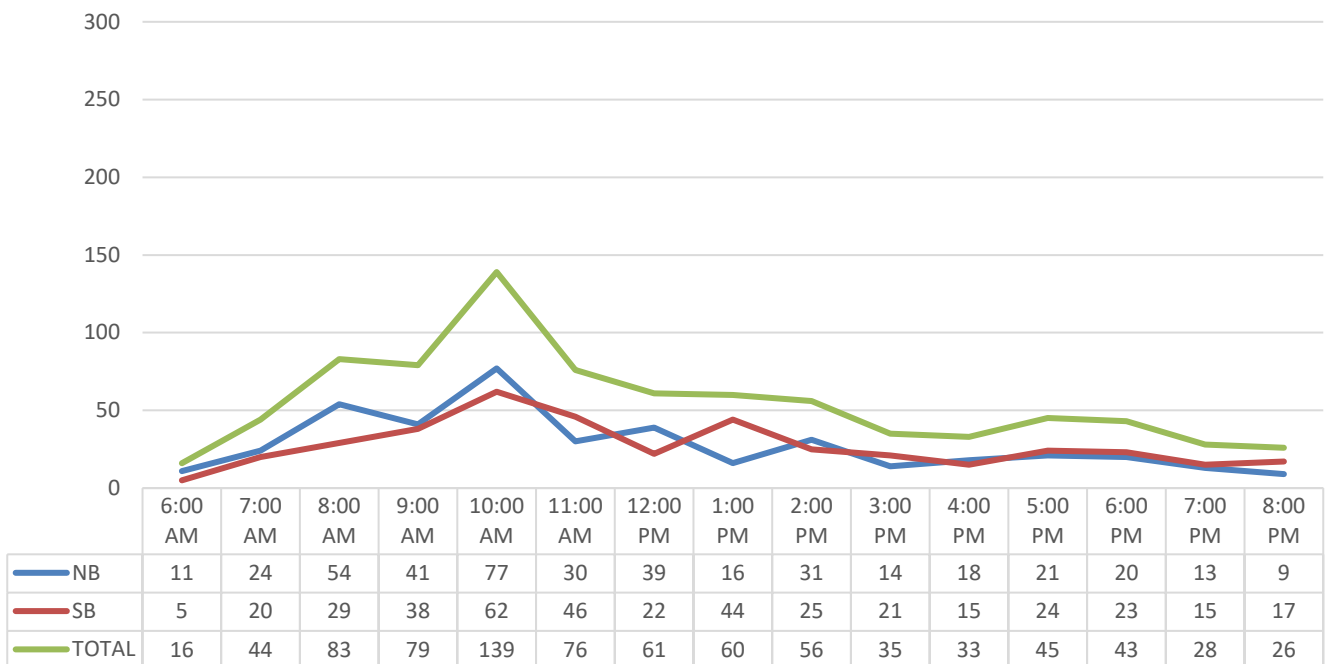
D: Weekend Volume by Time



E: Weekday Volume by Time

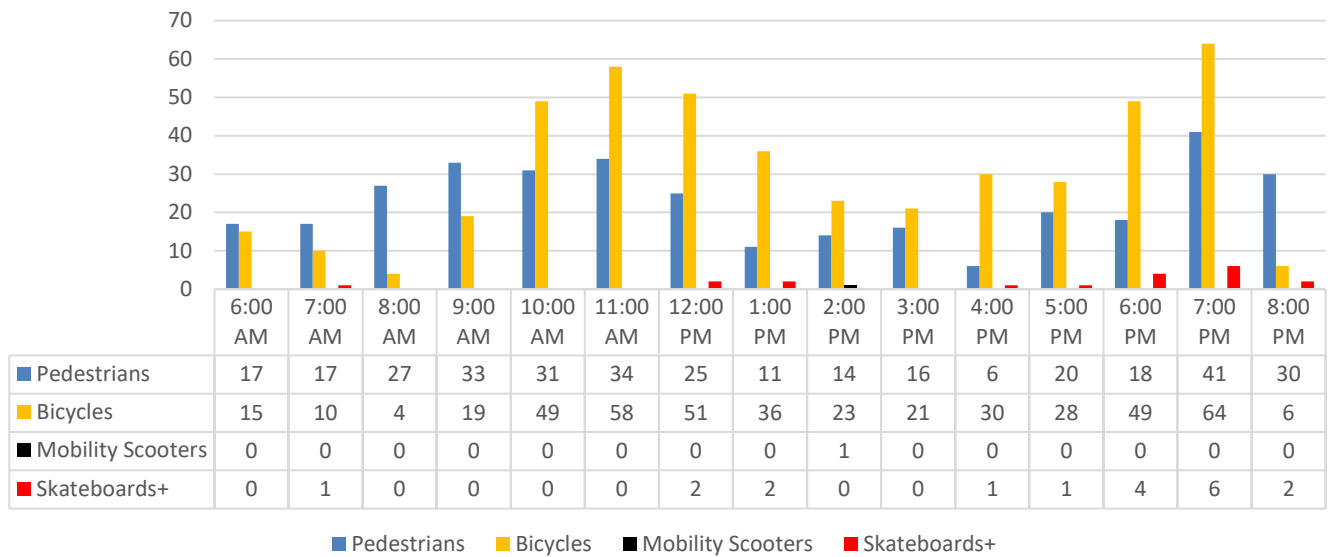


E: Weekend Volume by Time

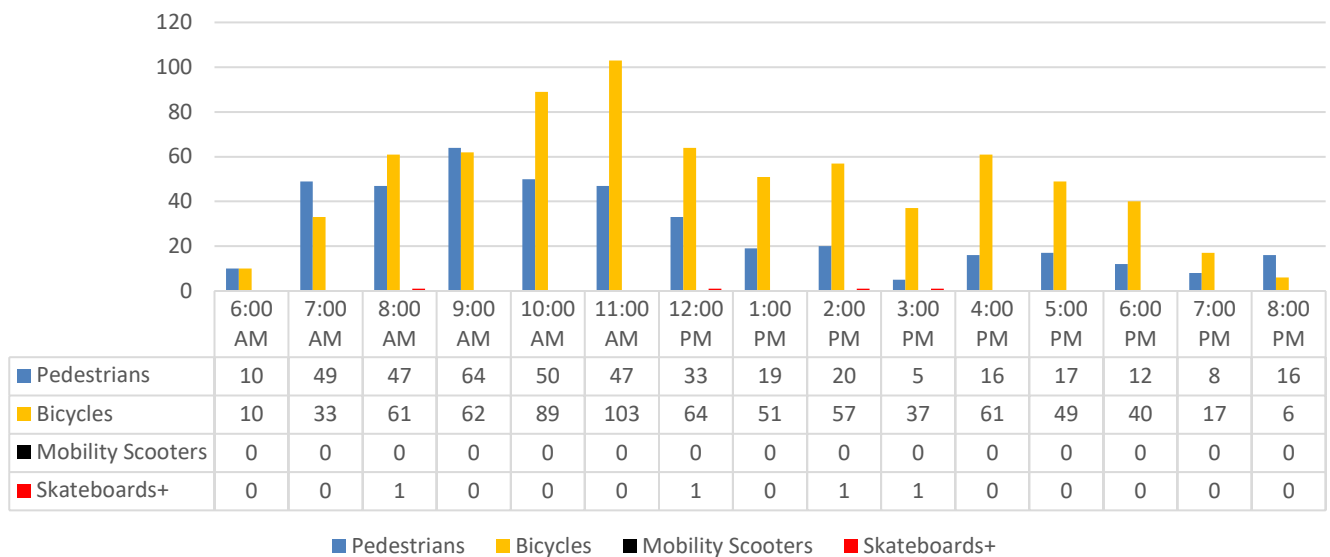


Appendix C: Type of Mode by Time

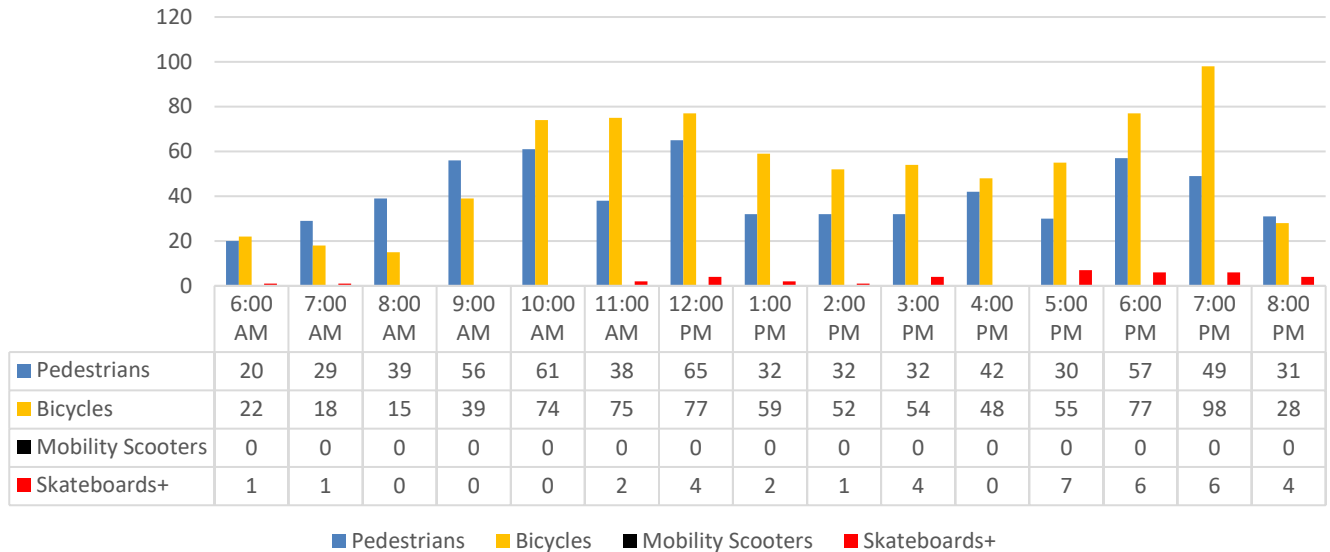
A: Weekday by Type



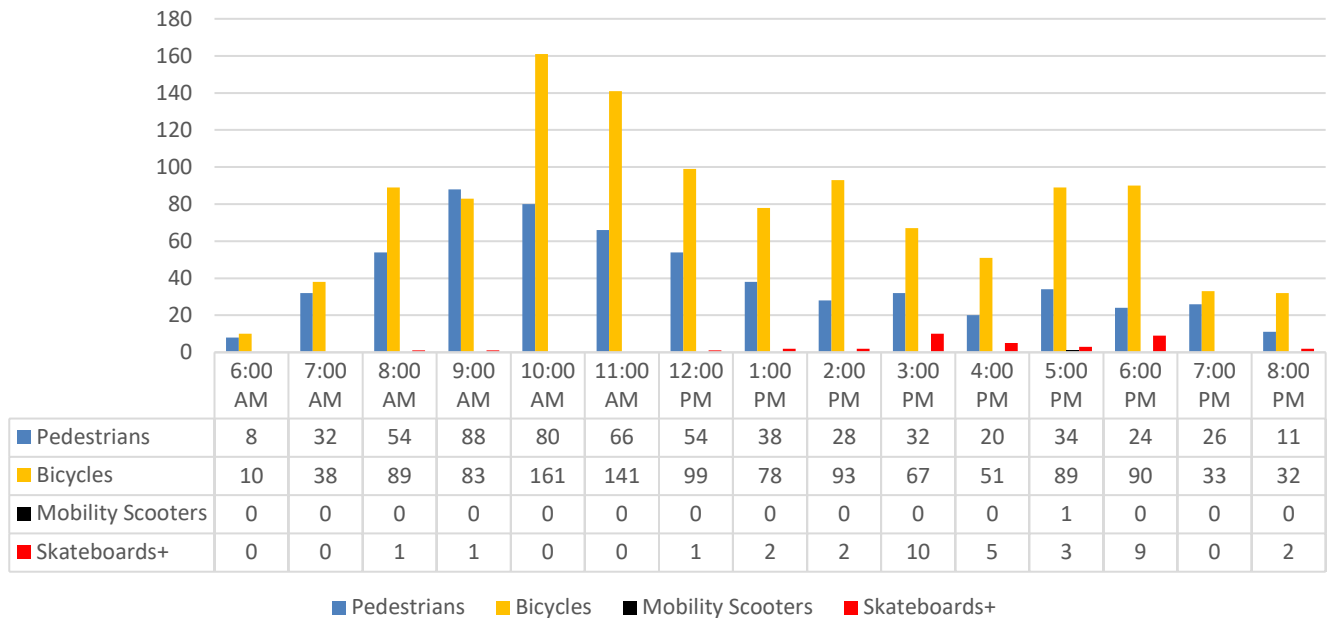
A: Weekend by Type



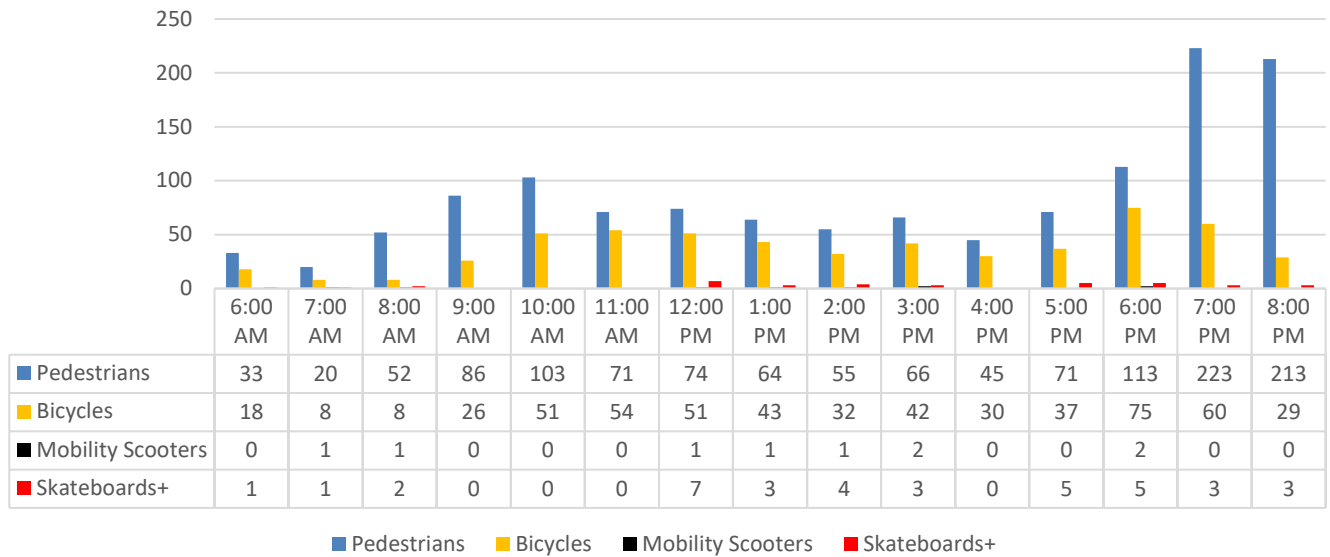
B: Weekday by Type



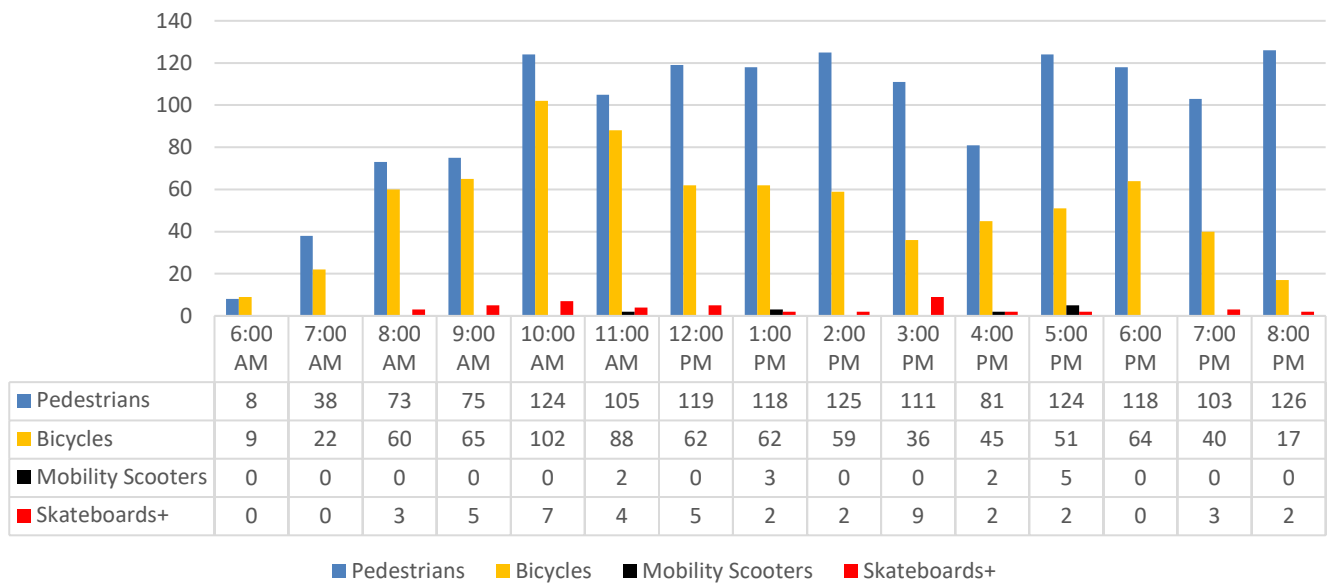
B: Weekend by Type



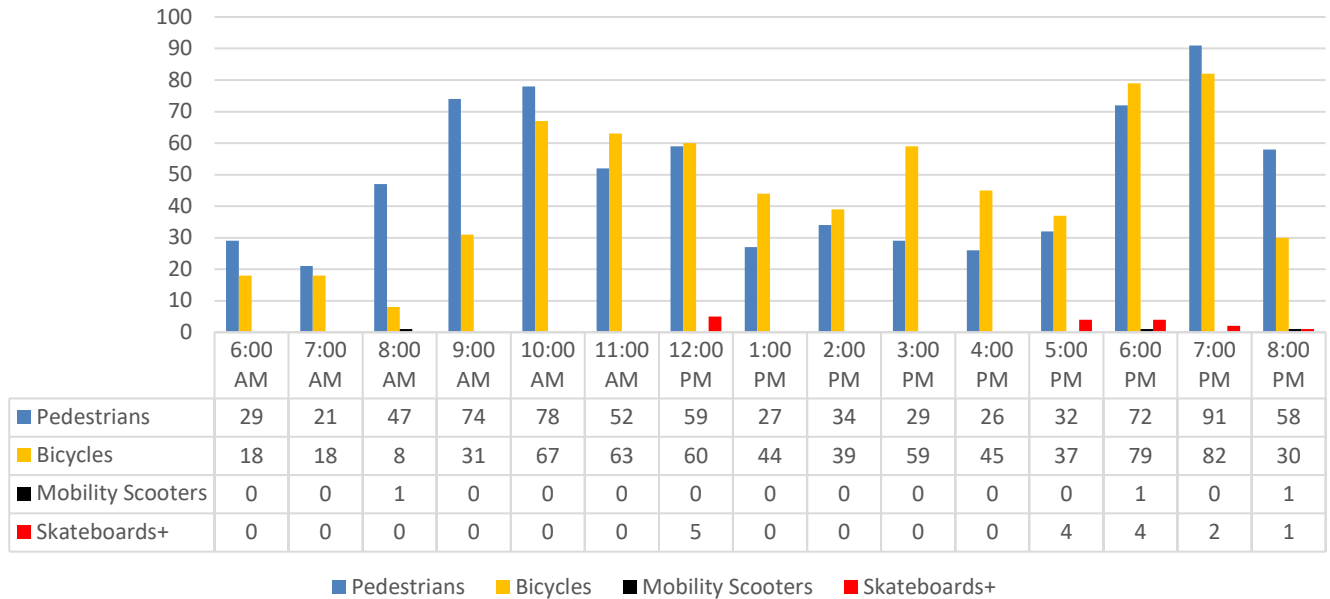
C: Weekday by Type



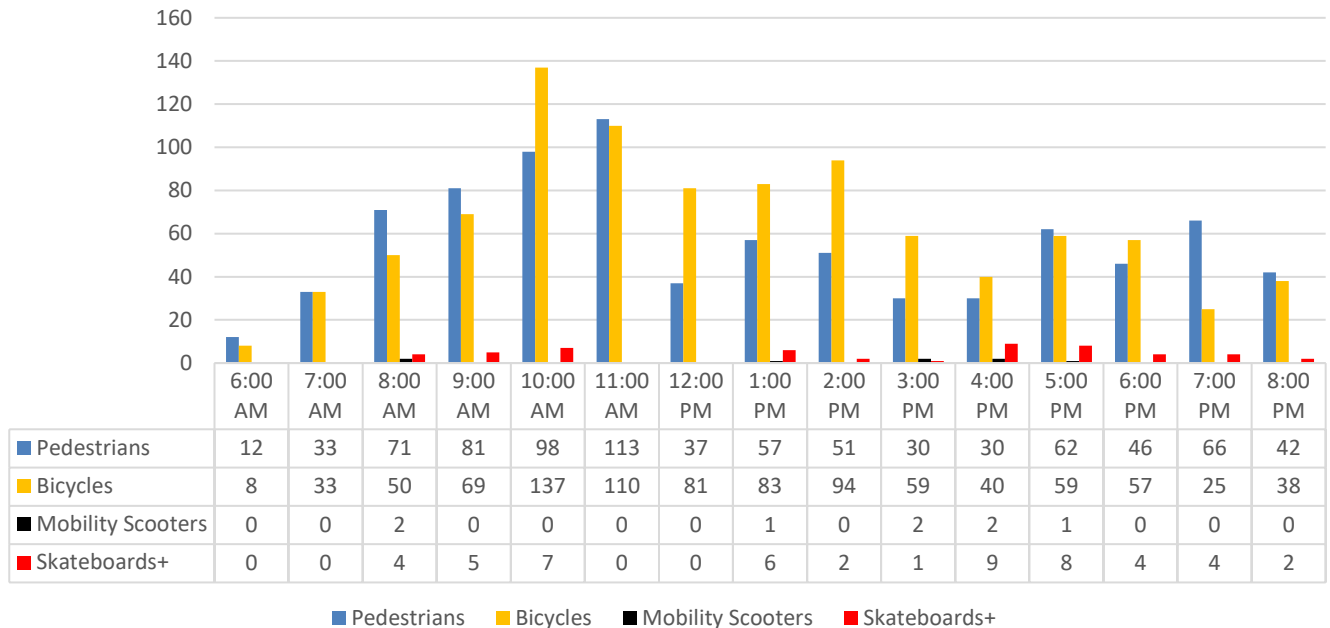
C: Weekend by Type



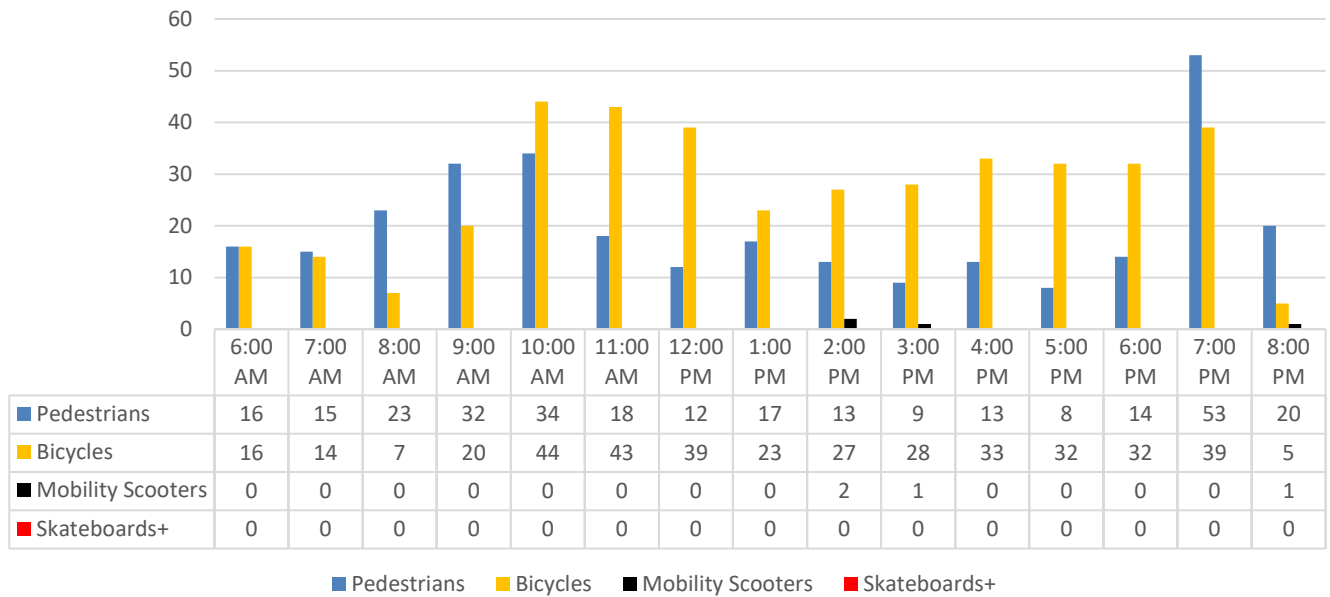
D: Weekday by Type



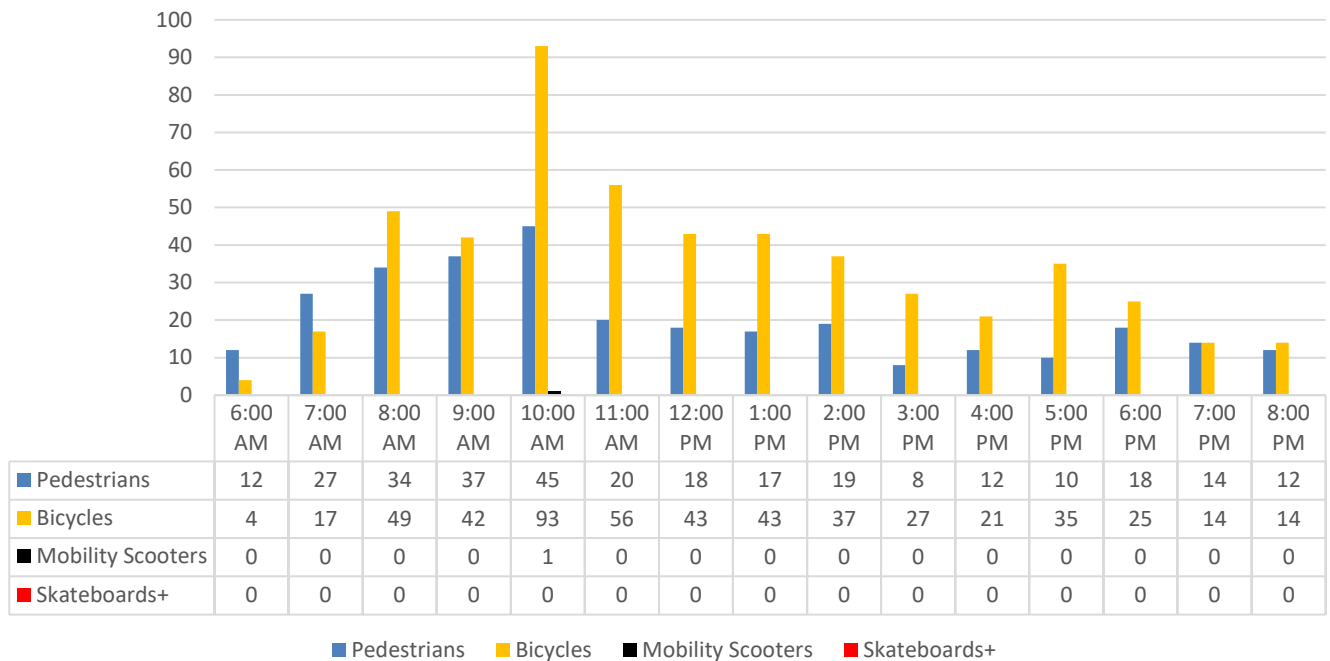
D: Weekend by Type



E: Weekday by Type



E: Weekend by Type



Appendix D: Full Data

Time	NB					SB				
	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	6	9	0	0	15	11	6	0	0	17
7:00 AM	11	5	0	1	17	6	5	0	0	11
8:00 AM	13	3	0	0	16	14	1	0	0	15
9:00 AM	17	11	0	0	28	16	8	0	0	24
10:00 AM	14	36	0	0	50	17	13	0	0	30
11:00 AM	20	44	0	0	64	14	14	0	0	28
12:00 PM	17	37	0	0	54	8	14	0	2	24
1:00 PM	7	28	0	2	37	4	8	0	0	12
2:00 PM	11	14	1	0	26	3	9	0	0	12
3:00 PM	12	13	0	0	25	4	8	0	0	12
4:00 PM	4	17	0	1	22	2	13	0	0	15
5:00 PM	11	13	0	1	25	9	15	0	0	24
6:00 PM	13	35	0	2	50	5	14	0	2	21
7:00 PM	27	47	0	5	79	14	17	0	1	32
8:00 PM	16	5	0	1	22	14	1	0	1	16
Total	199	317	1	13	530	141	146	0	6	293

A: Weekday

Time	NB					SB				
	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	1	4	0	0	5	9	6	0	0	15
7:00 AM	33	25	0	0	58	16	8	0	0	24
8:00 AM	25	38	0	1	64	22	23	0	0	45
9:00 AM	40	35	0	0	75	24	27	0	0	51
10:00 AM	36	66	0	0	102	14	23	0	0	37
11:00 AM	30	54	0	0	84	17	49	0	0	66
12:00 PM	30	39	0	0	69	3	25	0	1	29
1:00 PM	12	30	0	0	42	7	21	0	0	28
2:00 PM	15	31	0	1	47	5	26	0	0	31
3:00 PM	2	25	0	0	27	3	12	0	1	16
4:00 PM	7	43	0	0	50	9	18	0	0	27
5:00 PM	9	31	0	0	40	8	18	0	0	26
6:00 PM	6	30	0	0	36	6	10	0	0	16
7:00 PM	4	15	0	0	19	4	2	0	0	6
8:00 PM	12	6	0	0	18	4	0	0	0	4
Total	262	472	0	2	736	151	268	0	2	421

A: Weekend

	NB					SB				
Time	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	12	6	0	1	19	8	16	0	0	24
7:00 AM	21	12	0	0	33	8	6	0	1	15
8:00 AM	19	9	0	0	28	20	6	0	0	26
9:00 AM	32	18	0	0	50	24	21	0	0	45
10:00 AM	15	42	0	0	57	46	32	0	0	78
11:00 AM	13	34	0	2	49	25	41	0	0	66
12:00 PM	46	45	0	0	91	19	32	0	4	55
1:00 PM	21	28	0	1	50	11	31	0	1	43
2:00 PM	14	16	0	0	30	18	36	0	1	55
3:00 PM	15	24	0	1	40	17	30	0	3	50
4:00 PM	12	31	0	0	43	30	17	0	0	47
5:00 PM	20	15	0	3	38	10	40	0	4	54
6:00 PM	31	43	0	5	79	26	34	0	1	61
7:00 PM	25	44	0	2	71	24	54	0	4	82
