

Additions & Corrections to the Agenda

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

Declarations of Pecuniary Interest

Presentations & Recognitions

1. Mr. Stephen Fung, Director, Infrastructure Asset Management, Regional Municipality of York to address the Committee with a PowerPoint presentation regarding the Regional Water and Wastewater Master Plan Update. (Related to Item 1a)
2. Mr. Paul Ferguson, President, Newmarket-Tay Power to address the Committee p. 1 regarding CustomerFirst Shareholding.

Deputations

3. Mr. Wasim Jarrah to address the Committee regarding the Main Street Clock Inc. p. 32 development proposal. (Related to Item 19) (7:00 p.m.)
4. Mr. Art Weis to address the Committee regarding the Main Street Clock Inc. p. 33 development proposal. (Related to Item 19) (7:00 p.m.)
5. Mr. Siegfried Wall to address the Committee regarding the Main Street Clock Inc. p. 34 development proposal. (Related to Item 19) (7:00 p.m.)

Consent Items (Items # 6 to 16)

6. Development and Infrastructure Services - Planning and Building Services p. 37 Report 2016-13 dated April 20, 2016 regarding an Application for Zoning By-law Amendment - 345 and 351 Davis Drive.

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

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-13 dated April 20, 2016 regarding an Application for Zoning By-law Amendment - 345 and 351 Davis Drive be received and the following recommendations be adopted:

i) THAT the Application for Zoning By-law Amendment, as submitted by 1738357 Ontario Ltd., for lands being located at 345 and 351 Davis Drive, be approved and that staff be directed to prepare the necessary Zoning By-law Amendment including a Holding Provision, as necessary;

ii) AND THAT Mr. Andrew Fernacik, Walker, Nott, Dragicevic Associates Limited, 90 Eglinton Avenue East, Suite 970, Toronto, ON M4P 2Y3 be notified of this action.

7. Development and Infrastructure Services - Planning and Building Services Report 2016-18 dated May 9, 2016 regarding the Street Naming Policy. p. 48

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

a) THAT Development and Infrastructure Services - Planning and Building Services Report 2016-18 dated May 9, 2016 regarding the Street Naming Policy be received and the following recommendations be adopted:

i) THAT Council adopt the attached Street Naming Policy;

ii) AND THAT Council delegate to staff such authority as is required to administer the Street Naming Policy.

8. Corporate Services Report - Financial Services 2016-20 dated April 27, 2016 regarding Deferred Implementation of Tiered Water Rates. p. 56

The Commissioner of Corporate Services and the Director of Financial Services/Treasurer recommend:

a) THAT Corporate Services Report - Financial Services 2016-20 dated April 27, 2016 regarding Deferred Implementation of Tiered Water Rates be received and the following recommendation be adopted:

i) THAT staff be directed to report back to Council on the implementation of the phase-in of the tiered fixed rate structure in 2017.

9. Corporate Services Report - Legislative Services 2016-09 dated April 28, 2016 p. 60 regarding N6 Contract with BFL Canada Risk and Insurance Services Inc.

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

a) THAT Corporate Services Report – Legislative Services – 2016-09 dated April 28, 2016 regarding 'N6 Contract with BFL Canada Risk and Insurance Services Inc.' be received and the following recommendation be adopted:

i) THAT Council authorize a three (3) year contract from January 1, 2017 to December 31, 2019 with BFL Canada Risk and Insurance Services Inc. for the provision of Town Insurance and Risk Management Services.

10. Main Street District Business Improvement Area Board of Management Minutes of March 15, 2016. p. 65

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

a) THAT the Main Street District Business Improvement Area Board of Management Minutes of March 15, 2016 be received.

11. Heritage Newmarket Advisory Committee Minutes of April 5, 2016. p. 72

The Heritage Newmarket Advisory Committee recommends:

a) THAT the Heritage Newmarket Advisory Committee Minutes of April 5, 2016 be received.

12. Item - New Business a) of the Heritage Newmarket Advisory Committee Minutes of April 5, 2016 regarding the Clock Tower development. p. 81

Recommendation:

THAT the following motion be received and forwarded to staff to coordinate as part of the Planning Report.

The Heritage Newmarket Advisory Committee recommends to Council:

WHEREAS the proposed building does not comply with the Town of Newmarket's Official Plan for Main Street which limits building heights to three stories;

AND WHEREAS the proposed building does not comply with the Development Plan for the Heritage Conservation District;

AND WHEREAS the proposed underground parking consists of three levels and there is an underground watercourse beneath or adjacent to the proposed development and surrounding buildings resulting in the need for the installation of waterproofing and structural pylons and therefore the construction of the proposed development may cause a change in the natural underground watercourse and may cause damage to other buildings in the Heritage Conservation District;

AND WHEREAS many of the buildings in the surrounding area are built on rubble stone foundations, extensive excavation and construction may result in ancillary damage to other parts of those buildings;

AND WHEREAS currently Park Avenue is a narrow street which is frequently blocked by vehicular traffic, and the proposed main entrance and exit for the underground parking garage, together with the loading dock will add to an already stressed situation on Park Avenue considering that the Trinity United Church which is across the street also has handicapped parking/access onto Park Avenue opposite or in close vicinity to the underground garage entrance/exit and the loading dock and therefore, concerns arise regarding adequate turning radius and potential risks for moving vans and delivery trucks;

AND WHEREAS the proposed construction requires a land swap between the owner and the Town of Newmarket in order that it has the required number of parking spaces;

AND WHEREAS according to the building proposal submission, the facades of the buildings at 184, 188, 190 and 194 Main Street south of the former Post Office have not been preserved in accordance with the Ontario Heritage Act;

AND WHEREAS the streetscape and shadow study provided do not realistically show the potential impact on surrounding buildings such as the Trinity United Church, where the stained glass windows are worthy of protection, and businesses on the east side of Main Street where front windows may also be impacted;

AND WHEREAS the construction of this development may have a long term effect on public parking which may negatively impact the local merchants' ability to carry on business for an extended period of time;

AND WHEREAS the likelihood of precedent setting examples exist with this proposed rezoning application;

THEREFORE we, the members of the Heritage Newmarket Advisory Committee adamantly recommend that the Council of the Town of Newmarket reject this proposal.

13. Correspondence received April 26, 2016 from Mr. Bernie Smith, Principal, Sacred Heart Catholic High School requesting an exemption from the Noise By-law (2004-94) for the 2016 Relay for Life event from 12:00 p.m. to 11:59 p.m. on May 27, 2016. p. 83

Recommendations:

a) THAT the correspondence from Mr. Bernie Smith, Principal, Sacred Heart Catholic High School regarding an exemption from the Noise By-law 2004-94, as amended, be received;

i) AND THAT the Canadian Cancer Society, Relay for Life event be exempted from the Noise By-law 2004-94, as amended, from 12:00 p.m. to 11:59 p.m. on May 27, 2016 at Sacred Heart Catholic High School, subject to notification being provided to area residents.

14. Correspondence dated April 2, 2016 from Ms. Amanda Knegje, President, PFLAG Canada York Region requesting proclamation of June 11 to 19, 2016 as 'Pride Week'. p. 85

Recommendations:

a) THAT the correspondence from Ms. Amanda Knegje, President, PFLAG Canada York Region be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim June 11 to 19, 2016 as 'Pride Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

15. Correspondence dated April 28, 2016 from Mr. Steve Foglia, Chair, Accessibility Advisory Committee requesting proclamation of May 29 to June 4, 2016 as 'National Access Awareness Week'. p. 86

Recommendations:

a) THAT the correspondence from Mr. Steve Foglia, Chair, Accessibility Advisory Committee be received and the following recommendations be adopted:

i) THAT the Town of Newmarket proclaim May 29 to June 4, 2016 as 'National Access Awareness Week';

ii) AND THAT the proclamation be advertised in the Town Page advertisement and on the Town's website www.newmarket.ca

16. List of Outstanding Matters. p. 87

Recommendation:

a) THAT the list of Outstanding Matters be received.

Action Items

17. Correspondence dated April 7, 2016 from Ms. Laurie Scott, MPP - Haliburton-Kawartha Lakes-Brock requesting support of Bill 158, Saving the Girl Next Door Act, 2016. (Councillor Twinney requested this item be placed on the agenda) p. 93

Recommendation:

For the consideration of the Committee.

Reports by Regional Representatives

Notices of Motion

Motions

18. Regional Councillor Taylor: p. 97

THAT Council direct staff to bring back a report within 180 days that examines the process and issues related to a ban on corporate and union donations in Newmarket Municipal Elections.

New Business

Closed Session (if required)

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

Public Hearing Matters – 7:00 p.m.

19. Development and Infrastructure Services Report - Planning and Building Services Report 2016-14 dated April 7, 2016 and related Council Extract, Public Meeting Notice regarding Application for Zoning By-law Amendment - 180-194 Main Street. - Report on Page 100 included for information purposes only. Applicant to provide presentation at Public Hearing meeting at 7:00 p.m. p. 98

Addendum (Additions and Corrections)

- 1a. PowerPoint Presentation - Mr. Stephen Fung - Water and Wastewater Master Plan Update. (Related to Item 1) p. 128
- 19a. PowerPoint Presentation - Mr. Bob Forrest regarding Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 143
20. Mr. David Kempton to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 171
21. Ms. Peggy Stevens to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 172
22. Mr. Greg King to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 173
23. Ms. Leslie Bertin to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 179
24. Correspondence dated May 3, 2016 from Mr. Michael Croxon, President, New Roads Automotive Group regarding the Main Street Clock Inc. development proposal. (Related to Item 19) p. 181
25. Correspondence dated May 4, 2016 from Ms. Pat Champagne regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 182
26. Ms. Ann Campbell to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 183
27. Ms. Heather Burling on behalf of Newmarket Citizens for Heritage Conservation to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 184

28. Ms. Margaret Davis on behalf of Newmarket Citizens for Heritage Conservation to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 185
29. Ms. Anne Martin to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 186
30. Ms. Lisa Heckbert, on behalf of Mr. Ron Eibel to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 187
31. Mr. Glenn Wilson on behalf of the Main Street District BIA to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 188
32. Ms. Olga Paiva, Architectural Conservancy of Ontario (Newmarket Branch) to address the Committee regarding the Main Street Clock Inc. development proposal (Related to Item 19) (7:00 p.m.) p. 189
33. Mr. James and Ms. Mollie Coles Tonn to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 190
34. Correspondence dated May 4, 2016 from Ms. Jill Kellie regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 191
35. Correspondence from Mr. Steve Hinder regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 192
36. Ms. Jackie Playter to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 194
37. Correspondence dated April 26, 2016 from Ms. Karen Stiege regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 196
38. Mr. Gordon Prentice, Architectural Conservancy of Ontario (Newmarket Branch) to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 197
39. Mr. John Heckbert to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 198
40. Ms. Jude Lauzon to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 199

41. Ms. Elaine Adam to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 200
42. Correspondence dated May 6, 2016 from Ms. Erin Cerenzia regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 201
43. Correspondence dated May 8, 2016 from Mr. Michael Croxon rescinding correspondence sent May 3, 2016 (Item 26) regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 202
44. Correspondence dated May 6, 2016 from Mr. Ken Hill, Hill Hunter Losell Law Firm on behalf of Trinity United Church regarding Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 203
45. Mr. Dave Partington to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 205
46. Correspondence dated May 8, 2016 from Mr. Jason and Ms. Suzanne Nagels regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 206
47. Mr. Ted Heald to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 208
48. Ms. Leslie Bertin - Deputation Withdrawal - Item 23 on agenda regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 209
49. Mr. Ted Bomers to address the Committee regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 210
50. Correspondence dated May 8, 2016 from Ms. M. McArthur regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 212
51. Correspondence dated May 7, 2016 from Mr. Mike D'Angela, KGM Developments regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 214
52. Correspondence dated May 9, 2016 from Ms. Cynthia St-Pierre regarding the Main Street Clock Inc. development proposal. (Related to Item 19) (7:00 p.m.) p. 215

Adjournment

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CustomerFirst

Newmarket Hydro Holdings Inc.
Presentation of the President
Update on the Opportunity
April 22, 2016

[The Partners]

- Greater Sudbury Hydro
- Newmarket – Tay Power
- North Bay Hydro
- Northern Ontario Wires (Cochrane)
- PUC Distribution (Sault Ste Marie)
- St. Thomas Energy

[Initial Business Concept]

- **CFI will be providing services, under contract, to shareholder Local Distribution Companies (LDC's) initially and, where opportunity presents, to non-shareholder LDC's.**
- **Initially, the focus will be on CDM where the cost is anticipated to be 100% financed by Independent Electricity System Operator (IESO) through each LDC's CDM Plan and through an application to the innovation and Collaboration Funds.**

[Initial Business Concept]

- **For all other services, the model will be as follows:**
 - **Estimated budget for each service will be established annually.**
 - **Written service contract will be established with each LDC. This total amount charged to each LDC will be based on a “full cost” basis (variable cost plus overhead plus return on capital assets employed or profit margin)**
 - **Return / Profit Margin will be established by CFI Board**

[Longer term]

- **Other opportunities exist for:**
 - **Purchasing and Electronic Fund Transfer services**
 - **IT area such as Customer Information Systems (“CIS”), Financial Systems**
 - **Asset Management Software and data storage**
 - **Call Centre, but only to the extent there are efficiencies that do not compromise local employment**
 - **Cost of Service applications / regulatory filings**

[The Initial Opportunity]

Current CDM Model



CustomerFirst CDM Model



[CDM Strategy]

- Joint CDM Plan
- Total budget \$38,811,539.00
 - Residential
 - Incentives \$12,785,117.00
 - Administration \$4,152,185.00
 - Commercial & Industrial
 - Incentives \$15,748,169.00
 - Administration \$6,126,076
- Total Administration Budget
 - \$10,278,261.00
- Seek funding from other sources

[Share Structure]

- Two Classes

- Class A

- Voting Shares

- Split equally among participants

- Class B

- Non-voting Shares

- Split proportionate to size

[Share Structure]

- **The key reason for having two separate classes of shares is to ensure that profits generated within CFI are split on a fair and equitable basis while, at the same time, preserving equal voting for all shareholders.**
- **Each class of shares will be eligible to receive dividends and the amount per share will be established annually by the Board of CFI**

[Shareholdings]

Utility	Class A	Class B
Greater Sudbury Hydro	1	46,879
Newmarket – Tay Power	1	33,883
North Bay Hydro	1	23,972
Northern Ontario Wires	1	6,068
PUC Distribution	1	33,058
St. Thomas Energy	1	16,563

[Profit Sharing and Dividends]

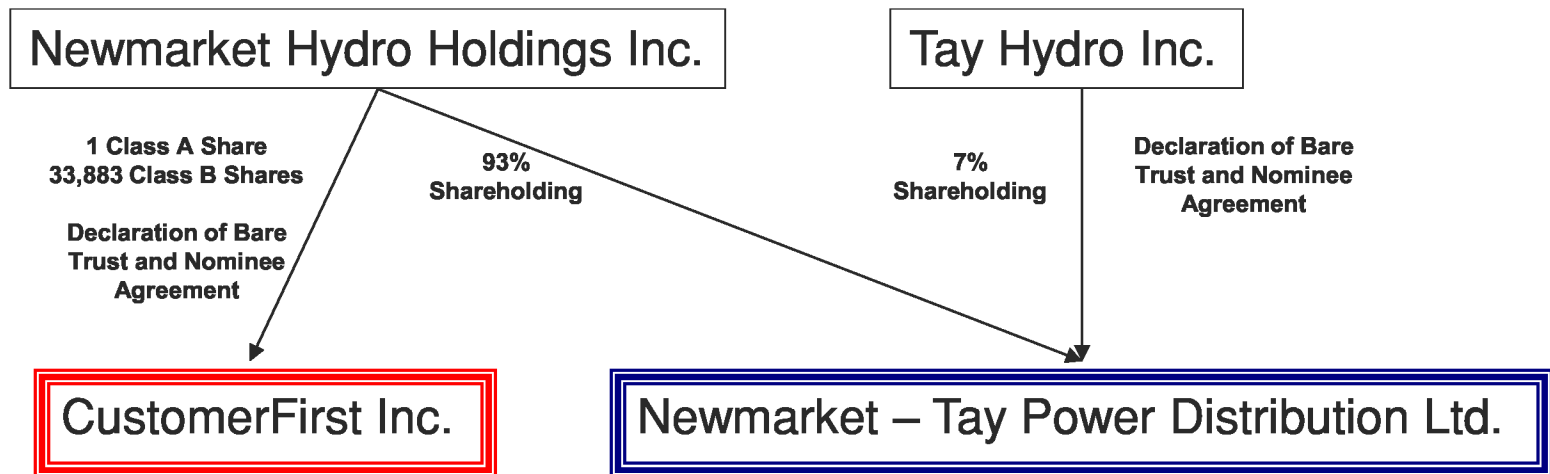
■ Class A Shares

- Profit generated through services provided to non-CFI utilities will be retained earnings for Class A shares
- Equal allocation of earnings

■ Class B Shares

- Profit generated through services provided to CFI utilities will be retained earnings for Class B shares
- Earnings allocation proportionate to contribution

[Proposed Corporate Structure]



Declaration of Bare Trust and Nominee Agreement

- Between Newmarket Hydro Holdings Inc. (“NHHI”) and Tay Hydro Inc. (“THI”) (the “Shareholders”)
- Interest in CustomerFirst:
 - 93% NHHI
 - 7% THI
 - Same as interest in Newmarket – Tay Power Distribution

Declaration of Bare Trust and Nominee Agreement

- In accordance with each Shareholder's interest in CustomerFirst, NHHI will:
 - Remit dividends to THI
 - Provide copies of all notices, claims, demands, directions or other communications it receives to THI
 - Any required voting with respect to the Class A share to be mutually agreed to by NHHI and THI
 - If agreement cannot be reached, NHHI shall make the final determination

Declaration of Bare Trust and Nominee Agreement

■ Other

- Shareholders cannot deal with shares without consent of the other
- Agreement can be modified through agreement by both Shareholders
- THI may, at any time, transfer its interest in the shares to NHHI under mutually agreed terms
- Any costs related to the shareholding and the agreement will be shared by NHHI and THI in accordance with their interest

[Current CFI Structure]

Board of Directors

Frank Kallonen (GSH)
Paul Ferguson (NTP)
Todd Wilcox (North Bay)
Dan Boucher (NOW)
Domenic Parella (PUC)
Brian Tobin (St. Thomas)

President

Frank Kallonen

Secretary

Paul Ferguson

Executive Director

Conservation

Chris Barker

Program Manager

Conservation

Angela Matthews

[Current CFI Initiatives]

- Joint CDM Plan filed and approved by the IESO
- New Conservation Framework
 - Conservation targets increased
 - Funding reduced
- The CFI collaboration enables application to other conservation funds:
 - Innovation Fund
 - Collaboration Fund

Additional Funding Applications

- Two approved to date:
 - \$1M from the Innovation Fund
 - Electrically heated home energy audit and electronic thermostat for baseboard control
 - \$332K from the Collaboration Fund
 - Application Representative
 - Technical Reviewer
 - Both assist with customer conservation project applications

2015 Conservation Results

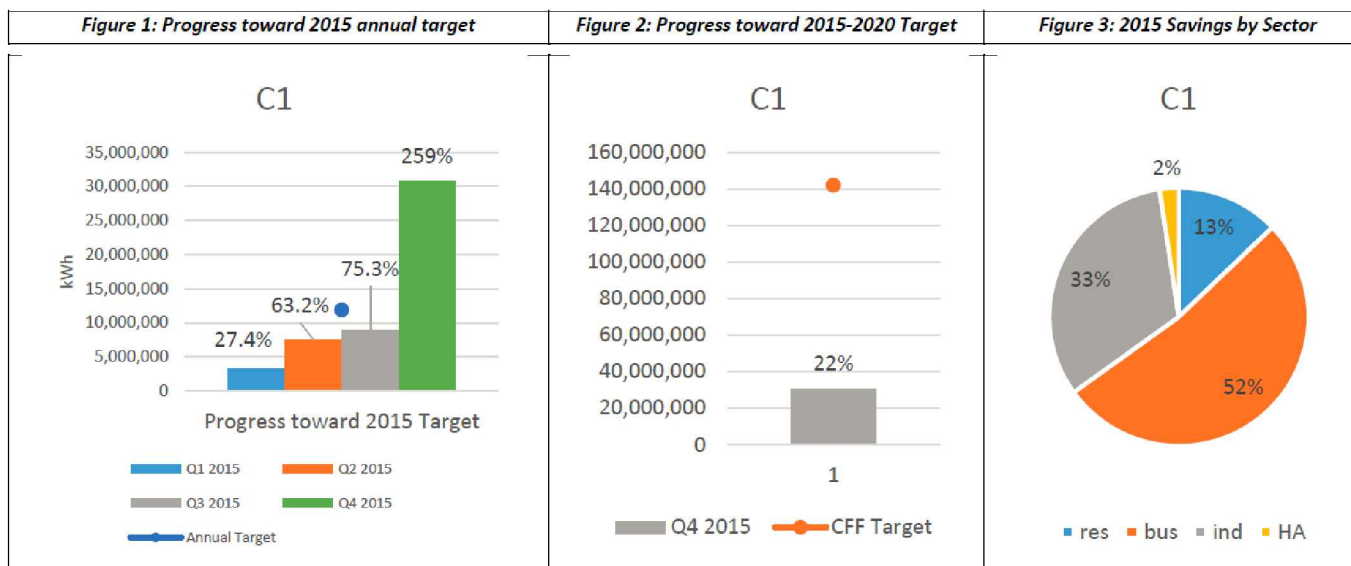


April 2016

2015 Progress Dashboard

Plan Target (MWh)	141,877
Plan Budget	\$38,811,539

As of the Q5 2015 report released by IESO March 2016, CustomerFirst LDCs have achieved 259% of the 2015 Annual target and 22% of the 2015-2020 target.



2015 Conservation Results



April 2016

2015 Progress Dashboard: Newmarket Hydro

Plan Target (MWh)	36,240
Plan Budget	\$9,649,555

As of the Q4 2015 report released by IESO March 2016, Newmarket has achieved 234% of the 2015 Annual target and 18% of the 2015-2020 target.

Figure 1: Progress toward 2015 annual target

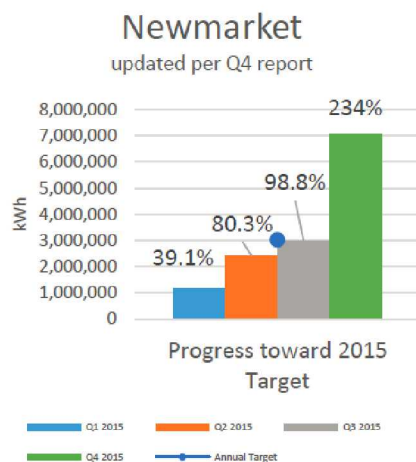


Figure 2: Progress toward 2015-2020 Target

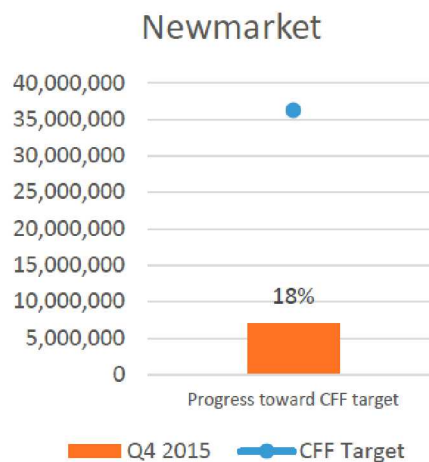
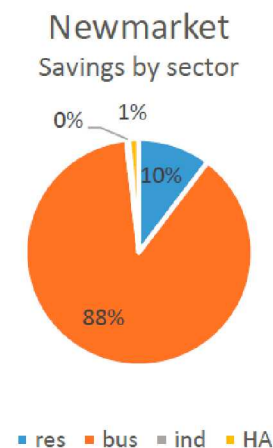


Figure 3: 2015 Savings by Sector



[Shareholders Agreement]

- Business of the Corporation
 - Providing services to Ontario-based Local Distribution Companies and other companies in similar or related businesses
- Shareholder Meetings
 - At least two per year
 - Quorum of 2/3rds

[Board of Directors]

- One director for each shareholder
- Chair elected by the directors
- Management Committee
 - Appointed by the directors
 - Three members
 - Oversee the day to day operations of the Corporation

[Shareholders Agreement]

- Matters Requiring Special Approval
 - 2/3rds or more of Class A Shareholders
 - Amending the articles or by-laws of the Corporation
 - Change in authorized capital
 - Dissolution, liquidation or winding-up of the corporation
 - Issuing further shares
 - Any fundamental change in the business
 - Material capital expenditure of more than \$100,000.00
 - Material purchase of of assets or shares in excess of \$100,000.00
 - Amalgamation or merger
 - Disposing of all or substantially all of the property of the Corporation
 - Amendments to the Shareholders Agreement

[Shareholders Agreement]

■ Dealing With Shares

○ Take-Out Offer and Drag Along

- A majority of Class A shareholders receive a bona fide offer to purchase (Take-Out Offer)
 - Must be unsolicited
- Majority agrees to sell
- Drag along offer made to remainder of Class A shareholders
 - Same terms and conditions as Take-Out Offer
 - Deemed acceptance

[Shareholders Agreement]

- Inactive Shareholders
 - Shareholder ceases to be a party to at least one Services Agreement
 - Shareholder sells its LDC and the Corporation does not approve the share transfer
 - Shareholder sells its LDC to Hydro One
 - Shares sold to the Corporation at 50% of equity value



590 Steven Court, Newmarket, Ontario L3Y 6Z2

Tel: [905] 895-2309

Fax: [905] 895-8931

Email: nmhydro@nmhydro.ca

Newmarket Hydro Holdings Inc.

April 22, 2016

Newmarket Hydro Holdings Inc. Report of the President

TO: Town of Newmarket Committee of the Whole

SUBJECT: Subscription of Shares in CustomerFirst Inc. and the Entering Into a Declaration of Bare Trust and Nominee Agreement with Tay Hydro Inc. by Newmarket Hydro Holdings Inc.

ORIGIN: President, Newmarket Hydro Holdings Inc.

RECOMMENDATIONS:

THAT the Newmarket Hydro Holdings Inc. PowerPoint presentation of the President together with the Report of the President dated April 22, 2016 regarding CustomerFirst Inc. be received and the following recommendations be adopted:

WHEREAS the Corporation of the Town of Newmarket (the "Sole Shareholder") is the sole shareholder of Newmarket Hydro Holdings Inc. (the "Corporation");

AND WHEREAS the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the *Business Corporations Act* (Ontario) (the "OBCA");

AND WHEREAS the Corporation is seeking shareholder approval to enter into a partnership, strategic alliance, joint venture, union of interests or reciprocal concession with any party or any other arrangement with any party for the sharing of profits, specifically CustomerFirst Inc.;

AND WHEREAS the Board of Directors of Newmarket – Tay Power Distribution Ltd. has recommended that the Corporation subscribe to shares in CustomerFirst Inc.;

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

Subscription of Shares in CustomerFirst Inc. and the Entering Into a Declaration of Bare Trust and Nominee Agreement with Tay Hydro Inc. by Newmarket Hydro Holdings Inc.

1. **THAT the Mayor, as the Sole Shareholder's legal representative, direct R.N. Shelton, the sole director and legal representative of the Corporation, to subscribe for certain Class A and Class B shares in the capital of CustomerFirst Inc. described below:**

Subscriber	Class and Number of Shares	Aggregate Consideration	NHHI Portion	Price per Share
Newmarket Hydro Holdings Inc.	1 Class A Share	\$5,000.00	\$4,650.00	\$5,000.00
Newmarket Hydro Holdings Inc.	33,883 Class B Shares	\$338.83	\$315.11	\$0.01

2. **AND THAT the Mayor, as the Sole Shareholder's legal representative, direct R.N. Shelton, the sole director and legal representative of the Corporation, to execute the Declaration of Bare Trust and Nominee Agreement with Tay Hydro Inc.**

[Original signed by]

P.D. Ferguson P.Eng.
President,
Newmarket Hydro Holdings Inc.

DECLARATION OF BARE TRUST AND NOMINEE AGREEMENT

THIS DECLARATION OF BARE TRUST AND NOMINEE AGREEMENT made effective as of the ____ day of _____, 2016.

AMONG:

NEWMARKET HYDRO HOLDINGS INC.
("NHHI")

- and -

TAY HYDRO INC.
("THI")

(NHHI and THI collectively referred to as the "Shareholders")

WHEREAS NHHI is the registered owner of 1 Class A Share and 33,883 Class B Shares (the "Shares") of CustomerFirst Inc. (the "Company"), an Ontario corporation;

AND WHEREAS NHHI has agreed to act, in its capacity as registered owner of the Shares, as bare nominee for and on behalf of both of the Shareholders;

AND WHEREAS NHHI acknowledges and declares that it holds any and all right, title and interest to the Shares for and on behalf of each of the Shareholders solely as bare trustee and nominee for the Shareholders on the terms and conditions herein contained;

NOW THEREFORE IN CONSIDERATION OF the mutual covenants and conditions herein contained, the parties hereto agree as follows:

1. NHHI hereby acknowledges and declares that it holds the Shares as bare trustee and nominee for the benefit of itself and THI as to the following interests (collectively, the "Interests" and each, individually, an "Interest"):

<u>Shareholder</u>	<u>Percentage Interest</u>
NHHI	93%
THI	7%

for the sole use, benefit and advantage of the Shareholders and that the Shareholders own all right, title and interest in their respective Interests in the Shares.

2. NHHI hereby acknowledges and declares that all monies, dividends, distributions, profits, advantages and/or other benefits from the Shares (collectively, the "Distributions") are the property of the Shareholders in accordance with their respective Interest. NHHI shall promptly remit to THI, in accordance with THI's respective Interest, all Distributions and all other funds or other property which are received by NHHI in its capacity as registered owner of the Shares. NHHI shall incur no liability to THI for making any such remittance as NHHI is directed to make (i) pursuant to any notice received from any creditor or other person of, or (ii) pursuant to any standing or special instructions received from THI. NHHI shall, at the expense and request of THI, account to THI for all Distributions, funds and other property received by NHHI in connection with the Shares.

3. NHHI shall promptly transmit to THI copies of all notices, claims, demands, directions or other communications which NHHI receives and which relate in any way to the Shares and/or any interest that the Company may hold in any other corporation, partnership or other entity. NHHI shall at all times during the term of this Declaration of Bare Trust and Nominee Agreement cause the Shares and any and all other interests the Company may hold in any other corporation, partnership or other entity to be voted as mutually agreed by the Shareholders (if applicable); provided, however, in the event that the Shareholders are unable to agree upon the manner in which the Shares are to be voted after discussion between the Shareholders, NHHI, as the holder of the majority Interest, shall have the right and discretion to determine how such Shares shall be voted.

4. All costs and expenses incurred by NHHI in connection with the performance of its duties and obligations hereunder, or in connection with the holding by NHHI of registered title to the Shares, shall be borne by the Shareholders in accordance with their respective Interest.

5. NHHI shall not transfer, hypothecate or otherwise deal with any of the Shares except in accordance with the terms and conditions of this Declaration of Bare Trust and Nominee Agreement. NHHI shall only deal with the Shares in such a manner as the Shareholders may, from time to time, agree; provided, however, THI may, at any time, transfer and assign its Interest in the Shares to NHHI upon and subject to such terms and conditions as THI and NHHI agree at such time.

6. NHHI shall, if requested by THI, keep and maintain complete and accurate books of accounts or other records relating to the Shares. Such books and records will be available for inspection by THI and THI shall have the right to make copies of such books and records or to extract from them such information as THI may desire.

7. NHHI accepts the bare trust and nominee relationship hereby created and agrees to comply with all of the terms and conditions of this Declaration of Bare Trust and Nominee Agreement until:

- (a) NHHI is legally discharged from the terms and conditions of this Declaration of Bare Trust and Nominee Agreement by a court of competent jurisdiction; or
- (b) NHHI and THI agree in writing that NHHI shall no longer be bound by the terms and conditions of this Declaration of Bare Trust and Nominee Agreement.

8. NHHI shall receive no remuneration, compensation or benefit of any kind by reason of its holding the Shares for the Shareholders as trustee.

9. NHHI shall not assign or transfer its right, title or interest in and to any of the Shares or the duties and obligations of the nominee and trustee of such Shares as set out in this Declaration of Bare Trust and Nominee Agreement without first obtaining the written consent of THI.

10. NHHI shall have no rights or duties other than those expressly set out in this Declaration of Bare Trust and Nominee Agreement or otherwise agreed upon in writing executed by the Shareholders.

11. On demand in writing from THI, but subject to compliance with applicable law, NHHI shall transfer or assign to or at the direction of THI, THI's Interest in the Shares and shall account to THI for all Distributions realized by NHHI from the Shares which have not been previously paid to the Shareholders.

12. NHHI neither carries on nor intends to carry on a business that is a trust business.
13. The Shareholders shall have the power to revoke this bare trust and re-vest to the Shareholders title to the Shares at any time, subject to compliance with applicable law.
14. All notices or other communications and deliveries required by this Declaration of Bare Trust and Nominee Agreement or desired to be given or made by any of the parties hereto shall be sufficiently given if personally delivered or if mailed by registered mail, receipt requested, addressed to the recipient at the address noted at the end of this Declaration of Bare Trust and Nominee Agreement or such other address of which written notice is given. Each such notice, communication or delivery shall be deemed delivered on the date of delivery (if personally delivered) or on the third business day following mailing thereof (if mailed).
15. This Declaration of Bare Trust and Nominee Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
16. This Declaration of Bare Trust and Nominee Agreement shall be governed and interpreted in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.
17. This Declaration of Bare Trust and Nominee Agreement constitutes the entire agreement between the parties relating to the subject matter hereof and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written (including, without limitation, the Original Bare Trust).

[Balance of page left intentionally blank. Signature page follows]

IN WITNESS WHEREOF the parties have executed this Declaration of Bare Trust and Nominee Agreement effective as of the date first written above.

NEWMARKET HYDRO HOLDINGS INC.

Per: _____

Name: R.N. Shelton
Title :Director

I/we have the authority to bind the corporation

Address for Service:
590 Steven Court
Newmarket, Ontario
L3Y 6Z2

TAY HYDRO INC.

Per: _____

Name: R. Lamb
Title: Director

I/we have the authority to bind the corporation

Address for Service:
489 Finlayson Street
P.O Box 160
Port McNicoll, Ontario
L0K 1R0

Deputation and Further Notice Request Form

Please complete this form to speak at a meeting of Town Council or Committee of the Whole or to receive further notification regarding an item on the agenda. If filling out by hand please print clearly.

Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Name: Wasim Jarrah	
Organization / Group/ Business represented:	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9th 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): I wish to expres my support for the clock tower development and outline reason for that support.	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

Deputation Guidelines:

- Deputations related to items on the agenda can be accommodated up to and including the meeting day;
- Deputations related to items not on the agenda may be scheduled within sixty (60) days of receipt of this form;
- Deputations will not be heard on a matter decided upon by Council until ninety (90) days have passed from the date of the matter's disposition by Council;
- Deputations are limited to 5 minutes.

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

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

From: Sturgeon, Cori
Sent: April-21-16 2:54 PM
To: Moor, Linda; Finnerty, Chrisanne
Subject: FW: Committee of the whole meeting,

From: Art Weis
Sent: April-21-16 2:27 PM
To: Clerks
Subject: Committee of the whole meeting,

Hello-

I wish to make a deputation in favour of the proposed Clocktower development, file D14 NP 13-19, at the May 9th meeting.

Arthur E. Weis

Newmarket

Thank you
Art Weis

Arthur E. Weis, Ph.D.
Department of Ecology and Evolutionary Biology
University of Toronto

Deputation and Further Notice Request Form

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Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Name: Siegfried Wall	
Organization / Group / Business represented: Wall Real Estate Limited as agents for: 933016 Ontario Inc.	
Address: 2303 Eglinton Ave. E #100 Toronto	Postal Code: M1K 2N6
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9, 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: D14 NP 13-14
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Objection to 7 storey development on the Clock Tower Lands on Main Street in Newmarket.	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting. attached.	