8:00 PM	16	17	0	1	34	15	11	0	3	29
Total	312	384	0	16	712	301	407	0	22	730

B: Weekday

	NB					SB				
Time	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	5	6	0	0	11	3	4	0	0	7
7:00 AM	7	19	0	0	26	25	19	0	0	44
8:00 AM	35	45	0	0	80	19	44	0	1	64
9:00 AM	39	41	0	1	81	49	42	0	0	91
10:00 AM	51	72	0	0	123	29	89	0	0	118
11:00 AM	27	83	0	0	110	39	58	0	0	97
12:00 PM	33	57	0	0	90	21	42	0	1	64
1:00 PM	24	44	0	0	68	14	34	0	2	50
2:00 PM	13	52	0	1	66	15	41	0	1	57
3:00 PM	7	36	0	3	46	25	31	0	7	63
4:00 PM	12	21	0	5	38	8	30	0	0	38
5:00 PM	20	54	1	3	78	14	35	0	0	49
6:00 PM	13	40	0	5	58	11	50	0	4	65
7:00 PM	14	14	0	0	28	12	19	0	0	31
8:00 PM	2	23	0	0	25	9	9	0	2	20
Total	302	607	1	18	928	293	547	0	18	858

B: Weekend

Time	NB					SB				
	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	19	9	0	1	29	14	9	0	0	23
7:00 AM	8	5	0	0	13	12	3	1	1	17
8:00 AM	26	6	0	2	34	26	2	1	0	29
9:00 AM	33	10	0	0	43	53	16	0	0	69
10:00 AM	45	28	0	0	73	58	23	0	0	81
11:00 AM	34	30	0	0	64	37	24	0	0	61
12:00 PM	33	32	1	3	69	41	19	0	4	64
1:00 PM	27	17	0	0	44	37	26	1	3	67
2:00 PM	23	10	0	0	33	32	22	1	4	59
3:00 PM	42	29	0	3	74	24	13	2	0	39
4:00 PM	17	20	0	0	37	28	10	0	0	38
5:00 PM	34	13	0	2	49	37	24	0	3	64
6:00 PM	50	34	1	3	88	63	41	1	2	107
7:00 PM	113	34	0	1	148	110	26	0	2	138
8:00 PM	109	11	0	0	120	104	18	0	3	125
Total	613	288	2	15	918	676	276	7	22	981

C: Weekday

Time	NB					SB				
	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	5	4	0	0	9	3	5	0	0	8
7:00 AM	16	16	0	0	32	22	6	0	0	28
8:00 AM	35	33	0	3	71	38	27	0	0	65
9:00 AM	25	27	0	0	52	50	38	0	5	93
10:00 AM	61	52	0	7	120	63	50	0	0	113
11:00 AM	39	49	1	0	89	66	39	1	4	110
12:00 PM	45	19	0	4	68	74	43	0	1	118
1:00 PM	58	26	2	2	88	60	36	1	0	97
2:00 PM	61	34	0	0	95	64	25	0	2	91
3:00 PM	54	11	0	4	69	57	25	0	5	87
4:00 PM	40	20	1	2	63	41	25	1	0	67
5:00 PM	66	28	3	2	99	58	23	2	0	83
6:00 PM	63	33	0	0	96	55	31	0	0	86
7:00 PM	49	19	0	1	69	54	21	0	2	77
8:00 PM	67	9	0	2	78	59	8	0	0	67
Total	684	380	7	27	1098	764	402	5	19	1190

C: Weekend

Time	NB					SB				
	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	13	10	0	0	23	16	8	0	0	24
7:00 AM	5	9	0	0	14	16	9	0	0	25
8:00 AM	19	6	0	0	25	28	2	1	0	31
9:00 AM	23	14	0	0	37	51	17	0	0	68
10:00 AM	27	41	0	0	68	51	26	0	0	77
11:00 AM	23	36	0	0	59	29	27	0	0	56
12:00 PM	9	42	0	2	53	50	18	0	3	71
1:00 PM	8	20	0	0	28	19	24	0	0	43
2:00 PM	14	17	0	0	31	20	22	0	0	42
3:00 PM	8	31	0	0	39	21	28	0	0	49
4:00 PM	9	26	0	0	35	17	19	0	0	36
5:00 PM	8	18	0	2	28	24	19	0	2	45
6:00 PM	22	45	1	2	70	50	34	0	2	86
7:00 PM	28	39	0	1	68	63	43	0	1	107
8:00 PM	36	14	1	1	52	22	16	0	0	38
Total	252	368	2	8	630	477	312	1	8	798

D: Weekday

Time	NB					SB				
	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	5	5	0	0	10	7	3	0	0	10
7:00 AM	12	22	0	0	34	21	11	0	0	32
8:00 AM	38	21	1	3	63	33	29	1	1	64
9:00 AM	30	29	0	0	59	51	40	0	5	96
10:00 AM	28	72	0	5	105	70	65	0	2	137
11:00 AM	40	50	0	0	90	73	60	0	0	133
12:00 PM	9	43	0	0	52	28	38	0	0	66
1:00 PM	15	25	1	4	45	42	58	0	2	102
2:00 PM	22	43	0	0	65	29	51	0	2	82
3:00 PM	12	33	1	1	47	18	26	1	0	45
4:00 PM	6	21	1	2	30	24	19	1	7	51
5:00 PM	16	28	0	6	50	46	31	1	2	80
6:00 PM	18	29	0	2	49	28	28	0	2	58
7:00 PM	24	7	0	2	33	42	18	0	2	62
8:00 PM	17	20	0	2	39	25	18	0	0	43
Total	292	448	4	27	771	537	495	4	25	1061

D: Weekend

	NB					SB				
Time	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	8	9	0	0	17	8	7	0	0	15
7:00 AM	10	5	0	0	15	5	9	0	0	14
8:00 AM	10	5	0	0	15	13	2	0	0	15
9:00 AM	11	9	0	0	20	21	11	0	0	32
10:00 AM	21	28	0	0	49	13	16	0	0	29
11:00 AM	10	28	0	0	38	8	15	0	0	23
12:00 PM	5	25	0	0	30	7	14	0	0	21
1:00 PM	6	12	0	0	18	11	11	0	0	22
2:00 PM	8	13	2	0	23	5	14	0	0	19
3:00 PM	4	13	0	0	17	5	15	1	0	21
4:00 PM	8	17	0	0	25	5	16	0	0	21
5:00 PM	3	17	0	0	20	5	15	0	0	20
6:00 PM	8	16	0	0	24	6	16	0	0	22
7:00 PM	29	17	0	0	46	24	22	0	0	46
8:00 PM	11	1	0	0	12	9	4	1	0	14
Total	152	215	2	0	369	145	187	2	0	334

E: Weekday

	NB					SB				
Time	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total	Pedestrians	Bicycles	Mobility Scooters	Skateboards+	Total
6:00 AM	8	3	0	0	11	4	1	0	0	5
7:00 AM	12	12	0	0	24	15	5	0	0	20
8:00 AM	21	33	0	0	54	13	16	0	0	29
9:00 AM	19	22	0	0	41	18	20	0	0	38
10:00 AM	28	49	0	0	77	17	44	1	0	62
11:00 AM	7	23	0	0	30	13	33	0	0	46
12:00 PM	11	28	0	0	39	7	15	0	0	22
1:00 PM	7	9	0	0	16	10	34	0	0	44
2:00 PM	11	20	0	0	31	8	17	0	0	25
3:00 PM	3	11	0	0	14	5	16	0	0	21
4:00 PM	8	10	0	0	18	4	11	0	0	15
5:00 PM	7	14	0	0	21	3	21	0	0	24
6:00 PM	8	12	0	0	20	10	13	0	0	23
7:00 PM	7	6	0	0	13	7	8	0	0	15
8:00 PM	6	3	0	0	9	6	11	0	0	17
Total	163	255	0	0	418	140	265	1	0	406

E: Weekend



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

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Clematis Parking Review Staff Report to Council

Report Number: 2021-09

Department(s): Engineering Services

Author(s): M. Kryzanowski, Manager, Transportation Services

Meeting Date: February 22, 2021

Recommendations

1. That the report entitled Clematis Road Parking Review dated February 22, 2021 be received; and,
2. That the proposed parking amendments outlined in Appendix A be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The Town received a petition signed by all six households on Clematis Road asking the Town to implement parking restrictions on the street to address concerns related to school parking from St. Elizabeth Seton CES. This report outlines the findings of the review.

Background

At the regular meeting on October 26, 2020, the Committee of the Whole received a petition from the residents of Clematis Road requesting parking restrictions. The proposed parking restrictions would be from Monday to Friday, from 8:00am to 4:00pm. Currently, there are no restrictions to parking on this road. The restrictions being requested are to address parking concerns associated with the St. Elizabeth Seton CES operations.

Discussion

Clematis Road is a short local residential street that runs from Jacarandah Drive and terminates at the St. Elizabeth Seton CES property. Clematis Road has no sidewalks on either side of the street, and does not have any vehicle turnaround facility at the terminus (no turning bulb or hammerhead design). The terminus of Clematis Road does provide access to the school via a walkway.

Through this review, it was discovered that St. Elizabeth Seton CES has become a holding school for the French immersion program, thereby increasing the number of students. This has resulted in additional traffic and parking operations due to increased enrolment. Such an increase is normally dealt with by the school, in collaboration with its school bus program, but in this case Clematis Road is a good candidate for the “walk-a-block” program, due to its proximity with, and direct connection to, the school. The Town strongly supports “walk-a-block” programs for schools, and therefore, would like to help with a solution.

It was observed that vehicles are circling and maneuvering on the street while children walk on the road to access the walkway to the school. Given that Clematis Road has no sidewalks or turning facility, pedestrians are vulnerable users. Parking being currently allowed on both sides of the street during school hours is also creating maneuverability issues for residents who are trying to get in and out of their driveways.

Resident feedback has indicated that the parking changes being requested are not an ideal solution, but that they would be sufficient to handle the residents’ immediate concerns. Over time, St. Elizabeth Seton CES may become a local school again and lose its holding designation. Also, Clematis Road may be re-constructed at some time in the future, which could include consideration for constructing a sidewalk and a proper turnaround; however, Clematis Road is not currently on the 5-year Capital reconstruction program. Finally, building additional school capacity in East Gwillimbury to handle the additional students is several years away; therefore, this parking solution will help in the immediate and mid-term until conditions change.

Conclusion

The new parking restrictions, as requested by the residents of Clematis Road in their petition, are being recommended to Council. Appendix A contains the recommended bylaw amendments.

All households within the study area will receive a copy of this report and a notice indicating the date and time of the Committee of the Whole at which the matter will be heard. Residents who wish to address the Committee will have the opportunity to do so at that time.

Business Plan and Strategic Plan Linkages

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

Consultation

The Town received a petition from all households on Clematis Road (six in total). Transportation staff reached out to consult with all six households that would be impacted by the requested parking changes by sending each household a letter requesting their input (dated November 18, 2020). The purpose was to solicit any additional comments. The Town received three responses, of which two were in support. The third was in support, but preferred increased enforcement as a mitigation measure.

To further communicate the findings and invite more feedback, all households within the study area will receive a copy of this report and a notice indicating the date and time of the Committee of the Whole at which the matter will be heard. Residents who wish to address the Committee will have the opportunity to do so at that time.

The School Administration at St. Elizabeth Seton CES has been contacted by the Town's Transportation Services staff to discuss the matter and solicit their engagement in educating students to minimize the risk of walking on a street with no sidewalks, and to educate parents as to safer drop off areas for their children.

The Town's Legislative Services Department has been consulted regarding this report.

Human Resource Considerations

None.

Budget Impact

Funds for the required signage would come from the Regulatory Signs – Engineering line from the Operating Budget. The cost would be approximately \$700.00 for the required signage. There is sufficient money in this account to cover the cost.

Attachments

Appendix A – Proposed Parking Bylaw Amendment

Approval

Rachel Prudhomme, Director, Engineering Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

For more information or questions regarding this report, please contact Mark Kryzanowski, Manager, Transportation Services, at 905-895-5193 extension 2508 or MKryzanowski@newmarket.ca

Appendix A: Proposed Parking Bylaw Amendment

THAT Schedule IV (No Parking) of the Parking By-law 2019-63, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Clematis Road	Both	Jacarandah Drive to terminus	Monday to Friday 8:00am to 4:00pm



Town of Newmarket
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Commercial Rooftop Patios Staff Report to Council

Report Number: 2021-10

Department(s): Planning Services & Regulatory Services

Author(s): Meghan White & Flynn Scott

Meeting Date: February 22, 2021

Recommendations

1. That the report entitled Commercial Rooftop Patios dated February 22, 2021 be received; and,
2. That the Commercial Rooftop Patios Zoning By-law Amendment be approved; and,
3. That Business Licence By-law 2020-31 be amended to include new regulations for Commercial Rooftop Patios; and,
4. That Outdoor Serving Area By-law 2016-29 be repealed and its regulations relocated into Business Licence By-law 2020-31;
5. That the modifications to the Town's Site Plan Application Process Manual outlined in this report be approved;
6. That a new fee for a modified "quick" site plan application specific to Commercial Rooftop Patios of \$550 be created and waived for 2021 as a COVID response to support local businesses;
7. That the Business Licence fee, specifically for Commercial Rooftop Patios of \$374, also be waived for 2021 as a COVID response to support local businesses; and,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

This report provides recommendations to amend the Zoning By-laws and Business Licence By-law 2020-31 in order to licence and regulate Commercial Rooftop Patios. This report also recommends the creation of design guidelines for rooftop patios and amendments to the Site Plan Application Process Manual creating a new approval process. Finally, in addition to the introduction of a new licensing framework for Commercial Rooftop Patios, Town staff are also recommending the Town's Outdoor Serving Area By-law 2016-29 be repealed and its provisions be included in Business Licence By-law 2020-31 for clerical and housekeeping purposes.

Background

Zoning By-law

The deficiencies of the Zoning By-law in regulating Commercial Rooftop Patios was highlighted during the first phase of a housekeeping review of Zoning By-law 2010-40. At the time, dealing with Commercial Rooftop Patios was put on hold for additional research to be completed. Then earlier this year it was brought forward again by a motion from Council:

"That staff be directed to schedule a Statutory Public Meeting for the purpose of outlining specific use permissions related to 'Commercial Rooftop Patios', addressing matters such as:

- maximum size (percentage of rooftop or gross floor area)
- associated uses for which a 'Commercial Rooftop Patio' may be permitted
- design (i.e. site plan) requirements
- compliance with licensing and noise by-laws"

Staff initiated a rezoning process and the Public Meeting was held December 14, 2020.

Through the rezoning process it was determined that both the Zoning By-laws and Licensing By-laws would have to be in concert to properly regulate and process applications for Commercial Rooftop Patios. Thus staff are now bringing forward amendments for both by-laws. In addition, site plan guidelines give staff, Council and the public a design framework for how to create rooftop patios that are complimentary to surrounding uses and provide businesses an opportunity to expand.

Business Licence By-law

Legislative Authority

The Municipal Act allows the Town to provide for a system of licences with respect to certain classifications of business by adopting a licensing by-law. As specified in the Municipal Act, a licensing by-law should relate to consumer protection, the economic and social well-being of the municipality, and the health, safety, and well-being of

persons in the municipality. Conditions may be imposed on a licence to ensure a business is compliant with the regulations established to reflect community objectives.

The Town's authority under the Municipal Act to enact licensing by-laws provides greater flexibility. By requiring a licence for certain activities (i.e. operating an outdoor or rooftop patio), the Town can ensure that the requirements of other legislative regimes, such as the Alcohol and Gaming Commission of Ontario, Ontario Building and Fire Codes, and the Planning Act are met to confirm the safety of residents and visitors.

A business licence is only issued after specific requirements and conditions have been met and the renewal of a licence occurs on an annual basis to confirm conditions are being adhered to. Following the issuance of a business licence, a municipality may use its business licence by-law as a useful and powerful tool for providing regulatory oversight for businesses.

Historical Reference

On July 19, 1999, Town Council adopted By-law 1999-93 for the purpose of introducing a new licensing framework for Outdoor Serving Areas (ground-level, liquor licensed outdoor patios) within the Town of Newmarket. Since its initial adoption, several amendments have been introduced in relation to outdoor patios. The most notable change occurred on June 7, 2016 when Town Council adopted amendments to allow for businesses located on Main Street to apply for and obtain a business licence to operate an outdoor patio on Town-owned lands.

On June 29, 2020, Town Council adopted Business Licence By-law 2020-31. This by-law is intended to be a generic and central by-law for all stationary businesses that require a business licence within the Town of Newmarket. Due to the introduction of new regulations for Commercial Rooftop Patios, Town staff are also proposing to repeal the Outdoor Serving Area By-law and transfer its regulations under the Business Licence By-law 2020-31 for clerical and housekeeping purposes.

Discussion

The Town's Zoning By-laws 2010-40 & 2019-06 currently define a Patio, Commercial Rooftop; while the Town's Zoning By-laws define this use, they do not list it as a "permitted" use, nor are there any regulations or standards for the use in the By-laws. When this was initially highlighted through the housekeeping review, Council asked how other municipalities were dealing with commercial rooftop patios. Below is a scan of York Region and some additional municipality's regulations for these patios.

Jurisdiction Scan

Municipality	Regulations
Aurora	None.

Vaughan	<ul style="list-style-type: none"> • Ensures that maximum height for the zone is maintained. • Prohibited adjacent to residential zone or use
Richmond Hill	None.
Whitchurch-Stouffville	None.
Georgina	<ul style="list-style-type: none"> • Not permitted as of right (outside Covid times); requires a Minor Variance.
Markham	<ul style="list-style-type: none"> • Prohibited adjacent to a residential zone or use. • Music and entertainment prohibited when abutting a residential zone or use.
King	None.
East Gwillimbury	None.
Barrie	<ul style="list-style-type: none"> • A guard rail is required and seating cannot be placed within 1m of building edge.
Waterloo	<ul style="list-style-type: none"> • Only permitted in zones which permit restaurant, café, or bake shop. • Prohibited within 40m of low rise residential lot line. • Cannot extend beyond roof of building. • Where an abutting lot is zoned for residential purposes or contains a building(s) with one or more dwelling units, a minimum one-point-eight metre (1.8m) tall Acoustical Wall shall be erected along the portion of the perimeter of the outdoor rooftop patio that is generally parallel to the rear lot line and side lot line. • Max floor area of 50sq.m per building. • Roofed area cannot be fully enclosed and cannot exceed 20% of patio area. • Primary access must be interior (to and from the bldg.) • Cannot have live entertainment (music, dancing, etc)
London	<ul style="list-style-type: none"> • Maximum size is 50% of the capacity of the restaurant or 50 persons which ever is greater
Milton	<ul style="list-style-type: none"> • Located directly above the restaurant • Not permitted on any lands abutting a residential zone

As per the above chart, in York Region Commercial Rooftop Patios are not something that is overly regulated. But if we look beyond York Region, there is a wider variety of regulations. Waterloo stands out as having the most prescriptive regulations. Whereas Barrie, London and Milton have a few regulations each.

Generally where Commercial Rooftop Patios are regulated, the regulations look to control size, location and mitigate any impact on nearby residential uses. It is common for municipalities prohibit them adjacent to residential zones.

Zoning By-law Amendment

This proposed zoning by-law amendment will amend both zoning by-laws, By-law 2019-06 which is the implementing zoning by-law for the Urban Centers Secondary Plan and By-law 2010-40 which is the zoning by-law for the rest of the Town. Both By-laws deal with Commercial Rooftop Patios in the same manner and require the same updating amendments.

The amendments propose to permit Commercial Rooftop Patios as accessory to a restaurant, a banquet hall, and other commercial uses. This would allow them in all Commercial Zones, the Mixed Use Zones of the Urban Centres Secondary Plan, the downtown and all Employment Zones. The amendment will also update the definition for Commercial Rooftop Patios from: “any portion of a rooftop dedicated as a seasonal outdoor serving area that is an accessory use to a restaurant, bar restaurant, or banquet hall” to: “any portion of a rooftop dedicated as a serving area that is an *accessory use* to a *restaurant* or to a commercial use.” The wording was changed to reflect where the commercial rooftop patios are permitted and to avoid confusion with “outdoor serving area” as defined in the Business Licence By-law.

The amendments also propose to revise the parking provisions for a Restaurant, to clarify that the same exemption for at grade patios applies also to rooftop patios.

The following regulations for dealing with Commercial Rooftop Patios are proposed to be added to both By-laws.

“Restaurants, banquet halls, and other commercial uses shall be permitted to include a commercial rooftop patio as an accessory use, provided that the commercial rooftop patio that complies with the following:

- A commercial rooftop patio is prohibited in association with an adult entertainment parlour;
- The design shall be established in accordance with an approved site plan addressing matters such as lighting, landscaping, noise, etc.;
- A commercial rooftop patio must comply with any applicable requirements of municipal by-laws, including the Town’s licensing and noise by-laws, and must comply with all applicable requirements of the Ontario Building Code and Fire Code.”

Staff’s approach to the regulations has been to keep it simple rather than overly prescriptive. It is felt that the abbreviated site plan process (which is outlined below) in combination with the Business Licence By-law will allow for a balance between mitigating potential negative impacts on residential uses and the desirability to activate

the downtown and other commercial areas with appropriate outdoor amenity space for commercial businesses. It is felt that the abbreviated site plan process (which is outlined below) in combination with the Business Licence By-law will allow for a balance between mitigating potential negative impacts on residential uses and the desirability to activate the downtown and other commercial areas with appropriate outdoor amenity space.

Staff are not proposing a noise wall as a zoning requirement as it would then become mandatory for every Commercial Rooftop Patio adjacent to a residential area. If it was a zoning requirement and circumstances arose where a noise wall would not be needed, an applicant would have to apply for a minor variance, thus increasing the time and cost of the application process. Instead, staff are recommending the requirement be placed in the Site Plan Guidelines and the Business Licencing By-law. Having it as a guideline in the Site Plan Application Process Manual and in the Business Licence By-law, it can be determined on a case-by-case basis if a noise wall is needed and required where necessary. Staff and Council have the ability to not approve the site plan and undertaking and/or not grant the business license should an applicant not be able or willing to design and construct a noise wall. This approach allows for flexibility for an application with many variables and many differing circumstances.

If a noise wall is required due to proximity of residential uses, the details and design will need to be submitted with the application. The intention is that anticipated noise impacts will be mitigated early during the process such that a business isn't required to retrofit their patio after complaints are received.