Deputation Guidelines:

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Wall Real Estate Limited
as agents for:
933016 Ontario Inc.
2303 Eglinton Avenue East Suite 100
Toronto ON M1K 2N6
tel: (416)751-3368

April 18, 2016

To:
the Town of Newmarket,
Newmarket Ontario.

Hand-delivered
Re: Objection to New Clock-tower Development Application:

Mr. Mayor,
Councillors, Committee of the Whole
Chief Planner, Planning Department,
to Whom in may concern,

I hereby object to the proposed clock-tower development on Main St. South, Newmarket
as follows:

A Brief History of Time (in Newmarket)

- Newmarket was incorporated as a village in 1857 with a population of 700 people.
- Robert Simpson (of later Simpson's Department Stores), moved into an existing building at the North-west corner of Timothy/Main St. South, Newmarket in 1858. Accordingly my building must have already been there prior to Newmarket's incorporation.
- The Newmarket Historic Downtown Community, myself included, love our neighbourhood and we supported our Council of Newmarket's strong fight, wish, and desire, to protect this valuable historic area with the new by-law: *Heritage Conservation District Plan - Lower Main St. South, Newmarket.*
- The *Heritage Conservation District Plan* states, and I quote: "The purpose of declaring an area a heritage conservation district is to CONSERVE and ENHANCE the CHARACTER of a neighbourhood.
A heritage conservation district plan guides physical change over time so that any change CONTRIBUTES to the district's historic character." (emphasis added)

cont. page 2

- Many in our community and I, say:
"YES" to RESPONSIBLE development in COMPLIANCE with existing laws --
CONTRIBUTING to the district's historic character -- and not DOMINATING and
OVERPOWERING it.
- The current clock-tower proposal is NOT in compliance with Council's own vision
statement, contradicts it, and is therefore a

MISFIT.

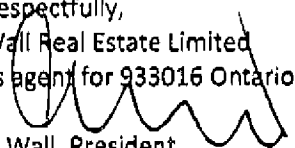
- It does not CONSERVE,
- It does not ENHANCE,
- and a 7-story high new development in an existing 2- to 3-story historic neighbourhood
is NOT homogeneous and it does NOT CONTRIBUTE to the district's historic character.

Summary:

- The three failures above, regarding Council's own vision statement, is too much to
endure for the effected community, and we fail to understand why you are now going
against your own recently implemented heritage plan. Accordingly, we plead with you:
DO NOT FAIL TO SUPPORT YOUR OWN PRINCIPLES OF YOUR OWN VISION-STATEMENT.
- In order to comply with provincial *Places to Grow* Act legislation, Newmarket is better
served with new development closer to public transportation, and on higher-density
designated lands of the official development plan, i.e. in the Yonge Street corridor and
in the Davis Drive corridor. - no objection.
- A public land swap on Market Square with the clock-tower developer would only
increase their ability to ask Newmarket for higher density (parking level one = approx.
36 parking spots, and parking level two = approx. 37 parking spots, for a total of approx.
73 parking spots on public land). That land swap would greatly affect the parking ratio
related to # of units asked for by the developer, which would result in a taller building.
- George Orwell's *Animal Farm* comes to mind -- all existing 2- to 3-story buildings in the
historic district are equal -- but a proposed new 7-story clock-tower application is more
equal than the others.
- Mr. Mayor and Councillors of Newmarket,
Do the right thing and reject this application, and keep our public land on the
west side of Main Street for the public's future parking needs, and the
successful operation of the Old Town Hall's future events, incl. parking.

Thank you.

Respectfully,
Wall Real Estate Limited
as agent for 933016 Ontario Inc.


S. Wall, President



PLANNING AND BUILDING SERVICES

Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

April 20, 2016

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2016-13

TO: Committee of the Whole

SUBJECT: Application for Zoning By-law Amendment
345 and 351 Davis Drive
1738357 Ontario Ltd.
File No: D 14-NP-13-29

ORIGIN: Planning and Building Services

RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning and Building Services 2016-13 dated April 20, 2016 regarding an application for a zoning by-law amendment be received and the following recommendation(s) be adopted:

1. THAT the application for zoning by-law amendment, as submitted by 1738357 Ontario Ltd. For lands being located at 345 and 351 Davis Drive, be approved and that staff be directed to prepare the necessary Zoning By-law Amendment including a Holding Provision, as necessary;
2. AND THAT Andrew Fernacik, Walker, Nott, Dragicevic Assoc. Limited, 90 Eglinton Avenue East, Suite 970, Toronto, Ontario, M4P 2Y3, be notified of this action.

COMMENTS

Location

The subject property is located at 345 and 351 Davis Drive, generally north and west of the intersection of Davis Drive and Vincent Street, hereafter collectively referred to as the "subject property" (see Location Map, attached). The property has an area of 0.32 ha (0.79 acres) and is currently vacant.

Proposal

In order to permit the development of a 40 unit stacked townhouse condominium development this application is proposing to rezone the subject property from the Regional Urban Centre (UC-R) Zone and the Regional Urban Centre Zone Exception 86 (UC-R-86) Zone (dual zoning) to a site specific Regional Urban Centre Zone (UC-R) Zone. This would apply a consistent zone across the entirety of the subject property that recognizes and permits the proposed townhouse development.

The application is also proposing to add “stacked townhouses” as a permitted use, and establish specific development standards across the subject property.

Background

This zoning by-law amendment application was originally submitted in December, 2013. Additional materials including a noise and shadow study were requested by staff, which were subsequently provided by the applicant in March, 2014. The application was deemed complete on March 26, 2014. Staff comments and comments from the public were subsequently provided to the applicant. A statutory Public Meeting was held on September 22, 2014, and a community consultation meeting was held on November 21, 2014 to gather more input from the community regarding the proposal.

Staff identified three main issues with the original application, generally relating to:

1. The interface along the western property line and associated setbacks;
2. Visual impact from the residential properties to the north; and
3. The preference for a joint access from Davis Drive with the property to the east.

There had been no further movement on the file until recently when Town staff followed up with the applicant to assess status. The zoning by-law amendment application was then resubmitted in February, 2016 and includes revisions to address comments previously provided by Town staff, agencies and the public.

Public Consultation

As noted above, Council held the required statutory Public meeting on September 22, 2014. Public comments were centred on the issues of visual impact, traffic and noise.

Regarding concern over visual impact, the original application included 6 deciduous trees (Shagbark Hickory) along the rear. This resubmission increased the size of these trees at installation from 60mm caliper to 80mm caliper, and they are now proposed in a staggered pattern as opposed to being straight across the property line. In addition, 9 evergreen trees (white spruce) are now proposed along the rear fence line, having a size at installation of 350 cm caliper.

Concerns were also expressed regarding traffic. The subject property is located on Davis Drive, which is a regional arterial road recently improved through a Viva Rapidway. As an arterial road, Davis Drive has a planned function of carrying large volumes of traffic. This concern is further mitigated by the presence of the Rapidway, which is intended to facilitate the use of transit along the corridor and therefore decrease the amount of vehicular traffic to/from the site. Regarding potential compatibility issues arising from the noise generated by on-site vehicles, the application proposes underground parking facilities, which will have less noise impacts than a surface parking facility. Finally, the application has been revised to include a long-term access solution involving a shared driveway with the property to the east, thereby reducing the number of access points onto Davis Drive.

Regarding noise concerns, it is likely that the above noted revisions regarding visual impact and traffic impact will also mitigate noise impacts.

Town and External Agency Comments

The resubmission has been circulated internally and to external agencies. The review included original materials and those materials resubmitted as part of this resubmission. None of the commenting parties objected to the approval of the zoning by-law amendment application, and most indicated that more detailed comments will be provide during the Site Plan process.

Where appropriate, revisions were made to the application to respond to the comments received. The more significant revisions are as follows:

- The townhouse blocks have shifted slightly to the east in order to accommodate a walkway and landscaped strip along the west side yard;
- Additional landscaping along the northern property boundary;
- The integration of the development's driveway with that of the neighbouring property to the east;
- Minor adjustments to the interior courtyard regarding grading, terraces and the amenity space in order to accommodate the new walkway along the western property line.
- Numerous engineering revisions regarding servicing, grading, stormwater management, transportation and the environmental condition of the site.

Traffic

Town staff had previously requested a shared driveway configuration with the property to the east, in order to reduce the number of entrance/exits onto Davis Drive. The application has been revised to include such a configuration as a long term solution. However in the short-term, separate access to the subject site and the property to the east are proposed. These short term and long term solutions have been approved by the Region, and through the future site plan approval process, a site plan condition will be included regarding protecting for a potential future interconnection or shared driveway arrangement with the property to the east.

The driveway accessing the adjacent property to the east was recently re-constructed as part of the Viva Rapidway project, including new curbing along the shared property line with the subject property. Over the long-term, this application proposes to replace a section of this curbing with a retaining wall to create a shared driveway with the property to the east. Davis Drive is a Regional right-of-way, and therefore the Region has stated that that they will accept the current proposal showing a shared driveway and retaining wall.

In addition, as requested by Town staff as part of the long term solution, the proposal includes adding an access to the east side of the site, via a Future Private Road/Lane directly to Vincent Street, in conjunction with the neighbouring property.

Noise Feasibility Study

A Noise Feasibility Study was submitted with the application. This study determined that sound levels originating from Davis Drive are predicted to exceed Ministry of the Environment and Climate Change noise guidelines in some areas of the development. The Study recommended noise mitigation measures including rooftop barrier, air conditioning accommodation, upgraded building construction and the use of warning clauses to inform future residents of the traffic noise impacts.

The submitted Noise Report has been peer reviewed by Aiolos Engineering and found to be acceptable.

Parkland

No public parkland is proposed as part of this application. The applicant has confirmed that parkland dedication contribution will be paid to the Town as per the Town's parkland dedication requirements.

Provincial Policy Statement (PPS) and Provincial Plans

This application supports and is consistent with the Provincial Policy Statement (PPS) direction of intensification to achieve growth and urban vitality while making efficient use of existing infrastructure. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe, by proposing intensification on an underutilized site located along a Regional Corridor served by surface transit.

Region of York Official Plan

The subject property is located along a Regional Corridor and is designated Urban Area in the Regional Official Plan. The Regional Plan is clear that Centres and Corridors are to be the primary locations for the most intensive and greatest mix of development within the Region, and that development within Regional Centres and Corridors be of an urban form and design that is compact, mixed-use, oriented to the street, pedestrian and cyclist-friendly, and transit supportive. This application supports and is consistent with these policies.

Town of Newmarket Official Plan

The subject property is designated Urban Centre in the Town's Official Plan (Yonge Street Regional Centre). The Official Plan is clear that the Urban Centres have a high potential for redevelopment and will be the focus for the intensification of residential and employment uses. Further, higher density housing and employment uses in Urban Centres are encouraged by the Plan as a means of enhancing the feasibility of transit services, increasing ridership, alleviating traffic congestion and reducing reliance on the automobile. This application supports and is consistent with these policies.

The application proposes 40 units on a 0.29 ha property, therefore proposing 138 units per hectare. Specific to the Yonge Street Regional Centre, residential uses in the 30 to 125 units per net hectare range are permitted, however additional densities can be considered, subject to specific study, at a time when a

Secondary Plan has been adopted, and a rapid transit system is operational. With these two criteria in now in place, the proposed density can be supported.

Urban Centres Secondary Plan

The subject property is located within the Urban Centres Secondary Plan area. Although not currently in force and effect, the Secondary Plan has been reviewed to ensure the application maintains the general intent of the Plan.

The Secondary Plan's main objective is to support the redevelopment and intensification of the Centres. The Plan permits a mix of uses across the majority of the Plan area in an effort to support walkability and the development of a complete community, and sets out minimum and maximum building heights and densities throughout the Plan area.

This application satisfies many of the Secondary Plan's policies in terms of the intensification of the Centres through the redevelopment of underutilized properties and adds a residential land use component which is permitted as an element of a mixed use community. Using the Town's persons per unit number of 2.63 for townhouses, as provided by the Region of York, the development would introduce 106 new residents to the Town's Urban Centres.

The subject property is designated "Mixed Use" and "Low Density". The "Low Density" identification permits building heights of between 2-8 storeys and a Floor Space Index (FSI) of between 1.5 and 2.0. Having 3 storeys and a total height of 13.87m, the proposed development satisfies the height requirement. However, the development proposes an FSI of 1.36, therefore the minimum FSI requirement as required by the Secondary Plan is not satisfied. As the application was submitted prior to the enactment of the Secondary Plan, an amendment is not required to address the FSI deficiency.

It is the opinion of staff that this application generally supports and is consistent with the policies of the Secondary Plan, and will appropriately intensify the Davis Drive corridor.

Zoning By-law 2010-40

This application is proposing to rezone the subject property from the Regional Urban Centre (UC-R) Zone and the Regional Urban Centre Zone Exception 86 (UC-R-86) Zone (dual zoning) to a site specific Regional Urban Centre Zone (UC-R) Zone. This would apply a consistent zone across the entirety of the subject property that recognizes and permits the proposed townhouse development.

Regarding zoning standards, the applicant is proposing new standards to permit the proposed development. These new standards are listed on the attached "345-351 Davis Drive Zoning Relief Analysis" table as provided by the applicant, and summarized below.

Both properties (345 Davis Drive and 351 Davis Drive):

- Minimum parking space requirements (Section 5.3.1)

- Entrance/exit width (Section 5.5 viii)
- Loading space requirements (Section 5.6.1)
- Permitted use to allow stacked townhouses (Section 6.4.1)
- Minimum frontage (Section 6.4.2)
- Minimum side yard setback (Section 6.4.2)
- Maximum front yard setback (Section 6.4.2)
- Maximum floorspace index (Section 6.4.2)

Only 345 Davis Drive (relative to the site-specific zoning exception 86 that applies to the property):

- Permitted use to allow stacked townhouses
- Maximum front yard setback
- Minimum side yard setback
- Maximum building height

The Holding Provision under the Planning Act is recommended with the requirements for removal to include allocation of servicing by Council and that the necessary agreements have been entered into.

Servicing Allocation

Servicing has not been allocated to this development. Allocation will be reviewed through the annual servicing allocation review in the spring of 2016.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The redevelopment of this parcel of land is in accordance with the Urban Centres Secondary Plan and has linkages to the Community Strategic Plan as follows:

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

Well-Planned & Connected: implementing the policies of the Urban Centres Secondary Plan.

BUDGET IMPACT

Operating Budget (Current and Future)

The appropriate planning application fees have been received for a zoning by-law amendment application. The Town will also receive revenue from development charges and assessment revenue associated with this development.

Capital Budget

There is no direct capital budget impact as a result of this report.

CONTACT

For more information on this report, contact: Adrian Cammaert, Senior Planner, Policy, at 905-953-5321, ext. 2459; acammaert@newmarket.ca



Adrian Cammaert, MCIP, RPP, CNU-A
Senior Planner, Policy



Jason Unger, MCIP, RPP
Assistant Director of Planning



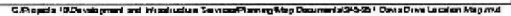
Rick Nethery, MCIP, RPP
Director of Planning & Building Services



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

Attachments:

1. Location Map
2. Zoning Relief Analysis Summary
3. Elevations



345-351 Davis Drive Zoning Relief Analysis

April 2016

By-law Section	Requirement	Proposal	Compliance
Section 5- Parking, Loading and Queuing Requirements			
5.3.1 – Minimum Parking Space Requirements for Townhouse or Stacked Townhouse on Private Road	1.5 Parking spaces per dwelling unit – 60 parking spaces	40 parking spaces for residents	Amendment Required
	0.25 visitor parking spaces per dwelling unit – 10 parking spaces	10 visitor parking spaces	Complies
5.5 – Entrances, Exits and Driveways	viii) each entrance and/or exit ramp shall have a minimum width at the street line of 7.9 metres and if undivided, a maximum of 9 metres	The proposed width is 7.52 metres	Amendment Required
5.6.1 – Loading Space Requirements in Urban Centre Zones	Total GFA between 2,323 m ² and 7,432 m ² – 3 loading spaces	1 loading space	Amendment Required
	Location – interior side or rear yard unless the setback from the street line is a minimum of 60 metres	Located in the middle of the lot	Amendment Required
	Size – width 3.6m, length 9m, vertical clearance 4.2m	Width of 3.6 , length of 9m and open to the sky	Complies
Section 6.4 – Urban Centre Zones			
6.4.1 – Permitted Use	Does not permit stacked townhouses	Stacked Townhouses	Amendment Required
6.4.2 Zone Standards			
Minimum Frontage	60 m	44.07 m	Amendment Required
Minimum Front Yard Setback	3 m	6.02 m	Complies
Minimum Rear Yard Setback	9 m plus an additional 3 m for the portion of the building with a height taller than 9 m – total required 12m	12.25 m	Complies
Minimum Side Yard Setback	3 m	West - 1.90 m	Amendment Required
Maximum Front Yard Setback	6 m	6.02 m	Amendment Required
Maximum Floorspace Index	1.0 FSI	1.36 FSI	Amendment Required
Maximum Height	18 m (6-storeys)	13.87 m (4-storeys)	Complies

Zoning Regulation	Urban Centre – Regional Zone	Proposal	Compliance
Section 8.1.1 – Exception 86 (applicable to 345 Davis Drive only)			
Permitted Uses	Only non-residential uses	Stacked Townhouses	Amendment Required
Minimum Front Yard Setback	22 m	6.02 m	Amendment Required
Minimum Side Yard Setback	3.6 m on one side 1.0 m on the other side	1.90 m	Amendment Required
Maximum Building Height	10.5 m	13.87 m	Amendment Required
Minimum Driveway Width	6.0 m	6.7 m	Complies
Landscape Buffer	A minimum buffer area and planting strip between a parking area and the easterly side lot line shall be 0.97 metres	N/A	N/A
	A minimum buffer area and planting strip between a parking area and the westerly lot line shall be 1.5 metres.	N/A	N/A
Parking Spaces	Parking spaces shall be permitted to be located a minimum of 0.97 metres from the easterly side lot line and 1.5 metres from the westerly lot line.	N/A	N/A





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

www.newmarket.ca
info@newmarket.ca
905.895.5193

May 9, 2016

**DEVELOPMENT AND INFRASTRUCTURE SERVICES – PLANNING & BUILDING SERVICES REPORT
2016-18**

TO: Mayor and Members of Council

SUBJECT: Street Naming Policy

ORIGIN: Planning Services

RECOMMENDATIONS

THAT Development and Infrastructure Services – Planning & Building Services Report 2016-18 dated May 9, 2016 regarding the Street Naming Policy be received and the following recommendations be adopted:

- 1. THAT Council adopt the attached Street Naming Policy**
- 2. THAT Council delegate to Staff such authority as is required to administer the Street Naming Policy**

BACKGROUND

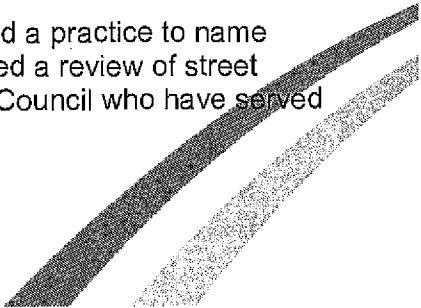
Following Council's adoption of Corporate Services Report – Legislative Services 2015-05 dated April 2, 2015, the Street Naming Committee was dissolved. A new process is required for the naming of streets in Newmarket. This report presents a policy for a new internal street naming review policy that reflects the need to have street names that are clear, easily understood, and reflective of Newmarket's heritage.

Committee of the Whole considered Development and Infrastructure Services – Planning & Building Services Report 2016-11 at its meeting of April 18, 2016 and directed staff to return with a revised version of the policy.

COMMENTS

The attached policy reflects the direction from Committee of the Whole to staff to vest full ability to name streets to the Town. This will reduce the ability for developers and property owners to name streets, although staff will continue to consult with property owners before selecting names from the Street Name Reserve List. This change will allow names from the Street Name Reserve List to be allocated to streets more quickly.

Members of Committee also expressed interest in whether the Town has employed a practice to name streets after members of Council who had served three terms. Staff have performed a review of street names and terms of office and found an inconsistent practice. Some members of Council who have served



three or more terms have not had a street named in their honour. This is the case for former members such as Pam MacDonald (1988-1997) and Frank Bowser (1939-1951). Conversely some streets have been named after members who have served three or even fewer terms such as Harry Doyle (1922-1926). Staff recommend that requests for street naming in honour of former members of Council proceed through the same process as all other street naming requests.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The proposed policy will support the Community Strategic Plan by being *Well Respected* by ensuring that Newmarket's streets remain named in a manner that is clearly understood and reflective of the Town's heritage.

The proposed policy will support the Council Strategic Priority of Efficiency & Financial Management by better aligning staff time with the review required of street names.

CONSULTATION

The public was consulted through the Boards and Committees review that occurred in 2014-2015 leading up to the adoption of Corporate Services Report – Legislative Services 2015-05 dated April 2, 2015 which directed a new structure of boards and committees.

HUMAN RESOURCE CONSIDERATIONS

None.

BUDGET IMPACT

None.

CONTACT

For more information on this report, contact: Ted Horton, Planner, at 905-953-5321, ext 2458; thorton@newmarket.ca



Commissioner, Development and Infrastructure
Services



Director, Planning & Building Services



Planner



CORPORATE POLICY

Sub Topic:	Street Naming Policy	Policy No. PLAN. 1-01
Topic:	Naming	Applies To: Public and Private Streets
Section:	Planning and Building Services	Council Adoption Date:
Effective Date:	Revision No:	Date:

Policy Statement and Strategic Plan Linkages

The Town of Newmarket prides itself on its core values and being "Well planned and Connected." As the Town strives to cultivate strategic growth, this policy supports that commitment by ensuring streets are named within their appropriate protocols.

Purpose

The purpose of the Street Naming Policy is to set out guiding principles for the naming and renaming of streets in the Town of Newmarket. The Street Naming Policy includes the process for street names being added to, and developing priority standing on, the Town of Newmarket Street Name Reserve List and the establishment of an Internal Review Team. In addition, it outlines the procedures for assigning street names to a development and renaming an existing street.

This policy applies to both public and privately managed streets in the Town of Newmarket, subject to legislative requirements and governing by-laws. The policy is administered by Planning and Building Services.

Definitions

Resident- in relation to section 7.0 of this policy, a resident is a person who resides on, or owns property that fronts on to the subject street; including tenants and business owners.

Town – is the Corporation of the Town of Newmarket

Street Name Reserve List- is a database of names intended to be used as street names within the Town of Newmarket.

Procedures

1. Establishment of an Internal Review Team

- 1.1 The Street Naming Internal Review Team is established to make recommendations to the Director of Planning or designate with regards to the naming of public and private streets in the Town of Newmarket.
- 1.2 The Street Naming Internal Review Team will be composed of the following groups:
 - Staff Liaison, Heritage Newmarket Advisory Committee
 - One (1) representative from Town of Newmarket Planning and Building Services
 - One (1) representative from the Town of Newmarket Recreation and Culture Department
 - One (1) representative from Central York Fire Services.
- 1.3 The Street Naming Internal Review Team's recommendations to the Director of Planning or designate include:
 - a) Requests to add a name to the Reserve List.
 - b) Assigning names to new subdivisions/ newly created roads, both private and public.
- 1.3 The Street Naming Internal Review Team will comment and provide recommendations by e-mail whenever possible. Formal meetings will be held only where required.

2. Street Name Reserve List:

- 2.1 The Street Name Reserve List is a database of names intended to be used as street names within the Town of Newmarket.
- 2.2 The Street Name Reserve List will include potential themes to be used for developments in the Town of Newmarket.
- 2.3 Names within the Street Naming Reserve List may be prioritized to expedite selection.
- 2.4 Staff will provide an annual report to Committee of the Whole presenting the current Street Naming Reserve List.

3. Adding names to the Street Name Reserve List:

- 3.1 Any street name request shall be forwarded to the Town of Newmarket Planning and Building Services.
 - 3.1.1 Any person can make a request for a street name.
 - 3.1.2 The request shall include the proposed name, a description as to how it meets the established criteria, and contact information.

3.2 Street Name Criteria:

3.2.1 Names must relate to local individuals/families posthumously who:

- a. Have had a considerable relationship with the Town, and/or
- b. Have made a significant social, political or cultural contribution to the Town.

Or

3.2.2 Other names of historical significance.

3.2.3 Themes for large developments (e.g. residential and/or industrial subdivisions) shall be of local, regional, provincial or national significance. Priority shall be given to themes with local significance.

3.3 Proposed street names **should not** have any of the following characteristics:

3.3.1 Generic names, such as Bay Street

3.3.2 Names with undesirable definitions or pronounced or spelled similar to such undesirable words

3.3.3 More than one word; use surname unless given name(s) is necessary to avoid duplication

3.3.4 The re-use of a first word in a street name

3.3.5 Corrupted, or modified names, such as Sandiford in recognition of Sandford

3.3.6 Discriminatory or derogatory names (e.g. with regard to race, sex, colour, creed, political affiliation or other social factors)

3.3.7 Names seen as advertising for a particular business

3.3.8 Re-use of former street names

3.3.9 Names of existing institutions, parks, facilities, enterprises, service clubs or similar organizations, lands or structures.

3.3.10 Sound alike/similar street names are prohibited (e.g. Lynx and Links)

3.3.11 Names of existing streets shall be used on new streets which are continuations of, or in alignment with, existing streets

3.4 The names of private streets must be circulated to members of the Street Naming Internal Review Team for evaluation and approval in accordance with the existing street name policies. Due to the potential confusion and problems which may occur for emergency and delivery services caused by the naming of private streets, Planning and

Building Services is to implement this policy as a condition of approval of proposed site plans with internal streets.

- 3.5 The Planning and Building Services representative shall forward all street name requests to the York Region Planning Department for Regional Approval. After receiving this approval, street name requests will then be circulated to the Street Naming Internal Review Team for approval.
- 3.6 If York Region does not approve the name, the Street Naming Internal Review Team may use its discretion to alter the name while maintaining consistency with the Policy and re-submitting it to York Region for approval. The developer/individual/family who submitted the name should be contacted for their approval before the altered name is re-submitted to York Region.
- 3.7 Upon receiving Regional and Local approval, the name is added to the Street Name Reserve List.

4. Street Name Reserve List Prioritization

- 4.1 The Street Naming Internal Review Team may give priority standing to names on the Street Name Reserve List. The Street Name Reserve List shall note those names with priority standing.
- 4.2 The Street Naming Internal Review Committee may prioritize names from the Street Name Reserve List based on the level of significance to the criteria established under Section 3.2.

5. Assigning Street Names to a development:

- 5.1 Planning and Building Services shall review draft plans to determine the number of new streets.
- 5.2 Names of new streets must be chosen from the existing Reserve List.
- 5.3 The Street Naming Internal Review Team will review and assign the name to a new street following consultation with the property owner.
- 5.4 At such time as a name is assigned to a new street within the Town of Newmarket, the Street Naming Internal Review Team shall advise the original requestor that the street name has been officially assigned.
- 5.5 The Street Naming Internal Review Team may require and designate additional information, crest, symbols, etc. pertaining to the street name on street signs, while still maintaining the typical sign size.

6. Circumstances that require Council Approval

- 6.1 In extenuating circumstances in which there is a need for an exception and/or change to the policy Council approval is required (i.e. putting the name of an individual on the list when they are still alive).

7. Renaming an Existing Street

- 7.1 All applications for renaming streets shall be made in writing.
- 7.2 The application shall include a petition with the names, addresses, and signatures of 60% of the affected residents. The petition must demonstrate that at minimum 60% of the affected residents/owners are interested in considering a change to the street name.
- 7.3 The application shall include a recommended new name that is in accordance with this policy.
- 7.4 If Council accepts the request to consider the name change, Council will direct staff to process the request as follows:
- Advise, in regular mail, all affected residents that Council is considering changing the street name and the suggested new name.
 - Hold a Public Information Centre where residents can receive information on potential impacts of the change and express their opinion on the proposed new name. Residents will be informed of the fees that the Town may be aware of (e.g. fees charged by utility companies for address changes) and reminded of the various agencies to be contacted and documents to be changed.
 - Prepare a "Letter of Consent" for the applicant to use in obtaining written agreement from the affected residents.
- 7.5 After the PIC, the applicant is responsible for collecting Letters of Consent from a minimum of 80% of affected residents.
- 7.6 If the request is to consider renaming a portion of a road, a Reference Plan, prepared by a Surveyor may be required, at the applicant's expense.
- 7.7 If requested by the affected residents and/or applicant Council can consider offering compensation to cover the cost of changing addresses (i.e. the fee charged by Newmarket Hydro to change addresses) and/or covering the cost of Reference Plan (if required)
- 7.8 Staff will report back to Council with the results of the public consultation, and if the 80% agreement of residents was achieved, and make recommendation on the proposed change, the new name, and whether or not compensation should be considered.
- 7.9 If Council decides to approve the street name change, staff will be directed to:
- Bring forward a by-law repealing existing street name (if required);
 - Bring forward a by-law for the new street name; and

- Register the new name on title of the affected properties

7.10 Through the Fees and Charges By-law, Council may choose to establish an application fee to cover the staff time and resources required to process the street name change.



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

www.newmarket.ca
mmayes@newmarket.ca
905.895.5193 ext. 2102

April 27, 2016

CORPORATE SERVICES REPORT – FINANCIAL SERVICES – 2016-20

TO: Mayor Tony Van Bynen and Members of Council
SUBJECT: Deferred Implementation of Tiered Water Rates
ORIGIN: Director, Financial Services/Treasurer

RECOMMENDATION

THAT Corporate Services Report - Financial Services – 2016-20 dated April 27, 2016 regarding Deferred Implementation of Tiered Water Rates be received and the following recommendation be adopted:

THAT staff be directed to report back to Council on the implementation of the phase-in of the tiered fixed rate structure in 2017.

COMMENTS

Purpose

This report is to update Council on the implementation of a tiered fixed rate structure, which is being recommended to be deferred until 2017.

Budget Impact

Forgoing the implementation of the tiered rate structure in July will reduce projected revenue for 2016 by 1% or \$290,000. This can be covered through the rate stabilization fund.

Summary

Although customers with large water meters tend to consume significantly more water on average, there is variation of consumption levels between customers with meters of the same size. Further analysis is required to ensure that the introduction of the rate structure does not adversely impact certain customers.

BACKGROUND

Financial services report 2015-53 directed staff to report back to Council on the implementation of the phase-in of a tiered fixed rate structure.

The report recommended that the Town adopt a tiered fixed rate structure on July 1, 2016 where customers with larger meters pay a higher fixed rate. The *American Water Works Association* has established a standard factor of what customers should be charged relative to the residential sized meter.

Table 1: Standardized Meter Equivalency Factor

Meter Size	5/8"	2"	3"	4"
Equivalency Factor	1	8	15	25

There is economic reasoning as to why customers with large meters should bear a greater portion of the fixed cost. Larger meters are more expensive to maintain and replace and require a greater amount of standby capacity to accommodate consumption at peak times.

True costing of the fixed charge for large meters will result in lower increases to the volumetric rate. This new structure will make water and wastewater relatively more affordable for residential and small business customers in subsequent years.

Analysis and Options

An inventory of the larger water meters was performed over the past few months. With this new information, staff was able to compare 2015 consumption levels to meter size to determine a correlation.

It was found that the average consumption level is correlated with meter size. That is the larger the meter, the higher the average consumption level. The average customer with a 2" consumed 23 times more than the average residential customer. The average 3" customer consumed 34 times more than the average residential customer. The average 4" customer consumed 113 times more than the average residential customer.

Despite this correlation, it was found that there was great variation between customers with the same meter size. Table 2 breaks down consumption by consumption level decile for 2", 3" and 4" customers.

Table 2: Annual Consumption in Cubic Meters by Consumption Decile and Meter Size

	2"	3"	4"
10%	327	405	1,812
20%	561	951	3,725
30%	900	2,029	4,348
40%	1,347	3,562	5,799
50%	1,812	5,697	6,686
60%	2,523	8,547	12,922
70%	3,973	9,648	13,821
80%	6,206	11,184	20,887
90%	10,910	13,449	27,705
100%	87,386	36,289	186,745
Number of users	273	38	25

To put this into context, the average resident (5/8" meter) uses 200 cubic meters of water per year.

The consequence of this variation is that different customers will experience the proposed rate structure very differently. For example, a customer in the bottom decile of the 2" customers would see an 80% increase in their water and wastewater bill due to the fixed rate change, while the top decile would see a 0.4% increase.

Due to this variation, staff recommends engaging in further review for a phase-in strategy to ensure that customers are not subject to substantial increases.

Potential strategies include:

- not applying a higher fixed rate to low level water consumers even though they have a larger meter;
- applying a variable fixed rate where a portion of their rate is based on historical consumption levels;
- applying a lower meter equivalency factor to ensure low level consumers are not subject to larger increases.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report links to Newmarket's key strategic direction in being Well Managed through fiscal responsibility.

CONSULTATION

Not applicable to this report.

HUMAN RESOURCES CONSIDERATIONS

Not applicable to this report.

BUDGET IMPACT

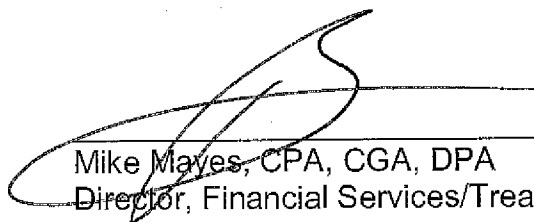
Forgoing the implementation of the tiered rate structure in July will reduce projected revenue by 1% or \$290,000. This can be covered through the rate stabilization fund.

CONTACT

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



Kevin Yaraskavitch
Financial Business Analyst



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



Esther Armchuk B.A. (Hons.), LL.B., DPA
Commissioner, Corporate Services

KY/ne

April 28, 2016

CORPORATE SERVICES REPORT – LEGISLATIVE SERVICES – 2016-09

TO: Mayor Van Bynen and Members of Council

SUBJECT: N6 Contract with BFL Canada Risk and Insurance Services Inc.

ORIGIN: Legislative Services

RECOMMENDATIONS

a) THAT Corporate Services Report – Legislative Services – 2016-09 dated April 28, 2016 regarding “N6 Contract with BFL Canada Risk and Insurance Services Inc.” be received and the following recommendations be adopted:

i) THAT Council authorize a three (3) year contract from January 1, 2017 to December 31, 2019, with BFL Canada Risk and Insurance Services Inc. for the provision of Town Insurance and Risk Management Services.

PURPOSE

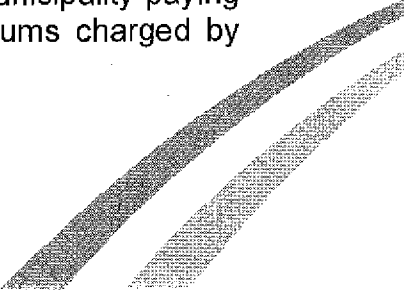
The purpose of this report is to seek Council's authorization to enter into a contract with BFL Canada Risk and Insurance Services Inc. (BFL) for the provision of insurance and risk management services, including insurance claims adjusting services, for 3 years until December 31, 2019.

BACKGROUND

Municipal Insurance Premiums

Municipal insurance premiums throughout the province have continued to rise. In 2011, AMO completed the first ever comprehensive survey of municipal insurance costs across the province which revealed that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs.

The insurance premiums paid by municipalities reflect the legal reality that municipalities are “deep pocket” defendants, often targeted for litigation because the law has established such a low threshold of responsibility. Just a fraction of fault can result in the municipality paying the majority of the cost through joint and several liability, and the premiums charged by insurers reflect this legal risk.



There are other factors that may influence an increase in premiums, some of which are improvements and construction of new facilities and infrastructure, purchase of new equipment, increase in population, and loss record.

Joint RFP

The Northern Six (N6) York Region municipalities have been working together since 2010 on municipal insurance options. In 2011 the group utilized the assistance of a consultant to prepare and release a joint RFP for insurance and risk management services. BFL Canada was the successful proponent and the group collective saved over \$750,000 in insurance premiums.