Allowing commercial rooftop patios can assist business expansion, which will assist revenue opportunities. In addition, outdoor patios enable better physical distancing measures to take place and allow businesses to operate in some stages of the pandemic (subject to health measures). Overall, these patios are good for the success of downtown, and other commercial areas, and impacts on residential areas can be mitigated through design and conditions on their business licence.

Modifications to the Site Plan Application Process Manual

Staff is recommending that two sections be added to the Town's [Site Plan Application Process Manual](#) (SPM) which will outline:

1. the modified Site Plan Approval process for Commercial Rooftop Patios and
2. provide the design guidelines.

The first section would outline the new process as follows:

SPM Section 2.3.5 Modified "Quick" Process for Commercial Rooftop Patios

The following separate process is required for Commercial Rooftop Patios:

1. The applicant files a request to have a rooftop patio to Planning Services and concurrently files an application for a business licence through Legislative

Services. The business licence will be the last component required in the application process and will not be approved until the modified site plan approval process is complete.

2. The applicant submits a completed application form, the review fee, site plan drawing and relevant details of any required walls, lighting, landscaping etc. The submission will require details on how noise impacts will be mitigated. This will be reviewed by Staff.
3. Site Plan Review Committee (SPRC) will be notified of the application and it will be subject to the normal bump-up rules of the site plan process.
4. Once Council and staff are satisfied the applicant will be required to enter into an undertaking¹.
5. When the undertaking is executed the business licence can be granted with or without conditions as determined through the site plan process.

This suggested process for reviewing Commercial Rooftop Patios is a hybrid of what is currently done for ground-level outdoor patios in the downtown and our regular site plan process. Staff are proposing a modified “quick” site plan where applications for rooftop patios do not need a pre-consultation meeting. Applicants would have to submit a site plan drawing and a review would be completed by Planning Staff and Site Plan Review Committee, if requested. This review would look at lighting considerations, location on the building, size of the patio, and the potential for negative impacts and how to mitigate them. The applicant would also need to obtain a Building Permit and then obtain a business licence pursuant to the Business Licence By-law.

As proposed, the process keeps the “bump up” process that is typical for site plans, wherein two councillors request to have the application be presented to SPRC. If there is no bump up request it remains delegated to staff.

If the application goes to a SPRC meeting, staff prepare a letter for the Ward Councillor to provide to adjacent residents. This letter advises the residents of the application and the opportunity to listen to or attend the SPRC meeting.

To provide guidance to applicants seeking a Commercial Rooftop Patio, the Site Plan Application Process Manual would be amended to add a new section offering design guidelines as follows:

SPM Section 4.20 Commercial Rooftop Patios

When reviewing a Commercial Rooftop Patio Council and staff shall consider that:

1. Commercial Rooftop Patios are not permitted within 40 metres of the property line of an adjacent residential property unless the Commercial Rooftop Patio is

¹ This is an agreement with the force and effect of a Site Plan Agreement under Section 41 of the Planning Act that commits the owner of the property to complete the works according to the approved plans.

separated from the adjacent residential property by a solid translucent or opaque barrier of a minimum of six feet in height for the purpose of noise reduction.

2. All lighting must be dark sky compliant. A Commercial Rooftop Patio shall be arranged and designed such that the lighting fixtures deflect the light down and away from adjacent residential units, buildings, lots and streets.
3. Roof coverage for a Commercial Rooftop Patio shall generally not exceed 20% of the rooftop area, as to ensure another storey is not effectively added to the building and as to not overpower the rhythm of street and rooflines (especially in downtown). For the purposes of these guidelines umbrellas are not considered roof coverage.
4. Planter boxes and/or other landscape features (i.e. a living wall) shall be considered to reduce urban heat island effects, to create a pleasing environment, and to be visually attractive.
5. Design of the Commercial Rooftop Patio and the materials of any sound mitigating wall shall be sympathetic to the architectural style of the building and surrounding area.

Proposed Amendments to Business Licence By-law 2020-31

Outdoor Serving Areas (ground-level, liquor licensed outdoor patios)

With the introduction of a proposed licensing regime for Commercial Rooftop Patios, Town staff are also recommending merging the stand-alone by-law for ground-level outdoor patios (Outdoor Serving Area By-law 2016-29) into the recently adopted Business Licence By-law as part of clerical and housekeeping changes. It is relevant to note that there are no regulatory changes proposed in this portion of amendments. However, minor clerical changes are being proposed as follows:

- definitions have been updated;
- existing provisions have been reworded using plain language for a clear and concise understanding of all regulations imposed; and
- the hours of operation provision has been reworded to be in accordance with AGCO restrictions.

The Town currently authorizes ground-level outdoor patios on private property to operate from 11:00am until 1:00am. This permission was based on the AGCO's hours of operation for liquor licensed premises. However, effective January 1, 2019, the AGCO permanently amended their hours of operation to permit liquor licensed establishments to operate from 9:00am until 2:00am. By amending the wording within the Town's by-law to specify hours of operation be in accordance with AGCO restrictions, ground-level outdoor patios will now be permitted to operate from 9:00am until 2:00am. Should

Council wish to further restrict these hours, they are empowered to do so and direction should be provided to staff.

Commercial Rooftop Patios

As part of the proposed licensing framework for Commercial Rooftop Patios, Town staff are recommending the adoption of the following provisions:

- Prior to the issuance of a business licence, proper approvals must be obtained through the Town's site plan process;
- Every patio shall comply with AGCO, Fire, Building, and Planning requirements;
- Every patio shall have a 6ft opaque wall for noise reduction purposes when within 40m from an adjacent residential property;
- Every patio shall incorporate dark sky compliant lighting and consider design and install to mitigate light pollution to neighbouring properties; and
- Hours of operation shall be from 9:00am until 11:00pm.
- Hours of operation shall be from 9:00am until 11:00pm; and

It is also relevant to note that an exemption process has been provided within the by-law to allow for live music or extended hours of operation on a case-by-case basis. This would enable a patio owner to apply for a noise exemption permit for any scheduled live performances or events that they may wish to occur. A noise exemption permit process will request feedback from the Mayor, Deputy Mayor, and Ward Councillor, and also establishes requirements for neighbouring properties to be notified prior to approval being granted by the Town.

Conclusion

The amendments outlined in this report propose to permit commercial rooftop patios as accessory to restaurants and commercial uses and confirms other applicable design and operational standards as well as the applicability of other by-law to mitigate potential impacts.

Business Plan and Strategic Plan Linkages

- Economic Leadership and Job Creation
- Vibrancy on Yonge, Davis and Mulock

Consultation

The statutory Public Meeting was held December 14, 2020. No members of the public addressed Council at the meeting. Staff have not received any concerns or questions from the public. Correspondence in support of Commercial Rooftop Patios were received after the Public Meeting.

Staff from Planning Services and Regulatory Services have been working together to ensure both By-law regimes are working in concert. Other departments were consulted as needed.

Human Resource Considerations

None.

Budget Impact

Staff are recommending a new Site Plan application fee specific to Commercial Rooftop Patios of \$550.00 to recover staff time reviewing and processing the application.

If the licensing framework is adopted as proposed, Commercial Rooftop Patios will also require an annual business licence. Town staff are proposing an annual fee of \$374 per year, which aligns with the existing licensing fee for ground-level patios.

This report also recommends waiving the Site Plan application and Business Licence fees for 2021 as support to local businesses during COVID. This would be funded from the COVID Contingency Reserve.

Attachments

Attachment A - Draft Amendments to the Business License By-law 2020-31

Attachment B - Draft Amendments to the AMPS By-law 2019-62

Attachment C - Draft Amendments to the Fees and Charges By-law 2019-52

Submitted by

Meghan White, Senior Planner – Development, Planning Services

Flynn Scott, Manager, Regulatory Services

Approved for Submission

Adrian Cammaert, Manager Planning Services

Jason Unger, Director Planning & Building Services

Lisa Lyons, Director Legislative Services

Peter Noehammer, Commissioner Development & Infrastructure Services

Esther Armchuck, Commissioner Corporate Services

Contact

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Corporation of the Town of Newmarket

By-law 2021-XX

A By-law to amend By-law 2020-31 being a By-law to regulate and licence businesses in the Town of Newmarket.

Whereas Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

And whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

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

1. That Section 2 “Definitions” to the By-law 2020-31 be amended to add the following:

“**Licensee**” means a Person licensed under this By-law;

“**Live Music**” means any live performance utilizing an instrument, ones’ voice, a device or electronic equipment to amplify music, or any other form of live performance.

“**Outdoor Serving Area**” means any area on private or public property which is licensed to serve alcohol and is used by a business for the serving or consumption of food, beverages or refreshments which is not enclosed within a building structure or is exposed to the outdoors;

“**Opaque Barrier**” means a barrier which does not permit the transmission of light through its structure;

2. That Section 8 to the By-law 2020-31 be amended to add the following sections:

8.4 Outdoor Serving Areas

- (1) Prior to the submission of their business licence application, every **Owner** or **Operator** shall ensure that they are in compliance with all federal, provincial, and municipal requirements, including but not limited to the:

- (a) Alcohol and Gaming Commission of Ontario;
- (b) Central York Fire Services;
- (c) Town’s Planning Department;
- (d) Town’s Building Department; and
- (e) York Region Public Health.

- (2) Every **Owner** or **Operator** who proposes to sell or offer for sale alcohol from the **Outdoor Serving Area** shall provide to the Manager, at the time of their application, a copy of the Liquor Licence issued by the Alcohol and Gaming Commission of Ontario.
- (3) Every **Owner** or **Operator** shall ensure the **Outdoor Serving Area** operates at all times in accordance with the Alcohol and Gaming Commission of Ontario.
- (4) Every **Owner** or **Operator** shall only operate or permit the occupancy of any **Outdoor Serving Area** between the hours established by, and in accordance with, the Alcohol and Gaming Commission of Ontario.
- (5) Every **Outdoor Serving Area** that is located within 40m of the property line of an adjacent residential property shall be required to install a solid, translucent, or Opaque Barrier that is a minimum of 1.8m in height along its perimeter for the purpose of noise reduction and security.
- (6) Every **Outdoor Serving Area** which is illuminated in an area adjacent to a residential use shall ensure all lighting fixtures and illumination are arranged, designed, and installed to deflect the light down and away from residential buildings, lots, and streets.
- (7) Any Person that proposes to operate an **Outdoor Serving Area** on public property along Main Street and between Millard Avenue and Water Street must first obtain approval from the Town's Planning Department.
- (8) Notwithstanding Section 6(1) of this By-law, every **Outdoor Serving Area** located on public property shall only be permitted between April 1st and October 30th within the same calendar year.

8.5 Commercial Rooftop Patios

- (1) Prior to the submission of their business licence application, every **Owner** or **Operator** shall ensure that they are in compliance with all federal, provincial, and municipal requirements, including but not limited to the:
 - (a) Alcohol and Gaming Commission of Ontario;
 - (b) Central York Fire Services;
 - (c) Town's Planning Department;
 - (d) Town's Building Department; and
 - (e) York Region Public Health.
- (2) Every **Owner** or **Operator** shall only operate or permit the occupancy of any **Commercial Rooftop Patio** between the hours of 9:00 a.m. and 11:00 p.m. within the same calendar day.
- (3) No **Live Music** shall be permitted on any **Commercial Rooftop Patio** at any time.

- (4) Notwithstanding Section 8.5(3) above, an **Owner** or **Operator** of a **Commercial Rooftop Patio** can apply for a noise exemption permit to allow **Live Music** for special event purposes.
- (5) Any other form of music permitted on a **Commercial Rooftop Patio** shall comply with the Town of Newmarket Noise Bylaw 2017-76, as amended.
- (6) Every **Outdoor Serving Area** that is located within 40m of the property line of an adjacent residential property shall be required to install a solid, translucent, or Opaque Barrier that is a minimum of 1.8m in height along its perimeter for the purpose of noise reduction and security.
- (7) Every **Commercial Rooftop Patio** which is illuminated in an area adjacent to a residential use shall ensure all lighting fixtures and illumination are arranged, designed, and installed to be dark sky compliant and to deflect the light down and away from residential buildings, lots, and streets.

3. That the following Section 11 be added to By-law 2020-31:

11. Repeal

- (1) Outdoor Serving Areas By-law 2016-29 is hereby repealed.

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-XX

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:

Outdoor Serving Area By-law 2016-29						
Outdoor Serving Area By-law 2016-29, as amended	1.	2.1	Operate an Outdoor Serving Area without a licence	450.00	600.00	750.00
	2.	4.3	Failure to post municipal regulations	150.00	200.00	250.00

2. That Schedule A to the By-law 2019-62 be amended to add the following section:

Business Licence By-law 2020-31						
Business Licence By-law 2020-31, as amended	3.	8.4(4)	Failure to comply with hours of operation permitted	225.00	300.00	375.00
	4.	8.4(5)	Failure to install or maintain Opaque Barrier	150.00	200.00	250.00
	5.	8.4(6)	Failure to deflect lighting	150.00	200.00	250.00
	6.	8.5(2)	Failure to comply with hours of operation permitted	225.00	300.00	375.00
	7.	8.5(3)	Permit live music contrary to by-law	150.00	200.00	250.00
	8.	8.5(6)	Failure to install or maintain Opaque Barrier	150.00	200.00	250.00
	9.	8.5(7)	Failure to deflect lighting	150.00	200.00	250.00

Enacted this 22nd day of February, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-XX

A By-law to amend Fees and Charges By-law 2019-52 being a by-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Legislative Services - Licensing Charges).

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 2019-52 to establish Legislative Services - Licensing Fees for the Corporation of the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule of By-law 2019-52.

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

- 1. That the Schedule of the By-law 2019-52 be amended to add the following fees:

Service Provided	Unit of Measure	2021 Fee
Commercial Rooftop Patio	each	\$374.00

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



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

Recreation Playbook Update Staff Report to Council

Report Number: 2021-12

Department(s): Community Services – Recreation and Culture

Author(s): Ian McDougall; Colin Service

Meeting Date: February 22, 2021

Recommendations

1. That staff be authorized to conduct a Request for Proposals (RFP) for architectural services specific to construction of an outdoor ice rink on the Ray Twinney Recreation Complex property; and,
2. That staff bring the budget impact for the aforementioned architectural services to Council for approval as part of a future supplemental capital budget report ; and,
3. That the remaining Recreation Playbook updates contained in the report be received.

Purpose

The purpose of this report is to update Council on the implementation status of the Recreation Playbook specific to the Facility Improvement and Development section of the Playbook. The prior update was provided to Council via Community Services – Recreation and Culture Information Report # 2018 – 07 dated May 31, 2018. This report will serve as a companion to the Recreation Playbook, noting the Recreation Playbook identified strategies to address needs at a given point of time. As the community continues to grow and change, the strategies identified will need to be reconsidered and in some cases updated to better reflect the current needs of the community.

As a result, this report is to serve as the most current reference document intended to inform the community and guide capital and operational planning associated with the Facility Improvement and Development section of the Recreation Playbook.

This report also serves to seek approval to initiate an RFP to secure architectural services for an outdoor ice rink on the Ray Twinney Recreation Complex property. The specific scope of work contained in the RFP will be broken into two parts. Part A will consist of schematic design, design development, costing and consultation. Part B (to be officially awarded after completion of Part A to the Town's satisfaction) will consist of tender development and support and contract administration.

Background

The Recreation Playbook, launched in 2015, serves as a ten year master plan for the community with respect to community recreation facilities and strategic program growth/development.

Discussion

Outdoor Artificial Ice Rink at Ray Twinney Complex

In the Recreation Playbook, it was recommended that the Town construct and operate a full size (NHL size) outdoor, artificial ice rink with the Ray Twinney Complex listed as the sample location. With the purchase of the Mulock property it was determined to consider that location as part of the park master planning process.

Through the detailed work conducted by PLANT (as a result of the required work under RFP-2019-030) there is a high level of confidence following design and consultation work done to date that the rink is not a suitable fit at the Mulock property.

Advancing this amenity as soon as possible is important as demonstrated through take up on community outdoor surfaces during previous winters, closure of Hollingsworth Arena, and only further reinforced through the participation demand for unstructured outdoor recreation activities seen during the pandemic. Provision of this facility also plays an important role in promoting safe recreational skating and helps keep people from using storm management ponds.

The location of the rink on the Ray Twinney Recreation Complex will take into account the pre-existing sports fields; however, depending on the preferred location, it may impact the layout of parking or access driveways and other non-programmed spaces.

Staff recommends re-aligning direction with what was stated in the original Recreation Playbook document (2015); specifically that the outdoor rink be located at a community recreation complex.

Other Recreation Playbook Facility Improvement and Development Section Updates

Outdoor Skateboard/Scooter Park:

Design and public consultation is complete thanks to the coordinating efforts of Engineering Services. Capital budget is approved with development charges serving as the funding source and construction is due to occur in 2021.

Spray Pad in Southwest Quadrant

Construction is well underway and ongoing at Dr. Margaret Arkinstall Park. Targeted opening: 2021

C.A.R.E. (Creating Accessible Recreation for Everyone) Program

As demographics change, subsidy based on ability to pay becomes a key companion policy to a service pricing policy. The Town of Newmarket has had the C.A.R.E. program in existence for a number of years. This program has been refreshed and the processes around obtaining subsidy have been modified to ensure that the dignity and confidentiality of all individuals requesting subsidy is completely respected. **Staff continue to move ahead on a detailed and comprehensive marketing plan inviting community members and businesses to donate to the C.A.R.E. Program to create sustainable funding to continue providing financial subsidy to those who qualify.**

Tennis Court Relocation

In the Recreation Playbook and subsequent reports, it was identified that the tennis courts currently located on the Community Centre Lands would be relocated to Art Ferguson Park on Bayview. This would facilitate growth for tennis as additional courts could be constructed on this site. It would also free up the Community Centre Lands to be used for other purposes. The catalyst for movement of the courts was originally to be determined as a new use for the Community Centre Lands emerged through the Community Centre Lands Task Force.

However, there was considerable feedback around the need for additional tennis courts. As well, the Newmarket Tennis Club has expressed a desire to move to accommodate additional growth of the Club. However, Art Ferguson does present some challenges with wind, required loss of a softball diamond, etc.

Staff will continue to work with representatives of the Newmarket Tennis Club to determine growth plans and needs, while also exploring opportunities in new developments and then will report back to Council in 2021/2022 with proposed timing, updated preferred location(s) and financial implications of a move.

Pickleball Courts

The tennis courts at Quaker Park were converted into six dedicated pickleball courts. As well, pickleball lines and movable nets were added to the tennis courts at Joe Persechini Park. The demand for pickleball courts continues to grow and the dedicated courts and movable courts continue to see very regular use. **Staff will continue to explore the viability of creating dual purpose courts as part of the tennis court resurfacing program.**

Northeast Quadrant & Hollingsworth Arena

The Recreation Playbook was developed through the culmination an extensive public consultation process. Through this process, it became very clear that while this quadrant boasts the majority of soccer pitches (George Richardson Park) and a large portion of the Tom Taylor Trail, the Northeast Quadrant could benefit from more neighbourhood park/play amenities within established and emerging neighbourhoods.

Development of the lands in private ownership (Briarwood) immediately adjacent to the Hollingsworth site to the south will occur (plus a small portion of the southernmost part of the Hollingsworth site that was sold to the developer). The Town has retained the remaining portion of the Hollingsworth Arena property for future park design. The arena is in the process of being demolished.

The intention is also to continue to recognize Frank Hollingsworth in some way in the future as the park is developed. This future park is also anticipated to be the location of the northeast quadrant spray pad (note: four spray pads were identified in the Playbook with one per geographic quadrant).

Conclusion

The Recreation Playbook was intended to be a living document that set forth guiding principles in the delivery of Recreation Services. It was never intended to be a prescriptive document. Staff will always continually monitor community need, impacts, trends and community expectations to develop sustainable solutions that create a vibrant and healthy community. From time to time, that may mean altering the direction set forth in the Recreation Playbook. When that occurs it will be done through extensive consultation with the community and through seeking direction from Council.

Business Plan and Strategic Plan Linkages

Well-balanced

- Striving for cultural harmony and ethnic diversity
- Events that help shape identity and contribute to community spirit

Well-equipped & managed

- Small town feel with city amenities
- Clear vision of the future and aligned corporate/business plans

Well-respected

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

Consultation

The development of the Recreation Playbook (2015) and the recommendations contained therein were all a direct result of a coordinated, considerable public engagement process spanning in excess of a year.

As part of advancing the outdoor rink it is recommended that once a particular location on the Ray Twinney Recreation Complex property is identified, the detailed design and costing will then be subject to a public engagement in order to help inform Council in advancing the project from design to construction.

Human Resource Considerations

This work will be achieved using Town staff and outside consultants.

Budget Impact

Specific to the outdoor rink at the Ray Twinney Recreation Complex, approval of the recommendations will result in a detailed costing being developed within the consultant's scope of work. Formal budget request for architectural services would come forward in an upcoming 2021 Capital Budget variance report from Financial Services along with an identified funding source (development charges).

Design work would occur in 2021. Approval for construction of the project is anticipated to be brought forward for consideration as part of the 2022 capital budget program (funding source: development charges).

It is noteworthy that the development charges used to fund the design and construction represent a shift of already anticipated funds for this amenity as part of the Mulock property project given at the time the Mulock property was the potential location for the rink. Additionally, approximately \$ 400,000 has been generated to date for this project through community fundraising and sponsorship and further fundraising is also anticipated.

Attachments

None

Approval

Ian McDougall, Commissioner of Community Services

Colin Service, Director of Recreation and Culture

Peter Noehammer, Commissioner of Development and Infrastructure Services

Mark Agnoletto, Director of Public Works Services

Rachel Prudhomme, Director of Engineering Services

Contact

Colin Service: cservice@newmarket.ca



Town of Newmarket

Minutes

Accessibility Advisory Committee

Date: Thursday, November 19, 2020
Time: 10:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Steve Foglia, Chair
Jeffrey Fabian
Linda Jones
Allen Matrosov
Patricia Monteath
Huma Tahir
Felim Greene

Members Absent: Councillor Simon
Cindy Gorlewski

Staff Present: S. Chase, Director of Innovation and Strategic Initiatives
M. Kryzanowski, Manager of Transportation Services
K. Saini, Deputy Town Clerk
J. Grossi, Legislative Coordinator

The meeting was called to order at 10:30 AM.
Steve Foglia in the Chair.

- 1. Additions & Corrections to the Agenda**
None.
- 2. Declarations of Pecuniary Interest**
None.
- 3. Presentations & Deputations**

3.1 2021 Transportation Projects

The Manager of Transportation Services provided a presentation to the Accessibility Advisory Committee regarding the 2021 transportation projects and reviewed the Staff responsible for projects. He outlined the philosophy of traffic safety at the Town of Newmarket, including the Active Transportation Network, traffic calming measures and Vulnerable Road User (VRU) safety. The presentation continued with a review of the 2021 projects which included a refuge island on Water Street and sidewalks on Harry Walk Parkway, the bollard and intersection ladder programs, bike lanes through the Active Transportation Implementation Plan (ATIP).

The Members of the Accessibility Advisory Committee queried the presenter regarding constraints surrounding bike lanes being rolled out faster, options for the VRU safety logo, and the bollard program.

The Members further discussed escooters on Town roadways, sidewalks and bike lanes, and the maintenance standards for bike lanes during all seasons.

Moved by: Jeffrey Fabian

Seconded by: Patricia Monteath

1. That the presentation provided by the Manager of Transportation Services regarding the 2021 Transportation Projects be received.

Carried

3.2 Downtown Parking Analysis

The Director of Innovation and Strategic Initiatives was in attendance to provide a presentation regarding the Downtown Parking Analysis and reviewed the evaluation criteria used to identify the short term, medium term and longer term options. She outlined the various short term options which included St. Pauls Church, street parking on Main Street, D'Arcy and Church Street. The presentation continued with additional details regarding both the medium term and longer term options which continue to be researched by Staff. She ended the presentation outlining the options explored which are not practical including, angled parking on Main Street and residential street parking near Main Street.

The Members of the Accessibility Advisory Committee provided feedback to the presenter regarding the addition of pedestrian crosswalks where parking is added to allow for accessible street crossing, and the opportunity to add accessible parking spots in all new areas where possible.

Moved by: Allen Matrosov

Seconded by: Linda Jones

1. That the presentation provided by the Director of Innovation and Strategic Initiatives regarding the Downtown Parking Analysis be received.

Carried

3.3 2020 Annual Accessibility Update

The Legislative Coordinator provided a presentation to the Accessibility Advisory Committee outlining the draft 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan for the Town of Newmarket. She provided a summary of the document and asked the Members to provide feedback before presenting the draft plan to Council for approval.

The Members provided feedback to the presenter regarding the list of completed projects included in the Accessibility Advisory Committee Update section.

Moved by: Patricia Monteath

Seconded by: Felim Greene

1. That the Accessibility Advisory Committee endorse the 2020 Annual Accessibility Status Update to the 2019-2023 Multi-Year Accessibility Plan, as amended.

Carried

4. Approval of Minutes

4.1 Accessibility Advisory Committee Meeting Minutes of September 17, 2020

Moved by: Felim Greene

Seconded by: Jeffrey Fabian

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

Carried

5. Items

5.1 Follow up regarding the North-West Quadrant Trail System Presentation from the Accessibility Advisory Committee Meeting of September 17, 2020

Jeff Fabian provided an update the Accessibility Advisory Committee following his visit to the area identified as the parking access for the North-West Quadrant Trail System. He advised that there was no accessible parking in the area and described it as a small gravel parking lot with a paved area that was very hard to get to. He further advised that he provided this feedback to Staff through the virtual Public Consultation Centre and the HeyNewmarket survey.

5.2 Touchless Door Operators

Jeff Fabian provided the Accessibility Advisory Committee with information regarding touchless door operators and options for their use in both new Town of Newmarket facilities, and during renovations of existing facilities.

Moved by: Allen Matrosov

Seconded by: Felim Greene

1. That the Accessibility Advisory Committee endorses the use of touchless door operators on future Town of Newmarket facilities, and during renovation of existing facilities.

Carried

5.3 Provincial Funding Opportunities

The Legislative Coordinator advised that the Town of Newmarket Grant Coordinator continued to review funding opportunities for accessibility projects. She further advised that the Town would provide an update to the Accessibility Advisory Committee if they received funding that could be used towards an accessibility related project.

5.4 Next Steps for Main Street Accessibility

The Members of the Accessibility Advisory Committee discussed next steps in the Main Street accessibility project, including potential funding opportunities through existing Town of Newmarket programs. The Legislative Coordinator advised that they were able to provide a presentation to the Main Street District Business Improvement Area Board of Management at one of their future meetings.

5.5 Downtown Parking Update

Note: This item was dealt with under item 3.2.

5.6 Accessible Van Parking Signs

The Members discussed the addition of accessible van parking signs to spots downtown and surrounding Riverwalk Commons.

5.7 Proposed 2021 Meeting Schedule

Moved by: Felim Greene

Seconded by: Jeffrey Fabian

1. That the 2021 meeting schedule be approved.

Carried

6. New Business

6.1 Accessible Taxis

Allen Matrosov discussed accessible taxis in Newmarket and surrounding communities, and queried the Members regarding the history of accessible taxis. He further outlined his observations in other communities which included, allowing operators exclusive rates and priority at high traffic areas such as hospitals and nursing homes to offset costs.

Steve Foglia provided his personal experience with accessible taxis in Town, private transportation companies and a brief history on the Committee's previous efforts to provide this service.

The Deputy Clerk advised that a meeting between Allen Matrosov and Licensing Staff would provide him with the opportunity to ask questions and receive information regarding our current practices.

7. Adjournment

Moved by: Jeffrey Fabian

Seconded by: Allen Matrosov

- 1. That the meeting be adjourned at 12:07 PM.

Carried

Steven Foglia, Chair

Date



Town of Newmarket

Minutes

Heritage Newmarket Advisory Committee

Date: Tuesday, December 1, 2020
Time: 7:00 PM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Billie Locke, Chair
Gord McCallum, Vice-Chair
Councillor Bisanz
Norman Friend
David McLennan
Mitch Sauder
Joan Seddon

Staff Present: P. Cho, Planner
A. Walkom, Legislative Coordinator

The meeting was called to order at 7:04 PM. Billie Locke in the Chair.

1. Additions & Corrections to the Agenda

None.

2. Conflict of Interest Declarations

David McLennan declared a conflict regarding 415 Davis Drive as his law firm represents the owner of the property.

3. Presentations/Deputations

None.

4. Approval of Minutes

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

Moved by: Councillor Bisanz

Seconded by: Mitch Sauder

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

Carried

5. Correspondence

None.

6. Items

6.1 425 Davis Drive (Union Hotel)

The Planner provided an overview of the Heritage Permit Review for 425 Davis Drive and 431 Davis Drive. She advised that most of the renovations would take place in the interior. She advised that the brick exterior would be replaced with shiplap, which was the original material used on the buildings.

Committee members discussed the timeline of the project, the exterior design proposals, and the lack of structural reports with the application.

Moved by: Councillor Bisanz

Seconded by: Joan Seddon

1. That the Heritage Newmarket Advisory Committee supports the heritage design as described; and,
2. That the Committee request that the application be resubmitted to the Committee for further review if the application is not approved as submitted.

Carried

6.2 415 Davis Drive (Denne House)

Committee members discussed the property located at 415 Davis Drive, known as the Denne House. The Planner advised that the property is listed on the Municipal Register of Non-Designated Properties. Committee members discussed the historical value of the house, the significance of the location at the corner of Main Street and Davis Drive, and the heritage features.

Moved by: Mitch Sauder

Seconded by: Joan Seddon

1. That the Heritage Newmarket Advisory Committee recommend that research regarding 415 Davis Drive commence to begin the process of heritage designation.

Carried

David McLennan took no part in the discussion or vote on the foregoing matter due to a declared conflict.

6.3 Discussion about status of Committee Review of List of Properties of Interest

Committee members discussed the review of the properties listed on the Municipal Register of Non-Designated Properties. Members discussed the criteria to be used to evaluate the properties listed and the approach going forward in the review. The Committee will continue to review the list with properties located on streets beginning with B and C.

6.4 Update on Bogart House

The Planner advised she would seek further information on a status update regarding the Bogart House.

6.5 Renewal of Community Heritage Ontario Membership

The Planner advised that the Planning Department would send payment for the renewal of the Community Heritage Ontario membership for 2021.

6.6 2021 Meeting Schedule

The August 3, 2021 meeting date was rescheduled to August 10, 2021 due to the Civic Holiday.

Moved by: David McLennan

Seconded by: Mitch Sauder

1. That the 2021 Meeting Schedule be approved as amended.

Carried

7. Reports of Committee Members

7.1 Designated Property Maintenance and Concerns

The Planner advised that a new plaque would be created to replace an existing plaque which had been stolen.

7.1.1 Site Plaques

7.1.2 Residence Plaques

7.1.3 Heritage Location Plaques

8. Committee Reports

8.1 Elman W. Campbell Museum Board

Billie Locke advised that the Museum is closed and will not reopen until June 2021 at the earliest. She advised that the Elman W. Campbell Museum Board will not be meeting until March 2021.

8.2 Lower Main Street South Heritage Conservation District Advisory Group

Mitch Sauder provided an update on the properties which had been reviewed by the Lower Main Street South Heritage Conservation District Advisory Group including the Old Fire Hall property, 225 Main Street South and 209 Main Street South.

9. New Business

None.

10. Adjournment

Moved by: Joan Seddon

Seconded by: Gord McCallum

1. That the meeting be adjourned at 8:07 PM.

Carried

Chair

Date



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Wednesday, January 6, 2021

Time: 8:30 AM

Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Councillor Kwapis
Councillor Twinney
Rob Clark
Debbie Hill
Jennifer McLachlan
Omar Saer (9:02 AM - 10:34 AM)
Ken Sparks

Members Absent: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Mark Iacovetta

Staff Present: E. Hawkins, Business Development Specialist
K. Saini, Deputy Clerk
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

Guests: Darryl Erentzen

The meeting was called to order at 8:31 AM.
Councillor Kwapis in the Chair.

1. Additions and Corrections to the Agenda

None.

2. Conflict of Interest Declarations

None.

3. Presentations & Recognitions

None.

4. Deputations

None.

5. Approval of Minutes

5.1 Main Street District Business Improvement Area Board of Management Meeting Minutes of December 16, 2020

Moved by: Jennifer McLachlan

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of December 16, 2020 be approved.

Carried

6. Items

6.1 Digital Main Street Grant Contract

The Main Street District Business Improvement Area Board of Management discussed the Digital Main Street Grant Contract and reviewed the project scope to determine whether or not they wanted to enter into the contract. The Board further discussed the deliverables outlined in the scope and queried Staff on its validity. The Business Development Specialist advised that Town of Newmarket Staff have reviewed the contract for legality, but do not vet scope as that is done by the individual departments/parties.

Darryl Erentzen, vendor, provided information to the Board regarding the scope and advised that the initial scope included maintenance costs, but they were removed due to costing and vision alignment. The Board queried Darryl on the scope outline and his experience with other BIAs and he advised that he did not have experience working with other BIAs. He further advised that due to the tight timelines, the scope was

developed to be open ended and allow collaboration with the Board after approval.

The Board further discussed timelines within the scope and those provided by the Toronto Association of Business Improvement Areas (TABIA), while concluding that the timelines could not be extended. If timelines were not met, the funding would be forfeited and the BIA could apply for future funding opportunities when available.

6.2 snapd Gift Card Program Contract

Rob Clark provided the Main Street District Business Improvement Area Board of Management with an update regarding the snapd Gift Card Program which will allow residents to purchase gift cards from a variety of Main Street merchants on a single website. He further explained that it was a cost effective solution for all merchants on the street and by using the snapd hub technology, there would be a link on the current Main Street Newmarket website used to directed to the purchase website. He also outlined a rough cost breakdown based on the number of merchants who take part in the program, and the advertising opportunities.

The Business Development Specialist queried the Board on the terms in the contract regarding length of the program and length of commitment. The Board discussed a minimum of one year commitment to the program by both parties.

Moved by: Omar Saer

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area (BIA) Board of Management approve up to \$5000 to be spent on the snapd Gift Card Program; and,
2. That a clause committing snapd to continue offering the service to the BIA for the contract price, for a minimum of one year, be added to the contract before signature.

Carried

6.3 Strategic Priority Update

Note: This update was provided in item 6.4. See item 6.4 for more information.

6.4 Sub-Committee Reports

- **Street Events**
Jennifer McLachlan advised that a pub crawl event was being researched for when the pandemic restrictions allowed it. Further updates will be provided throughout the year.
- **Advertising**
Rob Clark advised that the Main Street BIA Holiday Shopping Contest received approximately 550 entries and the metrics will be shared with the Board for further review. Jennifer McLachlan offered her Staff to assist with pulling the metrics from the entries.
- **Strategic Priority**
The Board advised that there were no further updates on the Strategic Priorities at this time.
- **COVID-19 Marketing & Advertising**
The Board advised that no funds were spent from their allocated budget since the last update, and that the invoice from Blooming Wellies regarding the wreath decorations was still outstanding. Jennifer McLachlan advised that she would reach out and get the invoice as soon as possible.

Moved by: Rob Clark

Seconded by: Omar Saer

1. That the Main Street District Business Improvement Area Board of Management approve a payment of \$250 to each of the two videographers who assisted in developing the Candlelight Christmas video, totaling \$500.

Carried

6.5 Garbage Update

Councillor Kwapis advised that there was no new updates regarding garbage at this time. Debbie Hill advised that one of the bins does not have a lock on it and that it was full. Staff advised that they would bring this to the attention of the appropriate department for remedy.