2015 Renewal Proposal

In 2015, the group engaged in discussions with BFL Canada (insurance broker) and the current insurer (AIG) on different renewal options and expressed the concern of the increase in premiums over the last few years. In response, BFL offered the municipalities a 5% premium reduction based upon the exact coverage for the last renewal, 18 month policy for the five municipalities renewing July 1, 2015, and 12 month policy for the one municipality renewing January 1, 2016. All six of the municipalities now have a policy renewal date of January 1, 2017.

BFL Extension Proposal

BFL has approached the N6 municipalities to extending their brokerage services for an additional three years. East Gwillimbury has lead these discussions and BFL has met with staff from the six municipalities to present their proposal and provide further information.

Value to BFL's Proposal

There are many advantages to continuing with BFL to supply insurance coverage, some of which include:

Eliminate Consultant Fees – There would be no need to obtain the services of an insurance consultant. BFL will market the six municipalities to all municipal insurers. Consultant fees would be saved.

Rate Stabilization Guarantee – BFL is offering two 18 month terms with a rate stabilization guarantee. This means that should the municipality stay within a target loss range, the premiums would not increase. If there were any changes in policy coverage or if the municipality surpassed the target loss range, premiums would be adjusted.

Deductible Review and Analysis – BFL would compare deductible options vs. premium savings and the potential impact on budget factors for self-insurance costs below deductible. BFL will also work to keep the deductibles at the current limit of \$10,000.

Policy Wording Comparison – Complete review of each of the municipality's insurance policy to ensure coverage is suited to our specific requirements and tailored to our changing needs. BFL will also explore additional coverage options (i.e. cyber risk).

Coverage Premium Comparison – Comparison of coverage vs. premium offered by the insurers.

No 'learning curve' – The municipalities have been working with BFL staff since January 2012. BFL is familiar with the individual municipality's day-to-day operations and variety of service requirements.

Continuation of Risk Management Assistance- BFL has a dedicated risk manager who offers a variety of services including contract and tender reviews, best practice assistance and guidance, risk management seminars for municipal staff, and engaging guest speakers who specialize in municipal litigation and risk management.

Benefits to Extend

Each of the six municipalities have been working with BFL since January 2012. BFL has offered excellent service on policy renewals, risk management, and claims management when losses have occurred. They have advocated to ensure the claims have been handled expeditiously, claim payments are fair and adequate, and our insurable interest have been protected. Overall, service has been exceptional and there have been no problems or concerns expressed by any of the six municipalities.

BFL's extension proposal to provide two 18 month policy terms (total of three year extension) with a rate stabilization guarantee will assist the municipalities in the annual budget preparation and reduce staff time in preparing for policy renewal.

In the fall of 2015, one of the N6 municipalities retained the services of a different broker to test the market. This broker was not able to attain premiums better than those currently being offered by BFL without the municipality increasing its deductible by 150%. Deductibles are paid on a per claim basis and are an expense in addition to the annual premium. Any potential savings from a reduced premium would be negated by a higher deductible resulting in an overall increase in cost to the municipality. The municipality continued its relationship with BFL.

Staff have no concerns with the current arrangement with BFL and there are a limited number of insurance companies that are willing to place policies for Ontario municipalities. Staff from each of the N6 municipalities believe that BFL's extension proposal will result in achieving competitive premiums, coverage that best suits the municipalities, and deductibles within our budget limits, while not experiencing any service disruption or "learning curve".

As set out earlier in this report, municipalities in Ontario have experienced a continue increase in insurance premiums. The N6 municipalities have been working co-operatively since 2010 to keep premiums costs as low as possible. The Town has been served well by BFL over the 4 ½ years and BFL wishes to continue to offer services to the municipalities.

They have provided exceptional assistance in claims handling, have worked with the Town to reduce exposure to loss, and were successful in obtaining a lower premium at the last renewal. Extending the contract for an additional three years (two 18 month policies) will provide financial stability when budgeting insurance costs. The other five N6 municipalities also expressed support to continue with the relationship.

Risk Management

Staff continue to implement many risk management practices that are now starting to show results. These include:

- A pre-winter walk through of high traffic areas such as Davis Drive to address sidewalk issues before winter;
- A complete inspection of the Tom Taylor Trail identify and rectify areas of concern;
- Training and information sessions conducted several times over the last two years to provide staff with information on how to identify areas of risk and to address those concerns;
- Information and warning signs have been posted at several locations throughout the Town to warn the public of the potential risk associated with particular activities (including the River Walk Common Water Feature winter and summer, community ice rinks and Town trails);
- Works closely with our insurer and legal experts in regards to amending Town parks and trail signs to reduce the Town's exposure to potential claims with properly worded and placed signs.

The Town's Claims and Risk Analyst also works with the Town's insurer and adjusting company to identify municipal risk trends and to implement strategies to deal with those issues and mitigate the Town's losses.

In addition, York Region has provided internal audit services to the N6 municipalities for several years. The last internal Risk Assessment was conducted in 2011, as such, the internal auditors are currently in the process of collecting information and updating the Town's Risk Assessment for 2016.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This initiative supports the Town's Vision, Mission and Community Strategic Plan goal of being well equipped and managed by implementing policies and processes that reflect sound and accountable governance and fiscal responsibility in achieving service excellence.

CONSULTATION

Staff have consulted with the northern six CAOs, the Manager of Procurement, and Legal Services staff.

HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations associated with this report.

BUDGET IMPACT

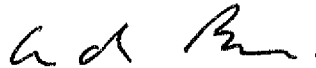
There are positive financial implications in extending BFL's contract for an additional three years. The immediate savings will be the elimination of consultant's fee. That is a direct \$5,000 budget savings for the Town of Newmarket, and \$30,000.00 collectively for the northern six municipalities. The option to insure for two 18 month policy terms with a rate stabilization guarantee will assist in the annual budget preparation, and should the Town stay within the targeted loss range, there will be no premium increases. If there were any changes in policy coverage or if the municipality surpassed the target loss range, premiums would be adjusted.

CONTACT

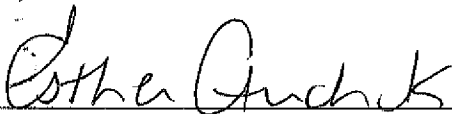
For more information on this report, contact John Quinn, Claims and Risk Analyst at 905 953-5300, extension 2212 or by email at john.quinn@newmarket.ca



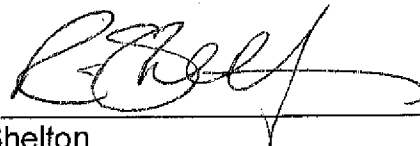
John Quinn
Claims and Risk Analyst



Andrew Brouwer
Director of Legislative Services/Town Clerk



Esther Armchuk
Commissioner of Corporate Services



Bob Shelton
Chief Administrative Officer



Town of Newmarket
MINUTES

**65 MAIN STREET DISTRICT BUSINESS
IMPROVEMENT AREA BOARD OF
MANAGEMENT**

Tuesday, March 15, 2016 at 7:30 PM
Ray Twinney Complex Lounge 2

The meeting of the Main Street District Business Improvement Area Board of Management was held on Tuesday, March 15, 2016 in the Ray Twinney Recreational Complex Lounge 2, 100 Eagle Street West, Newmarket.

Members Present: Glenn Wilson, Chair
Anne Martin, Co-Chair
Elizabeth Buslovich
Carmina Pereira
Olga Paiva
Jackie Playter
Rory Rodrigo
Siegfried Wall

Guests: Grant Buckley
Ted Heald
Baiba Roga
John Heckbert
Lisa Heckbert
Tom Hempen
Debbie Hill
Heather Burling
Joe Mariconda
Linda Mariconda
Ken Sparks
Dave Robinson

Staff Present: L. Moor, Council/Committee Coordinator

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

G. Wilson in the Chair.

Additions and Corrections to the Agenda

The Chair advised that the matter of the Lower Main Street South Heritage Conservation District Advisory Group Review listed on the agenda would be considered only if time allowed and that in the absence of the Economic Development Officer, that Items 10 and 11 being the Financial Verbal Update/Account Balance and Community Centre Lands Development Committee Update would be deferred to the April meeting.

Moved by: Jackie Playter
Seconded by: Olga Paiva

THAT the amendments to the agenda as read aloud by the Chair be received.

Carried

Declarations of Pecuniary Interest

None.

Presentations

1. BIA – Year in Review Presentation.

The Co-Chair addressed those present with a PowerPoint presentation entitled 'BIA - Year in Review'. A suggestion was made for more volunteer involvement at the 2016 Canada Day festivities as well as additional food vendors with 'kid friendly' menus and vegetarian options.

Moved by: Carmina Pereira
Seconded by: Rory Rodrigo

THAT the PowerPoint presentation by the Co-Chair entitled 'BIA – Year in Review' be received.

Carried

2. Upcoming BIA Advertising Presentation.

The Co-Chair provided a verbal update with respect to potential print advertising samples and presented a mock-up advertising poster.

Discussion ensued regarding the proposed print advertising layout, costs associated with its sustainability and social media marketing.

Moved by: Carmina Pereira
 Seconded by: Olga Paiva

THAT the verbal update by the Co-Chair and the mock-up sample advertising poster be received.

Carried

The Chair provided a verbal update regarding the website and advised that the new provider should have the website live within the next couple of business days.

Approval of Minutes

3. Main Street District Business Improvement Area Board of Management Minutes of February 16, 2016.

Moved by: Jackie Playter
 Seconded by: Siegfried Wall

THAT the Main Street District Business Improvement Area Board of Management Minutes of February 16, 2016 be approved.

Carried

4. Marketing Sub-committee Report.

The Chair distributed copies of the Marketing Sub-committee Report of March 4, 2016.

Moved by: Siegfried Wall
 Seconded by: Rory Rodrigo

THAT the Marketing Sub-committee Report of March 4, 2016 be received.

Carried

Items

5. Deputations/Outdoor Patios Discussion.

The Chair provided a verbal status update regarding the Outdoor Patios matter and advised that one more outdoor patio application for a property on Botsford Street known as 'Unika Lounge' has been received and the Town is seeking the Main Street District Business Improvement Area Board of Management's support in advancing this project.

Moved by: Jackie Playter
Seconded by: Olga Paiva

THAT the Main Street District Business Improvement Area Board of Management support the outdoor patio application for the property on Botsford Street known as 'Unika Lounge';

AND THAT Town of Newmarket staff be advised of such.

Carried

6. Main Street Passport Review.

O. Paiva provided a verbal update regarding the Main Street Passport initiative that was presented by Mr. Dave Robinson at the December meeting. She advised that the Marketing sub-committee suggested not supporting the initiative at this time, however, deferred the final decision to the Board of Management.

Mr. Robinson addressed those present with further details associated with the Main Street Passport initiative and provided his opinion that the proposal would assist in making 'Main Street, Newmarket' a destination. Discussion ensued regarding the length of time associated with decision reporting and the feasibility of a presentation to the entire BIA membership in an effort to gauge interest.

The Chair suggested that Mr. Robinson attend the next scheduled Marketing sub-committee meeting and provide more information regarding the proposed opportunity.

7. Restaurateurs Representation Review.

The Chair provided a verbal status update regarding the feasibility of restaurateurs' representation on the Board of Management; he suggested that if there are restaurateurs who are genuinely interested in Board participation, they could submit their concerns to any Board of Management member or they themselves could form a specific sub-committee.

8. Marketing Sub-committee Events Update.

O. Paiva provided a verbal update regarding marketing of upcoming events and advised that the Marketing sub-committee had agreed to a token initiative of offering 'Main Street Bucks' for merchants willing to participate at a cost of \$50 per month for a period of 10 months.

Moved by: Jackie Playter
Seconded by: Rory Rodrigo

THAT the Marketing Sub-committee revitalize the 'Main Street Bucks' initiative for a period of 10 months at a cost of \$50.00 per month for a total of \$500.00.

Carried

O. Paiva advised that the Marketing sub-committee suggested an increase in vendor application fees to \$100.00 per booth for the Canada Day festivities with an option to utilize the booth at a future event for that same price.

Moved by: Carmina Pereira
Seconded by: Elizabeth Buslovich

THAT the vendor fees for booths at the Canada Day Festivities be increased to \$100.00 per booth.

Carried

O. Paiva advised that, although an amount of funding had recently been approved for Easter festivities, an additional \$300.00 is required for various sundries.

Moved by: Jackie Playter
Seconded by: Rory Rodrigo

THAT an amount of \$300.00 be approved for the additional Easter celebration expenses.

Carried

O. Paiva provided a verbal update regarding a proposed Mother's Day event and requested expenses funding.

Moved by: Jackie Playter
 Seconded by: Rory Rodrigo

THAT an amount of \$2500.00 be approved for the proposed Mother's Day event expenses.

Carried

9. Community Centre Lands Development Committee Update.

O. Paiva requested that, although this item was deferred to the April meeting under the Additions and Corrections to the Agenda portion of the meeting, she provided her opinion that there should be BIA representation on the Community Centre Lands Development Committee. Discussion ensued regarding the structure of the Committee being senior staff members with reporting to Members of Council.

The Chair suggested that this matter be considered at the April, 2016 meeting.

Moved by: Jackie Playter
 Seconded by: Olga Paiva

THAT the matter of BIA representation on the Community Centre Lands Development Task Force be deferred to the April, 2016 Main Street District Business Improvement Area Board of Management meeting.

Carried

10. **New Business**

a) R. Rodrigo provided an update from the recent Newmarket Arts Council meeting and advised that the Members are receptive to the idea of Main Street closures for events however; the Arts Council members suggested that timing notice sooner than later, if closures were to take place, is imperative.

Moved by: Jackie Playter
 Seconded by: Rory Rodrigo

THAT the verbal update by R. Rodrigo regarding the Newmarket Arts Council be received.

Carried

b) S. Wall queried those present regarding the resignation of a Member of Council and the timing of impending appointment of a replacement.

Adjournment

Moved by: Anne Martin
Seconded by: Siegfried Wall

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:35 p.m.

Carried

APRIL 19, 2016
Date


G. Wilson, Chair

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, April 5, 2016 in Cane A & B, 395 Mulock Drive, Newmarket.

Members Present: Athol Hart, Chair
 Councillor Hempen
 Billie Locke
 Joan Seddon
 Rohit Singh
 Malcolm Watts

Absent: Soni Felix Raj

Staff Present: C. Finnerty, Council/Committee Coordinator

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

A. Hart in the Chair.

Additions & Corrections to Agenda

Moved by: Joan Seddon
Seconded by: Malcolm Watts

THAT the order of the agenda be amended to address Item 5 – Main Street Clocktower - 178-180 Main Street first.

Carried

1. Main Street Clocktower - 178-180 Main Street.

The Chair advised that the Subcommittee met to review the application and has prepared a draft motion. Discussion ensued regarding the stained glass windows at the Trinity United Church, potential construction damage associated with the proposal and underground parking.

Moved by: Joan Seddon
 Seconded by: Rohit Singh

WHEREAS the proposed building does not comply with the Town of Newmarket's Official Plan for Main Street which limits building heights to three stories;

AND WHEREAS the proposed building does not comply with the Development Plan for the Heritage Conservation District;

AND WHEREAS the proposed underground parking consists of three levels and there is an underground watercourse beneath or adjacent to the proposed development and surrounding buildings resulting in the need for the installation of waterproofing and structural pylons and therefore the construction of the proposed development may cause a change in the natural underground watercourse and may cause damage to other buildings in the Heritage Conservation District;

AND WHEREAS many of the buildings in the surrounding area are built on rubble stone foundations, extensive excavation and construction may result in ancillary damage to other parts of those buildings;

AND WHEREAS currently Park Avenue is a narrow street which is frequently blocked by vehicular traffic, and the proposed main entrance and exit for the underground parking garage, together with the loading dock will add to an already stressed situation on Park Avenue considering that the Trinity United Church which is across the street also has handicapped parking/access onto Park Avenue opposite or in close vicinity to the underground garage entrance/exit and the loading dock and therefore, concerns arise regarding adequate turning radius and potential risks for moving vans and delivery trucks;

AND WHEREAS the proposed construction requires a land swap between the owner and the Town of Newmarket in order that it has the required number of parking spaces;

AND WHEREAS according to the building proposal submission, the facades of the buildings at 184, 188, 190 and 194 Main Street south of the former Post Office have not been preserved in accordance with the Ontario Heritage Act;

AND WHEREAS the streetscape and shadow study provided do not realistically show the potential impact on surrounding buildings such as the Trinity United Church, where the stained glass windows are worthy of protection, and businesses on the east side of Main Street where front windows may also be impacted;

AND WHEREAS the construction of this development may have a long term effect on public parking which may negatively impact the local merchants' ability to carry on business for an extended period of time;

AND WHEREAS the likelihood of precedent setting examples exist with this proposed rezoning application;

THEREFORE we, the members of the Heritage Newmarket Advisory Committee adamantly recommend that the Council of the Town of Newmarket reject this proposal.

Carried

Declarations of Interest

None.

Approval of Minutes

2. Heritage Newmarket Advisory Committee Minutes of March 8, 2016.

Moved by: Councillor Hempen

Seconded by: Billie Locke

THAT the Heritage Newmarket Advisory Committee Minutes of March 8, 2016 be approved.

Carried

Presentations/Deputations

None.

Correspondence

3. Correspondence from the Town of Newmarket Planning and Building Services Department dated March 1, 2016 regarding Public Meeting concerning a Proposed Official Plan and Zoning By-law Amendment - 260 Eagle Street (Southeast corner of Eagle Street and Cawthra Boulevard).

Moved by: Malcolm Watts
 Seconded by: Rohit Singh

THAT the correspondence from the Town of Newmarket Planning and Building Services Department dated March 1, 2016 regarding Public Meeting concerning a Proposed Official Plan and Zoning By-law Amendment - 260 Eagle Street (Southeast corner of Eagle Street and Cawthra Boulevard) be received.

Carried

4. Correspondence from the Town of Newmarket Planning and Building Services Department dated March 1, 2016 regarding Public Meeting concerning a Proposed Official Plan and Zoning By-law Amendment - 429/445 Harry Walker Parkway.

Moved by: Billie Locke
 Seconded by: Joan Seddon

THAT the correspondence from the Town of Newmarket Planning and Building Services Department dated March 1, 2016 regarding Public Meeting concerning a Proposed Official Plan and Zoning By-law Amendment - 429/445 Harry Walker Parkway be received.

Carried

5. Correspondence from Materials Consultants Limited regarding Professional Development Technical Training Courses.

Moved by: Joan Seddon
 Seconded by: Councillor Hempen

THAT the correspondence from Materials Consultants Limited regarding Professional Development Technical Training Courses be received;

AND THAT Materials Consultants be contacted with respect to future seminars on Masonry Restoration Project Case Studies and possibly hosting a session in Newmarket.

Carried

Items

6. Designated Property Maintenance and Concerns

a) Christian Baptist Church

Discussion ensued regarding the façade neglect at the Christian Baptist Church and the status of the letter to the property owners.

7. Plaques

a) Site plaques

No update to provide.

b) Residence plaques

The Plaque Subcommittee provided an update on the residence plaques to date and advised that they recently delivered a new plaque to a resident. M. Watts advised that he is meeting with a resident this weekend with respect to obtaining a plaque. Discussion ensued regarding having the plaques predrilled in order to protect the face of the plaque and providing screws with the appropriately coloured heads to match the plaque and the content of the plaque for consistency purposes. In addition, the Committee discussed challenges associated with the research required for plaque production.

Moved by: Joan Seddon

Seconded by: Rohit Singh

THAT the content of the residence plaques be such that they reflect the original homeowner as opposed to the developer's name in order to be consistent and provide further information on the heritage significance of the home.

Carried

c) Heritage location plaques

No update to provide.

8. Council Workshop regarding Committees of Council and Workplans - April 11, 2016.

The Chair advised of the upcoming workshop and encouraged all members to attend.

9. Heritage Newmarket Budget

The Council/Committee Coordinator provided an overview of the budget to date.

10. Reports of Committee Members

a) Architecture, Recreation, Culture, Heritage (ARCH) Committee

The Chair advised that ARCH recently met and are seeking information with respect to any budget line. The Recreation and Culture Department are reviewing this inquiry. In addition, ARCH is reviewing the formalities associated with the re-opening of the Old Town Hall and programs with respect to its re-launch, along with replacement of the ARCH tent poles.

b) Elman W. Campbell Museum Board

B. Locke advised that the March meeting was cancelled due to inclement weather.

c) Lower Main Street South Heritage Conservation District Advisory Group

The Chair advised that there was nothing new to report, however, he requested clarification on the reporting structure of the Advisory Group and queried why the Main Street Clocktower application has not yet been referred to this group. The Council/Committee Coordinator advised that she would inquire and report back to the Chair.

d) Newmarket Historical Society Board of Directors

R. Singh advised that the main project of the Board is the World War trench, origins of the war and share the stories of Newmarket residents associated with the war. In addition, he shared e-mail correspondence requesting walking tour books of the downtown area. Discussion ensued regarding the books and printing costs.

New Business

- a) Councillor Hempen advised that, as the motion related to Item 5 of the agenda, being the Main Street Clocktower - 178-180 Main Street was presented prior to requests for declarations of interest and was read aloud, in an abundance of caution as a business owner on Main Street, he declared a conflict based on the wording of the motion and requested that the motion be reconsidered.

Moved by: Joan Seddon
 Seconded by: Rohit Singh

THAT Item 5 of the Agenda being Main Street Clocktower - 178-180 Main Street be reconsidered.

Carried by 2/3 majority

Councillor Hempen did not take part in the discussion or voting of the foregoing matter.

Moved by: Joan Seddon
 Seconded by: Rohit Singh

WHEREAS the proposed building does not comply with the Town of Newmarket's Official Plan for Main Street which limits building heights to three stories;

AND WHEREAS the proposed building does not comply with the Development Plan for the Heritage Conservation District;

AND WHEREAS the proposed underground parking consists of three levels and there is an underground watercourse beneath or adjacent to the proposed development and surrounding buildings resulting in the need for the installation of waterproofing and structural pylons and therefore the construction of the proposed development may cause a change in the natural underground watercourse and may cause damage to other buildings in the Heritage Conservation District;

AND WHEREAS many of the buildings in the surrounding area are built on rubble stone foundations, extensive excavation and construction may result in ancillary damage to other parts of those buildings;

AND WHEREAS currently Park Avenue is a narrow street which is frequently blocked by vehicular traffic, and the proposed main entrance and exit for the underground parking garage, together with the loading dock will add to an already stressed situation on Park Avenue considering that the Trinity United Church which is across the street also has handicapped parking/access onto Park Avenue opposite or in close vicinity to the underground garage entrance/exit and the loading dock and therefore, concerns arise regarding adequate turning radius and potential risks for moving vans and delivery trucks;

AND WHEREAS the proposed construction requires a land swap between the owner and the Town of Newmarket in order that it has the required number of parking spaces;

AND WHEREAS according to the building proposal submission, the facades of the buildings at 184, 188, 190 and 194 Main Street south of the former Post Office have not been preserved in accordance with the Ontario Heritage Act;

AND WHEREAS the streetscape and shadow study provided do not realistically show the potential impact on surrounding buildings such as the Trinity United Church, where the stained glass windows are worthy of protection, and businesses on the east side of Main Street where front windows may also be impacted;

AND WHEREAS the construction of this development may have a long term effect on public parking which may negatively impact the local merchants' ability to carry on business for an extended period of time;

AND WHEREAS the likelihood of precedent setting examples exist with this proposed rezoning application;

THEREFORE we, the members of the Heritage Newmarket Advisory Committee adamantly recommend that the Council of the Town of Newmarket reject this proposal.

Carried

Councillor Hempen did not take part in the discussion or voting of the foregoing matter.

- b) The Chair invited all Members to attend a presentation by Ms. Catherine Nasmith, Architectural Conservancy of Ontario regarding developments in Heritage Districts at the Trinity United Church on April 14, 2016 at 7:00 p.m.
- c) B. Locke inquired as to the status of the former Union Hotel located at the northeast corner of Davis Drive and Main Street. Councillor Hempen provided a brief overview of the Region's plans with respect to properties along Davis Drive. The Chair advised that he will inquire with Mary-Frances Turner, President, York Region Rapid Transit Corporation, to request a presentation with respect to plans for the former Union Hotel at the May Heritage Advisory Committee meeting.

Moved by: Billie Locke
Seconded by: Joan Seddon

THAT a representative from the York Region Rapid Transit Corporation be invited to attend an upcoming Heritage Newmarket Advisory Committee meeting to discuss plans for the former Union Hotel building.

Carried

- d) B. Locke inquired regarding the Gorham Woolen Mills ruins and whether there had been past consideration to designate. Discussion ensued regarding property ownership.
- e) The Chair provided an update on his research to obtain confirmation of ownership of the locks on the Holland River.

Adjournment

Moved by: Billie Locke
Seconded by: Rohit Singh

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:12 p.m.

Date

A. Hart, Chair

Item – New Business a) of Heritage Newmarket Advisory Committee Minutes of April 5, 2016.

WHEREAS the proposed building does not comply with the Town of Newmarket's Official Plan for Main Street which limits building heights to three stories;

AND WHEREAS the proposed building does not comply with the Development Plan for the Heritage Conservation District;

AND WHEREAS the proposed underground parking consists of three levels and there is an underground watercourse beneath or adjacent to the proposed development and surrounding buildings resulting in the need for the installation of waterproofing and structural pylons and therefore the construction of the proposed development may cause a change in the natural underground watercourse and may cause damage to other buildings in the Heritage Conservation District;

AND WHEREAS many of the buildings in the surrounding area are built on rubble stone foundations, extensive excavation and construction may result in ancillary damage to other parts of those buildings;

AND WHEREAS currently Park Avenue is a narrow street which is frequently blocked by vehicular traffic, and the proposed main entrance and exit for the underground parking garage, together with the loading dock will add to an already stressed situation on Park Avenue considering that the Trinity United Church which is across the street also has handicapped parking/access onto Park Avenue opposite or in close vicinity to the underground garage entrance/exit and the loading dock and therefore, concerns arise regarding adequate turning radius and potential risks for moving vans and delivery trucks;

AND WHEREAS the proposed construction requires a land swap between the owner and the Town of Newmarket in order that it has the required number of parking spaces;

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AND WHEREAS the streetscape and shadow study provided do not realistically show the potential impact on surrounding buildings such as the Trinity United Church, where the stained glass windows are worthy of protection, and businesses on the east side of Main Street where front windows may also be impacted;

AND WHEREAS the construction of this development may have a long term effect on public parking which may negatively impact the local merchants' ability to carry on business for an extended period of time;

AND WHEREAS the likelihood of precedent setting examples exist with this proposed rezoning application;

THEREFORE we, the members of the Heritage Newmarket Advisory Committee adamantly recommend that the Council of the Town of Newmarket reject this proposal.



Sacred Heart Catholic High School
A Community Called to Share in the Development of the Whole Person

Mayor Tony Van Bynen and Members of Council
Town of Newmarket
395 Mulock Drive
P.O. Box 328 STN Main
Newmarket ON L3Y 4X7

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		✓
APR 26 2016		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	✓ Bylaws
CONCERNS		

RE: Exemption from Noise By-Law for a Relay For Life Event

Dear Mayor Van Bynen and Members of Council:

I am writing to you as the proud Principal of Sacred Heart Catholic High School. Our school will be having our biennial Relay for Life Event to be held at Sacred Heart C.H.S. on behalf of the Canadian Cancer Society.

I am asking for an exemption to the Noise By-Law 2005-158 for our 2016 Relay for Life event, **May 27th 10:30 am to May 27th 11:59 pm**, at Sacred Heart Catholic High School. We would like permission to play music for the 12 hour time period 12:00 pm to 11:59 pm. Since 2009, we have held this successful fundraising event. Music plays a pivotal role as it helps keep our participants motivated and provides them with entertainment throughout the event.

As always, we will do our best to ensure we do not disturb the neighbours. A letter will be provided to the neighbours two weeks before the event. A copy of the letter is attached. We believe that Relay For Life is an important fundraiser. Over the years, our school has raised more than \$500 000.00 for the Canadian Cancer Society. Relay For Life will benefit the community at large as the funds that are raised in our community stay in our community to support many services and educational initiatives.

If you have any questions or concerns, please contact Dan Bruni, Vice Principal of Sacred Heart C.H.S., via phone or email at dan.bruni@vcdsb.ca.

Thank you very much for your support,

Sincerely,

Bernie Smith
Principal
Sacred Heart Catholic High School



Sacred Heart Catholic High School
A Community Called to Share in the Development of the Whole Person

May 2016

Dear Neighbours,

On May 27th, 2016, our school will be holding our fifth biennial *Relay For Life* event to help in the battle against cancer. In past years, the students and staff of Sacred Heart have fundraised over \$500,000 for the Canadian Cancer Society and this year we have already raised over \$50,000, with our goal being \$180,000. If you are not familiar with this initiative of the Canadian Cancer Society, *Relay For Life* is a non-competitive event in which teams of participants walk, run or stroll around a track to raise funds to support research and support programs for people living with cancer. We currently have 800 students and staff signed up to participate.

Relay For Life brings together students, teachers, family members, neighbours and friends to celebrate cancer survivors with a **Survivors' Victory Lap** and to honour the memory of loved ones with a special **Luminary Ceremony**. We would like to extend a **special invitation** to you to attend the **Survivors' Reception (11:00am) and Victory Lap (12:00pm)**. Please email shrelay@gmail.com or call the school at the number listed below, if you would like to be part of the these special events.

As our neighbours, we ask you for your understanding and cooperation. *Relay For Life* is intended to be an outdoor event with activities and entertainment. Although we will attempt to keep the noise level to a minimum, there will be music and crowd noise that you are not used to. The duration of the event will be from 12:00pm to 11:59pm, and we have received approval from the Town of Newmarket for an extension to the noise bylaw. We apologize in advance for any inconvenience you may experience.

If you have any questions or concerns, or if you would like to get involved or donate to our Relay, please contact us.

Sincerely,

Mr. B. Smith



STAND PROUD YORK REGION

April 2nd, 2016

Mr. Andrew Brouwer, Town Clerk,
Town of Newmarket,
395 Mulock Drive,
Box 328, Station Main,
Newmarket, Ontario L7B 1A1

LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
APR 19 2016		

PFLAG CANADA
York Region ON

10660 YONGE ST.
PO BOX 30516
RICHMOND HILL, ON L4C 0C7

Re: Request for Proclamation and Flag Raising for York Region's Pride Week: June 11-19, 2016

Dear Mr. Brouwer,

On behalf of York Region's LGBTQ community and its allies, we are writing to you to request your municipality's participation in York Region's 16th annual Pride Week (York Pride Fest) – to stand proud with us and celebrate acceptance, inclusivity, equality and love.

PFLAG Canada York Region is the Regional Municipality of York's LGBTQ support, resource and education network and is a volunteer-led charitable organization servicing one of the fastest growing and multi-cultural regions nationwide. Every day, our compassionate and dedicated volunteers are contacted by frightened adolescents and by angry, fearful, confused or ashamed parents from all walks of life that have questions or concerns about sexual orientation or gender identity. Our volunteers are there for those in need, when it seems no one else is.

We are also a proud partner of York Pride Fest, a volunteer led organization that organizes our Region's Pride Week celebrations.

This year, we are requesting involvement and leadership from the Town of Newmarket through:

- **The Proclamation of Pride Week** (June 11 – 19, 2016). This proclamation would be a valued acknowledgement of the lives and contributions of people of all sexual orientations and gender identities living in York Region. For more than a decade, York Region's Pride Week has been recognized by the Regional Municipality of York and proclaimed by most of its municipalities.
- **Raising the Pride flag during Pride Week** on a municipal flagpole in the Town of Newmarket, in celebration of diversity, inclusivity and equality. Last year's Pride Week was launched by five official municipal flag-raising ceremonies, including the first pride flag raising by a major police service in Canada at the York Regional Police headquarters in Aurora.

Thank you for your consideration and we look forward to welcoming you, your leadership team and elected officials at this year's Pride Week festivities.

For information about Pride Week 2016, please visit yorkpridefest.com or contact jacob.gal@yorkpridefest.com.

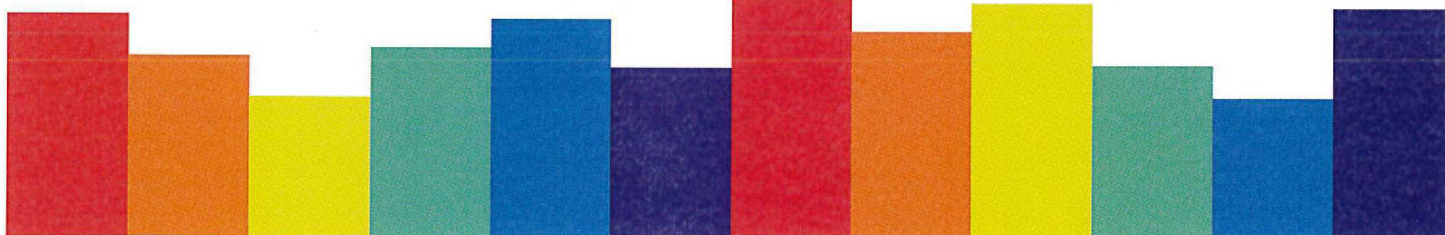
Sincerely,



Amanda Knege
President



Michael Blackburn
Vice President



Subject: FW: Region NAAW Dates

-----Original Message-----

From: Steve Foglia

Sent: April-28-16 8:59 AM

To: Finnerty, Chrisanne

Subject: Region NAAW Dates

Good Morning Chrisanne

The Region will be declaring the week of Sunday May 29 to Saturday June 4 National Access Awareness Week.

Could the Town of Newmarket proclaim same?

thanks

Steve

TOWN OF NEWMARKET

Outstanding Matters

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
1.	<p>Council – December 14, 2015 – Item 35 – Joint Development and Infrastructure Services – Planning and Building Services/ES 2015-44 – Proposed Trail from Yonge Street to Rita's Avenue</p> <p>Council – January 18, 2016 – Item 35</p>	<p>THAT staff provide alternate trail options for this area at a lower cost.</p> <p>THAT Item 35 of the Council Minutes of December 14, 2015 being Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be reconsidered.</p> <p>THAT staff provide alternate trail options for this area at a lower cost, including the option of extending the trail through George Luesby Park along Clearmeadow Boulevard to Yonge Street and further connecting the trail from Flanagan Court/Rita's Avenue to the George Luesby Park Trail;</p> <p>AND THAT staff also include in the report the option of installing lighting along the George Luesby Park Trail.</p> <p>➤ Engineering Services</p>	May, 2016	
2.	Council – April 20, 2015 – Item 7	<p>THAT staff provide a report within six months related to internet voting.</p> <p>➤ Legislative Services</p>	Q2, 2016 Q3, 2016	<p>Workshop held October 5, 2015</p> <p>Report will also address ranked ballots.</p>

Strikethrough indicates that the item will be removed from the outstanding list prior to the next OLT meeting

Bold indicates that the item will be on the upcoming agenda

Last revisions made on April 27, 2016

(Updated and including the Committee of the Whole Minutes of April 18, 2016)

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
3.	Committee of the Whole – May 25, 2015 – Item 2 – Parkland Dedication By-law	<p>THAT the Parkland Dedication By-law for the Town of Newmarket as contained in Attachment 1 be received;</p> <p>ii) AND THAT staff be directed to provide notice to the public, the development community and BILD of the proposed by-law;</p> <p>iii) AND THAT following public input that staff summarize in a report to the Committee of the Whole the issues identified and the comments received along with the final recommendation for the Parkland Dedication By-law for Council's approval;</p> <p>iv) AND THAT staff be directed to report back to Committee of the Whole on the other funding strategies to address the identified shortfall of Town-wide parkland in conjunction with the Parkland Implementation Strategy identified in the Implementation Strategy for the Newmarket Urban Centres Secondary Plan.</p> <p>➤ Planning & Building Services</p>	Q2/Q3, 2016	<p>This matter is tied to the on-going work of the Marketing Davis Drive Task Force</p> <p>Refer to Development & Infrastructure Services Information Report 2015-41 dated September 22, 2015</p>
4.	Council – June 22, 2015 – Item 31 D & I Services Report – ES 2015-34 – McCaffrey Road – Traffic Review	<p>THAT a report be prepared for an upcoming Committee of the Whole or Council meeting following a site visit by the Ward Councillor and Town staff that includes alternate traffic mitigation measures including but not limited to chicanes, roundabouts, pedestrian islands, road watch program or crosswalk;</p> <p>AND THAT this report address traffic impacts related to new development on the Glenway lands, York Region Annex building and the Yonge Street VivaNext project.</p> <p>➤ Engineering Services</p>	Q2, 2016	
5.	Committee of the Whole – September 28, 2015 – Item 15	<p>THAT the deputation by Mr. Paul Jolie regarding Ontario Municipal Cycling Infrastructure be received and referred to staff for a report back to Council related to cycling infrastructure on Mulock Drive.</p> <p>➤ Development & Infrastructure Services</p>	Q2, 2016	Information Report distributed
6.	Committee of the Whole – November 30, 2015 – Item 21	<p>THAT Development and Infrastructure Services Report – Engineering Services 2015-63 regarding Woodspring Avenue – Bonshaw Avenue to Town Limit – Bicycle Lanes and On-Street Parking be referred to staff for additional information, including costs.</p> <p>➤ Engineering Services</p>	Q2, 2016	
7.	Committee of the Whole – September 28, 2015 – Item 24 – Motion	<p>THAT staff be directed to report back within 120 days on the potential of demolishing the Old Fire Hall at 140 Main Street South with the intent to repurpose it as a parking lot that would be in keeping with the downtown area and that the report include any other options for parking enhancements in the downtown core.</p> <p>➤ Development & Infrastructure Services</p>	Information Report Q1, 2016 Q2, 2016	Referred to Community Centre Lands Task Force Parking Strategy

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
8.	Committee of the Whole – October 20, 2015 - Community Services - Recreation and Culture Report 2015-28 dated September 16, 2015 regarding Hollingsworth Arena Replacement Follow-Up.	<p>1. THAT staff work with Pickering College to:</p> <p>i) Finalize an agreement subject to Council approval with respect to capital and operating costs regarding a replacement arena at Pickering College;</p> <p>ii) Bring back a professionally prepared project estimate and recommended capital and operating agreement to Council for review within the next 45 days;</p> <p>2. AND THAT staff initiate a public process addressing a replacement arena and proposed disposition of land at Hollingsworth Arena.</p> <p>➤ Recreation & Culture</p>	Q1, 2016 Q2, 2016	Deferred to Workshop of February 22, 2016 and Report to follow thereafter
9.	Committee of the Whole – November 9, 2015 – Item 16 Petition/Petitioning Newmarket Council to 'Save Hollingsworth Arena'.	<p>a) THAT the petition/petitioning Newmarket Council to 'Save Hollingsworth Arena' be received and referred to staff for a report that clarifies the petition preamble as part of the public consultation process related to the disposition of the Hollingsworth Arena.</p> <p>➤ Recreation & Culture</p>	Information Report to be distributed during public consultation process Q1, 2016 Q2, 2016	
10.	Committee of the Whole – October 20, 2015 - New Business	<p>THAT staff research and advise Council regarding potential municipal regulation of propane tank installation for home heating purpose.</p> <p>➤ Legislative Services</p>	Q1, 2016 Q2, 2016 Q4, 2016	Information Report to be provided April, 2016
11.	Committee of the Whole – November 9, 2015 – Item 3	<p>Motion: Councillor Twinney</p> <p>THAT staff bring back a report to Council on a third party insurance program for residents to insure their water and sewer pipes that run under private property and are not covered by the Town.</p> <p>➤ Development and Infrastructure Services</p>	Q2, 2016	
12.	Committee of the Whole – November 9, 2015 – Item 12 Development & Infrastructure Services Report PWS 2015-58 regarding N6 Waste Collection Contract 2017-2017 Request for Proposal Preparation Update.	<p>THAT staff work with the N6 partners to develop service level criteria for customer service and response and opportunities to provide customer services outside the scope of the waste control contract and report back to Council;</p> <p>AND THAT staff explore the option of separate proposals for standard bag limits (2 bags and 3 bags) with the N6 partners and report back to Council.</p> <p>➤ Public Works Services</p>	Q1, Q2, 2016 Q2/Q3, 2016	

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
14.	Committee of the Whole – January 11, 2016 – Item 19 – Magna Centre Leases and Potential Fitness Centre	<p>THAT the Town of Newmarket convert the existing restaurant space into an equipment based, membership oriented fitness facility within the capital costs identified;</p> <p>AND THAT staff report back on options for the kitchen and kiosk spaces, including an expanded fitness centre in the kitchen area and/or maintaining a food kiosk;</p> <p>AND THAT the funding be added to the draft 2016 Capital Budget.</p> <p>➤ Recreation & Culture</p>	Q3, 2016	
15.	Committee of the Whole – January 11, 2016 – Item 20 – Targeted Marketing Program to Advance Re-development of Davis Drive Properties	<p>THAT an exploratory engagement process and utilization of existing incentives and associated budgets be initiated immediately with a 'to be identified' list of developers/landowners related to specific properties along Davis Drive;</p> <p>AND THAT while this exploratory engagement process is ongoing, staff engage outside consulting expertise to address development approval processes, associated timelines/communication practices and incentive funding mechanisms/approaches and report back within 120 days;</p> <p>AND THAT NEDAC be consulted throughout this process;</p> <p>AND THAT the development of Davis Drive be the subject of a future Economic Development Congress within 2016 where a cross section of stakeholders can come together to share ideas specific to advancing the implementation of the Secondary Plan and in keeping with the NEDAC Economic Development strategy re-fresh currently in development;</p> <p>AND THAT the staffing related to fulfilling economic development initiatives continue at their current levels as indicated in the report with longer term staffing to be monitored and reviewed against specific needs related to the realization of Council's Strategic Priorities, implementation associated with the re-development of Davis Drive and to support NEDAC'S economic development re-fresh; with a detailed staffing report to come to Committee of the Whole no later than Q3, 2016.</p> <p>➤ Community Services/Economic Development</p>	<p>May 30, 2016</p> <p>Q3, 2016</p>	
16.	Committee of the Whole – February 22, 2016 – Item Joint Office of the CAO and Corporate Services - Legislative Services Report 2016-02 dated January 28, 2016 regarding Appointment of Municipal Ombudsman.	<p>iv) AND THAT staff provide an information update report after a 6 month period once the agreement has been executed.</p> <p>➤ Legislative Services</p>	Q3, 2016	Information Report to be distributed

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
17.	Committee of the Whole – February 22, 2016 – Item 27 Motion – Councillor Hempen Welcome Entrance Sign	<p>i) THAT staff report back on the feasibility and suitable location for the installation of a community welcome entrance sign at the intersection of Longford Drive and Davis Drive;</p> <p>ii) AND THAT staff also provide a suitable design for the welcome sign. The cost of the sign will be covered by private fundraising.</p> <p>➤ Development and Infrastructure Services</p>	Q2/Q3, 2016	
18.	Committee of the Whole – February 22, 2016 – New Business (b) Regional Councillor Taylor Motion re: Federal Infrastructure Funding	<p>THAT staff report back within 90 days outlining directions and potential priorities for anticipated federal infrastructure funding applications.</p> <p>➤ Development and Infrastructure Services</p>	May 30, 2016	
19.	Council – April 4, 2016 – Item 5 Joint Report Community Services - Recreation and Culture, Development and Infrastructure Services - Public Works, Engineering, Corporate Services - Finance 2016-14 dated March 31, 2016 regarding Implementation Plan - Future Facilities and Land Use.	<p>THAT Phase 2 of the Recreation Playbook Implementation Plan be approved as outlined in the report, with public consultation done as part of applicable design processes;</p> <p>ii) AND THAT Phase 3 of the Recreation Playbook Implementation Plan be shared with the community through a public consultation process and that staff then report back;</p> <p>iii) AND THAT Council and the Newmarket Public Library Board conduct a facilitated Joint Planning Workshop in Q3, 2016 to explore future library considerations;</p> <p>iv) AND THAT future Council Workshops be done to consider specific uses and negotiation strategies on potential property acquisitions, as outlined in the report;</p> <p>v) AND THAT as part of the 2016 Capital Budget, the design for an outdoor basketball court at Ken Sturgeon Park be undertaken, and funding for construction be requested in the 2017 Capital Budget funded from Development Charges and Capital Reserves, in order to include this project in Phase 2 of the Recreation Playbook implementation plan.</p> <p>➤ Recreation and Culture</p>	<p>Q4, 2016</p> <p>Q3, 2016</p>	
20.	Council – April 18, 2016 – Item 1 Deputation - 415 Queen Street	<p>THAT the deputation by Mr. Jeffrey Peterson regarding relief from development charges for the property known as 415 Queen Street be received and referred to staff to explore opportunities related to Development Charges, engage the property owner and report back to Council within 60 days.</p> <p>➤ Planning and Building Services/ Finance</p>	June, 2016	

	Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
21.	Council – April 18, 2016 – Item 29 Development & Infrastructure Services – Planning and Building Services Report 2016-11 – Street Naming Policy	<p>THAT the draft Street Naming Policy be referred to staff to provide alternate policy wording to reflect total municipal control of street naming.</p> <p>➤ Planning and Building Services</p>	May 9, 2016	

From: Brouwer, Andrew
Sent: April-16-16 10:35 AM
To: Moor, Linda
Subject: Fwd: Private Member's Bill 158

For next CoW please

Sent from my iPad

Begin forwarded message:

From: "Twinney, Jane" <jtwinney@newmarket.ca>
Date: April 16, 2016 at 6:39:46 AM EDT
To: "Brouwer, Andrew" <abrouwer@newmarket.ca>
Subject: Re: Private Member's Bill 158

Hi Andrew

I would like to attach this to an upcoming COW

Sent from my iPhone

On Apr 15, 2016, at 2:21 PM, Brouwer, Andrew <abrouwer@newmarket.ca> wrote:

Please see the attached correspondence and proposed resolution from Laurie Scott, MPP for Haliburton-Kawartha Lakes-Brock regarding private member's Bill 158.

Any Member of Council can request the attached be placed on a Committee of the Whole agenda for consideration.

Have a nice weekend,
Andrew

<[EXEC_MX3610N@newmarket.ca_20160414_083400.pdf](#)>



Laurie Scott, MPP

Haliburton-Kawartha Lakes-Brock

MAYOR'S OFFICE	
INCOMING MAIL	REFERENCE
COUNCIL	
CAO	
APR 13 2016	
COMMISSIONER	
DEPARTMENT	
CLERKS	✓
CONCERNS	

Queen's Park Office:
Rm. 434, Main Legislative Bldg.
Queen's Park
Toronto, Ontario M7A 1A8
Tel. (416) 325-2771
Fax (416) 325-2904
E-mail: laurie.scott@pc.ola.org

Constituency Office:
14 Lindsay St., North
Lindsay, Ontario K9V 1T4
Tel. (705) 324-6654
1-800-424-2490
Fax (705) 324-6938
E-mail: laurie.scottco@pc.ola.org

April 7, 2016

Mayor Tony Van Bynen
Town of Newmarket
395 Mulock Dr., Box 328
Newmarket, ON L3Y 4X7

Dear Mayor Van Bynen,

I write to you today to ask you to support my efforts as MPP and PC Critic for Women's Issues, to call on the provincial government to take immediate steps to combat human trafficking in Ontario and to raise public awareness of this horrid crime.

Human trafficking is a heinous crime that has been referred to as nothing short of modern day slavery. It is one of the fastest growing crimes, and starts and stays in Canada – over 90 percent of victims are Canadian-born. Worse, Ontario is a major hub for human trafficking in Canada, as the proximity to cities along the Highway 401 corridor provides an accessible thoroughfare for traffickers, and the ability to keep victims isolated. Victims are lured over the internet, meaning that this crime is in our neighbourhoods, our communities and our towns.

Victims – predominantly girls averaging the age of 14, and shockingly as young as 11 – are lured into a nightmare that they can almost never escape on their own. Traffickers recruit, transport, harbour and control the girl next door for sexual exploitation or forced labour.

On February 18, 2016, the Legislative Assembly of Ontario unanimously supported Bill 158 on Second Reading, which aims to take immediate steps against human trafficking in Ontario.

The bill provides as follows:

- Declare February 22nd as Human Trafficking Awareness Day in Ontario;
- Allow for an application to be brought by a parent of a trafficking victim under the age of 18, a trafficking victim aged 18 or over or an authorized agent such as Covenant House to obtain a protection order from a judge to prohibit the trafficker from contacting or approaching the victim. Such an order would remain in place for a minimum of three years;

- Create a tort or civil action of human trafficking, allowing victims to sue their traffickers for damages and an accounting of profits; and
- Amend the definition of "sex offender" under *Christopher's Law (Sex Offender Registry)*, 2000 to include criminal offences for trafficking of victims under the age of 18 years.

In May of last year, I also received unanimous support for a motion asking the Government of Ontario to immediately create a provincial task force to combat human trafficking in Ontario.

The task force would have a similar structure and funding model to the Guns and Gangs Task Force. A multi-jurisdictional task force made up of specially-trained police officers, Crown prosecutors, judges, and frontline workers would coordinate information sharing, and collaboratively work to apprehend criminals and rescue victims. Training and education would also have to be specialized not only for law enforcement and the justice system, but for victims' services, health care workers, schools and businesses.

The task force was endorsed by the Select Committee on Sexual Violence and Harassment, which I had the honour of co-chairing.

The two recommendations are as follows:

57. The Ontario government provide resources for the development of a coordinated approach to help victims of human trafficking, allowing providers of support services and the criminal justice system to share information and work collaboratively.

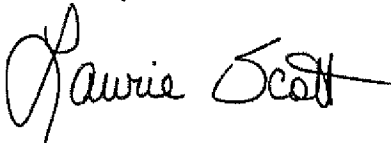
58. The Ontario government develop a multi-ministerial, province-wide strategy on human trafficking.

Ontario is far behind other provinces when it comes to combatting human trafficking and taking significant action. For instance, in Manitoba, they have enacted legislation as far back as 2012, which has seen multiple victims rescued and traffickers put behind bars for breaching protection orders.

I ask that you and your council members consider putting forward a resolution to support the following attached draft resolution.

I look forward to your support.

Sincerely,



Laurie Scott, MPP
Haliburton-Kawartha Lakes-Brock

**Municipal Resolution on Anti-Human Trafficking Task Force
and Bill 158, *Saving the Girl Next Door Act, 2016***

WHEREAS human trafficking is a heinous crime that has been referred to as modern day slavery; and

WHEREAS traffickers recruit, transport, harbour and control the girl next door for sexual exploitation or forced labour; and

WHEREAS it is one of the fastest growing crimes that starts and stays in Canada, targeting victims – 90 percent of which are Canadian-born and predominantly female, averaging the age of 14; and

WHEREAS Ontario is a major hub of human trafficking in Canada, and victims are lured, manipulated and coerced, often over the internet from every part of Ontario; and

WHEREAS human trafficking is in our neighbourhoods and our communities;

THEREFORE BE IT resolved that the Council of (name of municipality) support Bill 158, *Saving the Girl Next Door Act, 2016*, support MPP Laurie Scott's motion for a multi-jurisdictional and coordinated task force of law enforcement agencies, Crown prosecutors, judges, victims' services and frontline agencies; and

That a copy of this resolution be forwarded to all Members of Provincial Parliament and municipalities.

Subject: FW: motion

Council direct staff to bring back a report within 180 days that examines the process and issues related to a ban on corporate and union donations in Newmarket Municipal Elections.

John Taylor

Deputy Mayor & Regional Councillor

Town of Newmarket

395 Mulock Drive

Newmarket, ON L3Y 4X7

Website: www.newmarket.ca

Telephone: 905-895-5193 ext. 2011

Facsimile: 905-953-5133

Email: jtaylor@newmarket.ca

The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. The message may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection of Privacy Act. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you.



"Please consider the environment before printing this email".

Development and Infrastructure Services - Planning and Building Services
Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law
Amendment - 178, 180, 184, 188, 190, 194 Main Street - Main Street Clock Inc.

a) THAT Development and Infrastructure Services - Planning and Building Services
Report 2016-14 dated April 7, 2016 regarding Application for Zoning By-law
Amendment be received and the following recommendations be adopted:

i) THAT the application for Zoning By-law Amendment, as re-submitted by Main Street
Clock Inc. for lands being located at the southwest corner of Main Street South and
Park Avenue, municipally known as 178, 180, 184, 188, 190 and 194 Main Street be
referred to a public meeting;

ii) AND THAT following the public meeting, issues identified in this report, together with
comments from the public, Committee and those received through the agency and
departmental circulation of the application be addressed by staff in a comprehensive
report to the Committee of the Whole, if required;

iii) AND THAT Mr. Chris Bobyk, The Forrest Group, 590 Alden Road, Suite 211,
Markham, ON L3R 8N2 be notified of this action.

Carried


PLANNING & BUILDING SERVICES

Town of Newmarket www.newmarket.ca
 395 Mulock Drive planning@newmarket.ca
 P.O. Box 328, STN Main T: 905.953.5321
 Newmarket, ON L3Y 4X7 F: 905.953.5140

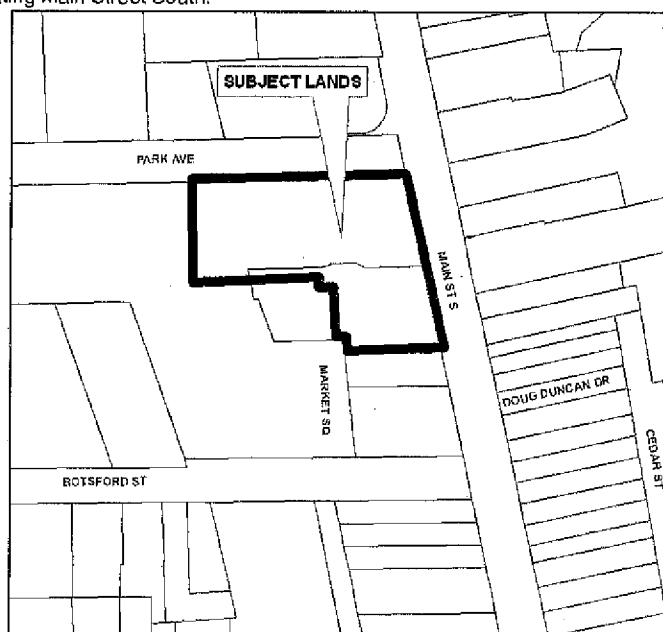
**PUBLIC MEETING CONCERNING A
 PROPOSED ZONING BY-LAW AMENDMENT**

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

MONDAY MAY 9, 2016 AT 7:00 P.M.

in the **Council Chambers at the Municipal Offices, 395 Mulock Drive**, to consider a proposed Zoning By-Law Amendment under Section 34 of the Planning Act, RSO 1990, c. P. 13 as amended.

An application has been submitted for a Zoning By-Law Amendment to amend the existing Historic Downtown Urban Centre (UC-D1) Zone to permit a mixed use building of 7 storeys on the subject lands being 178, 180, 184, 188, 190 AND 194 Main Street South. Specifically the proposal is to accommodate 165 residential apartment units and 5 commercial units fronting Main Street South.



ANY PERSON may attend the public meeting to make written or verbal representation either in support of or in opposition to the proposed Zoning By-Law Amendment. If you wish to use the Town's audio/visual system, please contact the Clerk's Office not later than noon on the day of the meeting to make the appropriate arrangements. Should you be unable to attend the public meeting, your written submission will be received up to the time of the meeting.

IF YOU WISH TO BE NOTIFIED of the adoption of the proposed Zoning By-Law Amendment, you must make a written request to the Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN MAIN NEWMARKET, ON L3Y 4X7

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Town of Newmarket before the by-law is passed; the person or public body is not entitled to appeal the decision of the Town of Newmarket to the Ontario Municipal Board.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting, or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there is reasonable grounds to do so.

ADDITIONAL INFORMATION relating to the proposed Zoning By-Law Amendment is available for inspection between 8:30 a.m. and 4:30 p.m. on weekdays at the Municipal Offices, 395 Mulock Drive, Newmarket.

Dated April 19, 2016

Direct any inquiries to the
 Planning Department 905-953-5321
 Please refer to File No. D14 NP 13-19



Planning and Building Services

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

www.newmarket.ca
planning@newmarket.ca
905.953.5321

April 7, 2016

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT
2016-14**

TO: Committee of the Whole

SUBJECT: **Application for Zoning By-Law Amendment,
178, 180, 184, 188, 190 and 194 Main Street
Main Street Clock Inc.
Files: D14 NP 13-19**

ORIGIN: Application Submitted to the Planning Department

RECOMMENDATIONS

THAT Development and Infrastructure Services – Planning and Building Services 2016-14 dated April 7, 2016 regarding application for Zoning By-law amendment be received and the following recommendation(s) be adopted:

1. THAT the application for Zoning By-law amendment, as re-submitted by Main Street Clock Inc. for lands being located at the southwest corner of Main Street South and Park Avenue, municipally known as 178, 180, 184, 188, 190 and 194 Main Street be referred to a public meeting;
2. AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;
3. AND THAT Chris Bobyk, The Forrest Group 590 Alden Road, Suite 211, Markham, ON L3R 8N2 be notified of this action.

COMMENTS

Location

The subject lands are located on the southwest corner of Main Street South and Park Avenue municipally known as 178, 180, 184, 188, 190 and 194 Main Street (See Location Map attached).

Background

The applicant for this proposal has submitted revised reports, studies and plans for the above noted development. The original Planning Report (Development and Infrastructure Services/Planning and Building Services Report 2013-55 dated November 14, 2013) contains significant discussion on the existing site context, the Official Plan, Zoning By-law and Provincial Policy Statement considerations which have not significantly changed. The report also included discussion on the Lower Main Street South

Heritage Conservation District (HCD) Plan. Planning Report 2013-55 is appended for information purposes.

This report will focus on the resubmission, outlining the changes proposed by the proponent and additional Planning discussion.

Re-submission Proposal

Main Street Clock Inc. have re-submitted materials in support of the zoning by-law amendment to amend the existing Historic Downtown Urban Centre (UC-D1) zone to permit a mixed use development on the subject lands. This is the second formal revision to the original plan submitted. The original submission contemplated a 6 storey mixed use building consisting of 150 Residential units above 10 units of ground floor commercial and two levels of underground parking (173 spaces) while retaining the historic Post Office/Clock Tower building. Prior to the statutory public meeting being held, in part to address the concerns of heights in excess of three storeys on Main Street, a revised plan was submitted that proposed three storeys on Main Street and increased the proposed height along Park Avenue to 9 storeys. The number of units and proposed parking remained the same.

This most recent resubmission proposes to develop the property for a 7 storey mixed use building with a total of 165 apartment units and 5 retail units along Main Street. Underground parking continues to be proposed extending under the existing library parking and a portion of the Market Square parking lot and provides for 199 parking spaces (1.2 spaces per unit). The plan has also increased step-backs on upper levels to assist in mitigating the massing. The proposed design is discussed further below in this report.

In all cases, the three buildings south of the Clock Tower are proposed to be demolished and redeveloped however opportunities to preserve the façades in situ as well as dismantling and rebuilding have also been considered through the Heritage Impact Assessment. The proposal also contemplates the conveyance of a parcel of Town owned land in the northeast corner of Market Square. This parcel is currently grassed and used for utility boxes.

The applicant has also indicated with this proposal that the tenure of the units is intended to be rental.

Documents included in the resubmission include a revised drawing set (including site plans, floor plans elevations and perspective drawings), updated Heritage Impact Assessment, updated Planning Justification Report, shadow studies, traffic and parking update as well as a response to a number of comments that have been proffered.

Heritage Impact Assessment

A heritage impact assessment is a report prepared by a qualified heritage specialist to assess the impacts demolition, removal, significant alteration or new construction may have on the character of the building, property, its surrounding context and/or a historic area. This recent resubmission includes an updated Heritage Impact Assessment for 180-194 Main Street South prepared by Goldsmith Borgal & Company Architects.

The HIA provides a historical and contextual background and an architectural review for Main Street and specifically the structures under this application. The report provides a review of the Town's Official Plan and the Lower Main Street South Heritage Conservation District Plan and the relevant policies.

The report provides background on the firm's involvement in the process and the two previous iterations of the Impact Assessment to illustrate the ways in which the design has adapted to the comments and concerns. The conclusion of the report indicates that the proposed development, while not meeting the HCD Plan in terms of height restrictions could be mitigated in order to allow the Town to meet a number of other planning goals in the Historic Downtown Core. This HIA includes examples of how architectural design can further enhance the compatibility of new construction in Heritage Conservation Districts. The HIA indicates that the conservation and rehabilitation of four heritage buildings as part of the development is in keeping with the intent of the Lower Main Street South Heritage Conservation District Plan.

The report summarises the current proposal as follows:

- The proposal is a multi-storey, multi-unit residential building with below-grade parking, with commercial units along Main Street South.
- To mitigate the height of the new structure within the two-to-three storey context of the Lower Main Street South Heritage Conservation District, the height has been confined to correspond with the height of the existing Clocktower and remains consistent with the height of the adjacent steeple of Trinity United Church, just north of the site.
- The historic Clocktower remains prominent due to the design that maintains the hipped-roof of the former Post-Office building, setting the new construction well-back of the tower on both sides.
- Also stepped-back are the upper levels of the new building along the Main Street South elevation - the set-back ranges from 4 metres (from the parapets/roof-lines of the existing heritage structures at 184, 188 and 194 Main Street South) to 7 metres (at the top floor of the new building).
- The Clocktower will remain as a landmark in the Heritage Conservation District as it will remain visible/prominent by means of the set-backs of the new building along Main Street South - views from both the north and south will not be affected, nor is the view from the east/from Riverwalk Commons. Approaching from the west along Park Avenue, the Clocktower will be somewhat blocked from view by the new construction.
- The historic commercial uses along Main Street South will be enhanced by rehabilitating the two-storey structures at 184, 188 and 194. Small-scale commercial spaces will encourage and enable independent commercial ventures as opposed to "big-box" retail, allowing for the type of niche retail envisioned in the Newmarket Historic Downtown Community Improvement Plan.

The report acknowledges that the proposal does not meet the goals of the HCD Plan with regards to limiting heights to two-three storeys on Main Street, however, it also notes that there are numerous competing interests that ultimately must be weighed by Council. It rightly indicates that it is the Town's policy to revitalize Lower Main Street South while preserving its historic character. The HIA suggests that this current proposal seeks to balance the complementary interests of increasing density, while preserving heritage character as best as possible.

The Heritage Impact Assessment continues by providing specific details on the proposed development against the policies of the Heritage Conservation District Plan. The report indicates how these policies can be achieved, and where there is conflict, recommendations are made on how to mitigate the impact increased density would have on the heritage aspects of the District.

The Heritage Impact Assessment is currently under peer review by ERA Architects. This peer review will be discussed in the final comprehensive report on this proposal.

Shadow Study

A shadow study has been prepared for the proposal that details impacts of shadowing on the surrounding neighbourhood at the spring and fall equinoxes and summer solstice. The shadow impacts are shown at 9am, 12pm, 2pm and 4pm. Shadow Studies illustrate the impact of development in terms of sun and daylight access to the surrounding context including surrounding buildings, the public realm, public and private open space.

An existing condition shadow study has also been provided to assess the impact. The shadow studies submitted show little impact on the low density developments to the west of Main Street. The greatest impact of shadowing from this proposal would be the east side of Main Street in the fall evenings and the Trinity United Church on Park Avenue in the spring and fall mornings. The façade on the south side of the Trinity United Church includes a number of stain glass windows of various sizes. The shadow impacts on the church warrant further discussion and consideration.

Planning Justification Report

The submitted Planning Justification report prepared by MHBC discusses the proposed design and mitigation techniques used to address compatibility. It reads: "From a design perspective, the Proposal preserves the existing heritage building facades as part of the building podium along Main Street South to preserve the main street look and feel. The five storeys which rise above this podium mirror the colours and materials of buildings along Main Street South, particularly of the post office building. The Proposal seeks to lessen its height impact on Main Street South and the surrounding community through a series of step-backs. The Proposal includes a 4.0 m step-back of the building façade above the second-storey, and an additional 0.95 m and 2.66 m step-back above the fourth and sixth-storeys respectively along Main Street South. The Proposal also includes a 1.53 m and 2.81 m step-back above the third-storey and sixth-storey respectively along Park Avenue. These step-backs offer a visual transition of built form and height along Main Street South and Park Avenue. The Proposal also includes a pedestrian connection through the building from the public parking (Market Square) in the rear to Main Street South."

The step-backs as described above are detailed in the elevations and cross sections in the appendix of this report. Significant breathing room has been included around the clock tower itself lessening the impacts on this designated building. The proposed step-backs on Main Street do give some distinction to a Main Street façade of 2 storeys however floors above the second will remain visible and will have impact on the heritage character of the area. The appropriateness of the height and step-backs will continue to be reviewed through the process. It is anticipated that the Heritage Impact Assessment peer review will also comment on the appropriateness of the massing and mitigation techniques.

Traffic and Parking – the applicant has submitted a revised report intended to review the appropriateness of the proposed parking supply address the parking related comments from Engineering Services.

The current development proposal is for 165 Residential apartment units and 5 Commercial units. A total parking supply of 199 parking spaces (1.21 spaces per unit) is being proposed within a three level underground parking garage, including 174 spaces for residents (approximately 1.05 spaces per unit) and 25 spaces for visitors (approximately 0.15 spaces per unit). The current zoning by-law standard for this proposal would be 1.5 per unit (248 spaces) plus an additional 0.25 for visitor parking (42 spaces) leaving the total required by the by-law at 290 spaces. The proposed underground parking area is intended to be accessed by Park Avenue.

The parking justification report breaks down the units as follows:

1-Bedroom/1-Bedroom + Den units	115
2-Bedroom/2-Bedroom + Den units	49
3-Bedroom unit	1

No parking is being proposed for the at-grade retail which is consistent with the zoning by-law requirements.

Engineering Services have reviewed the report and continue to have concerns regarding the parking shortfall and cannot support the application until the identified issues are addressed.

Departmental and Agency Comments

The Heritage Newmarket Advisory Committee have made recommendations to Council through their April 5th 2016 meeting minutes. These minutes will go through the normal and usual process and be included and discussed in the comprehensive report following the public meeting.

Engineering Services – The previous comments of Engineering Services identified in the attached Planning Report have been addressed or can be addressed utilizing the holding provision in the zoning by-law with the exception of the parking analysis.

COMMUNITY CONSULTATION POLICY

The statutory public meeting was held on February 3, 2014 where a number of community members spoke to the application. The proposal that was presented at the public meeting depicted 3 storey heights on Main Street with 9 storeys on Park Avenue. As the proposal has significantly changed from what was presented at that public meeting, and considering the length of time that has passed, staff are recommending that this application be referred to an additional public meeting to garner further comments from the public.

BUDGET IMPACT (CURRENT AND FUTURE)

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

HUMAN RESOURCE CONSIDERATION

Not applicable to this report as staffing levels remain the same.


Conclusion

It is appropriate to refer this application for zoning by-law amendment to a further public meeting to hear comments/questions from the public.