6.6 Parking Update

Councillor Kwapis advised that there was no update at this time, and updates would continue to be brought forward when appropriate.

6.7 Staff Update

6.7.1 Financial Update

The Business Development Specialist advised that a more fulsome update would be available for the next meeting as the Town of Newmarket is currently working on reports for the 2020 year end.

6.7.2 Financial Incentive Program Staff Working Group Update

The Business Development Specialist advised that a 2020 review of the Financial Incentive Program would be available at the next meeting, as some projects were still being wrapped up and year end was being prepared.

7. New Business

7.1 Business Improvement Area (BIA) Boundaries

The Board discussed the current BIA boundaries and asked Staff to provide an update at the next meeting regarding the opportunity to expand the boundaries.

7.2 COVID-19 Public Health Regulations

The Board advised that there are businesses on Main Street who are not adhering to the Provincial and Regional health regulations, Staff advised that any instances can be shared with Customer Services and a Municipal Enforcement Officer will follow up. Councillor Kwapis advised that the Officers have been very diligent in providing all businesses with an education first approach.

8. Closed Session

Moved by: Jennifer McLachlan

Seconded by: Councillor Twinney

1. That the Main Street District Business Improvement Area Board of Management resolve into Closed Session to discuss the following matter:
 - a. Digital Main Street Grant Contract - 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 Main Street District Business Improvement Area Board of Management resolved into Closed Session at 9:17 AM.

The Main Street District Business Improvement Area Board of Management (Closed Session) Minutes are recorded under separate cover.

The Main Street District Business Improvement Area Board of Management resumed into Open Session at 9:48 AM.

8.1 Digital Main Street Grant Contract

Moved by: Rob Clark

Seconded by: Jennifer McLachlan

1. That the Main Street District Business Improvement Area Board of Management form a website sub-committee composed of Rob Clark, Debbie Hill, Ken Sparks, Councillor Kwapis and Jennifer McLachlan.

Carried

Moved by: Jennifer McLachlan

Seconded by: Ken Sparks

1. That the Main Street District Business Improvement Area (BIA) Board of Management defer the signing of the Digital Main Street Grant Contract until additional clarity can be provided by the Toronto Association of Business Improvement Areas (TABIA); and,
2. That the Website Sub-Committee provide an update regarding the status of the contract at the next BIA meeting.

Carried

9. Adjournment

Moved by: Rob Clark

Seconded by: Omar Saer

1. That the meeting be adjourned at 10:34 AM.

Carried

Councillor Bob Kwapis, Chair

Date



Town of Newmarket
Minutes (Special Meeting)
Main Street District Business Improvement Area
Board of Management

Date: Tuesday, January 12, 2021
Time: 8:00 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Councillor Kwapis, Chair
Councillor Twinney
Rob Clark
Debbie Hill
Jennifer McLachlan
Ken Sparks

Members Absent: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Mark Iacovetta
Omar Saer

Staff Present: P. Voorn, Associate Solicitor
E. Hawkins, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 8:12 AM.
Councillor Kwapis in the Chair.

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. Deputations

None.

5. Items

5.1 Digital Main Street Grant Contract

The Members of the Main Street District Business Improvement Area Board of Management discussed opinions expressed from additional members who were unable to attend the meeting, which included the possibility of signing the contract and using the funds to update the current website. The members discussed the approved scope and possible revisions that could be proposed to allow the grant funding to be more flexible and convenient for the intended project.

The Business Development Specialist and the Associate Solicitor advised the Board that any proposed changes must be approved by the Toronto Association of Business Improvement Areas (TABIA) before signing the contract because the currently approved scope does not capture anything outside of the project. The Associate Solicitor further advised that a separate contact with the vendor was required before work started on the approved scope projects.

The Board further discussed options for ecommerce websites, gift card programs, content marketing and project timelines, all which were to be further discussed between the Chair and a TABIA representative prior to signing the contract.

Moved by: Rob Clark

Seconded by: Jennifer McLachlan

1. That the Main Street District Business Improvement Area Board of Management (the Board) delegate authority to the Chair, or their designate, to sign the contract between the Board and the Toronto

Association of Business Improvement Areas (TABIA) regarding the Digital Main Street Grant, after clarification of the following: That the approved scope allows for the inclusion of an e-commerce gift card program in phase two; and, That the flexibility of the approved scope is confirmed to include additional content marketing in phase two; and,

- a. That the approved scope allows for the inclusion of an e-commerce gift card program in phase two; and,
 - b. That the flexibility of the approved scope is confirmed to include additional content marketing in phase two; and,
2. That, if it is deemed that the scope does not permit the above, the Chair, or their designate, has authority to negotiate on behalf of the Board.; and,
 3. That the Chair, or their designate, be authorized to do all things necessary to execute the grant.

Carried

6. Closed Session

Councillor Kwapis advised that there was no requirement for a Closed Session.

6.1 Digital Main Street Grant Contract

[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.]

7. Adjournment

Moved by: Jennifer McLachlan

Seconded by: Rob Clark

1. That the meeting be adjourned at 8:42 AM.

Carried

Tom Hempen, Chair

Date



Newmarket Public Library Board

Minutes

Date: Wednesday, November 18, 2020

Time: 5:30 PM

Location: Electronic VIA ZOOM

Members Present: Darcy McNeill, Chair
Darryl Gray
Leslee Mason
Art Weis
Victor Woodhouse

Members Absent: Jane Twinney, Vice Chair
Kelly Broome

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

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

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

2. Adoption of Agenda Items

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

Motion 20-11-142

Moved by Victor Woodhouse

Seconded by Art Weis

That items 2.1 to 2.3 be adopted as presented.

Carried

3. Declarations

4. Consent Agenda Items

4.1 Adoption of the Regular Board meeting minutes for October 21, 2020

4.2 Strategic Operations Report for October, 2020

Motion 20-11-143

Moved by Art Weis

Seconded by Victor Woodhouse

That items 4.1 to 4.2 be adopted as presented.

Carried

5. Reports

5.1 Update on Library Re-opening in Alignment with COVID-19 Response Framework

The report outlined the Library's preparation for the next steps to re-introduce services when able to do so. The Library's current status is now in the Red-Control of the COVID-19 Framework.

Motion 20-11-144

Moved by Darryl Gray

Seconded by Leslee Mason

That the Library Board receive the report on Library Re-opening in alignment with COVID-19 Response Framework;

And That the Library Board authorize the C.E.O. to take all actions necessary to give effect to further re-opening in alignment with the Framework as described.

Carried

5.2 Strategic Planning Options

The Library Board reviewed the report on Strategic Planning options and agreed with the recommendation to engage a full-service consultant.

Motion 20-11-145

Moved by Darryl Gray

Seconded by Victor Woodhouse

That the Library Board receive the report on Strategic Planning Options;

And That the Library Board authorize the release of a request for quotation for a Strategic Planning consultant.

Carried

6. Business Arising

6.1 Final Dissolution of York Info Partnership

It was requested that the Library Board approve the balance of the funds from the dissolution of the York Info partnership be transferred to the Strategic Plan Implementation reserve account.

Motion 20-11-146

Moved by Art Weis

Seconded by Leslee Mason

That the Library Board receive the report on the dissolution of the York Info partnership;

And That the Library Board authorize the C.E.O. to finalize the dissolution of the York Info partnership by transferring Newmarket Public Library's portion of the distributed surplus to the Strategic Plan Implementation Reserve Account.

Carried

6.2 Extension of Temporary COVID-19 Policies

The Temporary Face Covering Policy and Temporary Contact Tracing Policy will be amended to remove the expiry date.

Motion 20-11-147

Moved by Victor Woodhouse

Seconded by Art Weis

That the Library Board receive the report on Extension of Temporary COVID policies;

And That the Library Board approve the extension of the Temporary Contact Tracing Policy and the Temporary Face Covering Policy until such time as no regulation requiring or recommended these policies in effect.

Carried

6.3 Consolidated Revisions to Governance Policy

The Board reviewed the revisions to the Library Board Governance Policy.

Motion 20-11-148

Moved by Darryl Gray

Seconded by Art Weis

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

And That the Library Board approve the Governance Policy as presented.

Carried

6.4 Library Board Action List

The Library Board reviewed the Action List.

Motion 20-11-149

Moved by Victor Woodhouse

Seconded by Darryl Gray

That the Library Board receive the Action List as presented.

Carried

7. **New Business**

There was no new business.

8. **Closed Session (If required)**

9. **Dates of Future Meetings**

9.1 The next Regular Board meeting is scheduled for Wednesday, December 16, 2020 at 5:30 pm. Location electronic via Zoom

10. **Adjournment**

Motion 20-11-150

Moved by Victor Woodhouse

Seconded by Art Weis

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

Carried

Darcy McNeill, Chair

Todd Kyle, Secretary/Treasurer



Newmarket Public Library Board

Minutes

Date: Monday, January 4, 2021
Time: 11:15 AM
Location: Electronic VIA ZOOM

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

Members Absent: Art Weis

Staff Present: Lianne Bond, Administrative Coordinator

1. Special Closed Session Meeting - Open Session

The Chair called the meeting to order at 11:25 am

2. Link to Open Session meeting

The meeting was held electronically via Zoom

3. Adoption of Agenda Items

3.1 Adoption of the Closed Session Agenda

Motion 21-01-151

Moved by Victor Woodhouse

Seconded by Kelly Broome

That item 3.1 be adopted as presented.

Carried

4. Declarations

None were declared.

5. Closed Session

- 5.1 Personal matters about an identifiable individual per section 16.1.4 (b) of the Public Libraries Act, R.S.O. 1990 Chapter P. 44

Motion 21-01-152

Moved by Kelly Broome

Seconded by Leslee Mason

That the Library Board move in to Closed Session at 11:30 am for personal matters about an identifiable individual.

Carried

Motion 21-01-153

Moved by Jane Twinney

Seconded by Darryl Gray

That the Library Board move out of Closed Session at 11:40 am.

Carried

Motion 21-01-154

Moved by Kelly Broome

Seconded by Victor Woodhouse

Motions Arising from Closed Session:

That the Library Board receive the report regarding personal matters pertaining to an identifiable individual;

And that the Library Board appoint an interim Acting CEO as outlined in Closed Session until such time as a replacement permanent full-time CEO has been hired;

And that a Hiring Committee be established as reported in Closed Session to commence the recruitment process to hire a permanent full-time CEO.

Carried

6. Adjournment

Motion 21-01-155

Moved by Kelly Broome

Seconded by Victor Woodhouse

That there being no further business the Library Board adjourn at 11:42 am.

Carried

Darcy McNeill, Chair

Todd Kyle, Secretary/Treasurer



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

Covid-19 Pandemic Financial Impact and Service Delivery Options Staff Report to Council

Report Number: 2021-13

Department(s): Financial Services

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

Meeting Date: February 22, 2021

Recommendations

1. That the report entitled Covid-19 Pandemic – Financial Impact and Service Delivery Options dated February 22, 2021 be received; and,
2. That Council provide direction on service level options; and,
3. That staff provide monthly progress reports; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

The Covid-19 pandemic could create a significant deficit for the Town of Newmarket's tax supported operating budget. The extent of this impact is dependant on how long restrictive measures are in place and on which service delivery options are chosen by Council.

It must be emphasized that the projections presented in this report are based on the best information prepared at a certain point in time. These are estimates under the current understanding and measures in place. There is a lot in motion. As the Province brings in changes to regulations during the emergency period, costs and savings are subject to fluctuation.

However, there are decisions that need to be made on a timely basis.

Purpose

Normally, Financial Services would prepare a financial update with the results of the first quarter of the year – usually distributed in May. To facilitate proper planning, staff require direction of possible adjustments to service levels. The purpose of this report is to provide Council with information that they may provide that direction.

Background

On December 14, 2020, Council approved the 2021 budgets. These budgets assumed returning to a more normalized level of business. The Covid-19 pandemic continues to challenge achieving that goal.

The [Draft 2021 Operating and Capital Budgets Report 2020-96](#) addressed the funding for the financial impact of Covid-19. It projected the net cost for service delivery responses, Operations Centre health and safety precautions, the Financial Relief Program and support for local businesses. Funding would be from the new Contingency Reserve with an excess funded from the Rate Stabilization Reserve.

[Report 2020-87, Service Delivery Responses in line with Provincial Covid-19 Responses](#), was presented to Committee of the Whole on November 16, 2020. [Report 2021-02, 2021 Financial Relief Program in Response to Covid-19](#) was adopted by Council on January 18, 2021.

Current status

The Covid-19 pandemic has created challenges to meeting the approved budget. The projected variances, based on existing circumstances and Council's prior decisions are summarized below.

This is our default position, the starting point. It assumes that we will not return to “normal” until 2022. Decision point, options for Council, are provided in the Discussion section.

	Winter/Spring To June	Summer July to August	Autumn Sept. to Dec.	Full year
Service delivery	\$ 1,350,000	\$ 620,000	\$ 666,000	\$ 2,636,000
Health and safety	\$ 200,000	\$ 90,000	\$ 80,000	\$ 370,000
Financial Relief Program	\$ 176,000	\$ 38,000	\$ 75,000	\$ 289,000

Support for local businesses	\$ 40,000	\$ 20,000	\$ 40,000	\$ 100,000
By-law enforcement	\$ 72,000	\$ 43,000		\$ 115,000
	\$ 1,838,000	\$ 811,000	\$ 861,000	\$ 3,510,000

Service Delivery

There will be reduced revenues and increased costs to deliver services to the public in 2021. Report 2020-87, Service Delivery Responses in line with Provincial Covid-19 Responses, provided details to Committee of the Whole on November 16, 2020.

There have been two updates since then:

- Two months of lockdown has added \$500,000 in net operational costs
 - \$600,000 in lower net revenues for Recreation & Culture
 - Partially offset by \$100,000 in Facility savings
- Lost revenue on parking tickets; bingo, lottery and other licences is projected to be \$380,000

Some of the assumptions are:

- Continue operating the fitness centre out of the dry pad rink until September
- A modified summer camp program that complies with public health measures, at a reduced number of sites
- Open the Ray Twinney pool at the start of June
- Open Gorman Pool with reduced capacities and programming in accordance with public health requirements
- Offer 5 to 10 modified special events in accordance with public health requirements

Service level options are provided below.

Health and safety

Health and Safety representatives and management have proposed physical modifications, improvements and trailer rentals to achieve acceptable spacing for Public Works staff at the Operations Centre, in line with Public Health requirements.

The measures to protect staff will be \$20,000 a month. An additional; \$130,000 will be required to accommodate summer seasonal hires.

Financial Relief Program

The 2020 Financial Relief Program expired on January 31, 2021 and was replaced by the 2021 program approved by Council on January 18, 2021. The new program is scheduled to last until the end of the year. If circumstances change, Council could change that.

The following summarizes the projected financial impact of the financial relief program:

Measure	Tax-supported Budget	Rate-supported Budget
2020 Financial Relief Program extended to January	\$ 83,000	
Waving penalties and interest (applications)	\$ 180,000	
Enhanced rebate programs for residents	\$ 13,500	\$ 10,000
Rebate program for small businesses		\$ 420,000
Administrative staff	\$ 12,500	\$ 12,500
subtotal	\$ 289,000	\$ 442,500
Less adjustment to Region's water charges		\$ 442,500
	\$ 289,000	\$ 0

Support for local businesses

The original amount included with the 2021 draft budget was for up to \$50,000, but Council increased it to \$100,000. The plan is to continue support of the local business community's recovery programs with the new programs developed throughout the pandemic to help support local business (i.e. Business Assistance Concierge Program (BAC); Mentorship Access Program (MAP); Shop Local campaign; expanded patio support program, etc.), while also striving to re-focus on programs, projects and initiatives that historically (pre-pandemic) were focus areas in helping to grow a diverse, strong local economy.

There will be a separate report with details on this in the next 30 days.

By-law Enforcement

To support existing staff with Covid-19 enforcement, eight part-time by-law ambassadors will be hired for a period of six months (until approximately mid-summer). Staff expect to initially recruit the additional staff complement from the Town staff who were recently laid off due to the pandemic. These former staff members have customer service and accessibility training, which could reduce the amount of time spent in orientation. These eight additional staff will need technology to support their work in being by-law ambassadors, such as iPads or phones to allow in-field communication. The by-law ambassadors will be responsible for supporting Municipal Law Enforcement Officers through an 'observe and report' function. Any matters requiring enforcement actions will be escalated to a Municipal Law Enforcement Officer. Funding for eight additional staff resources and technology over a period of six months is expected to cost the Town \$115,000.

Community Support

In 2020, Council directed that \$50,000 be provided for meal support to the community. This was done through subsidies and direct programming. There is \$18,000 that was allocated but unspent and will be available for use in 2021. As part of the 2021 budget process, Council approved an additional \$15,000, bringing the total to \$33,000

Funding

In approving the 2021 budget report, Council has adopted the recommendation:

That costs for the Covid-19 pandemic outlined in this report in excess of the Contingency, be funded by the Rate Stabilization Reserve

The Contingency Reserve will be able to provide \$1,469,000:

- \$200,000 from the estimated 2020 surplus, the remainder of the Safe Restart phase 1 funding
- \$769,000 from the Safe Restart phase 2 funding
- \$500,000 from the 2021 contingency levy included in the 2021 budget

In addition to drawing on \$1.5 million in the Corporate Rate Stabilization Reserve, consideration can be given to other reserves as well. For instance, it would be appropriate to fund \$100,000 in support for local businesses from the Economic Development Reserve.

There is a review of reserves and reserve funds underway, as part of the implementation of the Fiscal Strategy which may identify the other potential funding sources.

Although it is very early in the year, projections have been provided for discussion purposes. Please note that there has been insufficient time to test the assumptions. Monthly updates will include revisions as required.

Discussion

Options for Council

These are the decision points for Council to provide direction on. They include adjustments to fees and charges and service levels. Consideration has been given to significant financial impact while minimizing disruption to the public:

1. Maintaining the garbage bag limit at 5

In response to the pandemic, the Town changed its garbage bag limit in 2020 from three (3) bags to five (5) per household, which is collected every two weeks on the regular scheduled collection day. As a result of this service level change there was an increase in tonnages collected and in turn higher costs.