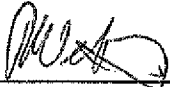
Attachments: Location Map
Site Plan
Elevations
Perspective Plan
Planning Report 2013-55



Senior Planner – Community Planning



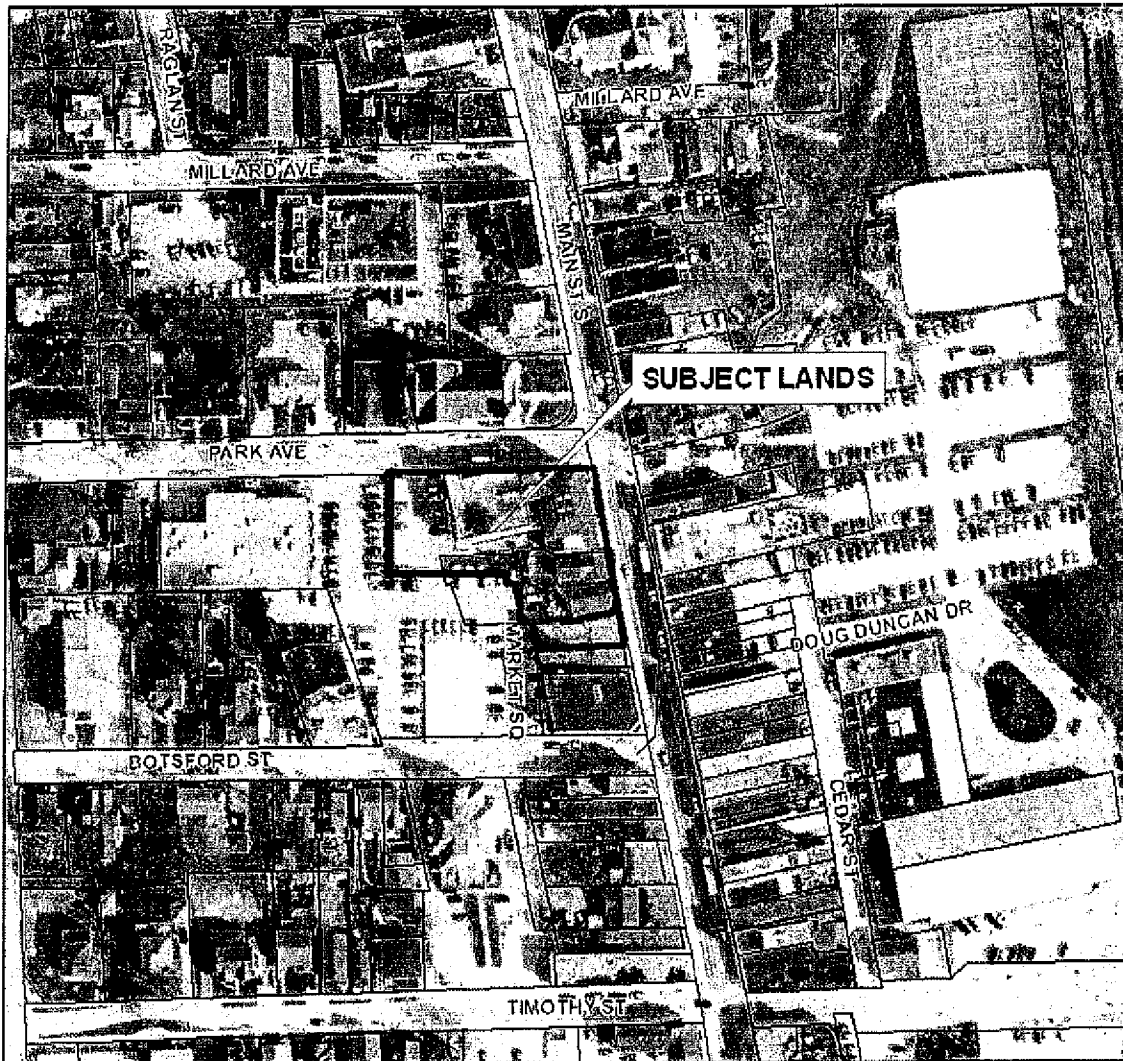
Commissioner of Development and
Infrastructure Services



Director of Planning and Building Services

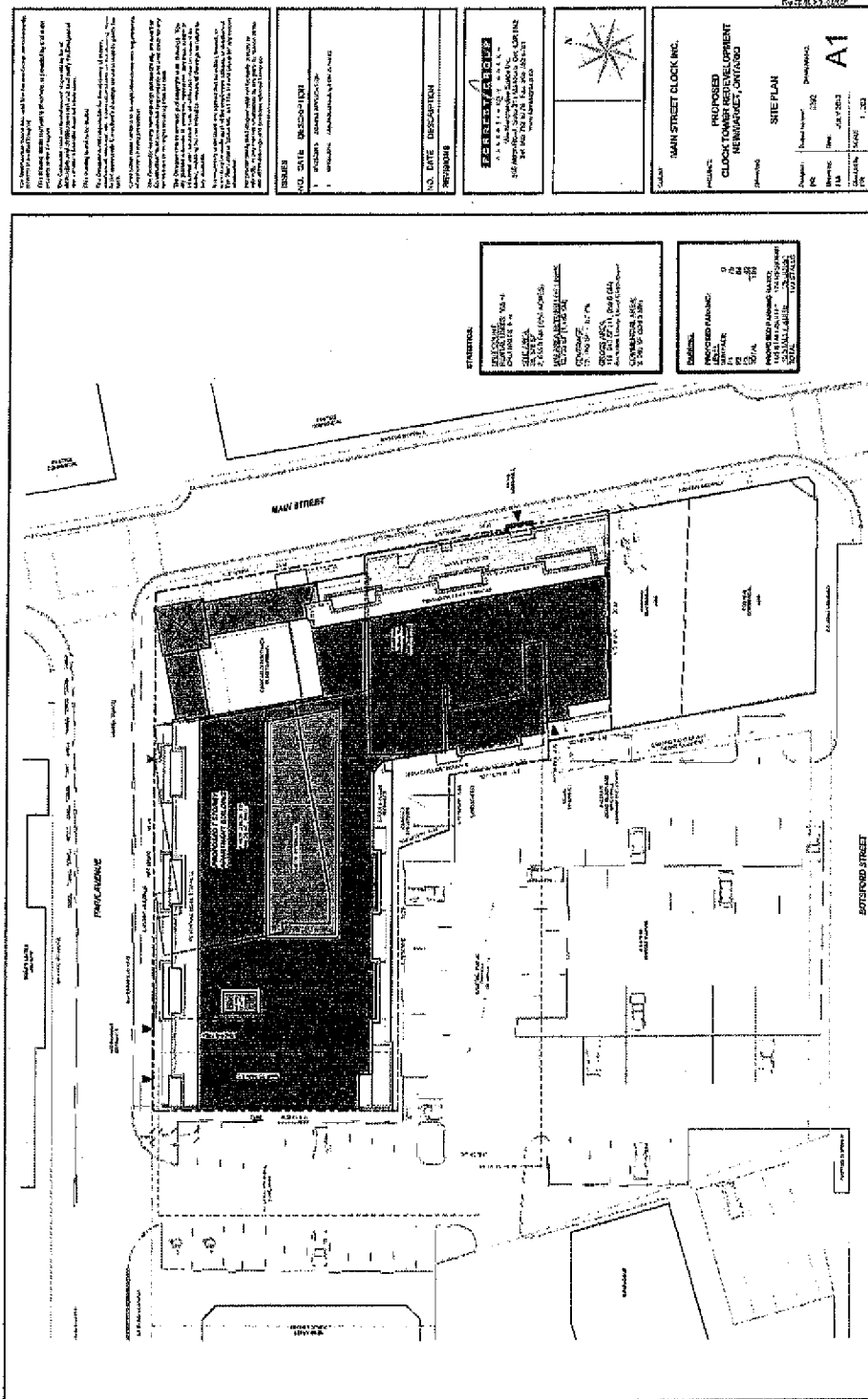
LOCATION MAP

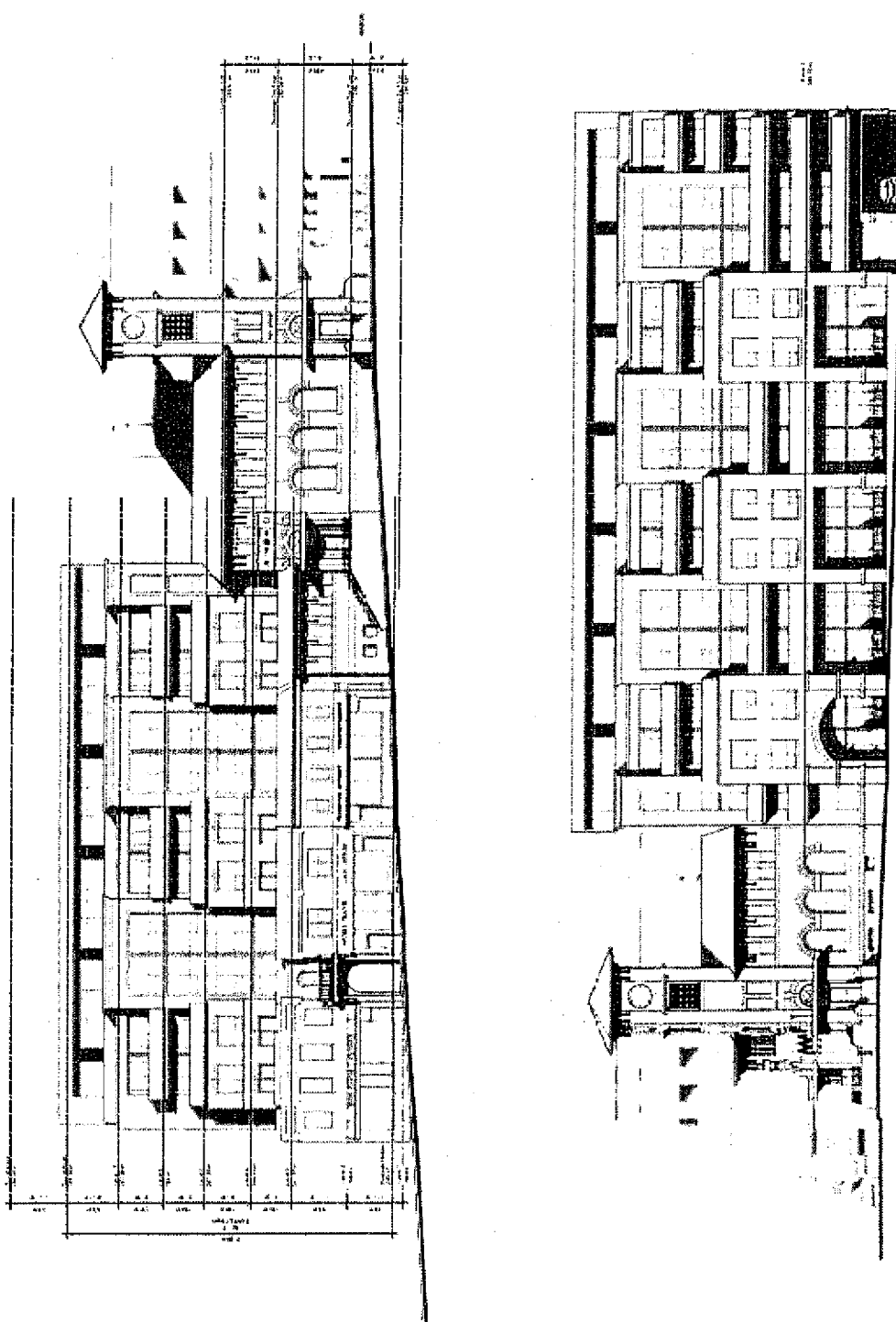
178, 180, 184, 188, 190 and 194 MAIN STREET (CLOCK TOWER)

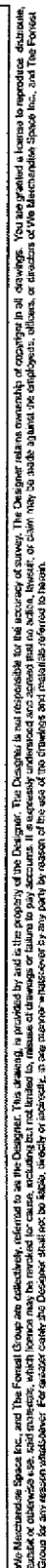


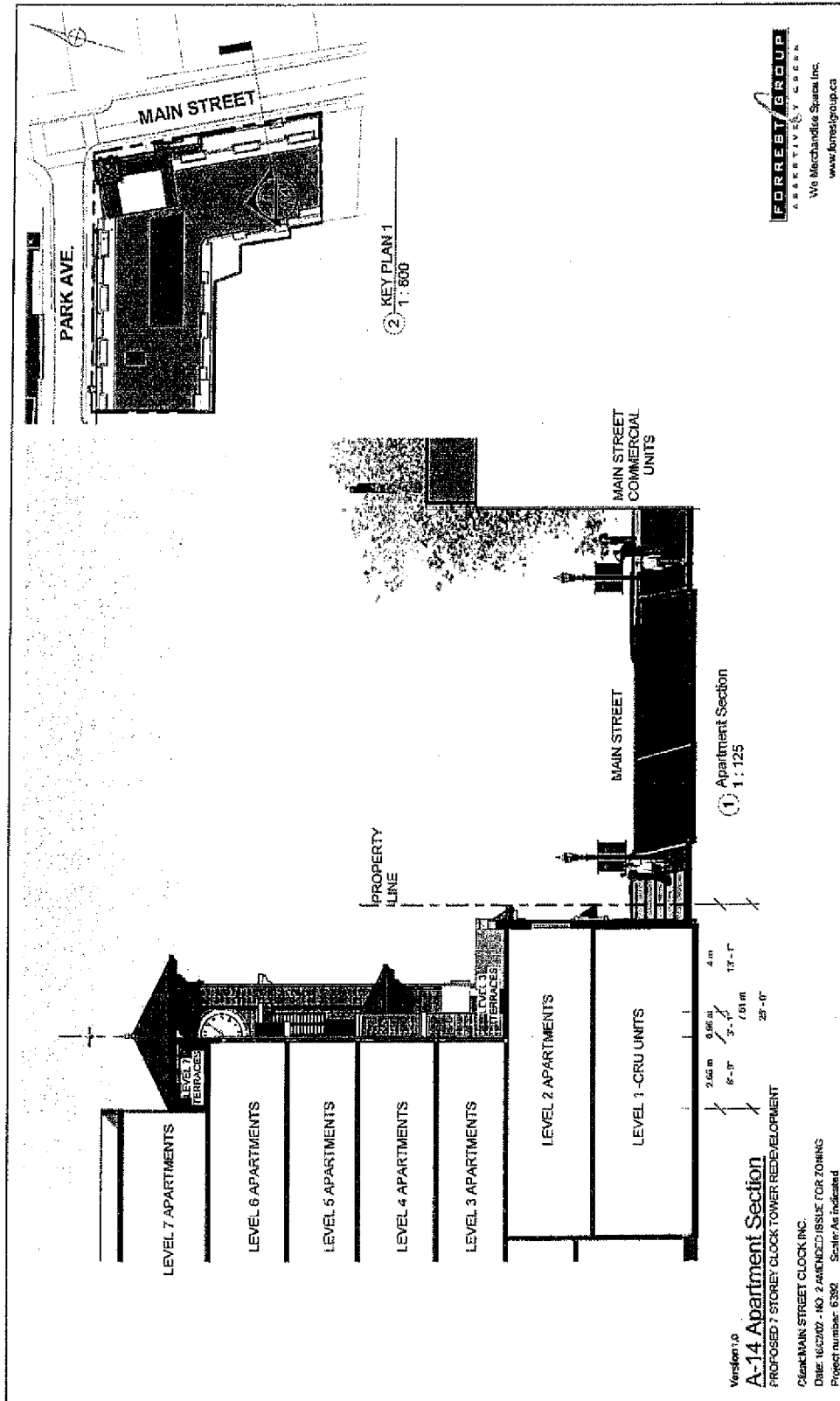
TOWN OF NEWMARKET PLANNING DEPARTMENT

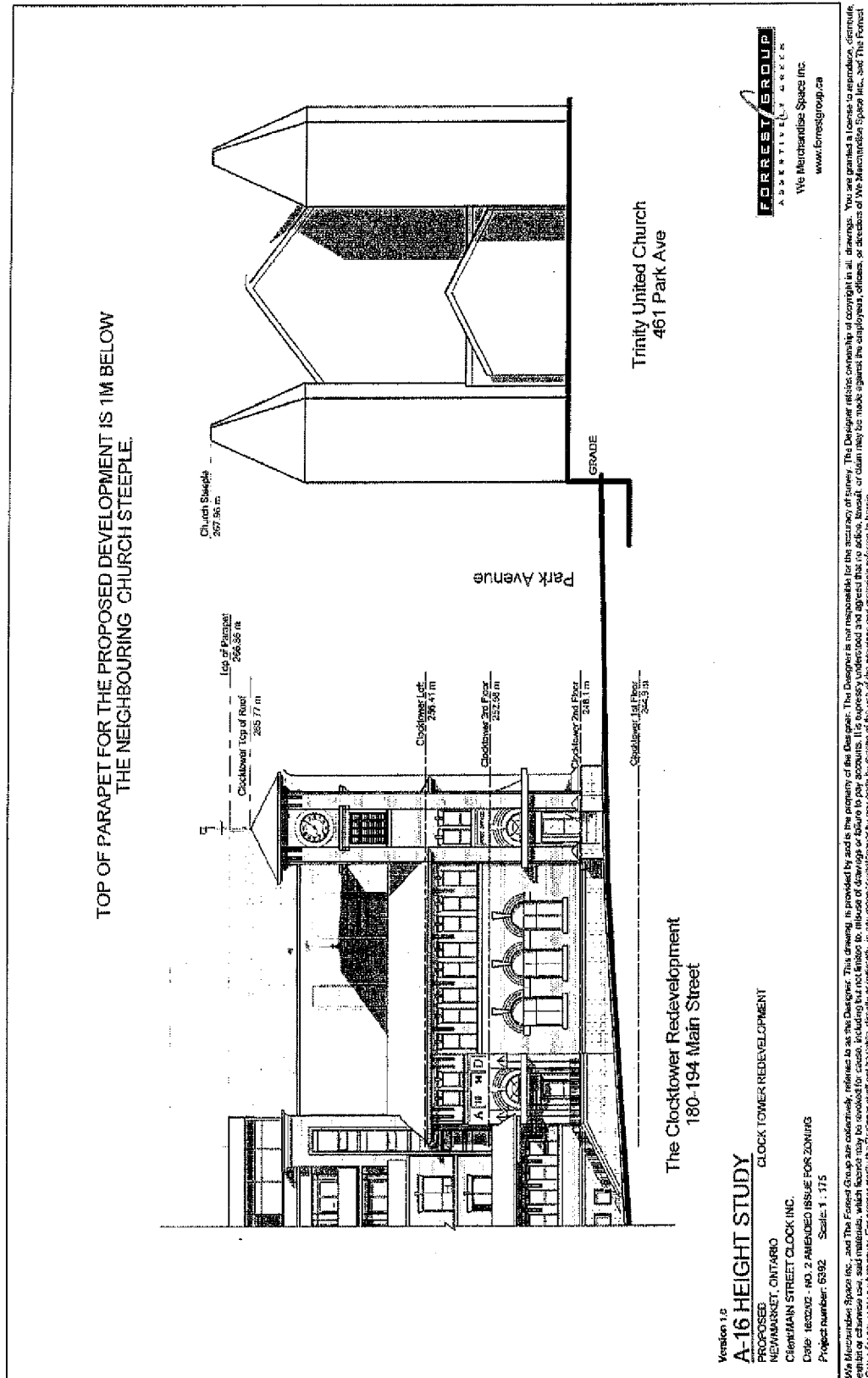
Design & Production: Newmarket Technology - GIS: Source: 2007 Google Earth Imagery - © J.D. Jones Limited, 2007 Orthophotography: Land Parcel Boundaries - © Town of Newmarket and its employees. Aerial Imagery: HOT & PLAN OF SURVEY, 2009; METROPLAN 2010 - Geomatics Division, Planning and Development Services Department © The Regional Municipality of York, 2009. DISCLAIMER: This mapping is based on the POLA File and is not a substitute for a legal survey. It is not a substitute for a legal survey. It is not a substitute for a legal survey. It is not a substitute for a legal survey.







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Planning and Building Services

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

www.newmarket.ca
planning@newmarket.ca
905.953.5321

November 14, 2013

DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2013-55

TO: Committee of the Whole

SUBJECT: Application for Zoning By-Law Amendment,
178, 180, 184, 188, 190 and 194 Main Street
Main Street Clock Inc.
Files: D14 NP 13-19

ORIGIN: Application Submitted to the Planning Department

RECOMMENDATIONS

THAT Development and Infrastructure Services – Planning and Building Services 2013-55 dated November 14, 2013 regarding application for zoning by-law amendment be received and the following recommendation(s) be adopted:

1. THAT the application for zoning by-law amendment, as submitted by Main Street Clock Inc. for lands being located at the southwest corner of Main Street South and Park Avenue, municipally known as 178, 180, 184, 188, 190 and 194 Main Street be referred to a public meeting;
2. AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required;
3. AND THAT Chris Bobyk, The Forrest Group 590 Alden Road, Suite 211, Markham, ON L3R 8N2 be notified of this action.

COMMENTS

Location

The subject lands are located on the southwest corner of Main Street South and Park Avenue municipally known as 178, 180, 184, 188, 190 and 194 Main Street (See Location Map attached).

Proposal

Main Street Clock Inc. have submitted an application for zoning by-law amendment to amend the existing Historic Downtown Urban Centre (UC-D1) zone to permit a mid-rise 6 storey mixed use building on the subject property consisting of 150 Residential units above 10 units of ground floor commercial and two levels of underground parking (173 spaces) while retaining the historic Post Office/Clock Tower building. The three buildings south of the Clock Tower are proposed to be demolished and redeveloped. The proposal also contemplates the conveyance of a parcel of Town owned land in the northeast corner of Market Square. This parcel is currently grassed and used for utility boxes. The proposed two storeys of

underground parking would extend under the existing library parking and a portion of the Market Square parking lot. If deemed appropriate, it will be necessary to provide easements to allow the underground parking garage to extend into Town owned property.

Site Description

- the Subject lands currently contain the two storey post office building at the corner of Main Street South and Park Avenue and addition that runs along Park Avenue. The subject lands also contain the 3 two storey commercial buildings fronting on Main Street, south of the above noted former Post Office building.
- total lot area is approximately 0.27 hectares with a frontage on Main Street of ± 55 metres and a frontage on Park Avenue of ± 87 metres.
- the surrounding land uses are:
 - North: Trinity United Church and low density residential further west along Park Ave.
 - South: Existing Commercial with residential apartments above.
 - West: Newmarket Public Library and the Market Square parking lot.
 - East: Existing Commercial and urban park land.

Preliminary Review

Official Plan Considerations

One of the goals and strategic directions of the Plan is the protection and enhancement of the natural and cultural heritage of the Town. Section 1.3.2 indicates that the protection of the Town's cultural heritage will be a priority for the Town and that the preservation, restoration and utilization of the Town's heritage resources is vital for the retention of the Town's cultural identity.

Section 1.3.6 under the strategic directions entitled *Revitalization of the Historic Downtown* indicates that the Historic Downtown is the traditional Central Business District of Newmarket and that there is significant opportunity for growth and change that would facilitate the achievement of the Plan's strategic directions. Additional development in this area would achieve the sustainability goal by providing an opportunity to live close to services without the need to burden the road system. The Official Plan goes on to indicate that with additional development, the rich history of the area will be protected for the enjoyment of residents as the Plan builds on the Newmarket Historic Downtown Community Improvement Plan. The mix and design of retail and service, office, institutional, entertainment, recreational and residential uses located along Main Street will continue to foster a sense of vibrancy and community in the Historic Downtown at an Urban Scale in harmony with the rich heritage of the surrounding residential neighbourhoods.

The Subject Property is designated Historic Downtown Centre on Schedule A - Land Use Plan to the Town's Official Plan.

The Historic Downtown Centre designation permits a number of uses including residential uses up to 80 units per net hectare. The Official Plan allows for greater densities provided background studies demonstrate that the proposed development will not create an unacceptable level of traffic, and will be compatible with the existing surrounding development. To demonstrate this, the Official Plan requires a number of studies to be submitted including a Shadow Impact Study, Traffic Impact Study, Heritage Impact Assessment, Environmental Site Assessment, Functional Servicing Report and Planning Justification Report discussed further in this report.

One of the Official Plan's primary goals is to revitalize the Historic Downtown. Policies related to this portion of Main Street encourage improvements in the form of infill development and rehabilitation that is at a scale that retains the historic character of the area. The plan encourages retail uses along Main Street with residential units on the upper floors and encourages pedestrian activity by providing adequate links to Main Street and landscaped sidewalks.

In summary, the Official Plan would encourage appropriate residential and commercial redevelopment in scale with the historic character of Main Street South.

Zoning Bylaw Considerations

The subject property is currently zoned Historic Downtown Urban Centre Zone (UC-D1) by comprehensive zoning By-Law 2010-40. The UC-D1 zone includes an apartment building as a permitted use. The performance standards for this zone have a minimum height of 2 storeys and a maximum height of 3 storeys, a minimum floor space index of 0.5 and a maximum floor space index of 1.0. There are no yard setbacks in this zone category as many of the existing buildings are built to the lot lines.

The applicant is proposing to amend the existing zone of the property to allow for a 6 storey building stepped back from Main Street with a floor space index of 4.25. Relief from the parking requirements is also being requested. The current zoning By-law would require 1.75 parking spaces per unit which equals 263 spaces for the proposed 150 apartment units. The applicant is proposing 173 spaces which amounts 1.15 spaces per unit.

The proposed commercial units that are replacing existing units will not have parking requirements associated with them. However, the newly proposed commercial units would be required to provide parking or cash in lieu of same. The current rate for cash in lieu of parking for the Downtown area is \$1500 per space. This can be applied to the deficient parking spaces for the residential units as well as the newly proposed commercial units if this application is approved.

Provincial Policy Statement

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

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

Heritage Conservation District

Council have recently passed a By-law to implement the Heritage Conservation District Plan for Lower Main Street South. The by-law is currently in the Notice of Appeal period which ends on December 2, 2013. If there are no appeals received, the HCD Plan will be in full force and effect on December 3, 2013. While these applications have been made prior to the Heritage Conservation District being in full force, the development proposal will be reviewed against the policies and objectives of the Plan.

Purpose

The purpose of the Heritage District Plan is to establish a framework for assessing and guiding proposals by private property owners and the municipality's proposals for public works to ensure that change contributes to the district character. The Plan also list the types of proposals requiring heritage review, offers guidance on building conservation, gives guidance on adapting existing buildings and identifies where new compatible construction would be appropriate.

Types of Buildings

The Plan identifies three types of buildings and provides guidelines for each building in the proposed district. The building hierarchy are those that are Historic, those that are complementary to the district and other buildings that are neither historic nor complementary. The Clock Tower building at the southwest corner of Main Street South and Park Avenue is identified as a Historic Landmark Building. The remainder of the buildings under this application are designated Historic Commercial buildings with the exception of a small infill building at 190 Main Street filling in what used to be an alley space between 188 and 194 Main Street which is designated as neither historic nor complementary.

Goal of the Plan

The overarching goal of the Plan is to revitalize the Lower Main Street South District while preserving its historic character. The Plan has a number of objectives and policies to achieve this goal. The policies of the Plan, specifically as they relate to buildings identified as historic (Historic Landmark buildings and Historic Commercial Buildings), supports the retention of historic buildings in the district. If a property owner proposed to demolish a building, a heritage impact assessment may be required to ascertain whether there are alternatives to demolition. The Town is not obligated to issue a demolition permit.

Plan Policies

The HCD Plan also contains policies in relation to new construction. This section of the Plan indicates that the Town will favour proposals for new construction that propose:

- building height is not less than two storeys and not more than three storeys and is complementary to adjacent historic buildings and the streetscape;
- there is zero front yard setback and zero side yards;
- the facade shows a vertical orientation (or vertical directional emphasis) by segmenting the mass of the building into units of two or three bays across and by placing windows that are taller than they are wide in the upper floor;
- the ground floor of the facade is mostly taken up by plate glass display windows, the upper floor (or floors) shows a rhythm of windows spaced across the wall, and clay brick of light buff or red colour clads ground-floor piers and the upper-floor wall;
- floors align, or align approximately, with floors of adjacent historic buildings, allowance being made for changes in grade on the Main Street South hill;

- the facade is surmounted by a flat roofline, either a decorative brick cornice or a decorative brick parapet;
- signage is integrated into the ground floor design; and,
- at corner locations, the design addresses the corner and presents two street facades.

The appropriateness of any new design would be demonstrated through a heritage impact assessment in which the impact of the new design on adjacent historic buildings, the streetscape and the district is assessed. A heritage impact assessment has been submitted for this application and discussed further below.

Views

The HDC Plan discusses the importance of the protection of views to, from and within the district. Specifically, the Plan indicates the Town will review application for their potential impact on existing views including views of the districts four landmark buildings, one of which being the Clock Tower.

Guidelines

The HDC Plan also contains a number of Guidelines identifying minor improvements to the Post Office building such as filling in holes in the brick work where flag poles and window shields were once mounted. The Guidelines also provide a four step process for approaching improvements or restoration of Historic Commercial Buildings. Section 5.6 of the Plan identifies guidelines for New Construction which are based on the policies for new construction identified above.

The HDC Plan provides a number of suggestions for buildings within the district which are provided below for the properties that form this application. The applicant has indicated that they will integrate heritage facades as part of the redevelopment where feasible. It is noted that the submitted Heritage Impact Assessment also recommends that some form of integration of the existing heritage structures/facades into the development be considered. Further, a structural investigation and a Conservation Plan will be required to determine the appropriate conservation strategy.

184 Main Street South – The Plan recommends that after the siding is removed from the storefront and upper floor and the roughcast plaster beneath is exposed, restoration based on historic photographs and the fire insurance plans should occur. This is one of the district's few buildings where a plaster finish – authentic roughcast and not synthetic EIFS – is recommended. The restored plaster finish should be left in its natural state and not tinted with colour, as was typical, unless there is evidence in the underlying roughcast plaster of a colour tint.

188 Main Street South – The Plan recommends that the siding on the ground floor and upper floor should be removed. If the underlying brick veneer is not irretrievably damaged, restoration based on historic photographs should occur.

194-196 Main Street South – Historic photographs shows at No. 194 an identical building to No. 196. The siding covering No. 194 should be removed, and restoration of the upper floor and storefront should proceed if the underlying brick is not irretrievably damaged.

Comments

The proposal by the applicant for redevelopment of these buildings on Main Street South would assist in the revitalization of Downtown Newmarket by providing a number of residential units in the core and

providing additional commercial units along Park Avenue as encouraged by the Plan. However, the proposal does not meet significant policies of the Heritage Conservation District Plan by exceeding the 3 storey height limitation and not preserving in situ Historic Commercial Buildings. To assist in the on-going review of the application against the HCD Plan, a Heritage Impact Assessment has been submitted. Staff will provide further analysis of this proposal against the HCD Plan in a comprehensive report after the required Statutory Public Meeting has occurred.

Heritage Impact Assessment

A heritage impact assessment is a report prepared by a qualified heritage specialist to assess the impacts demolition, removal, significant alteration or new construction may have on the character of the building, property, its surrounding context and/or a historic area. Submitted with the application is a Heritage Impact Assessment for 180-194 Main Street South prepared by Goldsmith Borgal & Company Architects.

The HIA provides a historical and contextual background and an architectural review for for Main Street and specifically the structures under this application. The report provides a review of the Town's Official Plan and the Lower Main Street South Heritage Conservation District Plan and the relevant policies.

The report asserts that the proposal addresses the Town's policies by:

- Developing a site within the Historic Downtown which has been identified as an area with a significant opportunity for growth as it would achieve the sustainability goal of providing an opportunity to live close to services without the need to burden the road system.
- Including a multi-unit residential and commercial uses to achieve a mix of uses within the Historic Downtown.
- Proposing a use that has the potential to revitalize the Historic Downtown.

The report also acknowledges that the proposal does not meet the Town's policies and objectives related to heritage, such as;

- Maintaining the historic scale in the Historic Downtown at Two, two-and-one-half, or three stories.
- Protecting heritage by retaining and restoring existing buildings.

The Heritage Impact Assessment continues by providing specific details on the proposed development against the policies of the Heritage Conservation District Plan. The report indicates how these policies can be achieved, and where there is conflict, recommendations are made on how to mitigate the impact increased density would have on the heritage aspects of the District.

The Town is in the process of securing a peer review consultant to review the HIA and comment on the submitted plan. Final comments on the HIA will be provided in a future report to Committee of the Whole.

Shadow Study

A shadow study has been prepared for the proposal that details impacts of shadowing on the surrounding neighbourhood at the spring and fall equinoxes and summer solstice. The shadow impacts are shown at 9am, 12pm, 2pm and 4pm. Shadow Studies illustrate the impact of development in terms of sun and

daylight access to the surrounding context including surrounding buildings, the public realm, public and private open space.

The shadow studies submitted show little impact on the low density developments to the west of Main Street. There appears to be significant shadowing on the public streets of Park Avenue and Main Street. Staff have requested a current condition shadow study be submitted to clarify the cumulative impacts the proposed building would have over the existing situation.

Departmental and Agency Comments

Heritage Newmarket have completed a preliminary review of the proposal and provided comments to staff. The comments relate to questions of clarification on the submitted Heritage Impact Assessment as well as providing photographs of existing views to landmark buildings (The Old Post Office, Trinity United Church and Old Town Hall) that would be impeded if this proposal were to be approved in its current state. It is intended that that applicant and heritage consultant will attend Heritage Newmarket on December 3rd to present the proposal and answer any questions the committee have. Further comprehensive comments will be included in a report to Committee of the Whole after the public meeting is held.

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

Engineering services have reviewed the Traffic Impact and Parking Study, Functional Servicing Report and Phase 1 and 2 Environmental Site Assessments and have the following comments to offer:

Traffic Impact Study and Parking

The Traffic Impact and Parking Study (TIPS) only analyses traffic operations on week-days – Saturday traffic operations should also be considered.

The Report assumes no traffic generation from the Commercial Retail Units (CRU). Vehicle traffic is likely to be generated from the CRU and therefore some traffic generation should be forecast.

Additional sight distance work needs to be completed based on a design speed of 50km/h opposed to the 45km/h in the report.

The adequacy of the parking supply proposed for the residential use should be further reviewed within the context of all of the uses proposed including the CRU.

Insufficient justification is provided to support the conclusion that no parking is required for the proposed CRU.

The TIPS does not provide any analysis of the impacts of the site redevelopment based on the replacement of the existing uses. Further consideration of these factors may result in the need for additional parking.

Sanitary Sewage

Sanitary sewage from this development as proposed will discharge to the existing sanitary sewer on Main Street. The capacity of only the sanitary sewer on Main Street fronting this property has been reviewed in the FSR. No analysis has been carried out to confirm that adequate capacity exist in the downstream

system for the flows generated by this development. The applicant will be required to carry out a study to confirm that adequate capacity exists or determine what downstream improvements are required to the sanitary system. All cost for the study and any downstream improvements necessary will be the sole responsibility of the applicant.

Water Supply

The report did not provide any hydrant flow information or modelling to confirm if the existing watermain is adequate to service the proposed development. The consultant should provide either modelling or a hydrant flow test on the watermain where the connection is proposed to confirm that the existing watermain is adequate.

Additional analysis for the Fire Underwriters Survey calculation is required (projected fire flow rate).

Storm Drainage

The existing site is generally impervious. The proposed development will have minimal impact on the quantity of storm water flow which discharges from the property. Water captured and discharged from the roof is inherently clean and therefore the quality of the storm water discharging from the property will be improved from the existing condition. The final design should demonstrate that the water quality from this site meets Enhanced Protection Criteria as defined by MOE Guidelines.

Phase 1 and Phase 2 Environmental Site Assessments

Engineering Services have reviewed the Phase 1 and Phase 2 Environmental Site Assessments and have indicated a number of comments that require addressing. The reports identify that contamination exists in the soils above residential standards. Remediation work and the filing of a Record of Site Condition (RSC) will likely be required. Sufficient environmental work has been carried out to demonstrate that it should not be an undue hardship to remediate the site. We require confirmation from the MOE on whether or not an RSC will be required.

COMMUNITY CONSULTATION POLICY

A statutory public meeting will be required as part of the Planning Act requirements for the proposed changes to the zoning bylaw. A number of comments/letters have been submitted to date including a petition against the existing proposal for redevelopment of these buildings on Main Street South citing design, obstruction of views, traffic increase and parking as issues to be addressed.

BUDGET IMPACT (CURRENT AND FUTURE)

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

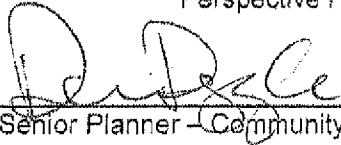
HUMAN RESOURCE CONSIDERATION

Not applicable to this report as staffing levels remain the same.

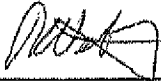
Conclusion

It is appropriate to refer this application for zoning by-law amendment to a statutory public meeting to hear comments/questions from the public.

Attachments: Location Map
Site Plan
Elevations
Perspective Plan



Senior Planner - Community Planning



Director of Planning and Building Services



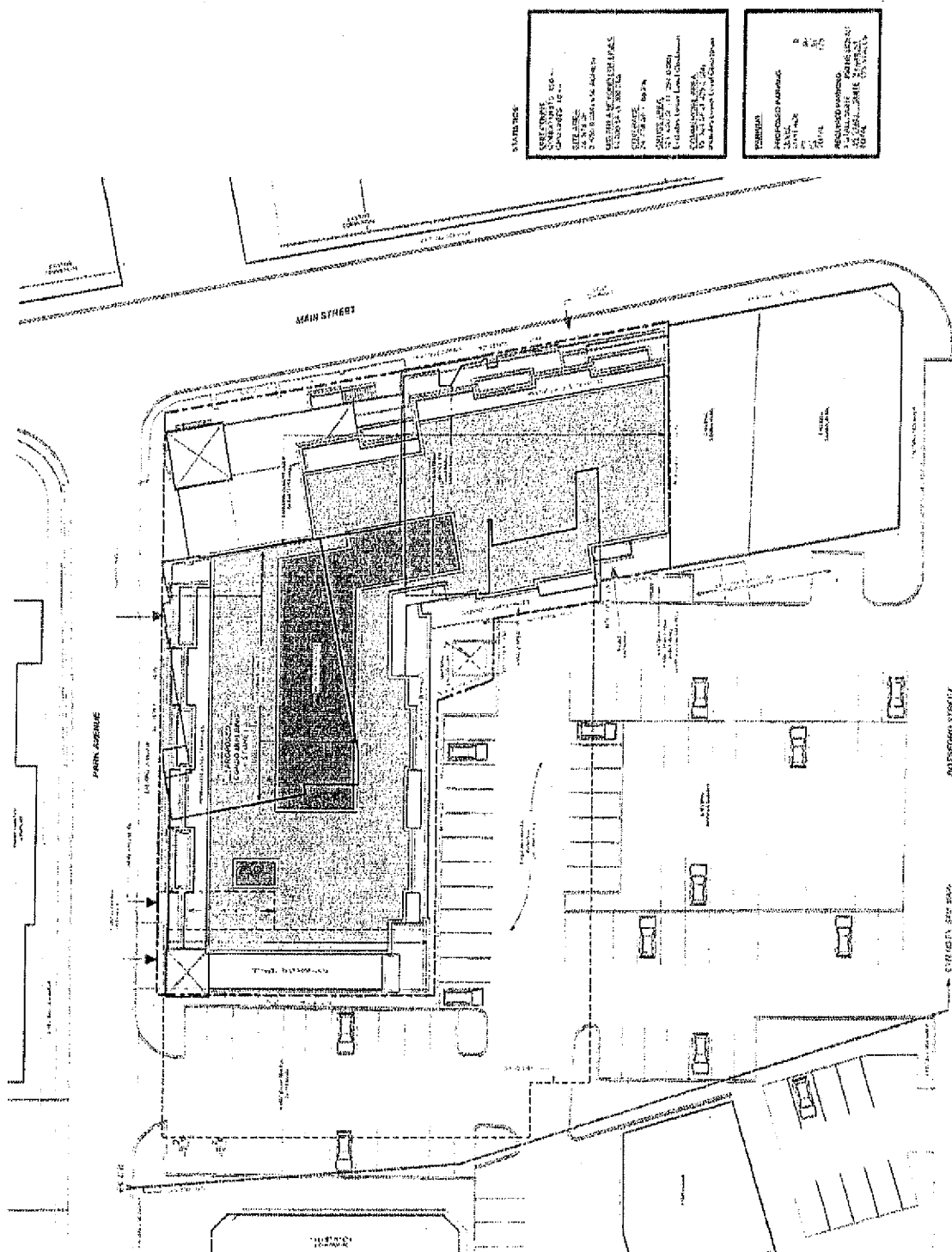
Commissioner of Development and
Infrastructure Services

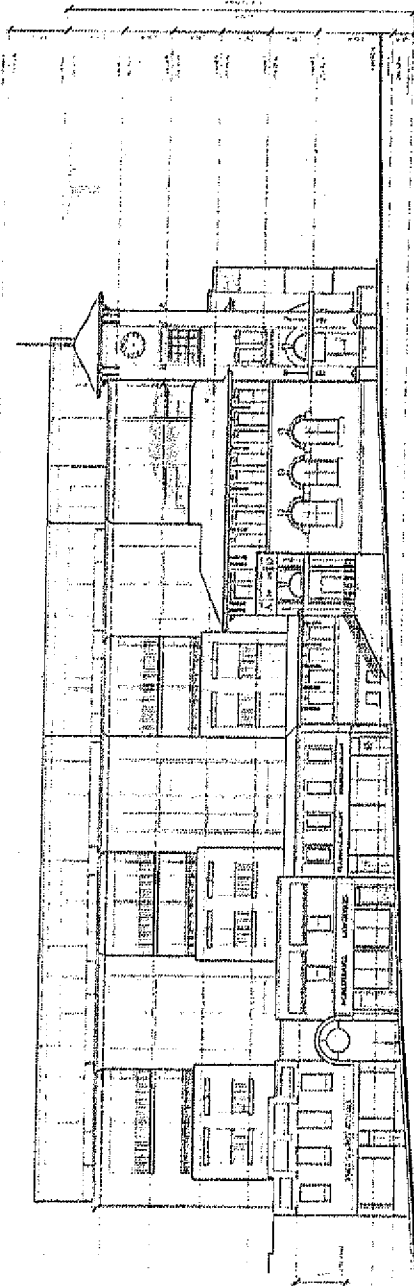
An aerial photograph of a city block, likely in San Francisco, showing a grid of streets and building footprints. The streets visible are Millard Ave, Park Ave, BotSFord St, and Timothy St. A specific area is highlighted with a white box and labeled 'SUBJECT LANDS'. The image is oriented vertically, with the streets running horizontally and vertically. The 'SUBJECT LANDS' are located on the right side of the block, between Park Ave and BotSFord St. The area is bounded by a street running vertically, which is labeled 'MANN ST' and 'US'. The 'SUBJECT LANDS' are a large, irregularly shaped area, possibly a lot or a group of lots, that is distinct from the surrounding building footprints. The image is a black and white aerial photograph, showing the texture of the ground and the outlines of buildings. The 'SUBJECT LANDS' are a key feature of the image, and the label 'SUBJECT LANDS' is placed directly on the image to identify this area. The street names are also visible on the image, providing context for the location. The overall image is a detailed aerial view of a city block, with the 'SUBJECT LANDS' being the primary focus.



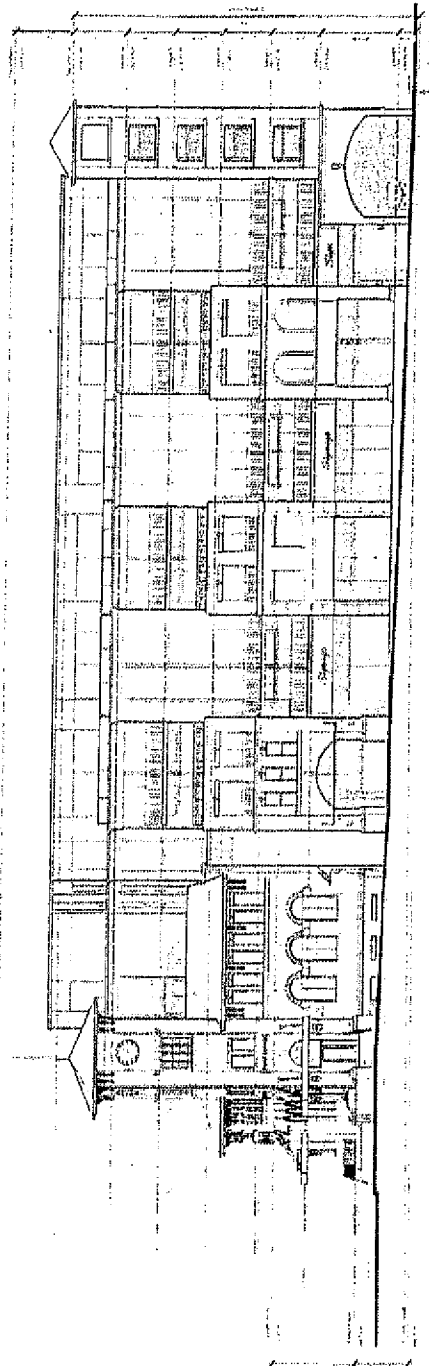
TOWN OF NEWMARKET PLANNING DEPARTMENT

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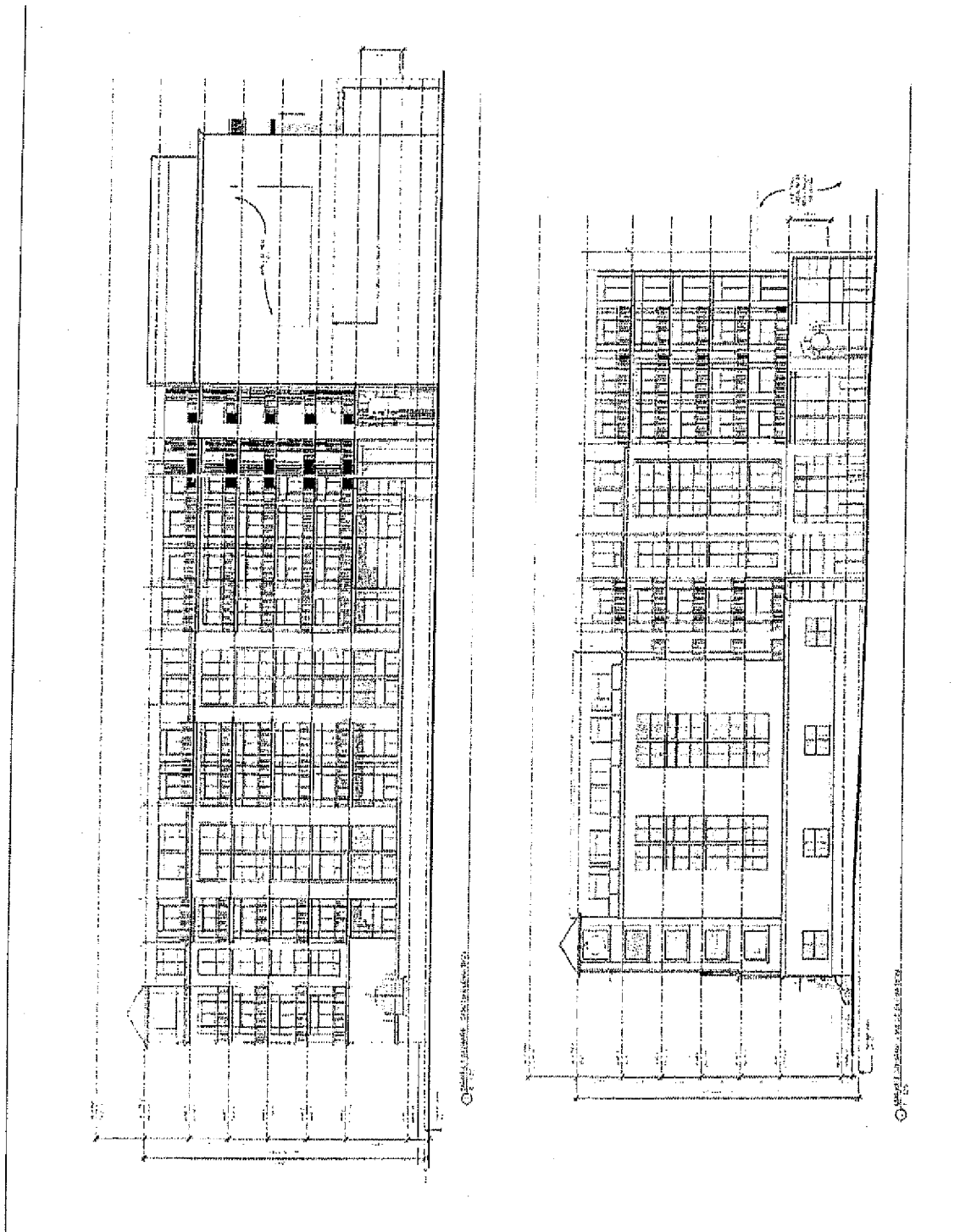


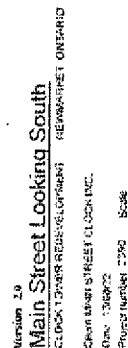


சென்னை மாநகராட்சி - கட்டிடத்துறை, கட்டிடப்பணிப் பகுதி



1. 本論文は、2004年10月10日現在までの調査結果に基づいて書かれたものである。





Water and Wastewater Master Plan Update

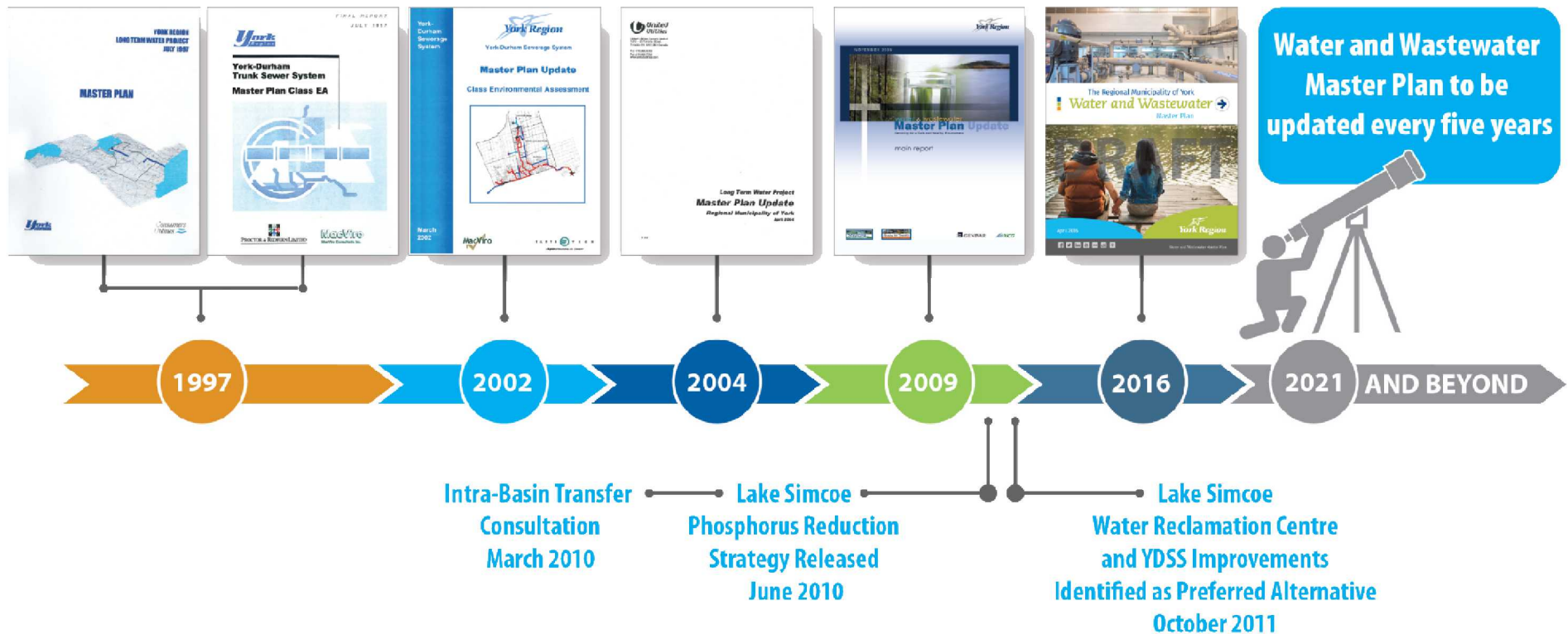
Presentation to
**Town of Newmarket
Committee of the Whole**

Stephen Fung
Director, Infrastructure Asset Management

May 9th, 2016

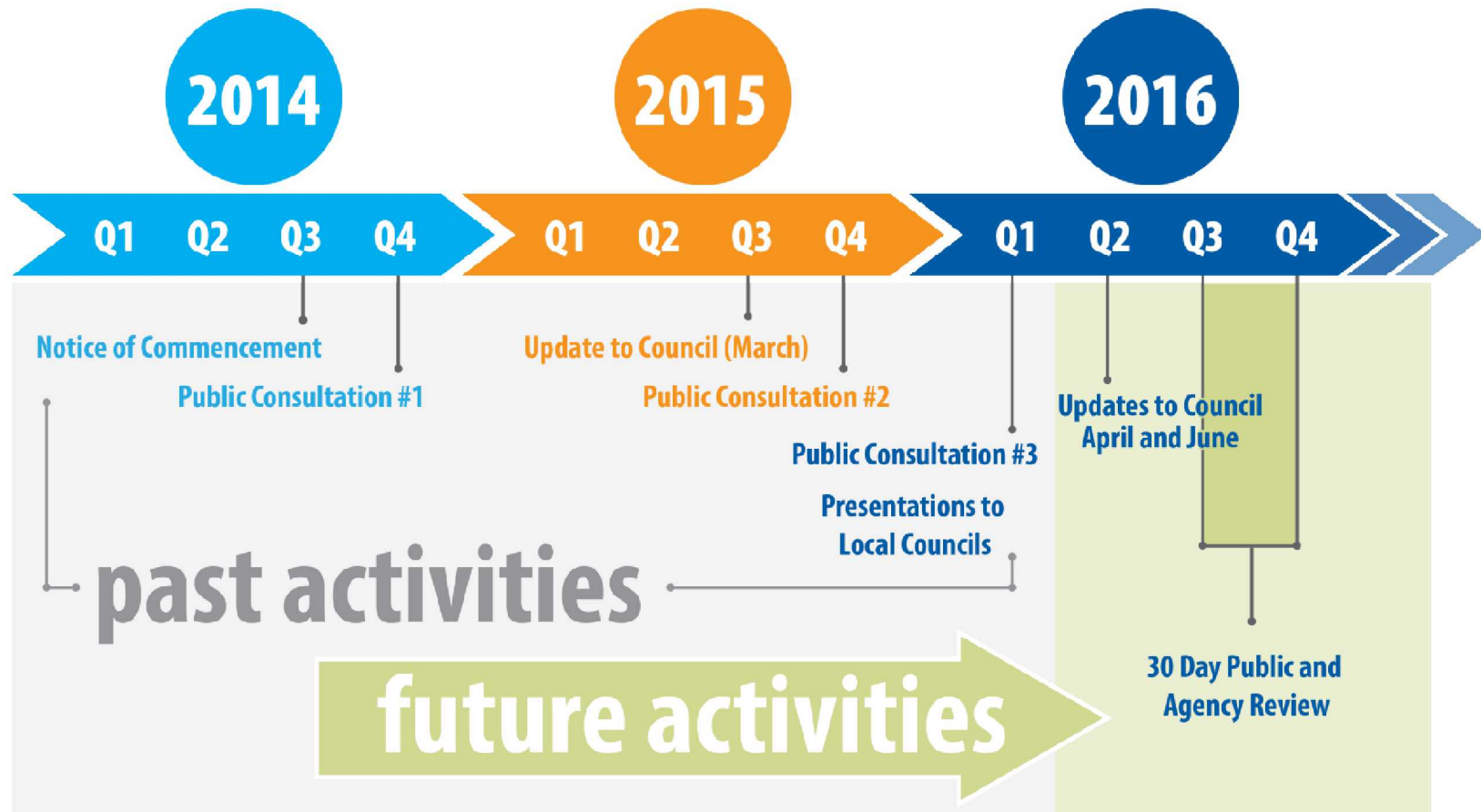


Water and Wastewater Master Plan: Living Process



Master Plan is a Living Document That Builds Upon Earlier Work

Master Plan Schedule



Update to Regional Council to be Provided June 2016

Public and Stakeholder Engagement

Public Outreach

32,893		Facebook Reach
4,400		Email Notification
365		Open House Attendees
104		Newspaper Ads
73		Twitter Retweets
33		Facebook and Twitter Posts
1		Website: www.york.ca/waterplan

Public Feedback

112		Comments from Public, First Nations, Metis
38		Open House Comment Sheets

Stakeholder Meetings

20	Local Municipality Staff
3	LSRCA
3	TRCA
3	MOECC
2	First Nations and Metis
2	BILD

Public Open Houses

Open House #1

Vaughan - November 11, 2014
 Newmarket - November 12, 2014
 Markham - November 18, 2014

Open House #2

Markham - June 9, 2015
 Richmond Hill - June 11, 2015
 Aurora - June 16, 2015
 Georgina - June 25, 2015

Open House #3

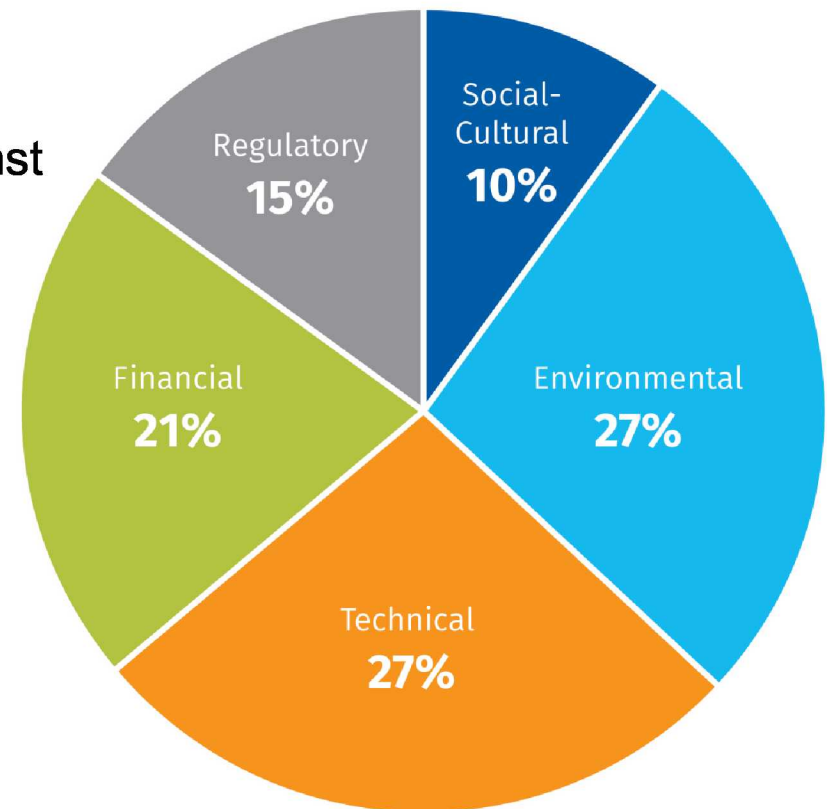
Richmond Hill - January 20, 2016
 Newmarket - January 26, 2016

**Public and Stakeholder Engagement Provided
 Key Input to Master Plan Process**

Master Plan Evaluation Process

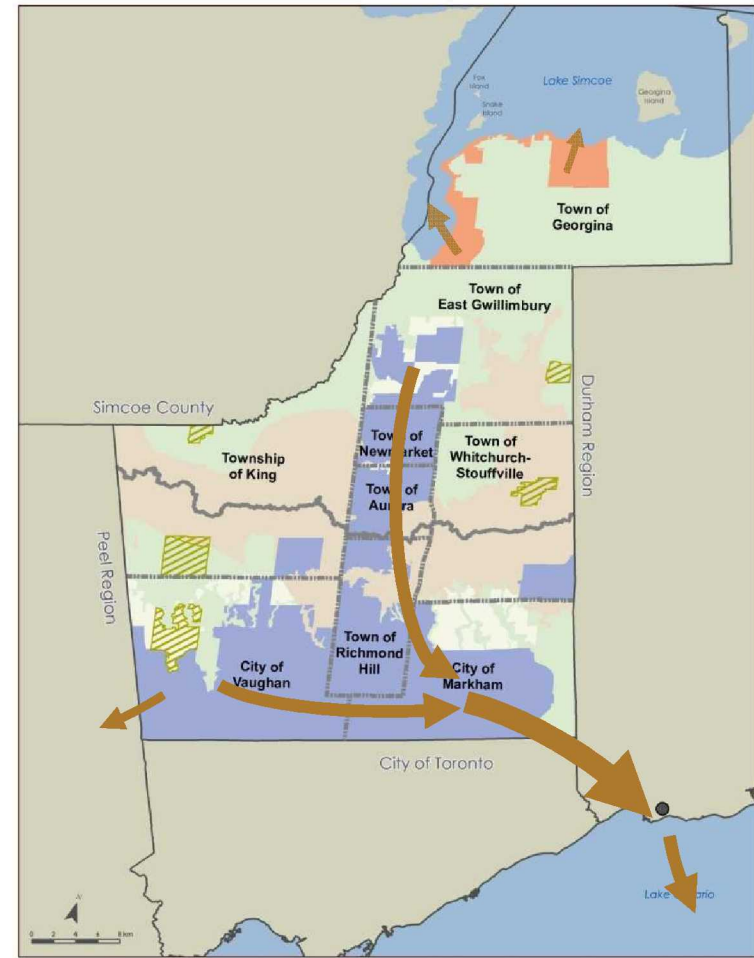
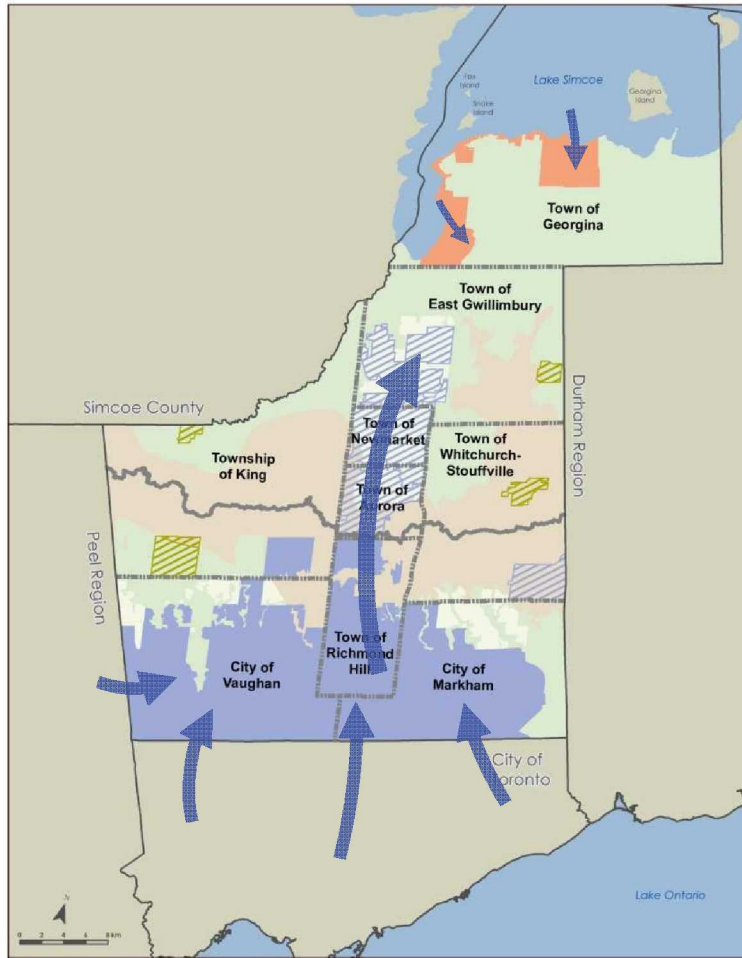
Servicing Strategy Evaluation

- Two Servicing Strategies evaluated against criteria set in Class EA process
- Weightings derived from public input through surveys and Region staff experience
- Public indicated Environmental and Technical impacts were most important
- Results of evaluation used to determine **Recommended Servicing Strategy**



Public Input Used to Develop Evaluation Criteria Weighting

2009 Master Plan Water & Wastewater Servicing Strategy



**2009 Master Plan Recommended Servicing East Gwillimbury
From Lake Ontario and Through Expansion of YDSS**

What Has Changed Since 2009 Master Plan?



**Completion of Upper York
Sewage Solutions Individual
Environmental Assessment**



**Water consumption per
capita has dropped by**

20%
since 2009

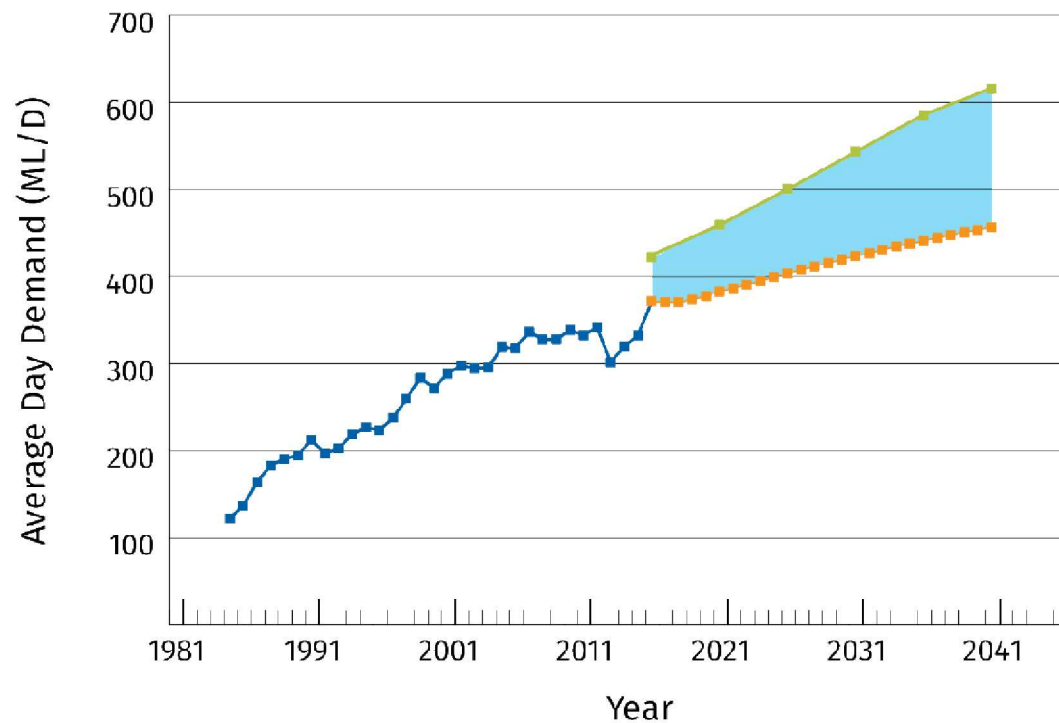


**Intra-basin Transfer
from Lake Ontario
limited to 105 MLD**

**Upper York Environmental Assessment Changed
2009 Master Plan Servicing Strategy**

What Has Changed Since 2009 Master Plan?

York Region Average Day Demand Projection

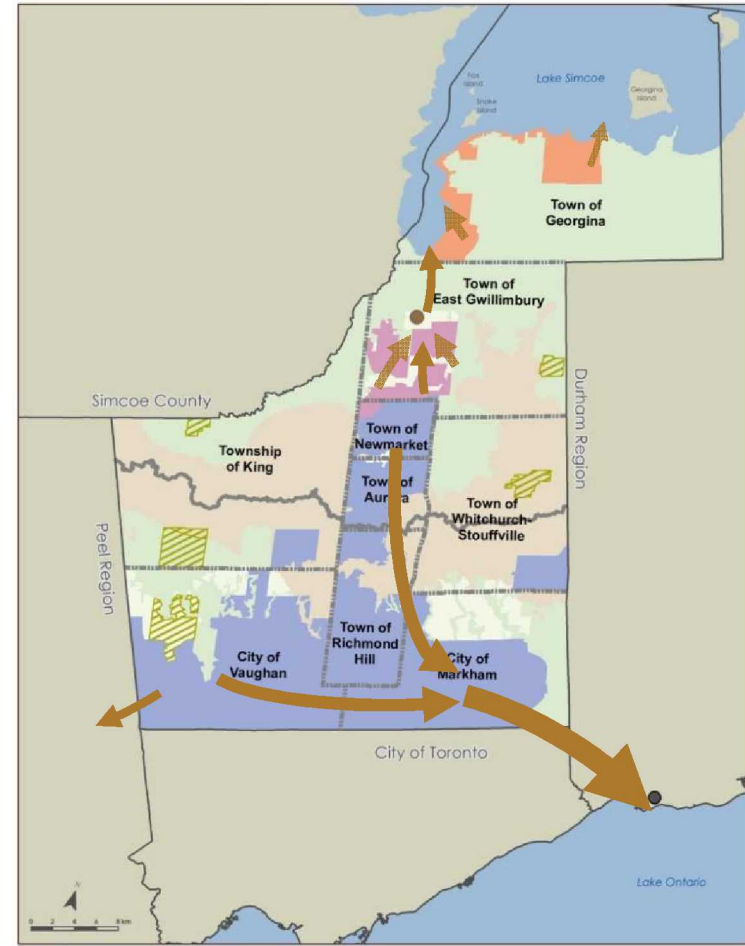
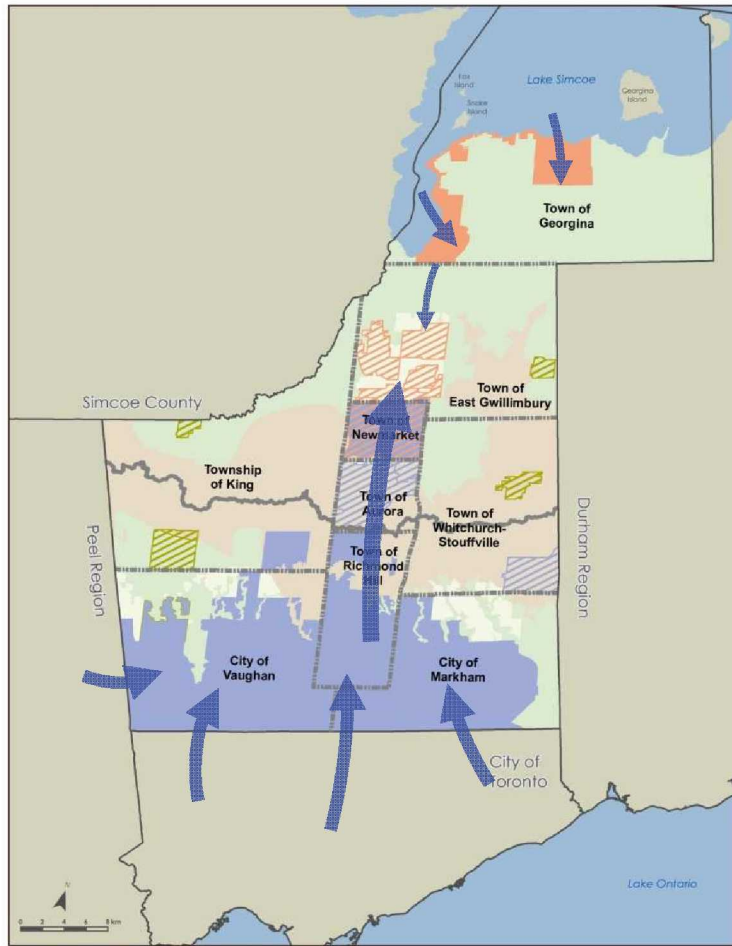


— Historical Average Day Demand — 2009 Master Plan Average Day Demand
— 2016 Master Plan Average Day Demand — Water Savings Due to Conservation

Water Conservation Has Successfully Reduced Demand

2016 Master Plan

Water & Wastewater Servicing Strategy



**2016 Master Plan Recommendation in Alignment with
Upper York Sewage Solutions Environmental Assessment**

Benefits of Supplementing with Lake Simcoe Water



**Less Intra-basin
Transfer**



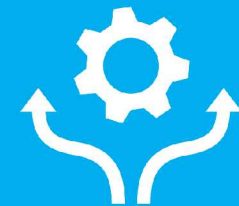
**Shorter
Water Age**



**Less Energy
Consumption =
Fewer Greenhouse
Gas Emissions**



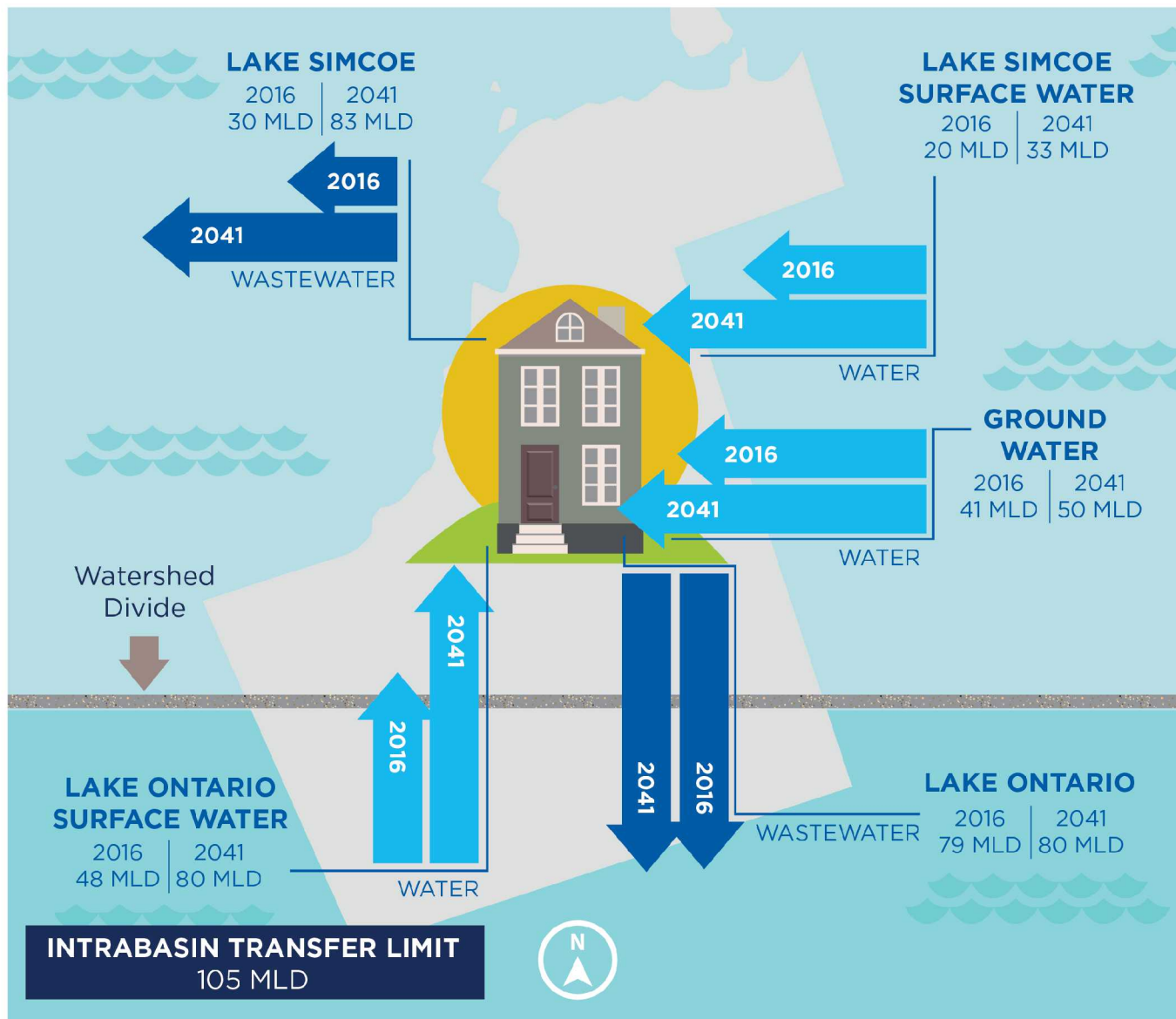
**Diversity of
Supply**



**Operational
Flexibility**

**Lake Simcoe Strategy Better Aligns with Provincial Legislation
and Provides Technical and Environmental Benefits**

Water Balance



MLD = MILLIONS LITRES PER DAY

Water Re-Use

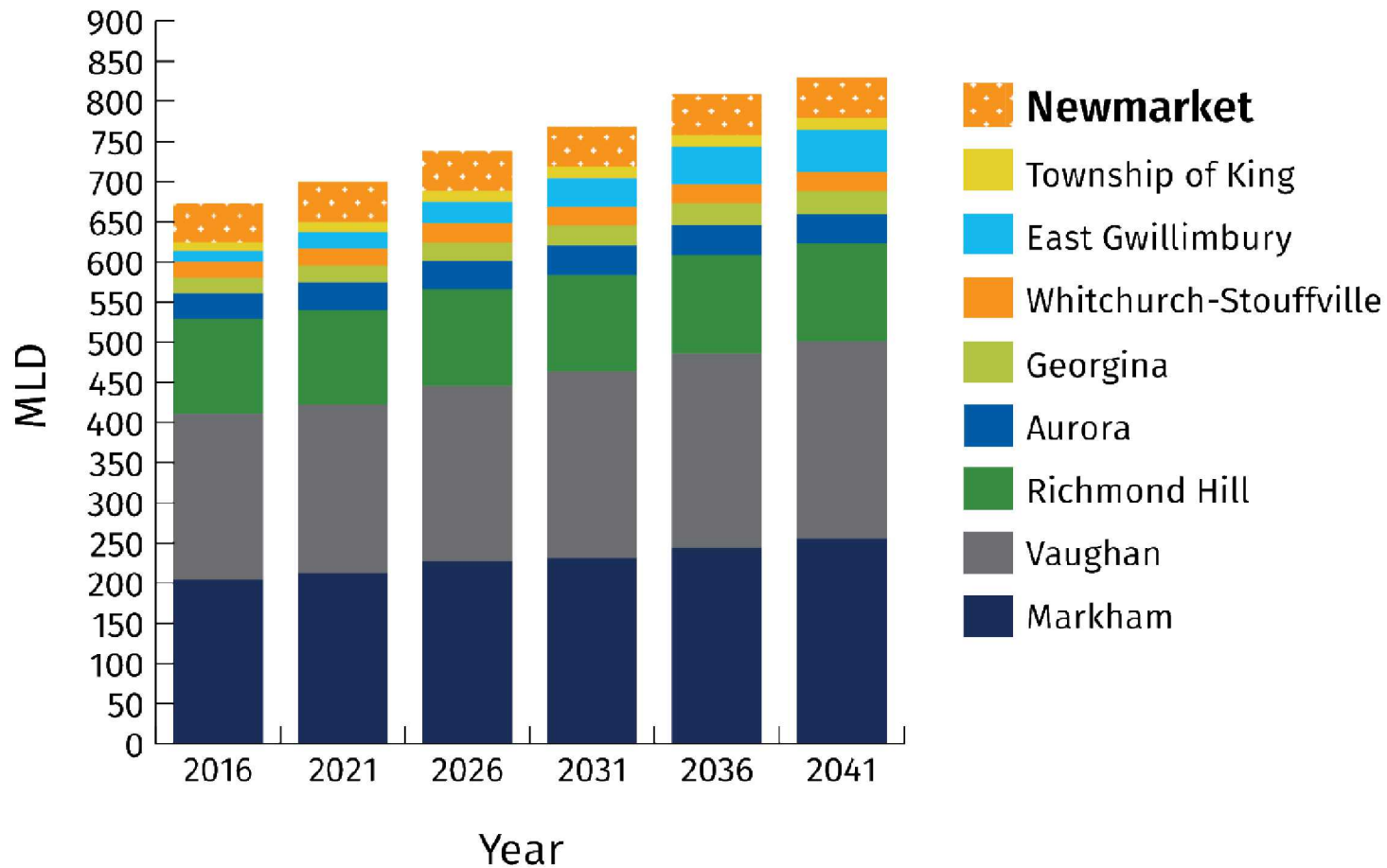
Water Re-use is Part of Master Plan Servicing Strategy

- Working collaboratively with Province to explore water re-use pilot using reclaimed water from a Regional wastewater facility
- Reclaimed water is central component of Water Reclamation Centre
- Future work with Province on water reuse guidelines and regulatory framework, starting with demonstration project

139

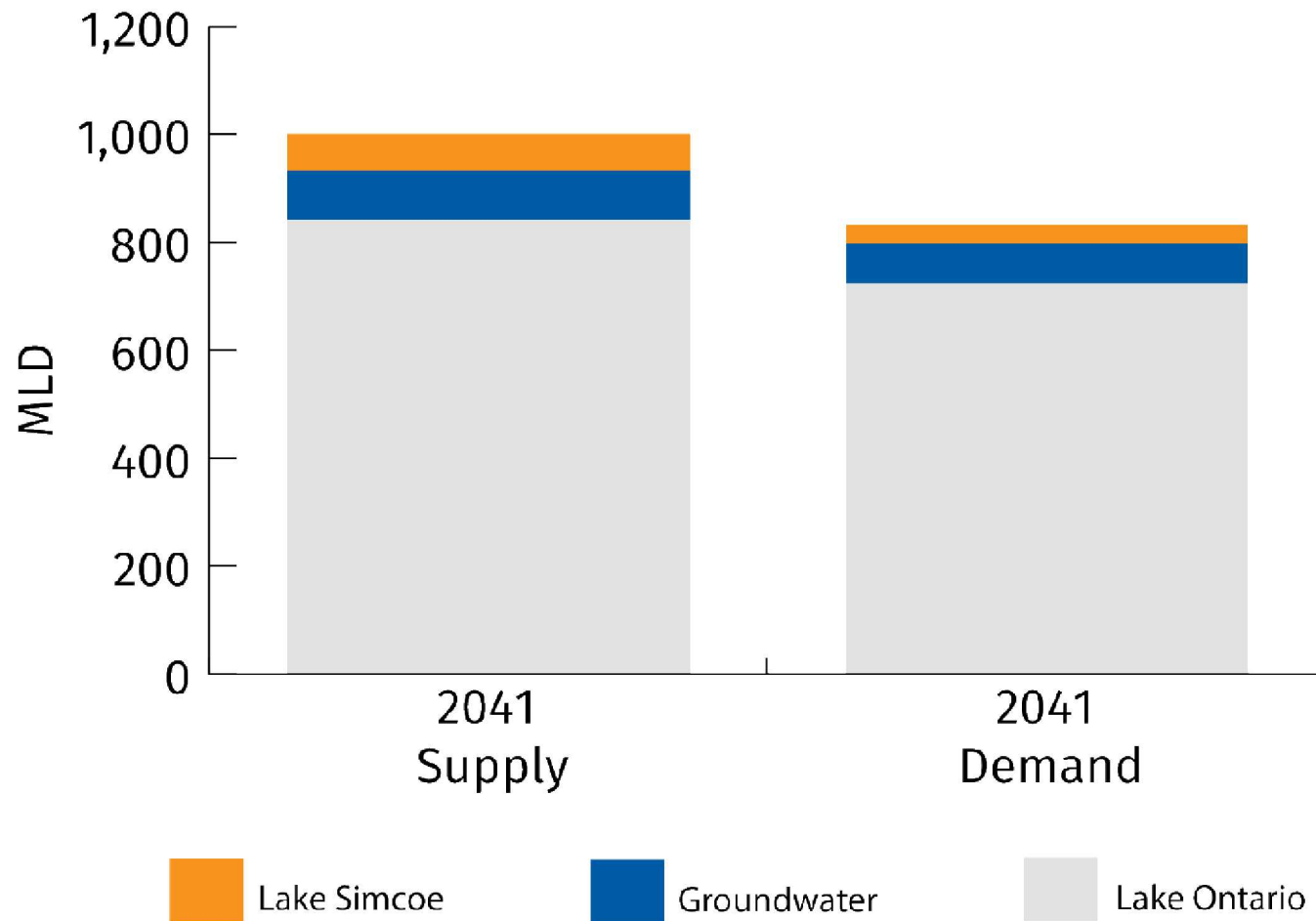
Water Reclamation Centre Integral to Master Plan Strategy

Regional Water Demand



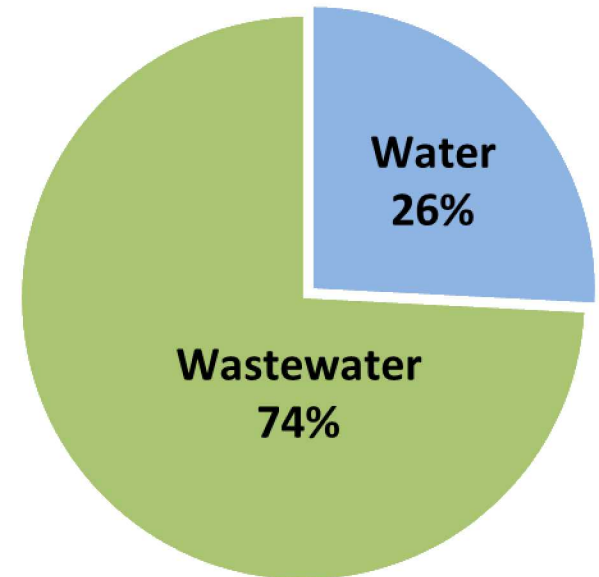
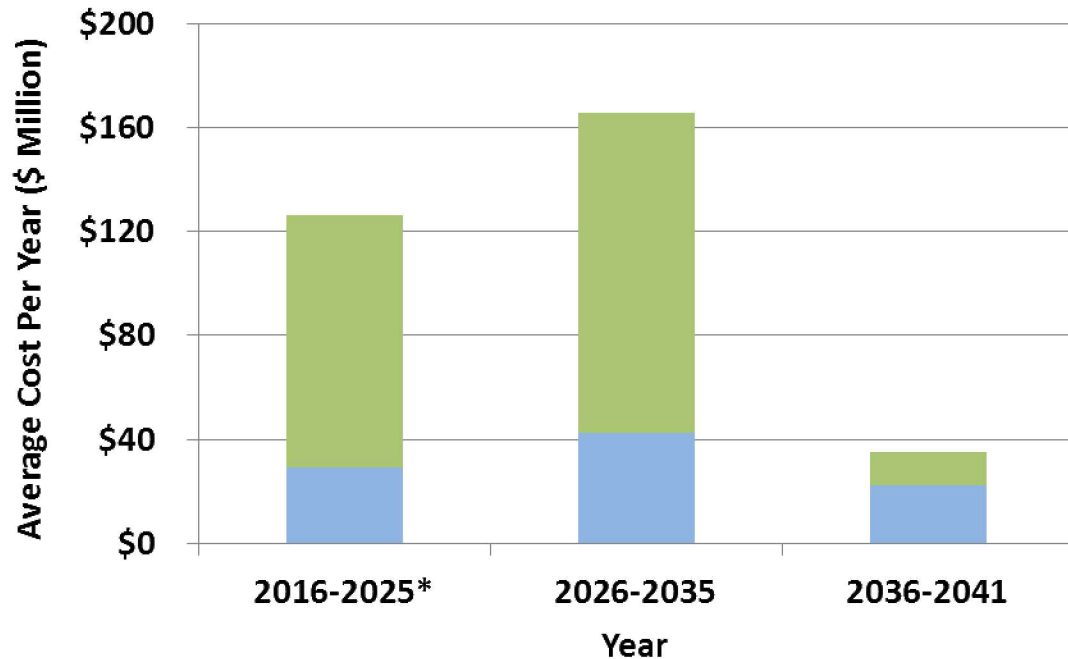
Newmarket Drinking Water Demand is 6% of Region's Total

York Region Water Supply Sources



Supply Greater Than 2041 Demand

Master Plan Project Costs



142

* First ten year cost is in line with 2016 10-year capital plan

**Cost of Master Plan Projects is Approximately \$3.1B;
\$1.3B is Included in 2016 Ten Year Capital Plan**

**PROPOSED REDEVELOPMENT
OF THE
CLOCK TOWER**

178 – 194 Main Street South

143

May 9, 2016

Main Street Perspective



144

Market Square Perspective



Park Avenue Perspective



Objectives of this Presentation

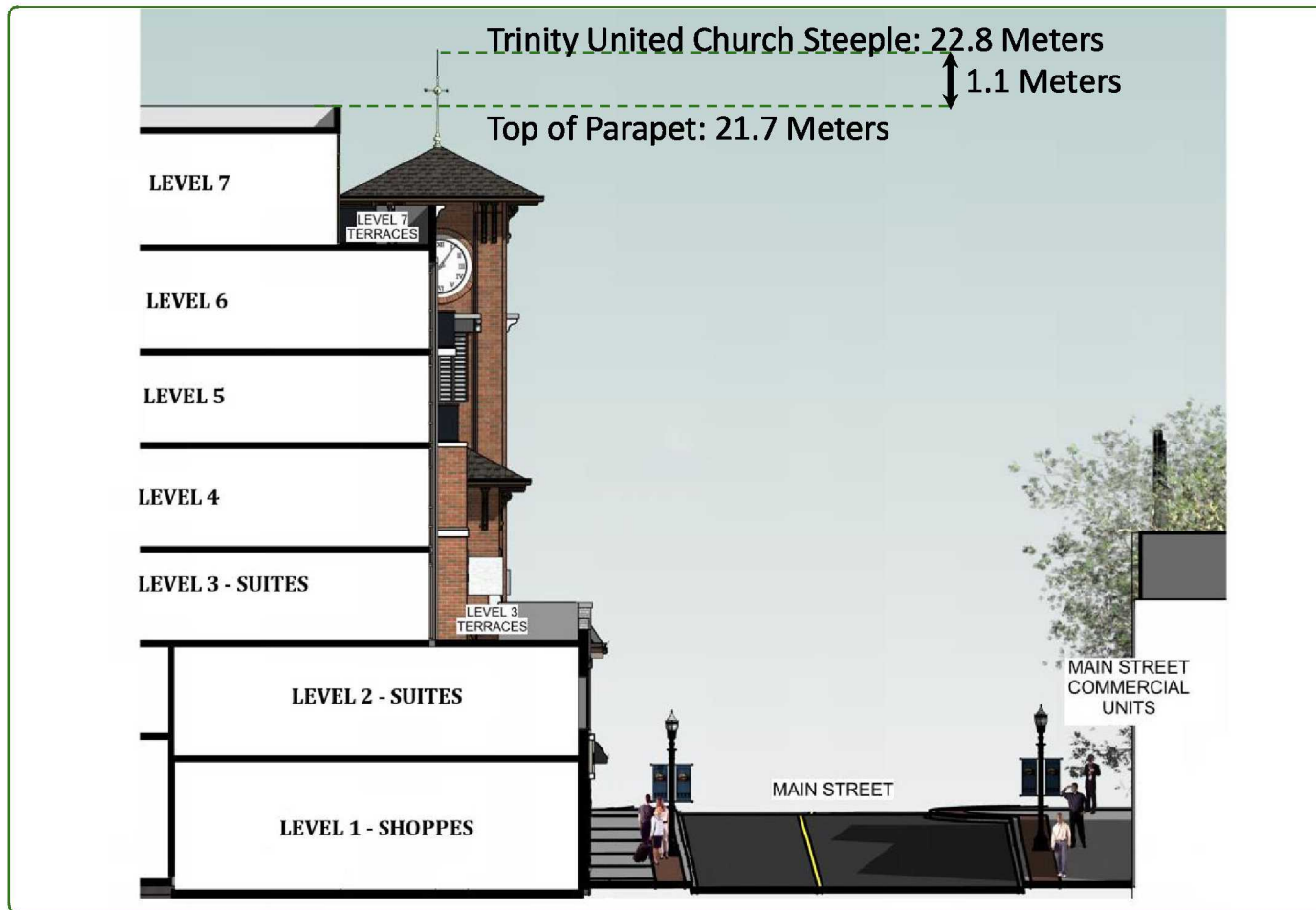
1. Review Current Clock Tower Proposal
2. Address Heritage Considerations
3. Distinguish Fact from Fiction
4. Answer Questions

Proposal vs. Bylaw

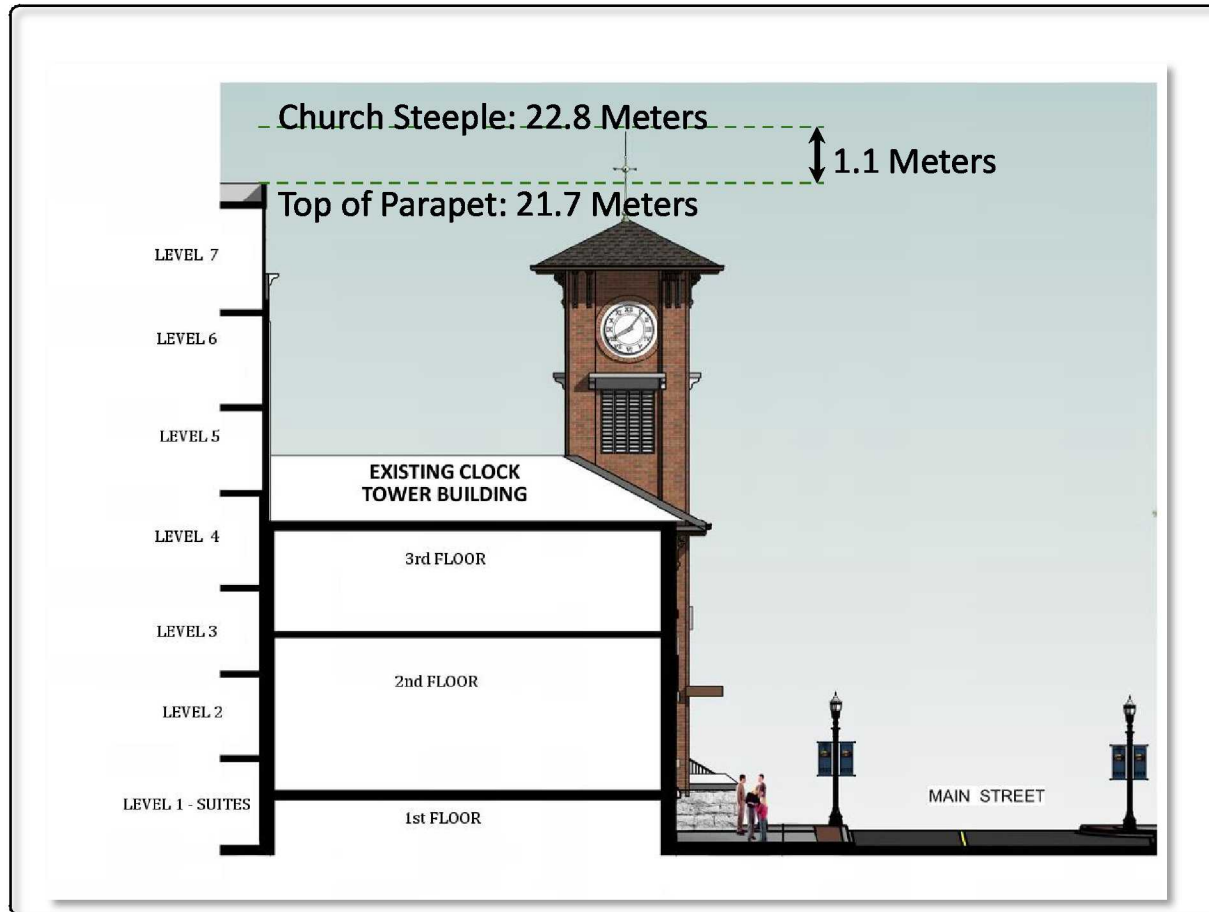
Component	Bylaw	Current Proposal
Height on Main Street	3 Storeys	2 Storeys
Height on Park Avenue	3 Storeys & 6 Storeys	7 Storeys
Trinity Church Steeple	Must Be Lower	1.1 Meters Lower

Upper levels are stepped back
from Main Street from 4 metres to 7.

Section, Looking North



Section, Existing Building – Looking North



Building Height is Dimensioned



Goldsmith Borgal & Company Ltd.

Heritage Architects

HERITAGE IMPACT ASSESSMENT

Prepared for

178, 180, 184, 188, 190 and 194 Main Street South
Newmarket, ON

February 1, 2016

RECOGNITION

We recognise the importance of
heritage buildings and their
attributes.

RETENTION

The retention of historic buildings
is important to us, and
to the Town of Newmarket.

The former Post Office will be preserved /
maintained and adaptively re-used.

Facades of the 19th century commercial buildings
at 184, 188 and 194 Main Street
will be integrated into the new design.

The historic Clock Tower remains prominent, by maintaining the hipped roof, and setting the new construction well back of the tower, as to frame it.

Heritage Hidden



Heritage Revealed

We will expose and restore lost heritage features on Main Street.

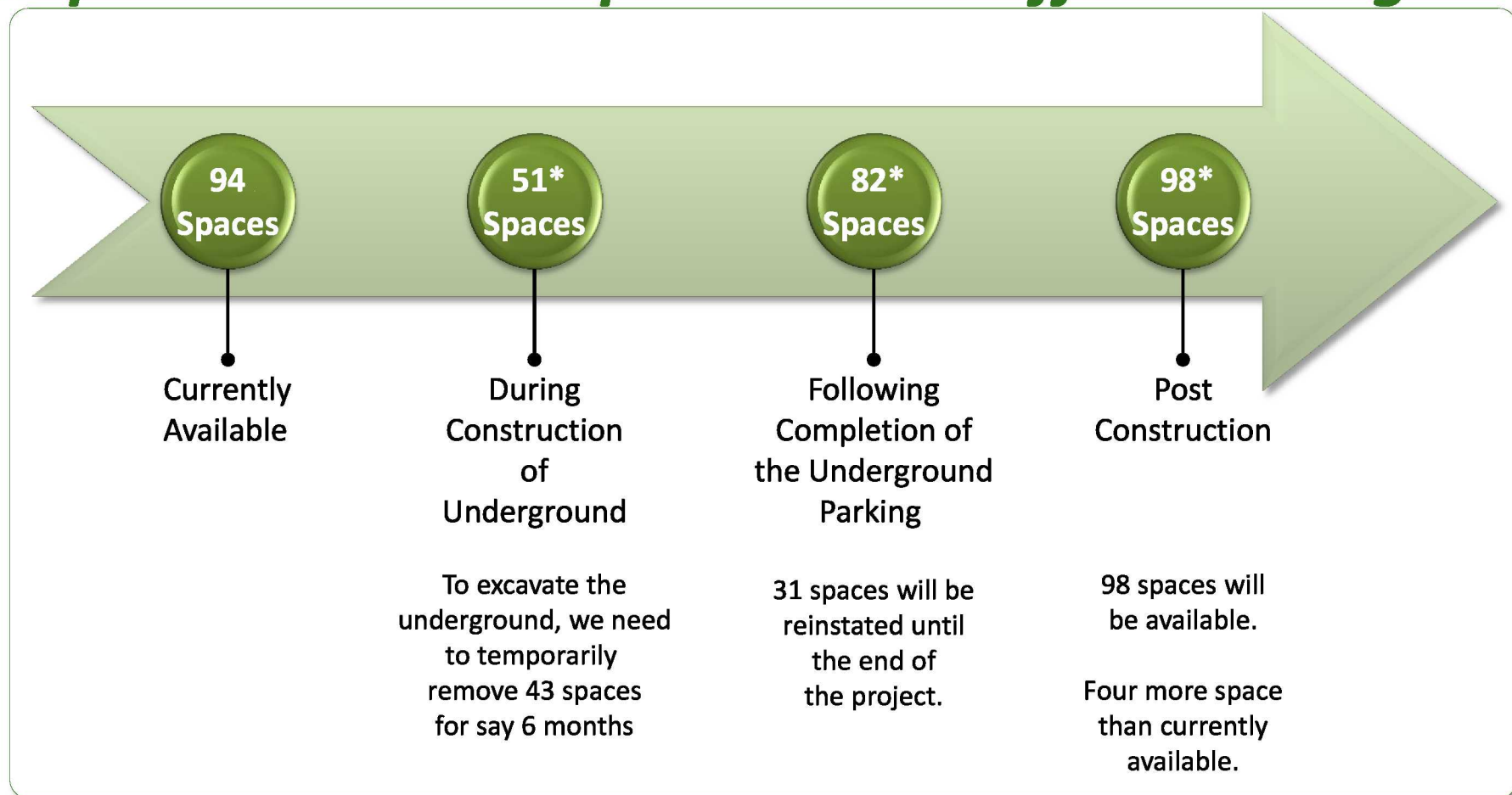


Heritage Conclusions

Under the direction of Goldsmith Borgal, Heritage Architects, we will:

1. Restore the historic Post Office;
2. Assure the Clock Tower dominates Main Street for generations;
3. Banish the pastiche of cladding, which hides heritage features;
4. Preserve historic Main Street building faces;
5. Maintain two storeys on Main Street.

Impact on Market Square & Post Office Parking



*Estimate

Revitalizing the Downtown

1. Bring residents to the downtown core.
2. Diversify downtown housing opportunities.
3. Downtown residents bring downtown business and downtown sustainability.

Collaboration with Near Neighbours

Trinity United Church

Newmarket Public Library

Landlord and Tenant, 196 Main Street South

Matters Discussed

Pre/Post Construction Surveys

Vibration Monitoring

Parking Impact During Construction

Stained Glass Window Protection

Construction Scheduling

Fact vs. Fiction – Municipal Issues

Fiction	Fact
7 Storeys on Main	3 Storeys Permitted 2 Storeys Proposed
3 Storeys Permitted on Park Avenue	3 & 6 Storeys Permitted 7 Storeys Proposed
Underground River	High Water Table

Fact vs. Fiction – Impact on Main Street

Fiction	Fact
Building Will Dwarf the Clock Tower	Building Will Frame the Clock Tower
Insufficient Parking Proposed	Parking Count Imposed by the Town
“This Drawing Is Not To Be Scaled”	Because One is to Reference The Dimensions
Cars Entering Parking Ramp Will Block Park Avenue	Cars Will Stack On The Ramp

Gorham Hill Perspective



Main Street Clock Inc.

Please wait while video loads...



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Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Name: David Kempton	
Organization / Group/ Business represented:	
Address: Newmarket	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:19
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): I wish to give reasons for my support for the proposed clock tower development.	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Name: Peggy Stevens	
Organization / Group/ Business represented:	
Address: -	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9, 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: 19
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): I would like to speak in favour of the Clock Tower development.	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Request for Deputation

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

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

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

PLEASE PRINT

COUNCIL/COMMITTEE DATE: May 9, 2016 _____

AGENDA ITEM NO.: 6 _____ **SUBJECT:** Main Street Clock Tower _____

NAME: Greg King _____

ADDRESS: Main St _____
Street Address

Newmarket _____
Town/City Postal Code

PHONE: HOME: _____ **BUSINESS:** _____

FAX NO.: _____ **E-MAIL ADDRESS:** _____

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

BRIEF STATEMENT OF ISSUE OR PURPOSE OF DEPUTATION

To present arguments for the Clock Tower development

Why the Clock Tower mid-rise proposal makes sense for Main Street

Gregory King

Newmarket ON

The Newmarket Main Street area is at a crossroads. Things started to look better with the construction of Riverwalk Commons but the economic outlook of the area stalled in 2015. People talk about the crowds at the restaurants, but that was in 2014. I live and work on Main Street and I have witnessed that business fell in 2015. Retail businesses are leaving and are being replaced by services; even the banks have left. (Bank of Montreal will be leaving in June.) Yes, the property values have gone up but this only means that housing prices have risen dramatically, making homes in the area unaffordable for young people. It is the young who are the engine of the economy, as they spend money while seniors don't.

Some people talk about how Main Street used to be the centre of Newmarket. The important phrase is "used to be." It isn't any more, the centre has moved to Yonge & Davis. That is what many people think when I tell them I live in downtown Newmarket. Yonge & Davis is where development is going in the official Town plan, not Main Street.

So, how can Main Street thrive? It either becomes a quaint tourist destination or it can be regenerated by having young people and their families move into the neighbourhood. But the latter can't happen without affordable housing within strolling distance. Affordable housing on Davis will not help Main Street.

This is where the Clock Tower development proposal by the Forrest Group comes in. A 7 story mid-rise with 165 one and two bedroom apartments would mean approximately 240 new residents. There have been objections to the height and size of the proposed project but anything much smaller would not be of any consequential benefit to Main Street. A low-rise project as suggested by opponents to the proposal would have fewer units which means their prices would be proportionally higher and so would no longer be affordable by the young people that Main Street needs.

Looking strictly at the technical aspects of the Forrest Group's Clock Tower proposal, it conforms with the Guidelines For Buildings as set out in Standards and Guidelines for the Conservation of Historic Places in Canada [1] published by the Government of Canada. Where the proposal encounters difficulty is in the Guidelines For Cultural Landscapes in Reference 1. While a low-rise building would clearly meet and a high-rise one clearly violate the guidelines, the proposed mid-rise building falls into the interpretive grey zone.

The following analysis and conclusions that I make on the impact of the proposed project on the landscape of Main Street are based on my 30+ years of experience as a photographer.

Figure 1 is an aerial photo of central Newmarket from the south. The Main Street Heritage District is clearly visible as stands from the surrounding residential neighbourhoods. The most prominent features (ignoring the temporary tennis dome) are the high-rise apartment building by Fairy Lake and Tannery Mall on Davis Drive. From this angle, the proposed Clock Tower project would obscure Trinity United Church but it would not appreciably alter the landscape.

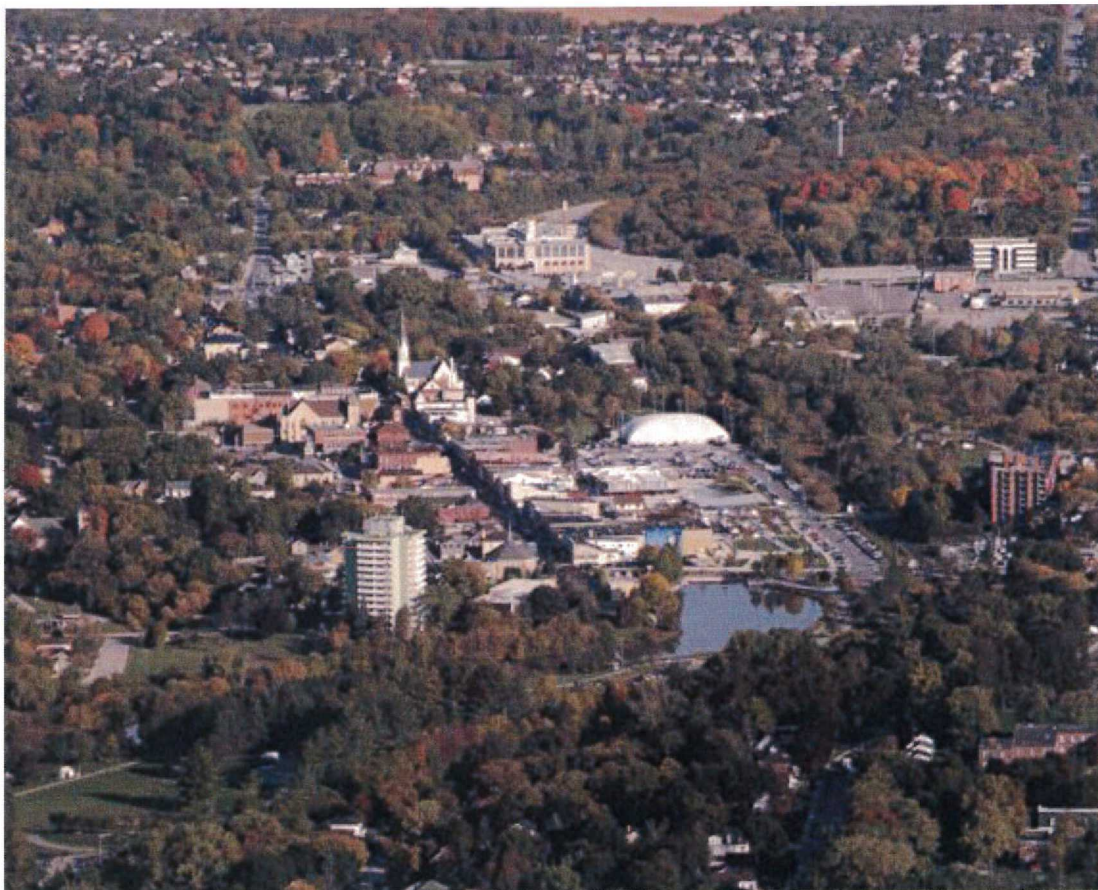


Figure 1. Photo by Greg King

Figure 2 is a close-up aerial of the downtown core from the south-east. In this view you can see several massive 20th century buildings: Founders Place, Buckley Insurance, Newmarket Public Library, and Bell Canada. In this view the proposed project would only partially obscure Trinity United and the building features would blend it into the landscape.



Figure 2. Photo by Greg King

Figure 3 is a street level rendition of the view from the corner of Prospect & Water streets supplied by the developer. Though the proposed project is prominent in the skyline, it does not obscure existing downtown towers. Making the top floor a light colour also reduces the impact.



Figure 3. Rendering courtesy of Forrest Group

It is possible to quantitatively measure the impact by ratioing the apparent width of the 7 story addition to the width of the Main Street skyline. Unfortunately, the view shown in Figure 3 is skewed north and cuts off the southern end of Main Street. I have approximated this value by ratioing the frontage of the project with the length of Main Street from the Christian Baptist Church to Water Street (using satellite imagery from Google) and arrived at a value of 13%. This value would vary depending on the viewing direction.

Figure 4 is a street level photo of Main Street at Timothy looking north with an ultra-wide angle lens (110° diagonal). The proposed project would not be visible. From the north (looking south), existing buildings would also block the view until one reaches Trinity United.

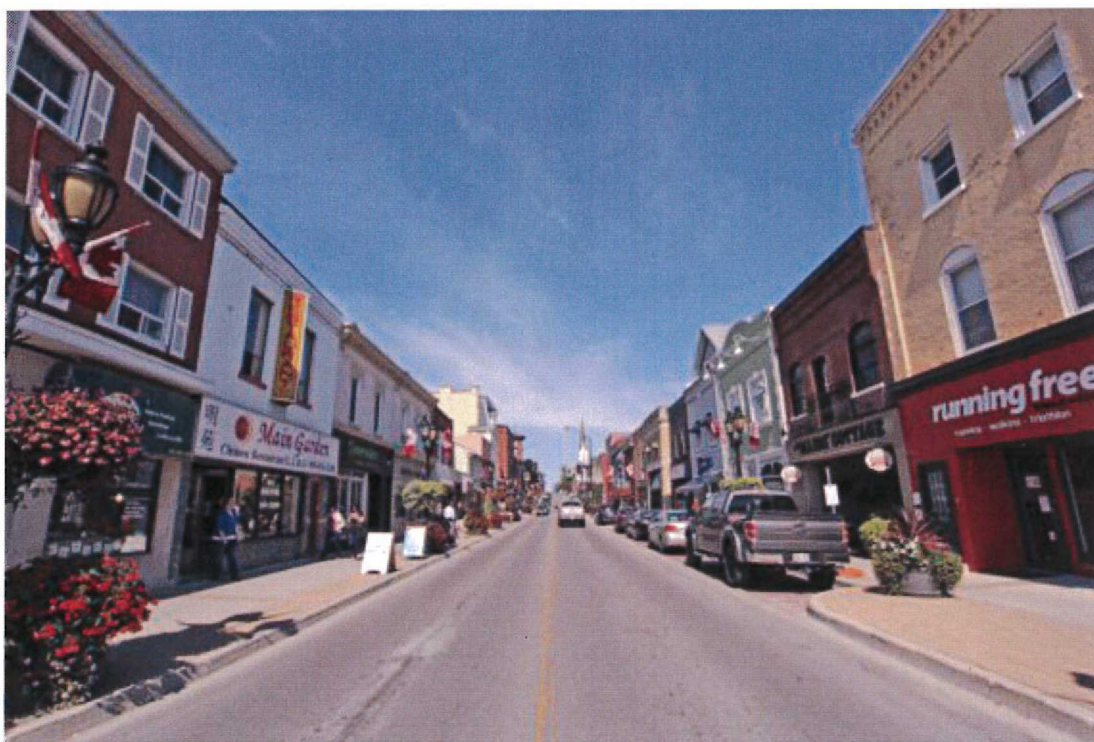


Figure 4. Photo by Greg King

The main drawing shown by Forrest Group [Figure 5] is intended to show off the project by showing the proposed building in its entirety. However, the computer generated viewpoint is at grade about 25m east of Main Street. In the real world this is a spot in the south back corner of the parking lot behind 167 Main and 2 meters above the parking lot because the ground slopes down from the street. At this point almost the entire view of Main Street is blocked by 167 and 171 Main, only a slice of Trinity is visible in the laneway to the parking lot. When you actually stand at the east side of Main & Park the visual impact of the proposed 7 story additions is lessened by the proximity of the heritage Clock Tower structure in front of them. Figure 5 exaggerates the visual impact of the project.



Figure 5. Rendering by Forrest Group

I conclude that the Forrest Group proposal for the Clock Tower will have a small to moderate impact on the landscape as it only comprises 13% of the Main Street skyline. It would also not be visible along much of Main Street. The impact of what is visible is mitigated by design features such as setting back the top floor and making it a lighter colour so that it doesn't stand out against the sky. I feel that the long term economic benefits of the proposal outweighs the negative visual impact on Main Street. There is no opening of the "door" to rampant development because it would be the only such development in the Main Street area as no other group of properties have the necessary footprint.

References

1. Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd ed., Her Majesty the Queen in Right of Canada, 2010.

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Name: Leslie Bertin	
Organization / Group/ Business represented: resident of newmarket	
Address: Newmarket	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: Monday May 9, 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): In support of the Clock Tower Development	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Deputation to The Mayor and Council in Support of the Clock Tower Development.

Dear Mayor and Council,

My family moved to Newmarket in the summer of 1984. The Newmarket of '84 was a very different place then the Newmarket of today. Over the time I have lived here, I have seen many developments, growth, and change to this amazing town I call home.

I went away to university, first in Windsor, and then in Montreal. Looking back, I can remember feeling that Windsor lacked a core, a hub. And this was before the recession hit. Montreal on the other hand was vibrant and full of life. I know, two completely different places. But what made one so different from the other was the people. And having an accessible place to live.

As I graduated, and was deciding on where to live and settle, I chose to come back to my hometown. My community of Newmarket. I don't use the word community lightly. I have always felt, and have actively participated in, making Newmarket a community I have wanted to call home. I gravitated towards living near the downtown. It was something special.

Over the years I have lived here, the downtown area of Newmarket has changed quite a bit. The businesses have changed. The people have changed. But as we wrestle to define historic, let us remember one thing; it needs people to make it vibrant and sustainable. And change does not mean leaving our history behind.

I am not an urban planner, but one fact is key for me. We need people to live and to shop and to support the downtown core; to make it a vibrant, vital place to be. Without people, it is a shell. People need to be able to live there. People are the key to making the downtown of Newmarket an economic driver.

I see that building an affordable, rental location in the heart of downtown Newmarket will do just that.

The development of the Clock Tower will bring the diversity in housing, and much needed people to the street. What is the main difference between a Saturday in the summer and a Saturday in the winter on Main Street Newmarket? People. People come out to walk the street, people come out to the farmers market. We need those people all year long. To sustain the amazing businesses and restaurants, and to create an urban center.

Change is hard. There is no denying that. However, planned change, that looks to the future, as well as the past, that balances these two precious ideas together, that makes a community. We are a community that needs to grow and to change, while maintaining our history. The Clock Tower Development does just that. I urge you to support this project.

Thank you.

Leslie Bertin

18100 Yonge Street,
Newmarket, ON L3Y 8V1

1. 1945-1988 2277

doi:10.1016/j.jmb.2004.09.034

f. 1,905,895,463.00

www.newroadsgm.ca

abrouwer@newmarket.ca

I am writing today to express my support for development on Main Street in the historic town of Newmarket.

Since moving to the area some six years ago and having operated businesses here for nearly fifteen I find myself perplexed how this charming and historic area is stagnated from a development standpoint. And, while a number of restaurants have opened and appear to be thriving the lack of residential development (condos) will undoubtedly limit the success of the business in the area.

It only seems like a natural evolution to allow well thought out residential development to proceed in this area. It will add to the charm and desirability of the area. It is an area I would personally invest in and consider living in the future.

Sincerely

NEWROADS AUTOMOTIVE GROUP LTD.

~~Michael Croxon~~

President:



From: Sturgeon, Cori
Sent: May-04-16 12:26 PM
To: Moor, Linda; Finnerty, Chrisanne
Subject: FW: Clocktower development

-----Original Message-----

From: Pierre & Pat Champagne
Sent: May-04-16 11:55 AM
To: Clerks
Subject: Clocktower development

I am not able to attend the presentation but would like to register my support for the addition of quality housing in the downtown core - an economic necessity to maintain the downtown viability.

Pat Champagne

Newmarket ON

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Name: Ann Campbell	
Organization / Group/ Business represented:	
Address: 182 Church Street	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9, 2016
Is this an item on the Agenda: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): I am a resident of Ward 5 Newmarket, and would like to address council regarding the Clock Tower development proposal at the public meeting on said issue at 7pm on Monday, May 9th, 2016.	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Name: <u>Heather Burling</u>	
Organization / Group/ Business represented: <u>NEWMARKET CITIZENS FOR HERITAGE CONSERVATION</u>	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: <u>MAY 19, 2016</u>
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <u>I would like to address council at the public meeting re: the Clock Tower development proposal.</u>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Please submit all materials at least 5 days before the meeting.	

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Name: <u>MARGARET DAVIS</u>	
Organization / Group/ Business represented: <u>NEWMARKET CITIZENS FOR HERITAGE CONSERVATION</u>	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: <u>MAY 9 2016</u>
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <u>I wish to address Council on the Clock Tower development proposal.</u>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Name: <i>Anne Marten</i>	
Organization / Group/ Business represented: <i>personal</i>	
Address:	Postal Code:
Daytime Phone No: <i>missed</i>	Home Phone:
Email:	Date of Meeting: <i>mon day 9/20/16</i>
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <i>Topic: Main Street as a destination will have a slide presentation.</i>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Name: RON EIBEL *I WILL NOT BE AVAILABLE FOR THE DEPUTATION. - LISA HECKBERT WILL READ MY DEPUTATION	
Organization / Group/ Business represented: MYSELF	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: MAY 9, '16
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee*
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): I HAVE A QUESTION/CONCERN ABOUT THE LOGISTICS OF THE CLOCK TOWER PROPOSAL. I WILL PROVIDE MY REASON IN WRITING TO LISA HECKBERT WHO WILL READ ON MY BEHALF.	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Name: Glenn Wilson	
Organization / Group/ Business represented: Main Street District BIA	
Address:	Postal Code:
Daytime Phone No.:	Home Phone:
Email:	Date of Meeting: May 9, 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: 19
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): Re: Clock Tower development - Public Forum - That Council reject the proposed 7 storey development and ask the developer to resubmit the application with a mind to respect the current maximum building height permissible under the Official plan and Heritage District planning.	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Name: <u>OLGA PAIVA</u>	
Organization / Group/ Business represented: <u>ARCHITECTURAL CONSERVANCY OF ONTARIO (MEMBER)</u>	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: <u>MON. MAY 9 2016</u>
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: <u>19</u>
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <u>I WOULD LIKE TO ADDRESS COUNCIL ON MY CONCERNS REGARDING THE PROPOSED CLOCK TOWER DEVELOPMENT.</u>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Deputation and Future Notice Request Form

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Name: JAMES TOWN AND MOLLIE COLES TOWN	
Organization / Group / Business represented: N/A	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: Mon. MAY 9
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: PUBLIC CONSULTATION DEPARTMENT
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): REGARDING THE CLOCK TOWER DEVELOPMENT	
Do you wish to provide a written or electronic communication or background information? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Please submit all materials at least 5 days before the meeting.	

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From: Jill Kellie
Sent: May-04-16 6:10 PM
To: Clerks
Subject: Clock Tower

Dear Town Clerk,

I would like to register that I am in support of the redevelopment of the Clock Tower in the current proposal. I would prefer that the building was going to be condominiums as I would consider retiring there, however I am okay with the proposal of the units being rentals.

I live very close to the proposed development and believe that this type of project is much needed to ensure vitality and viability to Main St and our surrounding neighbourhood.

I agree with Anthony P and would like to paraphrase his comments:

- It good for the greater advancement of the community.
- it good for business in general.
- it will attract families and family time in the area.
- It will enhance shopping , Town spirit and growth .
- The Redevelopment will create local employment.
- It will attract tax revenue .
- It makes Newmarket progressive while protecting environmental interests.

We can always find a reason not to progress , but when businesses close up due to stagnation,when local

businesses are already suffering and closing up due to no fault of their own, when the greater good of a Town is used as a political pawn for personal gain (on both sides of the issue), I then suggest that the reason to vote no to this Redevelopment is, respectfully; absurd.

Thank you!

Jill Kellie

Mayor and Members of Council

Town of Newmarket

I would like to express my opinion on what I think is a tremendous opportunity for the Town of Newmarket.

I am surprised to hear there is opposition to the Clock Tower redevelopment knowing the benefits it will create for Main Street, adding to the current assets that already exist in the area.

Although I live in Aurora, I shop, dine and visit Main Street on a regular basis. For the last 40 years as a resident of the area, I have watched how the street has changed from one that struggled with maintaining and attracting retailers, restaurants and people, always however recognizing the potential.

To today, where it has become the total opposite and is known as one of the most attractive areas in which to visit and a focal point for the community. A destination for people.

I applauded the leadership of politicians and community leaders that envisioned this “people” place and acted by designing and developing River Walk Commons.

This addition brought people to Main Street. It became alive with activity and commerce because that’s what people bring. New restaurants and retail followed and resulted in attracting even more. It has become a jewel for the area.

Newmarket is fortunate to have a great Main Street, Riverwalk Commons and Fairy Lake all linked in an attractive community setting.

I heralded the news of the Clock Tower redevelopment recognizing that it would bring more residents to the downtown core. More prosperity, more opportunity, more support for small business. This can only be a positive economic boost that will help ensure a vibrant, sustainable Main Street for decades to come.

To present opposition to such a positive addition makes no sense. To maintain the status quo for the sake of not wanting change is the type of thinking that will jeopardize not only local business but risk squandering something very special.

I personally find the lifestyle such a development would offer, extremely attractive. I know I speak for many of friends who shared the excitement about living in such a special community that provided dining, shopping and recreational opportunities all within a short walk. We've been talking about this redevelopment as a positive move forward since it was first proposed and considered it the next logical addition.

I encourage members of Council to look forward to what might be, rather than focus on what used to be. If downtown Newmarket does not see this great opportunity before them, others will and this exciting addition will be lost forever.

It's time to continue building on what's been started and ensuring the sustainability that will make Main Street the desirable community it can be.

I encourage you to continue with your leadership for the good of all residents, businesses and all that enjoy this great space today AND tomorrow.

Sincerely,

Steve Hinder

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Name: JACKIE PLAYTER	
Organization / Group/ Business represented:	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9 th 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): ATTACHED	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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May 3rd 2016,

Jackie Playter,

Newmarket, Ontario

Mayor Tony Van Bynen and Council,

I am writing in favour of the Development Proposal at The Clock Tower Inn. The revitalization of Main Street has been a Community priority for over 10 years. Haven't we invested millions of dollars on the revitalization of Main Street? I feel intensification is the next step. Were we not hoping that people would want to invest in the Downtown area to redevelop some of the buildings that were getting so run down? It has always been understood that for Main Street to be sustainable we need more people to live on the Street and patronize the businesses. Intensification is needed for long term revitalization.

After talking with many of my friends and local people I have come to the conclusion that Main Street is the preferred area for many people looking to downsize and stay in our community. There is nothing available to today. Do you remember how quickly the Office Specialty Lofts sold out and they are always in demand. I believe that there is just a small very vocal group that is opposed to the Development of the Clock Tower. The same people that opposed the River Walk Commons and now can't stop singing its praises. If the project is done correctly it will be a wonderful addition to our Heritage District. There are many ways to blend the old with the new.

Main Street is beautiful and I love it dearly. I have worked hard for over 35 years to revitalize the Street and to make people aware of Main Street and its History. I am a member and Past President of The Newmarket Historical Society and I am Chairman of The Elman Campbell Museum. I am the Chair of The Newmarket Downtown Development Committee and I am a Board Member and Past Chairman of The BIA. So I do know and care about the History of our Main Street and how important Main Street is to our Community.

Yes we have made a lot of progress in the last 10 years but The Clock Tower Project is a significant opportunity to provide the type of housing that so many people have been looking for. Don't we want Downtown Newmarket to be a vibrant active place with options for everyone? This project provides many benefits for the overall Community of Newmarket and I feel that Intensification is the next step in our revitalization plans for Downtown.

Thank You

Jackie Playter

April 26th, 2016,

Karen Stiege

Newmarket, Ontario

Mayor and Council,

I have been a resident of Newmarket for 27 years and my husband was born and raised here. We live in close proximity to Main Street. I have worked in three different locations on Main Street over the past 27 years. All of the stores were very inviting and had character and charm however the buildings were a nightmare. Structural problems, out dated electrical work and plumbing and a never ending problem of leaky roofs and flooded basements. Years of neglect and absentee landlords have taken their toll especially on the block of buildings south of the Clock Tower Inn.

I personally leased the unit right beside the Clock Tower for 10 years. I faced a great number of health and safety issues undisclosed at the time I leased the building. I encountered faulty wiring, waterlogged ceilings which collapsed at least once a year. Black mould and asbestos are common in these buildings. The giant stone chimney collapsed and fell to the pedestrian sidewalk below. Water was always seeping through the fieldstone walls in the basement creating 3 inch mud pools on the dirt floors and causing the furnace to stop working. The Fire Department visited regularly. The apartments above have been condemned for years however that did not stop squatters, transients and drug addicts from breaking in and living there. I have witnessed drug deals, people urinating at the backs of the buildings, and garbage being dumped in between the buildings. I know of at least one sexual assault that occurred in the abandoned apartments upstairs.

This does not paint a very pretty picture of Main Street but then some parts of Main Street are not pretty. I would welcome complete demolition of the buildings from The Clock Tower down to the old Lemon Lime store. These buildings are derelict and in complete disrepair. The Street will always hold treasured memories but these buildings must go. They are unsafe and dilapidated and of no historical value. If they aren't taken down soon they will fall down a good wind would blow them over. They are an eyesore and detract from our Historical Main Street.

Karen Stiege

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Name: Gordon Prentice	
Organization / Group/ Business represented: The Architectural Conservancy of Ontario (Newmarket Branch) (Pending)	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9, 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: 19
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): The Town should reject the Clock Tower planning application as it falls squarely outside the Town's existing policy on the Main Street Heritage Conservation district and it has been comprehensively rejected by the Town's own Heritage Advisory Committee. In addition the Town should not make its land available to the developer to facilitate the Forrest development.	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Subject:

Date of Meeting: Agenda Item No.:

☒ I wish to address Council / Committee

☒ I request future notification of meetings.

Name:

Organization / Group/ Business represented:

Address: Postal Code:

Email:

Home Phone: Business Phone:

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Name: <u>Jude Lauzon</u>	
Organization / Group / Business represented:	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: <u>Mon May 9, 2016</u>
Is this an item on the Agenda?	Agenda Item No: <u>18</u>
<input type="checkbox"/> I request future notification of meetings	<input type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for this deputation and what action you will be asking Council/Committee to take (if applicable): <u>I would like to speak to Council regarding the Clock Tower Proposal</u>	
Do you wish to provide a written or electronic communication or background information? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Please submit all materials at least 5 days before the meeting	

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Please email to clerks@newmarket.ca, fax to 905-953-5100 or mail or drop off at Legislative Services Department, Town of Newmarket Municipal Offices, 395 Mulock Drive, PO Box 328, STN Main, L3Y 4X7

Name: <u>Elaine Adam</u>	
Organization / Group/ Business represented: <u>Resident / Taxpayer</u>	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: <u>May 9 2016</u>
Is this an item on the Agenda? <input type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No:
<input type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <u>I wish to discuss the proposed Clock Tower development.</u>	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Mr. Mayor & Members of Council
 Town of Newmarket
 c/o Town Clerk

May 6, 2016

Dear Mr. Mayor & Members of Council:

As you are well aware, the plans for redevelopment of the Clock Tower on Main St. have been met with mixed reactions in our community. While I fully support each individual's right to their own opinion, I must strongly urge Council to look at this issue based on *fact* and not *emotion or personal bias*.

To not move forward with the redevelopment of the Clock Tower would be an irresponsible decision that will gravely impact our wonderful town. You are well aware of the undeniable benefits that this new development would bring:

- Improving the vitality of Main St. which will attract new business and tourism for Newmarket
- Addressing Newmarket's serious lack of housing accommodation for young residents and the desire for housing availability in Old Newmarket
- Architectural plans to maintain Newmarket's downtown heritage character and add additional parking spaces

As a recent university graduate, I would like to stress the importance for Council to come up with a viable solution for all individuals like myself who are committed Newmarket residents, yet are unable to afford to live in our town because of a lack of dwelling space for unmarried individuals (i.e. lack of non-traditional condo housing). The redeveloped Clock Tower would be a perfect solution to this problem.

Additionally, speaking as an Historian (however, in no way representing the Newmarket Historical Society), I see absolutely *no threat* to Newmarket's history, heritage, or culture by redeveloping the Clock Tower. On the contrary, I believe a revitalization will draw more residents and visitors to our Historic Main St. who will engage in local heritage initiatives and visit the Elman W. Campbell Museum.

Additionally, to claim that redeveloping the Clock Tower will result in a loss of "four blocks of history...of national importance," is merely a biased opinion, in no way representing historical fact. In its current state, the footprint of the Clock Tower does not represent the history of the first female pharmacist, the outbreak of the 1837 Rebellion of Upper Canada, or the Robinson Treaties. In the same way that revitalizing the Old Town Hall has (and will) result in more of Newmarket's history being shared, redeveloping the Clock Tower will provide an opportunity for Council to work with the Newmarket Historical Society and A.R.C.H. to create important historical plaques to capture this history and educate the Town of Newmarket.

I trust that as public servants representing our wonderful town, you will think logically and make the best decision for Newmarket.

Sincerely,



Erin Cerenzia
 Ward 1

On May 8, 2016, at 1:39 PM, Michael Croxon

wrote:

Hi Andrew,

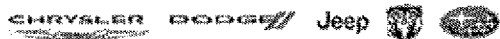
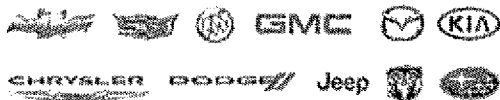
You may have received a letter from me last week pertaining to this matter. I would like to rescind it please. After further consideration I am now undetermined as to where I stand on this matter and would like further time to contemplate my position. I would respectfully ask that it not be presented to Council this week and, if at all possible it be stricken from the record entirely.

I am leaving on vacation this evening so will not be able to call tomorrow to follow up.

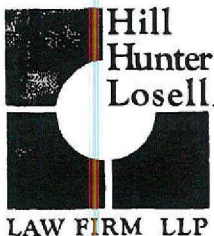
Please email me back to acknowledge receipt of this email.

Thanks in advance,

Michael Croxon



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P.O. Box 324, 17360 Yonge Street (at Millard), Suite 200
Newmarket, ON, L3Y 4X7
Tel: (905) 895-1007 Fax: (905) 895-4064
Email: khill@hhlf.net Website: www.hillhunterlosell.com

Gordon H. Hunter, J.D., Kenneth C. Hill, J.D.
Craig S. Losell, B.A., LL.B., Catherine M. Callaghan, B.A., LL.B.
George van Hoogenhuize, B.A., LL.B., J. David McLennan, B.A., LL.B.
Colin A. Brown, B.A., LL.B., M.E.S.

May 6, 2016

Via Fax 905-953-5140
Town of Newmarket
Planning and Building Services
395 Mulock Drive
Newmarket, Ontario
L3Y 4X7

Dear Sirs:

Re: 178-194 Main Street – Clocktower Redevelopment Proposal
Your File No. D14 NP 13-19
Our File No. 72272
Our Client – Trinity United Church

As solicitors for Trinity United Church, at 461 Park Avenue, Newmarket, we are writing to confirm our client's interest in the above-noted zoning amendment application and the Church's concerns over the anticipated impacts of the proposal as it is currently designed. We have been instructed to provide this letter in advance of the Public Meeting to be held on Monday, May 9th as a written submission of our client's interest and their issues.

Our client intends to stay involved as this proposal moves further through the Planning Act process, so we look forward to receiving notice of any further steps that may occur.

The following are the matters of concern to our client:

- Shadow Study Impacts - the proponent's study concludes serious shadow impacts to the Church during the spring and fall mornings. The east and south facades are prominent due to their entrances and stained glass windows and therefore the impacts are concerning.
- Town staff have recognized "significant breathing room" has been provided to the clock tower. The proposed setbacks along Park Avenue should be increased and stepped from the second storey to the seventh storey to provide more "breathing room" for the Church.

- The Main Street perspective elevation is misleading, as it suggests the Church is the same height as the seventh storey of the proposed building.
- Official Plan section 1.3.2 indicates the Town's cultural heritage will be a priority for the Town. The Church requests Council support this policy as we are concerned the development proposal could impact the cultural heritage of the Church. The rich history of the Church needs to be protected for the residents of Newmarket.
- The Official Plan encourages appropriate development scale with the historical character of Main Street. The Church is concerned about the proposed massing and impacts on the Church.
- The Church supports the Staff Engineering comments regarding the concern for the parking shortfall. Parking for the 165 residential units is intended to be accessed by Park Avenue. The Church remains concerned about the parking shortfall and congestion on Park Avenue.
- The proposed development needs to contribute to the historic character of the Main Street.
- The proposed development should respect the Town's 45 degree angular plane standard to reduce the impact this development will have on the Church.
- The proposed 430 units per net hectare and 2.9 FSI is excessive and therefore impacts the prominence of the Church.
- The Church has experienced problems with groundwater affecting its foundations, so it is concerned about the impact of the proposed underground construction on groundwater flows and with the impact of the vibrations of the proposed construction, generally.

We would ask that Town staff and consultants take these matters into account and I look forward to hearing from you in due course.

Yours very truly,

HILL HUNTER LOSELL LAW FIRM LLP



Kenneth C. Hill
KCH:cb

From: Sturgeon, Cori
Sent: May-09-16 9:51 AM
To: Moor, Linda; Finnerty, Chrisanne
Subject: FW: Deputation for May 9th Clock Tower Discussion

Cori Sturgeon
Legislative Services Associate



Legislative Services Department
905-953-5300, press 2, ext. 2225
905-953-5301 Fax

csturgeon@newmarket.ca

www.newmarket.ca

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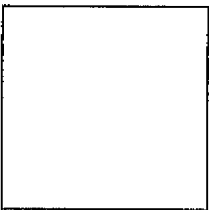
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From:
Sent: May-09-16 7:52 AM
To: Clerks
Cc: 'Dave Partington'
Subject: Deputation for May 9th Clock Tower Discussion

My name is Dave Partington, I live at Timothy Street Newmarket, my home phone is
add my name to the list to speak tonight. Thanks.

I would like to

Dave Partington



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: Sturgeon, Cori
Sent: May-09-16 9:50 AM
To: Finnerty, Chrisanne; Moor, Linda
Subject: FW: Clock Tower Development

Cori Sturgeon
 Legislative Services Associate



Legislative Services Department
 905-953-5300, press 2, ext. 2225
 905-953-5301 Fax

corsturgeon@newmarket.ca
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From: Abela, Suzanne
Sent: May-08-16 9:10 PM
To: Clerks
Cc: Jay Nagels cell
Subject: Clock Tower Development

Hello.

Regarding the proposed development of the Clock Tower Inn, our family feels that having new, higher priced mixed use condo and business space on Main Street would elevate the socio-economic demographic of residents living on and around Main Street.

We also feel that it would provide more foot traffic on Main Street, increasing local business exposure and success.

We also have the following concerns;

-Parking and traffic is already difficult/congested on Main Street, even without a condo building right on the main drag. What steps would be taken to alleviate this?

-Would Downtown Newmarket be able to support that much population density right on Main Street?

-Finally and most importantly, the Clock Tower is Newmarket's old Post Office and is a very important building to the cultural and historical heritage of the downtown core that we are trying to revive, preserve and foster.

THE FACADE OF THE BUILDING AND AS MUCH OF THE INTERIOR AS POSSIBLE SHOULD BE MAINTAINED IN IT'S ORIGINAL STRUCTURE AND THE UPPER STORIES OF THE BUILDING SHOULD BE SET BACK FROM THE FRONT OF THE TOP OF POST OFFICE. THE ENTIRE

COMBINATION OF OLD AND NEW BUILDING SHOULD BE DESIGNED IN A WAY SO AS TO FEATURE AND HIGHLIGHT THE EXISTING HISTORICAL BUILDING, INCLUDING THE CLOCK TOWER.

This new development should enhance Newmarket's history and heritage, while fostering new growth.

When strolling through town and passing by the Tannery and it's historic clock tower, we always wonder how the Town had ever allowed the construction of such misaligned and uncohesive achitecture, such as is seen in bulk the 1980's Tannery buildings.

Let us learn from our mistakes and preserve Newmarket's history and beauty, while building for our future.

Kind regards,

Jason and Suzanne Nagels

Sent from my Samsung device over Bell's LTE network.

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Name: Ted Heald	
Organization / Group/ Business represented:	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: May 9, 2016
Is this an item on the Agenda? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item No: 19
<input checked="" type="checkbox"/> I request future notification of meetings.	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable):	
Re: Public Meeting on Clock Tower development proposal - to express support for current Heritage District bylaws and the Official Town Plan	
Do you wish to provide a written or electronic communication or background information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

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Moor, Linda

From: Sturgeon, Cori
Sent: May-09-16 9:50 AM
To: Finnerty, Chrisanne; Moor, Linda
Subject: FW: Deputation regarding clock tower development

Cori Sturgeon
 Legislative Services Associate

Legislative Services Department
 905-953-5300, press 2, ext. 2225
 905-953-5301 Fax

csturgeon@newmarket.ca

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-----Original Message-----

From: Leslie Bertin
 Sent: May-08-16 1:48 PM
 To: Clerks
 Subject: Deputation regarding clock tower development

Hi,

I will not be able to come on Monday may 9 to make the deputation in person due to a work conflict.

Thank you,
 Leslie

Leslie Bertin
 Sent from my iPad

From:
Sent: May-06-16 4:32 PM
To: Ruggle, Dave
Cc: Kerwin, Dave; Kerwin, Dave
Subject: Re: D14NP 1319 clock tower

Dave, I have taken a look at the Proposed Clock Tower Redevelopment for Newmarket and also did some of my own research. My thought are documented below. If possible I would like to make a deputation on Monday night at the public meeting. Can you arrange that?

Stated benefits of this redevelopment project to the downtown businesses

Since the early 80's there have been several developments in the Newmarket Downtown area. The Majority have been town homes. This had added a total of 213 housing units.

They are:

1. Robertson Place (60 town houses)
2. 96 Main Street (11 attached/town houses)
3. Old Salvation Army building on Timothy St. (7 town houses)
4. Old Newmarket High School, Barrington (79 town houses)
5. Office Specialty Building (56 apartments)

During the same time the following businesses have left the Newmarket Downtown area:igh

1. TD Bank
2. Bank of Nova Scotia
3. Loblaws
4. Newmarket Theatre
5. Bakery
6. Town of Newmarket offices
7. Post Office
8. Newmarket Hydro
9. Several other smaller retail stores

The question I have is why have the downtown merchants not benefited from the additional housing developments in the Newmarket downtown area? How will 165 rental apartment units (mainly 1 bedroom) save the downtown merchants if 213 housing units (multiple bedrooms) have not significantly helped to revitalize the downtown businesses?

Questions about the Clock Tower Redevelopment proposal:

1. What changes are proposed to the exterior of the existing clock tower?

2. What is the existing maximum height of buildings on Main Street?
3. What is the total height of the proposed Clock Tower Redevelopment?
4. According to the Ontario Planning Act, the town has the power to set minimum and maximum height and density. Has the town implemented any height bylaws? If not, why not?
5. During the construction of the Clock Tower Redevelopment what public areas will be closed to the public?
6. For the Clock Tower Redevelopment plan to continue as is, it requires the town to sell or give right of use to town owned land.
 - a. What is the proposed sale/lease price?
 - b. How will the town maximize the sale/lease price?
 - c. Will this be a public sale/lease open to any bidder?
7. The Clock Tower Redevelopment will create disruption to existing businesses (e.g. Davis Drive Redevelopment). How will existing merchants be compensated by either the town or the developer?
8. As part of this redevelopment plan, will a plan be developed before a site plan is approved to re-vitalize Main Street and its existing businesses after construction is completed? Will the downtown merchants be part of the re-vitalization plan?
9. Will the town insist that the exterior of the new built be the same (i.e. red bricks) as the existing and remaining clock tower?
10. According to the site plan 3 commercial establishments will be built along Main Street. Where are the other 2 commercial units located? Is an average of 653 sq. feet per unit (12' X 55') a viable commercial unit?
11. The drawings are not to scale (as stated in the plans). How can the town and interested citizens make an informed decision on the viability and impact of this project on the historic downtown area?
12. Is the town interested in imposing financial penalties if there is a delay in the completion of this project as per the finalized site plan?
13. When was the amended proposal for the Clock Tower redevelopment officially filed with the Town of Newmarket? What is the date the town has to approve or not approve the developer's submission?

I hope either the town or the developer can answer my question at the meeting or in writing. At this time I can't support the submission by the developer unless I have answers to my questions.

Sincerely yours,

Ted Bomers

Newmarket

On Wednesday, April 27, 2016 9:33 AM, Ted & Cindy Bomers

wrote:

Thanks Dave I'll drop in to the Town Office. Just want to form my own opinion on this development.

Ted

From: Sturgeon, Cori
Sent: May-09-16 12:28 PM
To: Moor, Linda; Finnerty, Chrisanne
Subject: FW: NO TO THE CLOCK TOWER DEVELOPMENT

Cori Sturgeon
 Legislative Services Associate



Legislative Services Department
 905-953-5300, press 2, ext. 2225
 905-953-5301 Fax

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From: Bates, Tina **On Behalf Of** Mayor Van Bynen
Sent: May-09-16 12:20 PM
To: Clerks
Cc: Bisanz, Christina; Broome-Plumley, Kelly; Hempen, Tom; Kerwin, Dave; Mayor Van Bynen; Sponga, Joe; Taylor, John; Twinney, Jane; Vegh, Tom
Subject: FW: NO TO THE CLOCK TOWER DEVELOPMENT

Please see the comments below.

Tina Bates
 Assistant to the Office of the Mayor
 ext. 2003

From: Marilyn McArthur
Sent: May 8, 2016 9:28 PM
To: Mayor Van Bynen; Sponga, Joe
Subject: NO TO THE CLOCK TOWER DEVELOPMENT

TO THE ELECTED MAYOR AND COUNCIL:

I WORK OUT OF THE TOWN AND I MIGHT NOT BE ABLE TO GET TO THE MEETING ON MAY 9TH.

PLEASE ACCEPT THIS AS MY STRONG OPPOSITION TO THE PROPOSED DEVELOPMENT AS SET FORTH FOR THE CLOCK TOWER AT THE CORNER OF MAIN STREET AND PARK AVENUE. I INVITE YOU TO GO TO THE TOP OF WATER STREET AND PROSPECT AND LOOK OUT OVER THE HISTORICAL DOWNTOWN. I NEVER GET TIRED OF THIS BEAUTIFUL VIEW. WHEN I VISUALIZE THIS DEVELOPMENT TOWERING OVER THE DOWNTOWN AND DESTROYING THIS PICTURE, I FEEL SICK AND ANGRY.

ALL BUILDINGS IN THE VICINITY OF DOWNTOWN NEWMARKET MUST CONFORM TO THE CHARACTER OF HISTORICAL MAIN STREET. NEWMARKET LIBRARY WAS A BIG MISTAKE, VISUALLY AND ECOLOGICALLY. PLEASE DON'T MAKE ANOTHER MISTAKE.

TO STOP THE FEUD OVER THIS STRUCTURE AND TO MOVE FORWARD, MY RECOMMENDATION WOULD BE TO MOVE THE LIBRARY OVER TO THE CLOCK TOWER AND USE PART OF THE OLD LIBRARY BUILDING AS A NICE FACILITY FOR SENIORS. SELL THE BUILDING ON DAVIS DRIVE TO THE DEVELOPER. THIS PROPERTY WOULD BE MORE CONDUCIVE FOR A 7 STOREY HIGHRISE.

I DO NOT FEEL THIS DEVELOPMENT WILL BRING MORE BUSINESS TO MAIN STREET.

M.A. MCARTHUR

KGM DEVELOPMENTS**464 Timothy Street, Unit 2, Newmarket, ON L3Y 1P8**May 7th, 2016

I am Mike D'Angela and own the two buildings on the southwest corner of Main Street and Timothy Street, also known as The King George Hotel. I live with my wife and three children in one of the residential units in one of my buildings and we love being here with all that Main Street and the Historic Downtown Newmarket area has to offer. It is a great place to live.

I am very happy with what has been happening down here on Main Street over the last several years. Main Street is becoming quite the social destination place to be with its many new restaurants.

I commend the Town for its efforts in revitalization. From the infrastructure improvements repaving and new sidewalks to the redevelopment of the old skating rink to a new outdoor skate rink/splash park and bandstand, the various events in the arts it supports down here and now to the completion of the Old Town Hall which looks incredible. Both my wife and I are looking forward to attending many plays there.

Main Street needs residents; it always has and always will. I am in full support of the redevelopment of the Clock Tower. I am in full support of it being a condominium development where people would purchase their own units and be invested in this street. I am not completely opposed to the proposed development being rental, however I would argue that 400 to 900 square foot units would not attract the same demographic that would frequent business down here. Simply put as a property owner right on Main Street, with 8 commercial units and 10 residential units I welcome new property owners to the street. I want people that are going to buy down here and go to the restaurants and go to the shops and support and be part of this street.

I think the proposed development with its step back and 7 stories is very complementary to the street. It's a balanced blend of new construction respecting old construction just like the Town Hall.

I am all for respecting history and preserving old buildings, as I have with my property and with the revitalization that's been happening down here I feel it is worth for me to start once again reinvesting in my own property with revitalizing the commercial units. The proposed redevelopment is going to be a great boost for all of Main Street. It keeps the old Clock Tower and Post Office building which are good structures and gets rid of the junk replacing it with new good space.

Sincerely,


Mike D'Angela

From: Mendonca, Barbara
Sent: May-09-16 3:01 PM
To: Finnerty, Chrisanne; Moor, Linda
Subject: FW: CLOCKTOWER APPLICATION

Importance: High



Barbara Mendonca

Administrative Assistant
 Legislative Services
 905-953-5300, press 2, ext. 2205
bmendonca@newmarket.ca
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From: Cynthia St-Pierre
Sent: May-09-16 2:29 PM
To: Clerks
Subject: CLOCKTOWER APPLICATION

C/O CLERK
 TOWN OF NEWMARKET
 395 MULOCK DRIVE
 P.O. BOX 328
 NEWMARKET ON L3Y 4X7
clerks@newmarket.ca

To all whom it concerns:

I am not able to attend the meeting today, May 9, 2016, due to a prior engagement; however, I would like my opinion to be heard, will continue to follow this application and hope to attend future public meetings.

To me the project seems to be a quality one with a major drawback, which is scale. I have read documents available online and have spent much time recently and over the years in the physical location of the site of the application and disagree in particular to the conclusion of the Heritage Impact Assessment, which says "the proposed development, while not meeting the HCD Plan in terms of height restrictions, could be mitigated in order to allow the Town to meet a number of other planning goals in the Historic Downtown Core."

The Shadow Studies that are part of the Application Documents prove that too much of the natural sunlight that blesses the east sidewalk of downtown will be cut off too early in the day.

Also, the Views, especially From Main Street north of Park Avenue, prove that the historical, small-town, downtown charm, which has so recently been revived by cafés and restaurants and by Newmarket Riverwalk Commons, will be lost to city sensibility.

My husband has given me permission to speak on his behalf as well when I suggest that the length of the project along Main Street be maintained at two-storey height with the exception of the Clock Tower building itself which is approximately three storey's high already and that the rest be reduced in height or set back in a way to prevent early shadowing and citification of our beloved downtown.

Yours,

Cynthia

CYNTHIA ST-PIERRE

NEWMARKET ON CANADA L3Y 1T5

Crime Writers of Canada
International Thriller Writers
Short Mystery Fiction Society

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