Potential cost: \$34,000

2. Reduced maintenance levels

This would include:

- Postpone playground rehabilitations by extending the life cycle of playground equipment, temporarily for an additional two years
- Reduce the frequency of grass cutting, to the service level applied in 2020 (10 working day rotation)
- Reduce the number of sport fields being maintained for permitted play by 50%
- Reduce the catch basin cleaning program by 50%
- Reduce the tree planting program by 50%

Please note that these recommendations should not have a significant impact on the long term condition of the assets noted.

Potential savings: \$500,000 tax-supported (\$125,000 stormwater rate-supported)

3. Magna Fitness Centre & Ice Considerations

Details of this option are in Appendix A.

Potential cost: \$60,000

4. Cancel Summer Camp Programs for 2021

This option would see no summer camp program offered again in 2021. There is currently a full-time position vacancy that oversees these programs. This position would not be filled until 2022 if no camps are offered in 2021.

Potential savings: \$10,000

5. Open Ray Twinney Pool in September

It is anticipated that by September the capacity will be increased and swimming lessons will be able to resume.

Potential savings: \$130,000

6. Do not open Gorman Pool this summer

This option represents the best potential cost savings but eliminates the service for residents – though service will be reduced this year to accommodate public health requirements.

Potential savings: \$60,000

7. Offer no special events until the fall

This option provides the greatest financial relief but deprives residents of opportunities they are looking for after the extended lockdown periods.

This will allow for events to be organized monthly in accordance with the public health requirements during the various stages of recovery.

Potential savings: \$100,000

In total, the above measures, exclusive of potential cost increases, offer potential savings of \$800,000.

Conclusion

There are a lot of unknowns: how long will restrictions be in place and what level will they be at. Regardless, operational and financial decisions need to be made now with the best information we currently have.

Updates will be provided on a monthly basis to monitor results and provide the opportunity to make operational and financial adjustments as required.

Business Plan and Strategic Plan Linkages

This report supports the Council priority of maintaining long-term financial stability while ensuring a thriving community.

Consultation

Members of the Strategic Leadership Team and Back to Business Task Force participated in the preparation of this report and the supporting analysis.

Human Resource Considerations

Recommendations within this report will have no impact on regular staffing levels, however based on the services referenced this may impact the hiring of casual/seasonal/sessional staff.

Budget Impact

On December 14, 2020, Council approved the 2021 budgets. These budgets assumed returning to a more normalized level of business. The Covid-19 pandemic is projected to create a deficit with reduced revenues and increased expenses. This forecast assumes that we will not return to “normal” until 2022.

To summarize the potential budget challenge:

Projected budget shortfall – Current Status	\$ 3,510,000
Contingency reserve available for 2021	\$ 1,469,000
	\$ 2,041,000

To offset this the report identified:

Return to “normal” prior to 2022	TBD
Council options for potential savings	\$ 800,000
Drawing on the Corporate Rate Stabilization Reserve	\$1,500,000
Drawing on the Economic Development Reserve	\$100,000
Use of other reserves and reserve funds	TBD
Potential offsets	\$ 2,400,000

Although we have identified options to mitigate our current projected challenges, it is important to stress that this is drawing on resources that will not be available, at the same level or potentially at all, later in 2021 or 2022.

Attachments

Appendix A – Magna Fitness Centre & Ice Considerations

Approval

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

Esther Armchuk, LL.B
Commissioner, Corporate Services

Jag Sharma
Chief Administrative Officer

Contact

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

Appendix A – Magna Fitness Centre & Ice Considerations

Background

In the Spring of 2020, amidst the initial lockdown, the Town of Newmarket proceeded with an already planned replacement of all existing fitness equipment. Given the dynamics of the pandemic, the need for additional space, and the decreased ice demand at that time, a determination was made to have the equipment set up on a dry pad arena floor. This enabled all equipment to be utilized and spaced in appropriately in accordance with public health regulations.

When the pandemic continued in the fall, all minor sport organizations were able to be accommodated within 4 ice pads – 2 at Magna and 2 at Ray Twinney complex. When lockdown restrictions were implemented again, all ice pads were forced to close again.

During this closure, Southlake Hospital approached the Town asking to utilize an ice pad surface to accommodate a mass vaccination site. This was intended to be a short term rental to vaccinate essential health care workers.

The Town had previously signed a Memorandum of Understanding with York Region to administer a vaccination clinic at Ray Twinney Complex when they were ready to begin public vaccinations. As such, it was determined that Southlake would occupy Pad 2 at Ray Twinney Complex. When there used finished, the site would then be handed over to York Region for administration of the public vaccination program. It was determined that ice could be made on the Forhan Ice Pad at Magna (which had not previously been in use) to make up for the loss of Pad 2 at Ray Twinney. This would mean that four ice pads would still be available to accommodate needs of the minor sport organizations.

Issues arose with acquiring appropriate volumes of vaccination. Consequently Southlake has been delayed and is requiring use of the facility until June. York Region needs to move forward with launching the public vaccination clinic towards the end of March, beginning of April. York Region will need to make use of Pad 1 at Ray Twinney.

This would leave the inventory of ice available to only 3 of the 6 pads available – the 2 pads at Ray Twinney would be dedicated to the vaccination site and one pad at Magna currently houses the Fitness Centre. User groups have expressed a desire to try and continue with all of their programs through extended ice seasons (running into end of May). All of the needs expressed by the user groups can not be met fully with only 3 pads of ice. Conversely, moving the Fitness Centre would have implications on the membership and use of that facility.

Options

There are two options to consider at this time. The first option is to proceed with the Fitness Centre on one of the dry pads. The second option to move the Fitness Centre back to its intended location and the surrounding hallway/lobby spaces and put ice back in at Magna as soon as possible. The financial benefits and challenges of each option, as well as a financial comparison are included below:

Option 1 – Fitness Centre Remains on Dry Pad

In this option, the Fitness Centre would remain on the dry pad until the end of the summer. It would then be moved back to its original location in September, 2021 to ensure that the next season ice schedule maximizes the use of as many ice pads as possible.

Benefits – this option provides the optimal experience for members of the Newmarket Fitness Centre, and is more cost effective. There are currently 900 families who continue as members of the facility. By remaining on the dry pad, as the stages of reopening permit, more individuals can be safely accommodate in this space. Members have expressed that they have continued their membership because of the extra space afforded on a dry pad. The Fitness Centre provides a valued outlet for physical activity with strong links to improved mental health for adults within our community.

Challenges – this option removes an ice pad that would be utilized to support youth participation and could impede the ability of minor sport organizations to deliver a completed season. This youth participation is impacted to ensure that an outlet for physical and mental health is provided for adults.

Option 2 – Move the Fitness Centre back to original location and adjacent spaces

In this option, the Fitness Centre would be relocated back to its original location and all adjacent spaces would be utilized to ensure that as much equipment as possible could be utilized. It is expected that the original space and adjacent spaces could accommodate approximately 50% to 60% of the existing pieces of equipment to ensure that public health requirement of 3 metres of space between equipment is maintained.

Benefits – This option would ensure that ice is made available to accommodate minor sport organizations, consistent with past practice of prioritizing opportunity for children first. Additionally, the Red Zone only allows for 10 participants at one time. This could be easily accommodated in this space. On an ice pad, a significant amount of space is wasted when only 10 individuals can be accommodated.

Challenges – Given the current location of the Fitness Centre on a dry pad, reopening the fitness centre will be delayed while preparations for movement of equipment are made and executed. This will mean the loss of a month's worth of membership revenue, and additional moving and set up expenses. It is anticipated that at least 40 to 50% of existing members would either cancel or keep memberships on hold in this new location. It should be noted that this would gain around 2.5 months of ice revenue, while compromising one full month of total fitness revenue and reduced revenues (by 40 to 50%) for 5 months.

Financial Considerations

Item	Option included in Reforecast	Alternate Option
Moving/Set up expenses	\$15,000	\$40,000
Ice Revenue	\$0	-\$87,500 (\$35,000 per month x 2.5 months)
Fitness Revenue	-\$210,000 (\$35,000 per month x 6 months)	-\$87,500 (\$17,500 per month x 5 months, reflects no revenue for March)
NET	-\$195,000	-\$135,000
Key Assumptions:		
<ul style="list-style-type: none"> - Staffing for Fitness Centre will remain constant in either option. - That at least 50% of fitness members will continue in a new set up 		

Staff recommend Option 1, which keeps the Fitness Centre in its current location is a more fiscally prudent option, improving the overall position of the organization by approximately \$60,000.

Please please recognize the need to open the Gorman pool this summer 2021. Saving money cannot be a reason to add to the closure of a community service so important to mainly fringe lower income citizens. There is no doubt that the pool can open safely as can the farmer's market. Opening of community spaces is essential for everyone's mental health going forward in more ways than one! Life must go on albeit at a smaller scale and with more protocols but outdoor events can be safe!!!!

Susan Dowell

1. Opening the pool CAN be done safely with protocols such as pre-booking, contact tracing and limiting numbers. These protocols can be seen everywhere else in society, in businesses and other activities all across North America.
2. If beaches, gyms, basketball courts, tennis courts etc. can all be open across Ontario, why not the Newmarket outdoor pool?
3. The activity of swimming is one that ensures peoples' health and well being- both mentally and physically. Certainly needed during a pandemic.
4. The outdoor pool is a community hub and shouldn't be dismissed lightly.
5. The costs savings for closing this are insignificant. Is it all about the money? Closing the pool is estimated to save \$60,000 out of a total town budget of \$137,000,000 !!! That's only 0.0043% !! I'm sure the town can find better ways to save money.
6. There would also be a loss of employment and valuable skills for city workers employed there over the summer (often young people getting valuable work experience, not to mention income).
7. The activity of swimming was deemed SAFE by numerous epidemiologists around the world and poses no risk of transmission in the water. This is why beaches (without germ-killing chlorine) remain open.
8. By continually closing and limiting activities and areas, you only tend to concentrate and funnel people to other 'open' activities, thus increasing Covid transmission within the community. We saw this time and again over the year.
9. Mostly, it's been an incredibly hard year, and something to help brighten the days of the local community is certainly welcomed.
10. Lack of direction. From the public outcry over this decision, I've yet to see anyone vocally stand up and request that the pool be closed. Those who feel unsafe can simply choose to not go.

--

Carl Milroy - resident

Gorman pool is an important asset for families in Newmarket, particularly those who are not lucky enough to have access to cottages or backyard pools. Families who have been confined to apartments or townhouses have been at a great disadvantage during the pandemic lockdown. These families will need the Gorman Pool this summer more than any other summer. The projected savings of \$60 000 is a minimal savings based on the Town budget.

Please allow the pool to be open this summer.

Elaine Adam

Good afternoon,

It has been brought to my attention that there is a motion to have Gorman Pool to remain closed this summer (2021). I am not in favour of the pool being closed, and would very much like to see it reopened, albeit safely. Along with fellow residents, I believe the following to be true and stand by this as a fair argument to have Gorman Pool opened for 2021:

1. Opening the pool CAN be done safely with protocols such as pre-booking, contact tracing and limiting numbers. These protocols can be seen everywhere else in society, in businesses and other activities all across North America.
2. If beaches, gyms, basketball courts, tennis courts etc. can all be open across Ontario, why not the Newmarket outdoor pool?
3. The activity of swimming is one that ensures peoples' health and well being- both mentally and physically. Certainly needed during a pandemic.
4. The outdoor pool is a community hub and shouldn't be dismissed lightly.
5. The costs savings for closing this are insignificant. Is it all about the money? Closing the pool is estimated to save \$60,000 out of a total town budget of \$137,000,000 !!! That's only 0.0043% !! I'm sure the town can find better ways to save money.
6. There would also be a loss of employment and valuable skills for city workers employed there over the summer (often young people getting valuable work experience, not to mention income).
7. The activity of swimming was deemed SAFE by numerous epidemiologists around the world and poses no risk of transmission in the water. This is why beaches (without germ-killing chlorine) remain open.
8. By continually closing and limiting activities and areas, you only tend to concentrate and funnel people to other 'open' activities, thus increasing Covid transmission within the community. We saw this time and again over the year.
9. Mostly, it's been an incredibly hard year, and something to help brighten the days of the local community is certainly welcomed.
10. Lack of direction. From the public outcry over this decision, I've yet to see anyone vocally stand up and request that the pool be closed. Those who feel unsafe can simply choose to not go.
11. Lack of public consultation. When was the public consulted on this? There was none. This motion was slipped into the agenda, which is not right.

Looking forward to your support on this matter,

Rachel Diltz
Eagle Street Resident

To whom it concerns

It has been brought to my attention that there are plans to close the Gorham Pool once again this year.

I feel this is a big mistake. So many activities have been jeopardized as a result of Covid. We need all the outdoor recreation facilities that can possibly be up and running this summer. People need activities to take part in within our own Town. Not everyone has the privilege of going to the lake.

Its very disappointing to think the Town is considering this move. I feel with Covid safety measures in place, this outdoor pool is an important activity to keep going.

Another year of closure, makes me think there are some of our officials who would like to see it closed for good.

I, for one, along with many others in the community will be very disappointed to see this facility once again shut down for the season.

Definitely not a positive move.

Regards,
Faye Longhurst

February 21, 2021

RE: Committee Of the Whole (CoW), February 22, 2021, Agenda Item 7.1 Service Delivery Option Report, Point #6, potential of closing the Peter Gorman Swimming Pool for the 2021 season:

Dear Mayor and Council:

Please forgive my last-minute email, but it has just been brought to my attention that the Service Delivery Option Report proposes the closure of the Peter Gorman Swimming Pool for the second year in a row.

I am very disappointed (devastated actually) that this beloved facility might not open again this summer. This outdoor pool offers so much value to the entire community, namely children, teens, adults and seniors, not mention the New'ark'et dogs (when socially acceptable).

As we are all aware, the benefits of 'outdoor' activities are vital to our physical, mental and emotional health, all the while enhancing exposure to fresh air and vitamin D, boosting moods, and reducing stress. This is especially important to residents during Covid-19. As a retired senior, I valued the opportunity to exercise outdoor at this pool. I know that I and many of my aqua fit friends sorely missed our regular exercise in 2020.

It is my wish that this proposal be either rejected or deferred to give residents adequate time to offer input on the cancellation of this valuable asset for a second year. I feel this is a short-sighted option considering the many valuable physical, emotional and mental health benefits this outdoor activity brings to residents, and also that the money savings could/should be found elsewhere within the budget.

Below are some added points for your consideration:

Summer temperatures are rising each summer. We need cooling opportunities.

Seniors need exercise, especially ones that allow them to be outdoor. The Ray Twinney Complex is not scheduled to open until September 2021. Where do we go? Do we invade the kiddie splash pads in town?

Many new mothers bring their young-ones to the pool. It's a wonderful relaxing and bonding time for them. Children love to go to the pool and play outside.

This will affect many lower income families and age specific sectors in our society. Many residents do not have a backyard swimming pool and they have no easy access to lakes. It is not safe to swim in stormwater ponds, some of the local streams and creeks, not to mention Fairy Lake.

The Town has the capability to schedule pool times and implement Covid-19 safety measures in a socially acceptable manner.

The pool opens in July. Why is the decision being rushed? Could the opening of the pool be decided at a later date? If Covid-19 is still at a heightened level in the Spring, perhaps a more informed decision could be made then.

How does this affect the structural integrity of this asset being closed two years in a row?

I understand Covid-19 has had devastating effects on the Town's financial health and I know it is not an easy task to find and implement efficiencies especially when they entail closing down valued services. I am urging you to reject the proposal or at least, defer your decision until the Spring.

Sincerely,
Nancy Fish

March 1, 2021

Mayor Taylor and Councillors

Zoning bylaw 2019-06 for the Urban Centre Secondary Plan (UCSP) was approved by council less than 2 years ago. One part of this plan was to encourage and clarify commercial and residential development along the Yonge-Davis corridor. It was generally agreed by all levels of government that continued urban sprawl was not sustainable and future growth could be maintained through infill development. A new concept suggests that not every resident requires a vehicle to get around and that active transportation should be encouraged. One “carrot” aimed at developers in the new zoning by-law was reducing the number of costly vehicle parking spaces required in new projects and increasing the number of parking spaces for bicycles.

Currently before council is an application by Briarwood for a condo development at 693 Davis which is inside the UCSP and in Ward 3. As per the new zoning by-law, the developer is promising to provide parking for 212 bicycles. The assumption being that some buyers will not own a car. Currently there are no dedicated bike lanes anywhere near this project and it doesn’t appear we will be seeing one anytime soon. In marketing these units, Briarwood is going to be selling an active transportation lifestyle. Will the Town of Newmarket be there to support the developers marketing efforts with safe biking infrastructure? Will purchasers find out too late that the developer is promoting a healthy lifestyle after the town dropped the ball?

After listening to council deliberations, the word “pause” was frequently used when deciding whether Newmarket should continue moving forward with the Active Transportation Implementation Plan. Many councillors suggested perhaps we could save money by stopping inexpensive painting of bike lanes on town roads and instead study the feasibility of partnering with the region to build off street paths on regional roads and hydro corridors. While I agree that off street paths are preferable, the fabulous new Yonge St bike lanes shows that in reality “off street” is a misnomer and certainly costs significantly more to construct.

There has been no study of the effectiveness of bike lanes in Newmarket. There is however, a large body of evidence in other jurisdictions attesting to their positive results. After only 2 years into the ATIP, this is not the time to stop the rollout.

Paul Jolie



Corporation of the Town of Newmarket

By-law 2021-07

A By-law to amend by-law 2019-63, as amended, being a by-law to regulate parking within the Town of Newmarket.
(Schedule IV – No Parking).

Whereas it is deemed necessary to amend By-law 2019-63, as amended, being a By-law to Regulate Parking within the Town of Newmarket.

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

1. THAT Schedule IV (No Parking) of the Parking By-law 2019-63, as amended, be further amended by adding the following:

ROAD	SIDE	BETWEEN	PROHIBITED TIMES
Clematis Road	Both	Jacarandah Drive to terminus	Monday to Friday 8:00am to 4:00pm

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Corporation of the Town of Newmarket

By-law 2021-08

A By-law to amend By-law Numbers 2010-40 and 2019-06 being zoning by-laws (Commercial Rooftop Patios – Town Wide)

Whereas it is deemed advisable to amend By-law Numbers 2010-40 and 2019-06 as amended;

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

That By-laws 2010-40 & 2019-06 be and the same are hereby further amended by:

1. Amending Section 3 of 2010-40 Definitions by replacing the existing definition of Patio, Commercial Rooftop with:
“Patio, Commercial Rooftop: Means any portion of a rooftop dedicated as a serving area that is an *accessory use* to a *restaurant* or to a commercial use.”
2. Amending Section 3 of 2019-06 Definitions by replacing the existing definition of Commercial Rooftop Patio with:
“Commercial Rooftop Patio: Means any portion of a rooftop dedicated as a serving area that is an *accessory use* to a *restaurant* or to a commercial use.”
3. Adding to Section 4.19 of 2010-40 and Section 4.13 of 2019-06 Specific Use Provisions, the following:

Section 4.19.9 / 4.13.7 Commercial Rooftop Patios

“Restaurants, banquet halls, and other commercial uses shall be permitted to include a commercial rooftop patio as an accessory use, provided that the commercial rooftop patio that complies with the following:

- A commercial rooftop patio is prohibited in association with an adult entertainment parlour;
- The design shall be established in accordance with an approved site plan addressing matters such as lighting, landscaping, noise, etc.;
- A commercial rooftop patio must comply with any applicable requirements of municipal by-laws, including the Town’s licensing and noise by-laws, and must comply with all applicable requirements of the Ontario Building Code and Fire Code.”

4. Amending Section 5.3.2 Parking Requirements for Non-Residential Uses and Section 5.3.3.2 Parking Requirements for Non-Residential Uses in the Urban Centres of 2010-40 by removing “and/or” before “patio” and adding “and/or commercial Rooftop Patio” before “dedicated as seasonal serving areas” in both the minimum and maximum parking requirements.

5. Amending Section 5.3.1.2 Parking Requirements for Non-Residential Uses of 2019-06 by removing “and/or” before “patio” and adding “and/or Commercial Rooftop Patio” before “dedicated as seasonal serving areas” in both the minimum and maximum parking requirements.

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Corporation of the Town of Newmarket

By-law 2021-09

A By-law to amend By-law 2020-31 being a By-law to regulate and licence businesses in the Town of Newmarket.

Whereas Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

And whereas the Council of the Town of Newmarket deems it advisable to pass such by-law;

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

1. That Section 2 “Definitions” to the By-law 2020-31 be amended to add the following:

“Commercial Rooftop Patio” means any portion of a rooftop dedicated as a serving area that is an accessory use to a restaurant or to a commercial use.”

“Licensee” means a Person licensed under this By-law;

“Live Music” means any live performance utilizing an instrument, ones’ voice, a device or electronic equipment to amplify music, or any other form of live performance.

“Outdoor Serving Area” means any area on private or public property which is licensed to serve alcohol and is used by a business for the serving or consumption of food, beverages or refreshments which is not enclosed within a building structure or is exposed to the outdoors;

“Opaque Barrier” means a barrier which does not permit the transmission of light through its structure;

2. That Section 8 to the By-law 2020-31 be amended to add the following sections:

8.4 Outdoor Serving Areas

- (1) Prior to the submission of their business licence application, every **Owner** or **Operator** shall ensure that they are in compliance with all federal, provincial, and municipal requirements, including but not limited to the:

- (a) Alcohol and Gaming Commission of Ontario;
- (b) Central York Fire Services;

- (c) Town's Planning Department;
- (d) Town's Building Department; and
- (e) York Region Public Health.

- (2) Every **Owner** or **Operator** who proposes to sell or offer for sale alcohol from the **Outdoor Serving Area** shall provide to the Manager, at the time of their application, a copy of the Liquor Licence issued by the Alcohol and Gaming Commission of Ontario.
- (3) Every **Owner** or **Operator** shall ensure the **Outdoor Serving Area** operates at all times in accordance with the Alcohol and Gaming Commission of Ontario.
- (4) No **Owner** or **Operator** shall operate or permit the occupancy of any **Outdoor Serving Area** between the hours of 1:00 a.m. and 11:00 a.m.
- (5) Every **Outdoor Serving Area** that is located within 40m of the property line of an adjacent residential property shall be required to install a solid, translucent, or Opaque Barrier that is a minimum of 1.8m in height along its perimeter for the purpose of noise reduction and security.
- (6) Every **Outdoor Serving Area** which is illuminated in an area adjacent to a residential use shall ensure all lighting fixtures and illumination are arranged, designed, and installed to deflect the light down and away from residential buildings, lots, and streets.
- (7) Any Person that proposes to operate an **Outdoor Serving Area** on public property along Main Street and between Millard Avenue and Water Street must first obtain approval from the Town's Planning Department.
- (8) Notwithstanding Section 6(1) of this By-law, every **Outdoor Serving Area** located on public property shall only be permitted between April 1st and October 30th within the same calendar year.

8.5 Commercial Rooftop Patios

- (1) Prior to the submission of their business licence application, every **Owner** or **Operator** shall ensure that they are in compliance with all federal, provincial, and municipal requirements, including but not limited to the:
 - (a) Alcohol and Gaming Commission of Ontario;
 - (b) Central York Fire Services;
 - (c) Town's Planning Department;
 - (d) Town's Building Department; and
 - (e) York Region Public Health.
- (2) Every **Owner** or **Operator** shall only operate or permit the occupancy of any **Commercial Rooftop Patio** between the hours of 9:00 a.m. and 11:00 p.m. within the same calendar day.

- (3) No **Live Music** shall be permitted on any **Commercial Rooftop Patio** at any time.
- (4) Notwithstanding Section 8.5(3) above, an **Owner** or **Operator** of a **Commercial Rooftop Patio** can apply for a noise exemption permit to allow **Live Music** for special event purposes.
- (5) Any other form of music permitted on a **Commercial Rooftop Patio** shall comply with the Town of Newmarket Noise Bylaw 2017-76, as amended.
- (6) Every **Commercial Rooftop Patio** shall be required to install a solid, translucent, or Opaque Barrier that is a minimum of 1.8m in height along its perimeter for the purpose of noise reduction and security, unless otherwise authorized by the Town.
- (7) Every **Commercial Rooftop Patio** which is illuminated in an area adjacent to a residential use shall ensure all lighting fixtures and illumination are arranged, designed, and installed to be dark sky compliant and to deflect the light down and away from residential buildings, lots, and streets.

3. That the following Section 11 be added to By-law 2020-31:

11. Repeal

- (1) Outdoor Serving Areas By-law 2016-29 is hereby repealed.

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-10

A By-law to amend Fees and Charges By-law 2019-52 being a by-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Legislative Services - Licensing Charges).

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 2019-52 to establish Legislative Services - Licensing Fees for the Corporation of the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule of By-law 2019-52.

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

- 1. That the Schedule of the By-law 2019-52 be amended to add the following fees:

Service Provided	Unit of Measure	2021 Fee
Commercial Rooftop Patio	each	\$374.00

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-11

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:

Outdoor Serving Area By-law 2016-29						
Outdoor Serving Area By-law 2016-29, as amended	1.	2.1	Operate an Outdoor Serving Area without a licence	450.00	600.00	750.00
	2.	4.3	Failure to post municipal regulations	150.00	200.00	250.00

2. That Schedule A to the By-law 2019-62 be amended to add the following section:

Business Licence By-law 2020-31						
Business Licence By-law 2020-31, as amended	3.	8.4(4)	Failure to comply with hours of operation permitted	225.00	300.00	375.00
	4.	8.4(5)	Failure to install or maintain Opaque Barrier	150.00	200.00	250.00
	5.	8.4(6)	Failure to deflect lighting	150.00	200.00	250.00
	6.	8.5(2)	Failure to comply with hours of operation permitted	225.00	300.00	375.00
	7.	8.5(3)	Permit live music contrary to by-law	150.00	200.00	250.00
	8.	8.5(6)	Failure to install or maintain Opaque Barrier	150.00	200.00	250.00
	9.	8.5(7)	Failure to deflect lighting	150.00	200.00	250.00

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-12

A By-law to Dedicate certain lands as a Public Highway (Isaac Phillips Way and Kalinda Road located South of Mulock Drive and West of Yonge Street – Ward 6).

Whereas pursuant to Shining Hill Collections Inc. Phase 1 Residential Subdivision Agreement dated December 15, 2020, it is deemed necessary to lift certain 0.3m reserve of lands owned by the Town and to have said lands dedicated as a public highway and form parts of Isaac Phillips Way and Kalinda Road.

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

1. That the land legally described as Block 43 (0.3m Reserve),
2. Plan 65M-3724, Town of Newmarket in the Regional Municipality of York be hereby lifted and dedicated as a public highway and form part of Isaac Phillips Way;
3. And that the lands legally described as Block 44 (0.3m Reserve), Plan 65M-3724, Town of Newmarket in the Regional Municipality of York be hereby lifted and dedicated as a public highway and form part of Kalinda Road;
4. And that the Municipal Solicitor or her designate be authorized and directed to electronically sign and register this by-law on title on behalf of the Corporation of the Town of Newmarket.

Enacted this 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND ACCORDANT WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 17th DAY OF OCTOBER, 2021.

NOVEMBER 30, 2021
NEED A. LEWIS
ONARIO LAND SURVEYOR

APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990 THIS

..... DAY OF 2021.

..... DAY OF 2021.

PLAN 65M-

CERTIFICATE OF REGISTRATION

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TILES DIVISION OF YORK REGION (NTS) AT O'CLOCK ON THE DAY OF 2021 AND ENTERED INTO THE PARCEL REGISTER FOR PROPERTY IDENTIFIERS 03626-2486 AND 03626-0196 AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT N°

REPRESENTATIVE FOR THE LAND REGISTRAR

THIS PLAN COMPREHENDS PART OF PIN 03626-0196 AND PART OF PIN 03626-2486 SUBJECT TO AN EASEMENT OVER PART 2, PLAN 65R-37198 AS IN INSTRUMENT N° 7709924 (AFFICITS PART OF BLOCKS 49, 50, 52, PART OF BENNINGTON ROAD, PART OF STREET WIDENING NAMED BLOCK 56 LYING WITHIN THE LIMITS OF PARTS 1, 2 AND 3, PLAN 65R-23544 AS IN INSTRUMENT N° 7660202 (AFFICITS PART OF BLOCK 56 (STREET WIDENING), PART OF BLOCK 57 (STREET WIDENING) AND PART OF BLOCK 62 (0.30 RESERVE)).

**PLAN OF SUBDIVISION OF
PART OF LOT 87
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF KING
TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK**
SCALE 1:900

10 0 10 20 30 Metres
LLOYD & PURCELL, A DIVISION OF SCHAEFER DZALDOV BENNETT LTD.

NOTES

ALL MONUMENTS SHOWN WITHIN THIS PLAN ARE PLANTED IRON BARS (B) UNLESS OTHERWISE NOTED.
0.30 RESERVES AND 0.30 WIDE PARTS HAVE BEEN EXAGGERATED FOR CLARITY.
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997578.
BEARINGS SHOWN ON THIS PLAN ARE UTM GRID BEARINGS AND ARE DERIVED FROM SPECIFIED CONTROL POINTS #00118502004 AND #0082018078, UTM ZONE 17, MAG 83 (GRS 2011).

SPECIFIED CONTROL POINTS (SPC) UTM ZONE 17, MAG 83 (GRS 2011)
COORDINATES TO URBAN ACCURACY PER SEC 14 (2) OF OREG 219/10.

POINT ID	NORTHING	EASTING
SCP #00118502004	4874083.436	622718.393
SCP #0082018078	4881081.89	626445.269
ORP A	4875486.582	622359.471
ORP B	4875810.789	622309.754

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OF BOUNDARIES SHOWN ON THIS PLAN.

CURVE TABLE				
LOT #	RADIUS	ARC	CHORD	BEARING
1	16.00	6.27	6.23	N54°46'00"W
2	16.00	6.59	6.48	N81°25'00"W
3	16.00	3.12	3.12	N73°31'00"E
14	19.00	1.97	1.97	N89°03'30"E
15	19.00	6.45	6.42	N56°22'10"E
16	19.00	6.40	6.38	N36°59'20"E
17	19.00	6.34	6.28	N14°45'00"E
BLOCK 26	90.00	1.07	1.07	N20°00'50"W
BLOCK 28	108.00	6.63	6.63	N84°30'00"W
BLOCK 29	108.00	0.31	0.31	N21°37'30"W
BLOCK 29	90.00	2.20	2.20	N21°03'20"W
BLOCK 30	16.00	4.07	4.05	N25°15'00"W
BLOCK 30	90.00	1.25	1.25	N18°22'10"W
BLOCK 31	90.00	4.70	4.70	N20°15'40"W
BLOCK 35	248.82	0.74	0.74	N70°24'40"E
BLOCK 35	16.00	13.60	13.20	N85°10'00"W
BLOCK 36	18.00	12.62	12.29	N38°22'00"W
BLOCK 36	108.00	11.53	11.52	N12°43'00"W
BLOCK 37	108.00	1.91	1.91	N07°32'30"W
BLOCK 38	99.00	2.17	2.17	N74°57'10"E
BLOCK 39	99.00	3.63	3.63	N76°38'00"E
BLOCK 40	108.00	3.03	3.03	N08°19'20"W
BLOCK 44	16.00	3.09	3.09	N30°03'00"W

LEGEND

- SSB SHORT STANDARD IRON BAR
SB STANDARD IRON BAR
B IRON BAR
R ROUND IRON BAR
IP IRON PIPE
M MEASURED
W WITNESS
F FOUND
L L
T TANGENTIAL
SCP SPECIFIED CONTROL POINT
ORP OBSERVED REFERENCE POINT
L&P LLOYD & PURCELL LTD.
S&C SCHAFFER DZALDOV BENNETT LTD.
G&G GARDEN LIMITED
O ORIGIN UNKNOWN
DHO DEPARTMENT OF HIGHWAYS ONTARIO
P1 PLAN 65R-37198
P2 PLAN 65R-23544
P3 PLAN OF SURVEY BY LLOYD & PURCELL LTD., DATED MAY 3, 2007, FILED AS K1 187-1.
P4 PLAN 65R-39117

OWNER'S CERTIFICATE

RE: PIN 03626-2486
THIS IS TO CERTIFY THAT:
1. LOTS 1 TO 18, BOTH INCLUSIVE, BLOCKS 19 THRU 55, BOTH INCLUSIVE, STREETS NAMED BENNINGTON ROAD, LAPLANTE STREET, NEW ENGLAND COURT, ISAAC PHILLIPS WAY, KALINDA ROAD AND VERMONT AVENUE, PART OF STREET WIDENING NAMED BLOCK 56 LYING WITHIN THE LIMITS OF PART 3, PLAN 65R-37198, AND 0.30 RESERVES, NAMED BLOCKS 58, 59, 60, 61, AND PART OF 0.30 RESERVE NAMED BLOCK 62 LYING WITHIN THE LIMITS OF PART 3, PLAN 65R-37198, HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
2. THE STREETS NAMED BENNINGTON ROAD, LAPLANTE STREET, NEW ENGLAND COURT, ISAAC PHILLIPS WAY, KALINDA ROAD AND VERMONT AVENUE ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF NEWMARKET AS PUBLIC HIGHWAYS.
3. PART OF STREET WIDENING NAMED BLOCK 56 LYING WITHIN THE LIMITS OF PART 3, PLAN 65R-37198 IS HEREBY DEDICATED TO THE REGIONAL MUNICIPALITY OF YORK AS PUBLIC HIGHWAY.

16250 YONGE ST. INC.
DATED THE 18th DAY OF DECEMBER, 2020.
Paul Bailey
PAUL BAILEY, VICE PRESIDENT
I HAVE THE AUTHORITY TO BIND THE CORPORATION

OWNER'S CERTIFICATE

RE: PIN 03626-0196
THIS IS TO CERTIFY THAT:
1. PART OF STREET WIDENING NAMED BLOCK 56 LYING WITHIN THE LIMITS OF PARTS 1, 2 AND 3, PLAN 65R-23544, STREET WIDENING NAMED BLOCK 57 AND PART OF 0.30 RESERVE NAMED BLOCK 62 LYING WITHIN THE LIMITS OF PARTS 1, 2 AND 3, PLAN 65R-23544 HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
2. PART OF STREET WIDENING NAMED BLOCK 56 LYING WITHIN THE LIMITS OF PARTS 1, 2 AND 3, PLAN 65R-23544 AND STREET WIDENING NAMED BLOCK 57 ARE HEREBY DEDICATED TO THE REGIONAL MUNICIPALITY OF YORK AS PUBLIC HIGHWAYS.

SHINING HILL HOMES (ST. JOHN'S) INC.
DATED THE 18th DAY OF DECEMBER, 2020.
Paul Bailey
PAUL BAILEY, VICE PRESIDENT
I HAVE THE AUTHORITY TO BIND THE CORPORATION

LLOYD & PURCELL
A DIVISION OF SCHAEFER DZALDOV BENNETT LTD.
ONARIO LAND SURVEYORS
1228 CORHAM STREET, UNIT 2A, NEWMARKET, ONTARIO, L3Y 8Z1
(905) 895-6416 Fax (905) 853-5837 EMAIL: L.purcell@lloydandpurcell.com
TOLL FREE 1 (855) 779-6600
WWW.ONTARIOLANDSURVEYORS.COM

CAD: RLS/D8/CS PC: RPS JOB: 18-217
CALC: BI CHKD: NAL FILE: K1-187-4

LLOYD & PURCELL



Corporation of the Town of Newmarket

By-law 2021-13

A By-law to confirm the proceedings of a meeting of Council - Electronic – March 1, 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 1st day of March, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk