



Town of Newmarket

Agenda

Council

Date: Monday, February 12, 2024
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Notice

This meeting will be streamed live at newmarket.ca/meetings.

Public Input

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

1. Email your correspondence to clerks@newmarket.ca by end of day on February 11, 2024. Written correspondence received by this date will form part of the public record; or,
2. You are strongly encouraged to pre-register if you would like to make a deputation at the meeting. For more information regarding the options available, email your request and contact information to clerks@newmarket.ca.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Public Hearing Matter(s)

There are no public hearing matters.

5. Presentations & Recognitions

6. Deputations

6.1 Nature's Emporium Run for Southlake

Note: Patricia McLaughlin, Director, Events & Community Partnership, Southlake Foundation, will provide a deputation via ZOOM on this matter.

1. That the deputation provided by Patricia McLaughlin, Director, Events & Community Partnerships, Southlake Foundation, regarding Nature's Emporium Run for Southlake be received.

7. Minutes

7.1 Council Meeting Minutes of January 22, 2024

1. That the Council Meeting Minutes of January 22, 2024 be approved.

8. Reports by Regional Representatives

9. Consent Items and Recommendations from Committees

9.1 Committee of the Whole Meeting Minutes of February 5, 2024

1. That the Committee of the Whole Meeting Minutes of February 5, 2024 be received and the recommendations noted within be approved.

9.1.1 Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.)

1. That the report entitled Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.) dated February 5, 2024 be received; and,
2. That the application for Zoning By-law Amendment be approved; and,
3. That staff be directed to bring forward the By-law, including the necessary Holding provisions, to Council for approval; and,
4. That Gorham Development 849 Inc. and LARKIN+ Land Use Planners Inc. be notified of this action; and,
5. That correspondences from Donna and Steve MacDonald, and Melanie Duckett-Wilson, Climate Action Newmarket Aurora regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.1.1 Correspondence - Donna and Steve MacDonald, Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

1. That the Correspondence from Donna and Steve MacDonald regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received.

9.1.1.2 Correspondence - Melanie Duckett-Wilson, Climate Action, Newmarket Aurora, Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

1. That the correspondence from Melanie Duckett-Wilson, Climate Action, Newmarket Aurora regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received.

9.1.2 Fourth Quarterly Update to the Outstanding Matters List

1. That the report entitled the Fourth Quarterly Update to the Outstanding Matters List 2023 dated February 5, 2024 be received; and,
2. That Council adopt the Outstanding Matters List (Attachment A); and,
3. That the Outstanding Matters List Update be reduced from quarterly updates to semi-annually; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.3 Pedestrian Crossover Policy

1. That the report entitled Pedestrian Crossover Policy, dated February 5, 2024, be received; and,
2. That the contents of Appendix 1 be approved; and,
3. That the Parking By-law be reviewed, and necessary Stopping Prohibitions for Pedestrian Crossovers (PXO) be added; and,
4. That the implementation of a pilot Type B PXO at Gorham Street & Muriel Street be approved in the amount of \$36,000, to be funded through the Transportation Operating Budget for 2024; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.4 Downtown Parking Update

1. That the report entitled "Downtown Parking Update" dated February 5, 2024 be received; and,

2. That staff be directed to hire a consultant to complete a study to recommend updated parking time-of-use rules, technology supports for customer interface and enforcement, as well as potential paid parking scenarios in Newmarket, including the downtown area; and,
3. That staff be authorized to initiate an RFP procurement process for the “design-build” construction of a modular parking structure to be constructed in the Tennis Court area of the Commons North municipal parking lot; and,
4. That staff report back to Council by the beginning of May 2024 at the latest with a multi-faceted approach aimed at alleviating parking pressures in the downtown in 2024, during the construction of the modular parking structure; and,
5. That the correspondence from Melanie Duckett-Wilson Climate Action Newmarket Aurora regarding Downtown Parking Update be received; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.4.1 Correspondence - Melanie Duckett-Wilson, Climate Action Newmarket Aurora, Downtown Parking Update

1. That the correspondence from Melanie Duckett-Wilson, Climate Action Newmarket Aurora regarding Downtown Parking Update be received.

9.1.5 Newmarket-Tay Power Board Selection

Whereas section 3.03(2) of the Newmarket-Tay Power Distribution Ltd. Shareholders Agreement provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation; and,

Whereas there will be a vacancy on the board of directors of Newmarket-Tay Power Distribution Ltd. (NT Power) as part of the AGM process and the Shareholders have agreed to forego the formal process contemplated by section 3.03(2) of the Agreement; and,

Therefore, be it resolved that by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the requirement in the Shareholders Agreement, Article 3, Section 3.03, Paragraph (2) in connection with identifying,

nominating and selecting from a recommended list of candidates in order to fill the current vacancy on the board of directors of the Corporation and putting forward for election by the Shareholders at the next general meeting of shareholders of the Corporation to be held in 2024 following the Corporation's 2023 fiscal year end (the "2023 AGM"), be waived for this appointment; and,

2. That the waiver granted does not constitute a waiver of any other provision of the Shareholders Agreement or an agreement to otherwise modify any term of the Agreement.

9.1.6 Accessibility Advisory Committee Meeting Minutes of October 19, 2023 and November 8, 2023

1. That the Accessibility Advisory Committee Meeting Minutes of October 19, 2023 and November 8, 2023 be received.

9.1.7 Main Street District Business Improvement Area Board of Management Meeting Minutes of December 6, 2023

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of December 6, 2023 be received.

10. By-laws

2024-04 A By-law to amend By-law Number 2010-40, as amended, being the Town's Comprehensive Zoning By-law (849 Gorham Street)

1. That By-law 2024-04 be enacted.

11. Notices of Motions

12. Motions Where Notice has Already been Provided

13. New Business

14. Closed Session (if required)

14.1 Committee of the Whole (Closed Session) Meeting Minutes of February 5, 2024

1. That the Committee of the Whole (Closed Session) Meeting Minutes of February 5, 2024 be approved.

14.1.1 Downtown Parking Update

A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local

board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization as per Section 239 (i) of the Ontario Municipal Act, 2001.

15. Confirmatory By-law

2024-05 A By-law to Confirm the Proceedings of the February 12, 2024 Council meeting.

1. That By-law 2024-05 be enacted.

16. Adjournment

The Nature's Emporium *Run For* *Southlake* APRIL 28 2024



Key Details

Sunday, April 28, 2024

5KM Run or Walk fundraising event in support of Southlake Regional Health Centre.

Exclusive route on Davis Dr, running right by the hospital.

Celebrate 100 years of leading edge care, close to home at our 100th anniversary event!



Why Fundraise



Funds raised through participant/team pledges help to support the most urgent needs for patient care at Southlake Regional Health Centre.

Fundraising for the Nature's Emporium *Run for Southlake* helps to put the right tools in the hands of our clinical experts so when you or loved one need care, they are ready.

Fundraising also supports new or renovated spaces in the hospital to deliver exceptional care and where our patients can heal.

Participating and fundraising is a way for our community show the dedicated clinicians and hospital staff of Southlake Regional Health Centre gratitude for their incredible care.

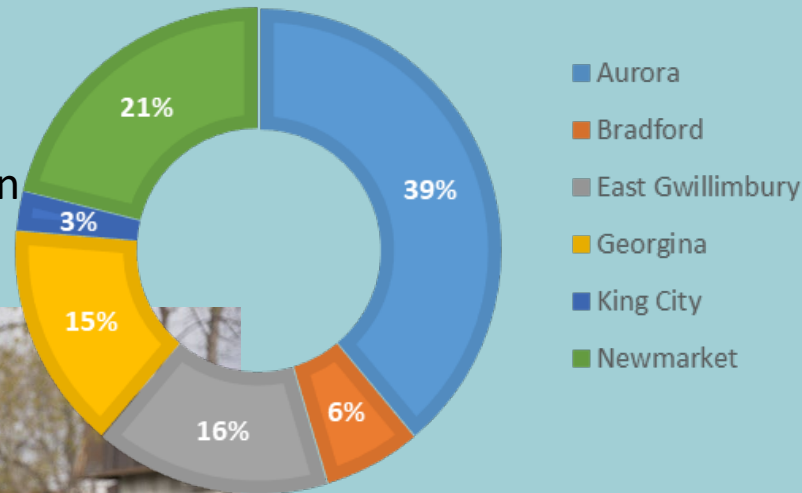
“For the incredible care my mother received during knee surgery”

“For my dad’s compassionate cancer treatment and follow-up care.”

“For the amazing team that delivered my son into the world!”

Fundraising Challenges

Mayor's Challenge: Friendly fundraising competition to see which team can raise the most in support of OUR hospital!



Community Spirit Award: This award goes to the municipality that has 2/3 of council registered AND the largest participant base, per capita.

#NATURESEMPORIUMRUNFORSOUTHLAKE

Registration is already open! We look forward to seeing your team and the community in April.

[Runforsouthlake.ca](https://runforsouthlake.ca)



Runforsouthlake@Southlake.ca



Town of Newmarket

Minutes

Council

Date: Monday, January 22, 2024
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse (1:07 PM to 1:23 PM)
Councillor Twinney
Councillor Kwapis
Councillor Broome

Members Absent: Mayor Taylor
Councillor Morrison
Councillor Bisanz

Staff Present: I. McDougall, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
J. Payne, Commissioner, Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
S. Granat, Legislative Coordinator
E. Thomas-Hopkins, Legislative Coordinator

The meeting was called to order at 1:02 PM.
Deputy Mayor and Regional Councillor Vegh in the Chair.

1. Notice

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

Deputy Mayor and Regional Councillor Vegh advised that the Municipal Offices have reopened to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by providing a deputation electronically or in-person. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter(s)

None.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Black History Month

Jerisha Grant-Hall, Chairperson, Founder, Newmarket African Caribbean Canadian Association (NACCA) provided a deputation regarding the theme of this year's Black History Month of Ain't No Stoppin' Us Now, events in the Newmarket community throughout the month, and the history of Black History Month and Newmarket.

Members of Council thanked NACCA for their leadership in the Newmarket community.

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

1. That the deputation provided by Jerisha Grant-Hall, Chairperson, Founder, Newmarket African Caribbean Canadian Association (NACCA), regarding Black History Month be received.

Carried

7. Minutes

7.1 Council Meeting Minutes of December 11, 2023

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That the Council Meeting Minutes of December 11, 2023 be approved.

Carried

8. Reports by Regional Representatives

None.

9. Consent Items and Recommendations from Committees

9.1 Committee of the Whole Meeting Minutes of January 15, 2024

Moved by: Councillor Twinney

Seconded by: Councillor Kwapis

1. That the Committee of the Whole Meeting Minutes of January 15, 2024 be approved and the recommendations noted within sub items: 9.1.1 through 9.1.5 be adopted.

Carried

9.1.1 Notice Policy and Procedure By-law Update

1. That the report entitled Notice Policy and Procedure By-law Update dated January 15, 2024 be received; and,
2. That the updated Notice Policy be adopted; and,
3. That the Procedure By-law amendment be adopted; and,
4. That Council supports the resolution of the Township of McKellar, that the Provincial government make an amendment to the Legislation Act, 2006 to include digital publications as an acceptable means of publication for notice requirements for all provincial acts and regulations; and,
5. That a copy of this resolution be submitted to the Minister of Municipal Affairs and Housing, Paul Calandra; Attorney General, Doug Downey; The Association of Ontario Municipalities (AMO); and all Ontario Municipalities; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.2 Advancement of Council's Priority: Community and Economic Vibrancy

1. That the report entitled Advancement of Council's Priority: Community and Economic Vibrancy dated January 15, 2024 be received; and,
2. That a reserve fund for the Council priority Community and Economic Vibrancy be created with an initial funding target of \$1,000,000; and,
3. That the Community Brand Strategy and resulting activities be the first project to be funded from the Community and Economic Vibrancy reserve fund; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.1.3 Main Street District Business Improvement Area Board of Management Annual General Meeting Minutes of March 7, 2023

1. That the Main Street District Business Improvement Area Board of Management Annual General Meeting Minutes of March 7, 2023 be received.

9.1.4 Main Street District Business Improvement Area Board of Management Meeting Minutes of November 1, 2023

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of November 1, 2023 be received.

9.1.5 Heritage Newmarket Advisory Committee Meeting Minutes of August 1, 2023

1. That the August 1, 2023 meeting minutes of the Heritage Newmarket Advisory Committee be received.

10. By-laws

Moved by: Councillor Broome

Seconded by: Councillor Woodhouse

1. That By-laws 2024-01 and 2024-02 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

13.1 Mulock Park

Councillor Broome thanked staff and the community for their support in the launch of construction of Mulock Park. Information about the project can be found online at heynewmarket.ca/mulockpark.

13.2 Town of Newmarket Staff

Councillor Woodhouse thanked staff at the Town of Newmarket and recognized the positive work culture made up by previous, current and new and staff members.

14. Closed Session

Council did not resolve into closed session.

14.1 Council (Closed Session) Meeting Minutes of December 11, 2023

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the Council (Closed Session) Meeting Minutes of December 11, 2023 be approved.

Carried

14.2 Committee of the Whole (Closed Session) Meeting Minutes of January 15, 2024

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That the Committee of the Whole (Closed Session) Meeting Minutes of January 15, 2024 be approved.

Carried

14.2.1 Training and Education on Bill 23, More Homes Built Faster Act, 2022

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the confidential presentation given regarding Training and Education on Bill 23, More Homes Built Faster Act, 2022 on January 15, 2024 be received.

Carried

15. Confirmatory By-law

Moved by: Councillor Twinney

Seconded by: Councillor Simon

1. That By-law 2024-03 be enacted.

Carried

16. Adjournment

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the meeting be adjourned at 1:23 PM.

Carried

Tom Vegh, Deputy Mayor and Regional Councillor

Kiran Saini, Deputy Town Clerk



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, February 5, 2024
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh (1:03 PM to 3:14 PM)
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: I. McDougall, Chief Administrative Officer
P. Noehammer, Commissioner of Development & Infrastructure Services
J. Payne, Commissioner, Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Manager of Legislative Services/Deputy Town Clerk
J. Unger, Director of Planning & Building Services
S. Granat, Legislative Coordinator
E. Thomas-Hopkins, Legislative Coordinator

For consideration by Council on February 12, 2024.
Meeting called to order at 1:02 PM.
Mayor Taylor in the Chair.

1. Notice

Mayor Taylor advised that the Municipal Offices were open to the public, and that members of the public could attend this meeting in person or view the live stream available at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by providing a deputation electronically or in-person. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk provided following additions to the agenda:

- Item 7.1.2 Correspondence from Melanie Duckett-Wilson, Climate Action Newmarket Aurora was added regarding item 7.1, Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.); and,
- Item 7.4.1 Correspondence from Melanie Duckett-Wilson Climate Action Newmarket Aurora was added regarding item 7.4 Downtown Parking Update.

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the additions to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter(s)

None.

5. Presentations & Recognitions

None.

6. Deputations

6.1 Residential Development - 849 Gorham Street

Michael Larkin provided a deputation regarding Residential Development 849 Gorham Street including location and site context, proposal, applications, policy, and conclusions.

Members of Council queried regarding changes made to the application since the Public Hearing Meeting, parking, the number of units, tree removal, encroachments, root removal, environmental initiatives, heat pumps, greenhouse gas emissions, electric vehicle charging stations, and snow storage.

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That the presentation regarding Residential Development - 849 Gorham Street by Michael Larkin, M.PL., MCIP, RPP, President, Larkin + Land Use Planners Incorporated be received.

Carried

6.2 Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

Ted Bomers provided a deputation regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) regarding the presence of basements, hydro-geological review, parkettes and cash in lieu of parkland, distance of parks, affordable housing, trees, accessibility checklist, resident participation in site-plan process, and sales practices.

Moved by: Councillor Woodhouse

Seconded by: Councillor Bisanz

1. That the deputation by Ted Bomers regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) is received.

Carried

6.3 Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

Doug Selwood provided a deputation regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) including the height of the proposal, a Minister's Zoning Order on a neighbouring property, proximity to a bus route, and parking.

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the deputation by Doug Selwood regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) is received.

Carried

7. Consent Items

Moved by: Councillor Simon

Seconded by: Councillor Morrison

1. That sub-items 7.5 to 7.7 be adopted on consent. See the following sub-items for motion: 7.1, 7.2, 7.3, and 7.4.

Carried

7.1 Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.)

An alternative motion was presented and is noted below in bold:

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the report entitled Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.) dated February 5, 2024 be received; and,
2. That the application for Zoning By-law Amendment be approved; and,
3. That staff be directed to bring forward the By-law, including the necessary Holding provisions, to Council for approval; and,
4. That Gorham Development 849 Inc. and LARKIN+ Land Use Planners Inc. be notified of this action; and,
5. **That correspondences from Donna and Steve MacDonald, and Melanie Duckett-Wilson, Climate Action Newmarket Aurora regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received; and,**
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.1.1 Correspondence - Donna and Steve MacDonald, Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

1. That the Correspondence from Donna and Steve MacDonald regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received.

7.1.2 Correspondence - Melanie Duckett-Wilson, Climate Action, Newmarket Aurora, Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.)

1. That the correspondence from Melanie Duckett-Wilson, Climate Action, Newmarket Aurora regarding Zoning By-law Amendment - 849 Gorham Street (Gorham Development Inc.) be received.

7.2 Fourth Quarterly Update to the Outstanding Matters List

Moved by: Councillor Twinney

Seconded by: Councillor Simon

1. That the report entitled the Fourth Quarterly Update to the Outstanding Matters List 2023 dated February 5, 2024 be received; and,
2. That Council adopt the Outstanding Matters List (Attachment A); and,
3. That the Outstanding Matters List Update be reduced from quarterly updates to semi-annually; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.3 Pedestrian Crossover Policy

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. That the report entitled Pedestrian Crossover Policy, dated February 5, 2024, be received; and,
2. That the contents of Appendix 1 be approved; and,
3. That the Parking By-law be reviewed, and necessary Stopping Prohibitions for Pedestrian Crossovers (PXO) be added; and,
4. That the implementation of a pilot Type B PXO at Gorham Street & Muriel Street be approved in the amount of \$36,000, to be funded through the Transportation Operating Budget for 2024; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.4 Downtown Parking Update

An alternative motion was presented and is noted below in bold:

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the report entitled “Downtown Parking Update” dated February 5, 2024 be received; and,
2. That staff be directed to hire a consultant to complete a study to recommend updated parking time-of-use rules, technology supports for customer interface and enforcement, as well as potential paid parking scenarios in Newmarket, including the downtown area; and,
3. That staff be authorized to initiate an RFP procurement process for the “design-build” construction of a modular parking structure to be constructed in the Tennis Court area of the Commons North municipal parking lot; and,
4. That staff report back to Council **by the beginning of May 2024 at the latest** with a multi-faceted approach aimed at alleviating parking pressures in the downtown in 2024, during the construction of the modular parking structure; and,
5. **That the correspondence from Melanie Duckett-Wilson Climate Action Newmarket Aurora regarding Downtown Parking Update be received; and,**
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- 7.4.1 Correspondence - Melanie Duckett-Wilson, Climate Action Newmarket Aurora, Downtown Parking Update

1. That the correspondence from Melanie Duckett-Wilson, Climate Action Newmarket Aurora regarding Downtown Parking Update be received.

7.5 Newmarket-Tay Power Board Selection

Whereas section 3.03(2) of the Newmarket-Tay Power Distribution Ltd. Shareholders Agreement provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation; and,

Whereas there will be a vacancy on the board of directors of Newmarket-Tay Power Distribution Ltd. (NT Power) as part of the AGM process and the Shareholders have agreed to forego the formal process contemplated by section 3.03(2) of the Agreement; and,

Therefore, be it resolved that by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the requirement in the Shareholders Agreement, Article 3, Section 3.03, Paragraph (2) in connection with identifying, nominating and selecting from a recommended list of candidates in order to fill the current vacancy on the board of directors of the Corporation and putting forward for election by the Shareholders at the next general meeting of shareholders of the Corporation to be held in 2024 following the Corporation's 2023 fiscal year end (the "2023 AGM"), be waived for this appointment; and,
2. That the waiver granted does not constitute a waiver of any other provision of the Shareholders Agreement or an agreement to otherwise modify any term of the Agreement.

7.6 Accessibility Advisory Committee Meeting Minutes of October 19, 2023 and November 8, 2023

1. That the Accessibility Advisory Committee Meeting Minutes of October 19, 2023 and November 8, 2023 be received.

7.7 Main Street District Business Improvement Area Board of Management Meeting Minutes of December 6, 2023

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of December 6, 2023 be received.

8. Action Items

None.

9. Notices of Motion

Simon - sidewalk request for presentation to York Region. Gap on Bayview, on East side (refer to Councillor Simon's email). Region of York complete the sidewalk in the area.

9.1 Request to Regional Council for a Sidewalk Along Bayview Avenue

Councillor Simon provided notice that she would bring forward a motion for sidewalk completion along Bayview Avenue Between Brooker Ridge and St. John's on the East side of Bayview.

10. Motions Where Notice has Already been Provided

None.

11. New Business

11.1 Krista Court Parking Restrictions

Moved by: Councillor Twinney

Seconded by: Councillor Broome

That Staff revisit, review, and report back on parking restrictions on Krista Court to address resident concerns.

Carried

11.2 Unaddressed Advertisement Mail

Councillor Bisanz requested information on the topic of unaddressed advertisement mail and options for consideration.

11.3 Sidewalk Works

Councillor Woodhouse requested a review of the feasibility of additional sidewalk construction on James Street, East of Carlson Drive.

11.4 Community Events

Councillor Morrison announced Newmarket Community events including the Affordable Food Market, Friday Night Frenzies, and upcoming Friday Night Family movie night.

11.5 Ward One (1) Winter Gathering

Councillor Simon announced the upcoming Ward One (1) Winter Gathering, and Newmarket Youth Leadership changing their name to Central York Leadership.

12. Closed Session

Committee of the Whole resolved into Closed Session at 1:55 PM

Committee of the Whole (Closed Session) minutes are recorded under separate cover.

Committee of the Whole resolved into Open Session at 2:34 PM.

Moved by: Councillor Bisanz

Seconded by: Councillor Kwapis

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

Carried

12.1 Downtown Parking Update

13. Adjournment

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the meeting be adjourned at 3:14 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



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

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

Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.) Staff Report to Council

Report Number: 2024-03

Department(s): Planning & Building Services

Author(s): Joyce Tsui, Intermediate Planner - Development

Meeting Date: February 5, 2024

Recommendations

1. That the report entitled Zoning By-law Amendment – 849 Gorham Street (Gorham Development 849 Inc.) dated February 5, 2024 be received; and,
2. That the application for Zoning By-law Amendment be approved; and,
3. That staff be directed to bring forward the By-law, including the necessary Holding provisions, to Council for approval; and,
4. That Gorham Development 849 Inc. and LARKIN+ Land Use Planners Inc. be notified of this action; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

A Zoning By-law Amendment application has been received to amend Zoning By-law 2010-40 to permit the development of 20 townhouse units for the subject land municipally addressed as 849 Gorham Street.

The Zoning By-law Amendment proposes to rezone the subject land to a site-specific zone to implement the proposed development. This report provides the context of the site, the details of the proposal, a discussion of the relevant planning policies and how the application addresses them, an outline of feedback received, and next steps in the development process.

Staff have reviewed the development proposal against the relevant Provincial, Regional, and local policy documents and have concluded that the proposal is in conformity with the policy framework. A statutory Public Meeting was held on August 31, 2020, as required by the *Planning Act*.

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

Purpose

This report provides recommendations to Council on the application for a Zoning By-law Amendment for 849 Gorham Street (the “subject land”).

The recommendations of the report, if adopted, will result in an amendment to the Zoning By-law to permit the proposed development, and apply necessary holding provisions to ensure the orderly development of the site.

Background

Subject Land

The subject land is municipally known as 849 Gorham Street. The parcel has a land area of approximately 0.42 hectares (1.04 acres) and is located on the north side of Gorham Street, east of Alexander Road (refer to **Appendix 1**).

Surrounding land uses include:

- single detached residential dwellings to the north; and,
- single detached residential dwellings to the east;
- single detached dwellings, a commercial use, and a place of worship to the south;
- single detached residential dwellings and a youth shelter to the west.

The property is currently occupied by a two-storey commercial building that was once a single detached dwelling and was converted to an office space. The site gradually slopes down from the north end of the property to Gorham Street at the south end.

The Proposal

The applicant is proposing to redevelop the subject land with 20 three-storey townhouse units configured in three blocks.

The proposed development would have a T-shaped internal private road, with 6 townhouse units on the east side of the internal road (Building 1, Units 15-20), 7 townhouse units on the north (Building 2, Units 8-14) and 7 townhouse units on the west

(Building 3, Units 1-7). The proposed townhouse units would be oriented towards the private lane, with vehicular and pedestrian access from Gorham Street.

Driveway parking is proposed in front of all townhouse units as well as one level of underground parking beneath Building 2. Shared, visitor and barrier free parking spaces are proposed at grade.

A private outdoor amenity space for residents is proposed internal to the development.

The proposal is illustrated on the concept site plan, attached as **Appendix 2**.

Discussion

Planning decisions must be reviewed in terms of the relevant planning policies and legislation. The high-level policy documents which are applicable to this development review are:

- **The Provincial Policy Statement 2020 (PPS):** The proposed development is consistent with the PPS by providing a mix of housing types within an existing settlement area, in close proximity to public transit, allowing for efficient use of existing infrastructure, and promoting supportive densities to facilitate a compact urban form.
- **The 2020 A Place to Grow: Growth Plan for the Greater Golden Horseshoe:** As the proposal provides for growth through intensification within the existing built-up area of Newmarket using infill and redevelopment, the proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.
- **The York Region Official Plan:** The proposed development supports and is consistent with the York Region Official Plan policies as the proposal represents intensification and redevelopment that diversifies the housing mix that exists in the area.

Town of Newmarket Official Plan

Land Use

The subject land is within the area designated “Residential Area” on Schedule A – Land Use of the Town of Newmarket Official Plan.

The objectives of the Official Plan Residential policies (amended by the Established Neighbourhood Study in 2020) are to provide for a range of residential housing types while maintaining the stability of Residential Areas by establishing zoning standards that acknowledge and respect the existing physical character of the surrounding neighbourhood.

Townhouses are permitted in the Residential Area designation where it is demonstrated that they are compatible with the existing neighbourhood.

The Town's Official Plan recognizes the desirability of gradual ongoing change by allowing for contextually sensitive development through Planning Act applications, to permit development which contributes to a desirable urban structure, diversifies housing stock, optimizes the use of existing municipal services and infrastructure, and is compatible with and complementary to the surrounding neighbourhood.

The proposed development conforms to the Official Plan by adding to the mix of housing types within this area of the Town of Newmarket. The proposal provides a compact built form allowing for the efficient use of land and infrastructure and promotes the use of existing active transportation and public transit infrastructure.

Compatibility

The subject land has a higher elevation on the north property line and gradually slopes down towards Gorham Street on the south. The applicant has submitted a cross section showing the interface of the proposed townhouse development with the existing neighbouring properties (refer to **Appendix 3**). Due to grading, the proposed three-storey townhouses on the north side (Building 2) will appear as a two-storeys at the rear and maintain a similar building height with existing dwellings located to the north of the subject land. Building 1 and 3 will also be of similar height to the neighbouring properties on the east and west side of the property. The proposed setbacks of the townhouses along the north, east and west property boundaries provide adequate separation between the existing proposed buildings and impact is further mitigated through the use of vegetation and privacy fencing.

The applicant has submitted a Planning Justification Report that outlines how the development would be compatible and complement the existing neighbourhood, including:

- Due to existing grading, the proposed building heights will be similar to the surrounding residential dwellings;
- The design of the townhouses adopts a traditional architectural style with hip roofs similar to the adjacent dwellings;
- The proposed building façade, roofline articulation, and building materials are of similar nature to the neighborhood, including stone and brick;
- The development will be screened from adjacent uses with proposed treed buffers and privacy fences along the north, east, and west side of the subject land; and,
- The proposed buildings front onto the internal private lane and maintain a backyard-to-backyard interface with adjacent residential dwellings to the north, east, and west.

The applicant has submitted a Transportation Impact Study as part of the application and has concluded that the site access will operate within the acceptable levels of service and allows for safe site circulation of emergency vehicles. Engineering Services has confirmed that no transportation improvement works are warranted.

Lighting, fencing, and vegetation screening will be reviewed further through the site plan application process to mitigate any potential impacts of new neighbours.

It is the opinion of staff that the proposed development will not have a negative impact on traffic in the area and is compatible with the existing neighbourhood.

Affordable Housing

Section 3.9.2 of the Town's Official Plan requires a minimum of 25% of new housing development outside of the Urban Centres Secondary Plan area to be affordable to low- and moderate-income households. This 25% minimum is comprehensive of all development applications outside of the Urban Centres and may not necessarily be achieved by each individual application.

The developer is willing to provide a financial contribution to support affordable housing projects. The specific contribution amount will be determined during the site plan application process. A Holding Provision (H) has been included in the draft Zoning By-law which requires that affordable housing policies are addressed to the Town's satisfaction through the site plan process.

Parkland Dedication

Parkland Dedication is required in accordance with the Planning Act, as expressed locally through the Town's Parkland Dedication By-law. Cash-in-lieu of parkland will be determined at site plan stage.

Official Plan Policy for Zoning By-law Amendments

Section 16.1.1, Policy 3 of the Town's Official Plan sets out the criteria for considering Zoning By-law Amendments. Staff are satisfied that the criteria for considering and approving a Zoning By-law Amendment have been met.

Town of Newmarket Zoning By-law 2010-40

The subject land is zoned Residential Detached Dwelling Exception 113 (R1-B-113) by Zoning By-law 2010-40. This zoning permits Detached Dwellings and the site-specific exception also permits a personal service shop within the existing building. Townhouses are not permitted in the current zone.

The applicant has submitted a Zoning By-law Amendment application to rezone the subject land to a site-specific zone that would permit townhouse dwellings. The site-specific zone standards are provided in full within the attached draft Zoning By-law (**Appendix 5**). It is the opinion of staff that the proposed zoning by-law amendment and proposed site-specific provisions are appropriate for the proposed development on the subject land.

Servicing Allocation

To date, servicing has not been allocated to this development. Servicing allocation will be considered in the annual servicing allocation report, scheduled for a future Committee of the Whole Meeting. A Holding provision in the By-law is proposed to ensure servicing is in place prior to the development proceeding.

Holding Provision

In accordance with Section 36 of the Planning Act, Council may impose Holding provisions ('H') on a Zoning By-law Amendment to limit the use of land until the 'H' provisions are removed. In this application, the proposed Zoning By-law Amendment will include Holding provisions for:

- Execution of a Site Plan Agreement;
- Addressing affordable housing policies;
- Servicing Allocation; and,
- Compensation for tree removal (if applicable).

Future Applications

The applicant will be required to enter into a Site Plan Agreement for the redevelopment of this site, as required through a holding provision (as per the above section). Further refinement may take place through detailed design as part of the Site Plan Application, within the parameters of the new zoning, if approved.

Creation of lots through removal of Part Lot Control will be required. Following site plan approval, applications for a Plan of Condominium and to remove the Holding (H) provision will also be required.

Development Considerations

During the review and processing of this application, the following items have been highlighted and considered. How they have been incorporated or mitigated, as appropriate, is discussed below:

Parking

The initial concept presented at the Public Meeting included a request for a parking reduction. The applicant has since revised the application to reduce the number of units and increase the number of parking spaces to be consistent with the requirements of the zoning by-law, for both residents and visitors.

For ease of comparison, the required and proposed parking provisions are outlined below.

Parking Type	Required Parking Rate by Zoning By-law 2010-40	Proposed	Conclusion
Townhouse resident parking (20 units)	1.5 parking spaces per dwelling unit	30 resident spaces	Meets Zoning By-law 2010-40
Townhouse visitor parking (20 units)	0.25 parking spaces per dwelling unit	5 visitor parking spaces (including 2 barrier-free parking spaces)	Meets Zoning By-law 2010-40

In summary, 30 parking spaces are provided for residents (16 surface spaces and 14 underground spaces), plus 5 visitor parking spaces, for a total of 35 parking spaces. The number of parking spaces provided on site for residents and visitors complies with the Zoning By-law and no revisions to the parking requirements are being sought.

Traffic

A Transportation Impact Study and Transportation Demand Management Study was submitted as part of the application. The reports conclude that the site access onto Gorham Street will operate within the acceptable levels of service and allows for safe site circulation of emergency vehicles. The proposed development is not anticipated to create major impacts to the existing transportation system.

Functional Servicing

The applicant has submitted a Functional Servicing and Stormwater Management Report. The report demonstrates the ability of the site to be adequately serviced and confirms that the subject land can be designed to support the proposed development with minimal impacts on surrounding properties. The submitted report and associated plans have been reviewed by Engineering Services. Engineering Services has no objection to the approval of the Zoning By-law Amendment and will continue to review site details through the site plan application process.

Urban Design

The applicant has submitted conceptual elevations for the Zoning By-law Amendment application (refer to **Appendix 4**). Comments were received from the public regarding the design of the proposed development.

In response to concerns received from the public related to noise and privacy, the applicant has removed the previously proposed rooftop amenity spaces and revised the

roof design from flat roofs to hip roofs. The proposed architectural style has been revised to be more reflective of the predominant pitched roof style found in the Historic Core Character Neighborhood.

In addition, a Shadow Study was submitted by the applicant. The Study shows that the proposed townhouses would not result in significant shadow impacts to abutting properties.

Additional site details will be considered through the site plan application stage.

Amenity Space

Each dwelling unit includes private amenity space in the form of private rear yard and patio at grade and/or deck on the second storey. The proposed second storey decks maintain a size that would not impact the privacy or result in overlook to adjacent properties. Additional measures such as privacy planting and fencing are proposed along the backyards and will be reviewed in further detail at the site plan application stage.

A common amenity space for residents is proposed north of Building 1 and adjacent to the visitor parking on the east side of the subject land. The area is proposed to be accessible to the residents and would include amenities such as benches. Vegetative plantings have been proposed to buffer the amenity area from residential units.

Snow Storage

Snow storage areas has been provided internal to the development and are located beside the visitor and shared parking spaces. The proposed snow storage area meets the minimum Zoning By-law requirements.

Environment

Phase One and Two Environmental Site Assessment, in conjunction with a Hydrogeological Investigation and Geotechnical Investigation have been provided as part of the application. The Assessments indicated that there are no contaminants of potential concern in excess of the site condition standards for residential land uses. A Record of Site Condition has been filed with the Ministry of the Environment, Conservation, and Parks.

Noise and Construction

Approval of an Environmental Noise Assessment and Zone of Vibration influence Report will be required as part of the site plan stage, along with a Construction Management Report.

Tree Removals

An Arborist Report has been submitted in support of the application. Of the 44 trees inventoried, it was determined that 37 trees require removal to accommodate the proposed development. Of the 37 trees, 23 trees are subject to the Town's Tree Preservation, Protection and Enhancement Policy, because they are over 20 cm diameter at breast height (measured at 1.4 metres above ground level). Compensation in the form of planting or cash-in-lieu will be provided for the trees to be removed. Prior to tree removal, written consent will be required from adjacent property owners for the removal of 2 boundary trees, and confirmation on conformance with the Migratory Bird Convention Act shall be provided to the Town. Securities and tree protection fencing will be required for the trees that are to be preserved.

The submitted Arborist Report and Tree Survey and Preservation Plan have been reviewed by the Town's peer review arborist and have been found to be acceptable for the purpose of the Zoning By-law Amendment application. Landscape details and technical comments will continue to be reviewed through the site plan application process. A Holding Provision (H) has been included in the draft Zoning By-law which requires that tree compensation has been provided in accordance with the Town's Tree Preservation, Protection, Replacement and Enhancement Policy.

Conclusion

The proposed Zoning By-law Amendment has been circulated to the Town's internal departments and external agencies and they have provided comments indicating that there are no concerns with the approval of the zoning by-law application.

The Zoning By-law Amendment application is consistent with Provincial policy and is in conformity with the York Region Official Plan and the Town of Newmarket Official Plan. Further refinement may take place through detailed design as part of the Site Plan Application, within the parameters of the proposed zoning.

Staff recommend approval of the application, subject to a Holding provision.

Business Plan and Strategic Plan Linkages

- Community and economic vibrancy

Consultation

Agency and Department Comments

The application and associated technical reports were circulated to all internal departments and external review agencies. Comments received indicate that there is no objection to the proposed Zoning By-law Amendment with the inclusion of a 'Holding' provision.

Effect of Public Input

A Statutory Public Meeting was held on August 31, 2020. This meeting provided the public and interested persons an opportunity to comment on the application. Notice of the Committee of the Whole meeting has been provided to persons and public bodies under the *Planning Act*.

Comments were received from the public at the statutory Public Meeting and through email. Comments received included concerns related to traffic, parking, urban design, and environmental contamination concerns and have been responded to in detail in the development considerations section of this report.

Human Resource Considerations

None.

Budget Impact

The appropriate planning application fees have been received for the application. The Town will also receive revenue from development charges associated with this development.

Attachments

Appendix 1 – Location Map
Appendix 2a – Applicant's Concept Site Plan
Appendix 2b – Applicant's Concept Site Plan – Building 2 Parking
Appendix 3 – Applicant's Concept Cross Section
Appendix 4 – Applicant's Concept Elevations
Appendix 5 – Proposed Zoning By-law Amendment

Submitted by

Joyce Tsui, Intermediate Planner, Planning and Building Services

Approved for Submission

Adrian Cammaert, Manager, Planning Services

Jason Unger, Director, Planning & Building Services

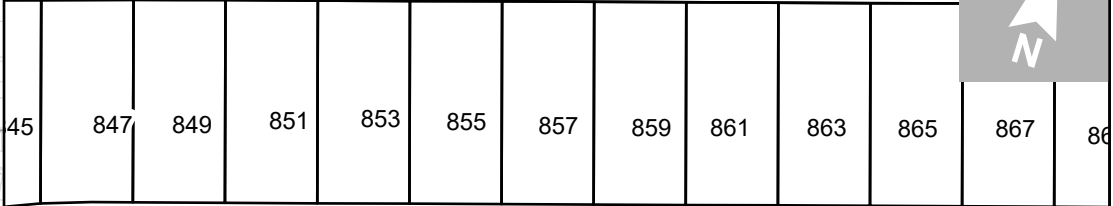
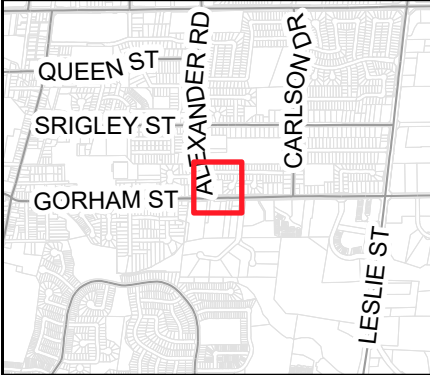
Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

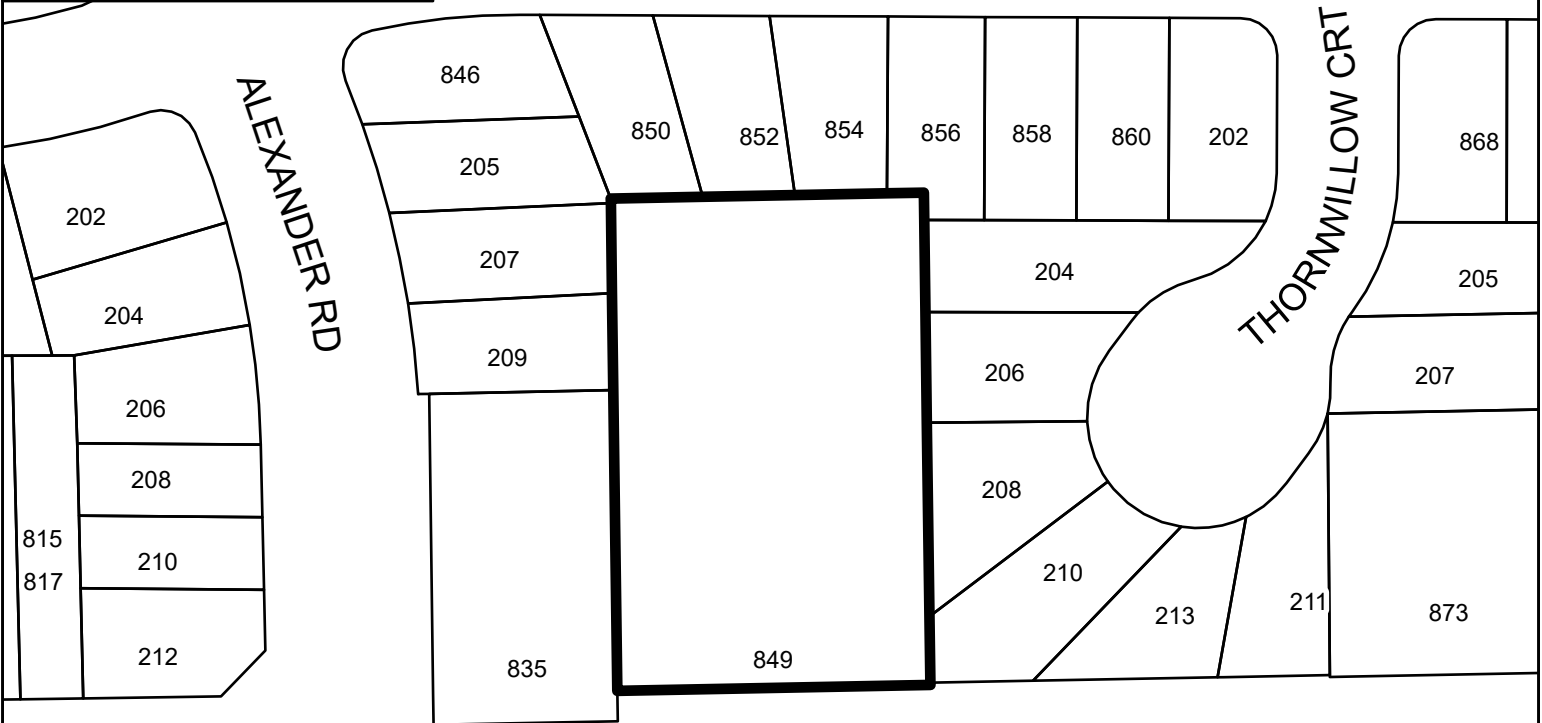
Joyce Tsui

jtsui@newmarket.ca

849 Gorham Street



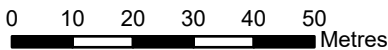
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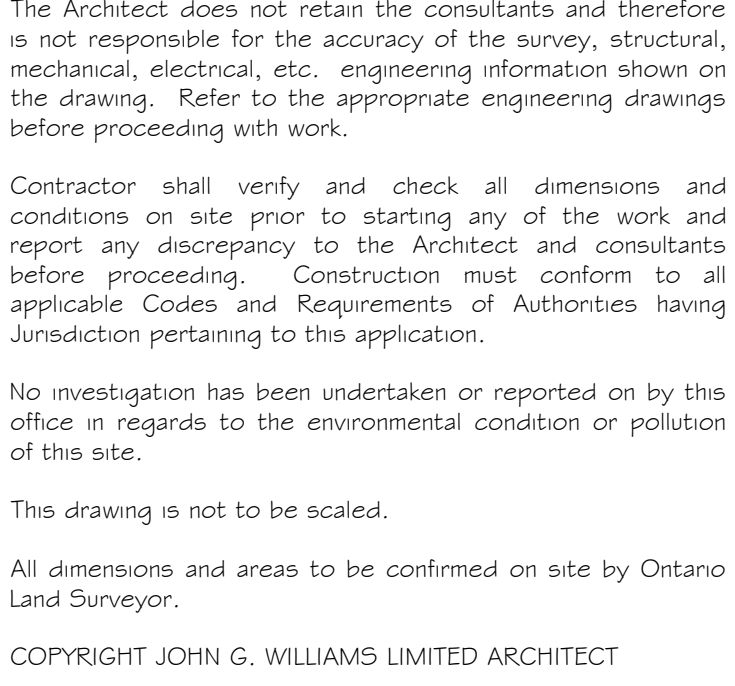
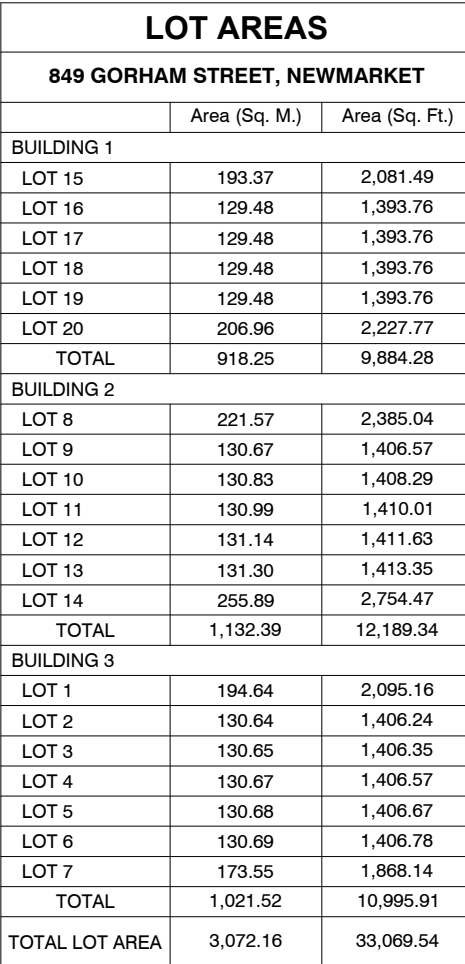
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JEFF SMITH CRT

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3	AUG 17, 2023	CLIENT REVISIONS - BUILDING 2		R
2	DEC 02, 2022	FOR ZONING BY-LAW AMENDMENT		R
1	JAN 28, 2022	FOR CLIENT REVIEW / COORDINATION		R
no.	date	revisions		by

Legal Description:
Part Lot 27 Plan 103 Whitchurch,
Part 1 65R38306

City File Nos.:
D14NP2003 Zoning By-Law Amendment

SITE STATISTICS / LOT CALCULATIONS				
849 GORHAM STREET, NEWMARKET				
SUBJECT LAND	Area (Sq. M.)	Area (Hts.)	Area (Sq. Ft.)	Area (Acre)
	4,218.72	0.422	45,411.41	1.042
TOTAL LOT AREA FOR DEVELOPMENT	4,218.72	0.42	45,411.41	1.04

LOT CALCULATIONS			
849 GORHAM STREET, NEWMARKET			
	Area (Sq. M.)	Area (Sq. Ft.)	Percentage
LOT COVERAGE (BUILDING)	1,563.83	16,833.48	37.07%
HARD SURFACE (ROADWAYS, DRIVEWAYS, SIDEWALKS)	1,140.75	12,279.33	27.04%
LANDSCAPE & WALKWAYS	1,514.14	16,298.60	35.89%
LOT AREA FOR DEVELOPMENT	4,218.72	45,411.41	

DENSITY	
849 GORHAM STREET, NEWMARKET	
NUMBER OF UNITS	TOTAL
3 STOREY TOWNHOUSE	20

NUMBER OF UNITS / FLOOR AREA	Units	Total (Sq. M)	Area (Sq. Ft.)
BUILDING 1 (3 STOREY)	6	1,122.90	12,087.19
BUILDING 2 (3 STOREY)	7	1,369.43	14,740.90
BUILDING 3 (3 STOREY)	7	1,243.67	13,389.34
TOTAL	20		
GROSS FLOOR AREA		3,736.20	40,217.44
UNITS PER HECTARE	47.39		
FLOOR SPACE INDEX (FSI)		0.89	
AMENITY SPACE			
ON GRADE		621.17	8,839.29
BALCONY / ROOF TERRACE		71.09	765.23
TOTAL AMENITY SPACE		692.25	9,604.52

DEVELOPMENT STANDARDS			
849 GORHAM STREET, NEWMARKET			
		ZONING BYLAW 2010-40 (as amended R4-0 Zone standards)	PROPOSED
a) MINIMUM LOT AREA PER DWELLING UNIT	-	180 Square Meters	129 Square Meters
b) MINIMUM LOT FRONTAGE	-	6.0 Meters	6.0 Meters
c) MINIMUM FRONT YARD	-	4.5 Meters	4.5 Meters
d) MINIMUM REAR YARD	-	7.0 Meters	7.0 Meters
e) MINIMUM EXTERIOR SIDE YARD (Abutting Private Rd)	-	-	1.2 Meters
f) MINIMUM EXTERIOR SIDE YARD (Abutting Public Rd)	-	3.0 Meters	2.4 Meters
g) MINIMUM INTERIOR YARD	-	1.5 Meters	1.2 Meters
h) MINIMUM BUILDING SEPARATION	-	3.0 Meters	n/a
i) MAXIMUM LOT COVERAGE	-	50 %	25 %
j) MAXIMUM BUILDING HEIGHT	-	11.0 M. (3-Storeys)	11.0 M. (3-Storeys)
k) MAXIMUM DRIVEWAY WIDTH	-	3.0 Meters	3.5 / 6.0 Meters
l) ENCROACHMENTS INTO REQUIRED YARDS (Porches, Porches)	-	2.4 Meters	2.5 Meters

m) PARKING REQUIREMENT			
- PRIVATE PARKING (Attached Garage not included)	-	1.5 Parking Space per Unit (Min. Required 30 Spaces)	30 Spaces Provided
- VISITORS PARKING (Including 1 Accessible Space)	-	0.25 Parking Space per Unit (Min. Required 5 Spaces)	5 Spaces Provided
TOTAL		35 Spaces Required	35 Spaces Provided

Building Design Information		
Address of Site	849 GORHAM STREET, NEWMARKET	
Site Plan Application No.	Residential Dwellings	
Proposed Building Use(s)	1,565.83 sq. m. (Building 2 is 617 Sq. M., will require Fire Wall)	
Building Areas (Buildings 1 to 3)	000-Reference	
BUILDING CLASSIFICATION	Classification	
Major Occupancies	Group C, up to 3 Storeys	
Ground Floor Area (Buildings 1 to 3)	Residential Occupancies	
Building Height	9.10/2	
Number of Streets	1	
Mezzanine	14.1.2 [A] & 9.10.4	
Building Used for Multiple Tenancies	No	
Sparkproofed Building	Yes	
Will Barrier Free Access be Provided?	No	
SPATIAL SEPARATION REQUIREMENTS	9.5/2	
	9.10/4	
	Construction Type	Req. Fire Resistant Rating
NORTH	Combustion Combustible/Non-combustible	Not Required
EAST	Combustion Combustible/Non-combustible	Not Required
SOUTH	Combustion Combustible/Non-combustible	Not Required
WEST	Combustion Combustible/Non-combustible	0.75 Hours

ONTARIO ASSOCIATION
OF ARCHITECTS
AV SHWARTZ
LICENCE
3468

client:

THE GORHAM PARTNERSHIP

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PROPOSED RESIDENTIAL DEVELOPMENT

849 GORHAM STREET
NEWMARKET, ON

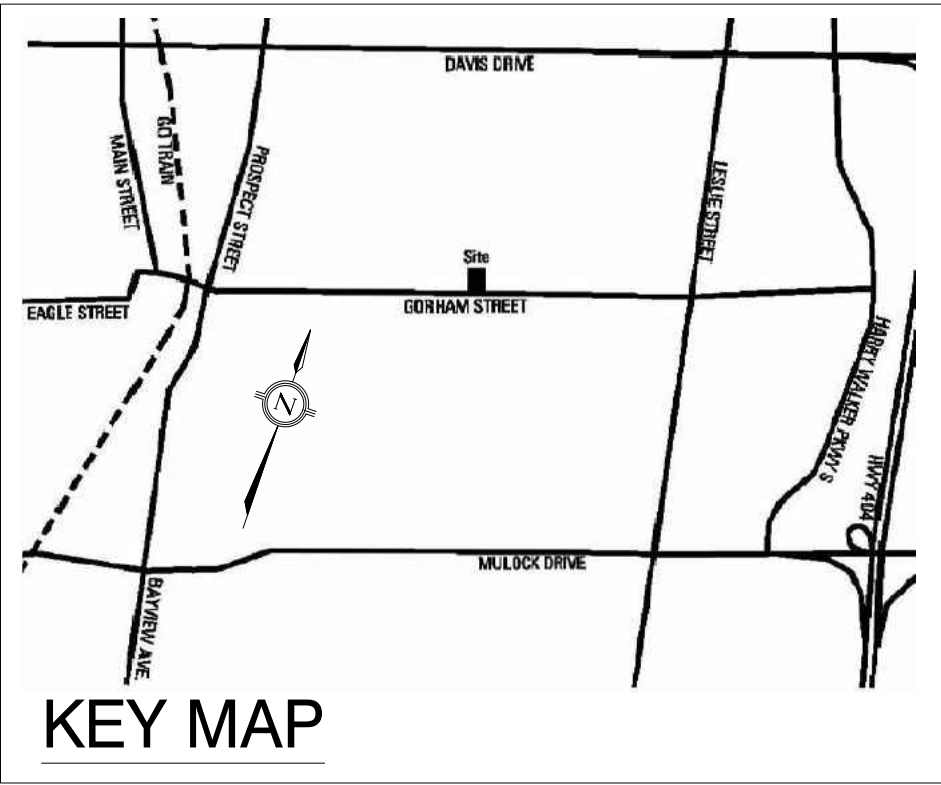


40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com

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CONCEPT SITE PLAN

scale 1:200 METERS	project no. W-2448
date JANUARY 28, 2022	
drawn by RO	checked by AS
date plotted	drawn no. SP-01
date printed	



The Architect does not retain the consultants and therefore is not responsible for the accuracy of the survey, structural, mechanical, electrical, etc., engineering information shown on the drawing. Refer to the appropriate engineering drawings before proceeding with work.

Contractor shall verify and check all dimensions and conditions on site prior to starting any of the work and report any discrepancy to the Architect and consultants before proceeding. Construction must conform to all applicable Codes and Requirements of Authorities having Jurisdiction pertaining to this application.

No investigation has been undertaken or reported on by this office in regards to the environmental condition or pollution of this site.

This drawing is not to be scaled.

All dimensions and areas to be confirmed on site by Ontario Land Surveyor.

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no.	date	revisions	by
4	OCT 26, 2023	ZBLA - 2ND SUBMISSION	RO
3	AUG 11, 2023	CLIENT REVISIONS - BUILDING 2	RO
2	DEC 02, 2022	FOR ZONING BY-LAW AMENDMENT	RO
1	JAN 28, 2022	FOR CLIENT REVIEW / COORDINATION	RO

Legal Description:
Part Lot 27 Plan 103 Whitchurch,
Part 1 65R38306

City File Nos.:
D14NP2003 Zoning By-Law Amendment



client:
THE GORHAM PARTNERSHIP

project title
**PROPOSED
RESIDENTIAL
DEVELOPMENT**
849 GORHAM STREET
NEWMARKET, ON

JOHN G. WILLIAMS LIMITED
ARCHITECT

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com

sheet title
**PARTIAL
SITE PLAN
(BUILDING 2 PARKING)**

scale 1:200 METRES	project no. W-2448
date JANUARY 28, 2022	drawing no. SP-02
drawn by RO	checked by AS
date plotted	
date printed	

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LOT COVERAGE (BUILDING)	1,563.83	16,833.48	37.07%
HARD SURFACE (ROADWAYS, DRIVEWAYS, SIDEWALKS)	1,140.75	12,279.33	27.04%
LANDSCAPE & WALKWAYS	1,514.14	16,286.60	35.89%
LOT AREA FOR DEVELOPMENT	4,218.72	45,411.41	

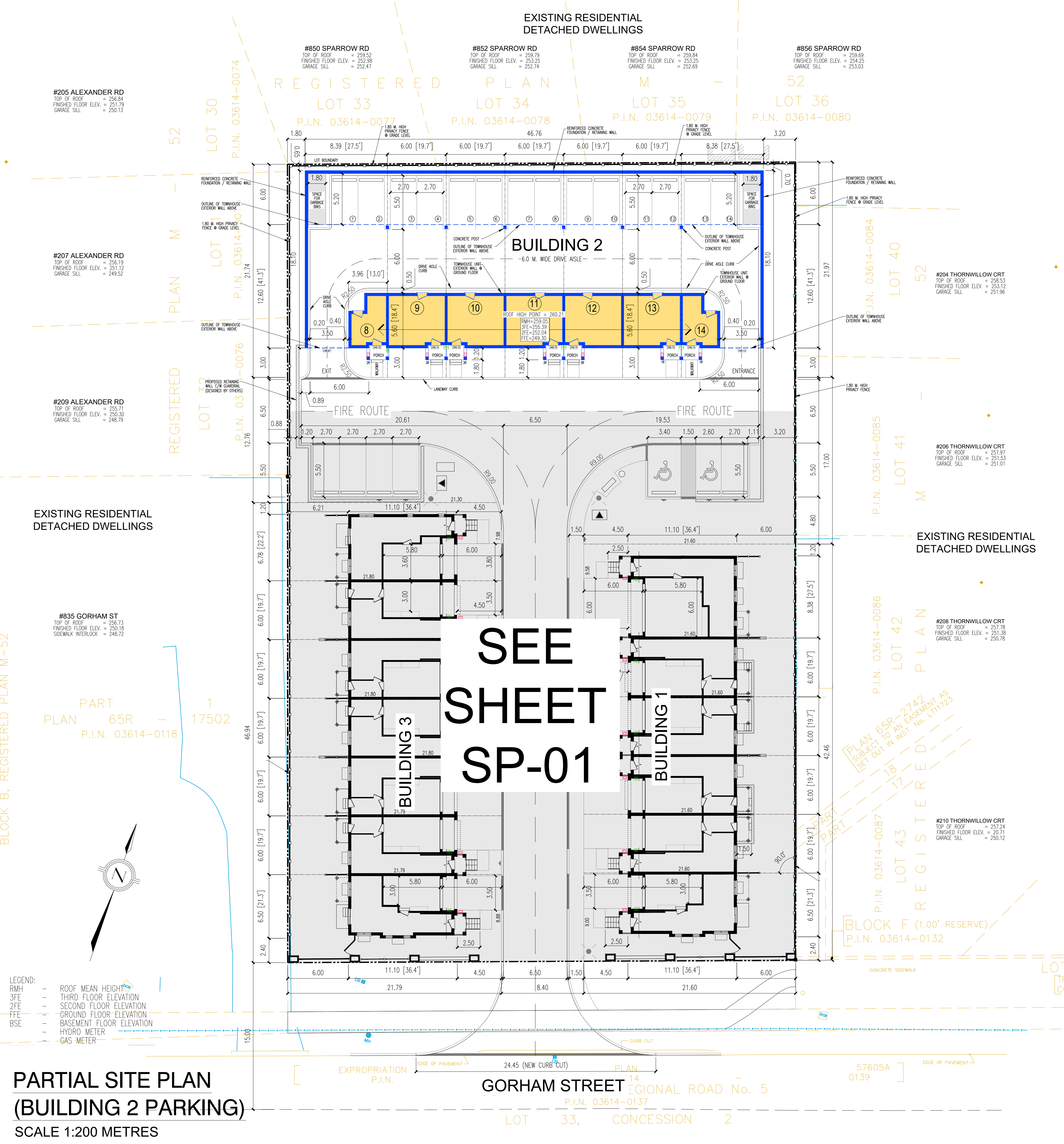
DENSITY			
849 GORHAM STREET, NEWMARKET			
NUMBER OF UNITS	TOTAL		
3 STOREY TOWNHOUSE	20		
NUMBER OF UNITS / FLOOR AREA	Units	Total (Sq. M.)	Area (Sq. Ft.)
BUILDING 1 (3 STOREY)	6	1,122.90	12,087.19
BUILDING 2 (3 STOREY)	7	1,360.43	14,740.90
BUILDING 3 (3 STOREY)	7	1,243.67	13,389.34
TOTAL	20	3,726.20	40,217.44
GROSS FLOOR AREA			
UNITS PER HECTARE	47.39		
FLOOR SPACE INDEX (FSI)	0.89		
AMENITY SPACE			
ON GRADE	821.17	8,839.29	
BALCONY / ROOF TERRACE	71.09	765.23	
TOTAL AMENITY SPACE	892.26	9,604.52	

DEVELOPMENT STANDARDS			
849 GORHAM STREET, NEWMARKET			
	ZONING BYLAW 2010-40 (as amended North York standards)	PROPOSED	
a) MINIMUM LOT AREA PER DWELLING UNIT	-	180 Square Meters	129 Square Meters
b) MINIMUM LOT FRONTAGE	-	6.0 Meters	6.0 Meters
c) MINIMUM FRONT YARD	-	4.5 Meters	4.5 Meters
d) MINIMUM REAR YARD	-	7.0 Meters	6.0 Meters
e) MINIMUM EXTERIOR SIDE YARD (Abutting Private Rd)	-	1.2 Meters	1.2 Meters
f) MINIMUM EXTERIOR SIDE YARD (Abutting Public Rd)	-	3.0 Meters	2.4 Meters
g) MINIMUM INTERIOR YARD	-	1.5 Meters	1.2 Meters
h) MINIMUM BUILDING SEPARATION	-	3.0 Meters	n/a
i) MAXIMUM LOT COVERAGE	-	50 %	55 %
j) MAXIMUM BUILDING HEIGHT	-	11.0 M. (2-Storeys)	11.0 M. (3-Storeys)
k) MAXIMUM DRIVEWAY WIDTH	-	5.0 Meters	3.5 / 6.0 Meters
l) ENCROACHMENTS INTO REQUIRED YARDS (Porches, Porticos)	-	2.4 Meters	2.5 Meters

PARKING REQUIREMENT			
- PRIVATE PARKING (Attached Garage not Included)	-	1.5 Parking Spaces per Unit (Min. Required 30 Spaces)	30 Spaces Provided
- VISITORS PARKING (Including 1 Accessible Space)	-	0.25 Parking Spaces per Unit (Min. Required 5 Spaces)	5 Spaces Provided
TOTAL		35 Spaces Required	35 Spaces Provided
n) SNOW STORAGE (Outdoor Parking 5 or more Spaces)		Min. 5% (78 sq.m. x 0.05) = 3.90 sq.m.	12.7 sq.m.

Building Design Information			
Address of Site	849 GORHAM STREET, NEWMARKET		
Site Plan Application No.	Residential Dwellings		
Proposed Building Use(s)	Residential Dwellings		
Building Area (Buildings 1 to 3)	1,563.83 Sq. M. (Building 2 is 617 Sq. M.; will require Fire Wall)		
BUILDING CLASSIFICATION	Classification		
Major Occupancies	Group C, up to 3-Storeys		
Gross Floor Area (Buildings 1 to 3)	3,736.20 Sq. M.		
Building Height	3-Storeys		
Number of Streets	1		
Accessories	Building Used for Multiple Tenancies		
Sprinklered Building	No		
Will Barrier Free Access be Provided?	No		
SPATIAL SEPARATION REQUIREMENTS	10.10		
Wall	Construction Type	Req. Fire Resistant Rating	
NORTH	Combustion Combustible/Non-combustible	Not Required	
EAST	Combustion Combustible/Non-combustible	0.75 Hours	
SOUTH	Combustion Combustible/Non-combustible	Not Required	
WEST	Combustion Combustible/Non-combustible	0.75 Hours	

LOT AREAS		
849 GORHAM STREET, NEWMARKET		
	Area (Sq. M.)	Area (Sq. Ft.)
BUILDING 1		
LOT 15	180.37	2,081.48
LOT 16	129.48	1,393.76
LOT 17	129.48	1,393.76
LOT 18	129.48	1,393.76
LOT 19	129.48	1,393.76
LOT 20	206.96	2,227.77
TOTAL	918.25	9,884.28
BUILDING 2		
LOT 8	221.57	2,385.04
LOT 9	130.67	1,406.57
LOT 10	130.83	1,408.29
LOT 11	130.99	1,410.01
LOT 12	131.14	1,411.83
LOT 13	131.30	1,413.35
LOT 14	255.89	2,754.47
TOTAL	1,132.39	12,189.34
BUILDING 3		
LOT 1	194.64	2,095.16
LOT 2	130.64	1,406.24
LOT 3	130.65	1,406.35
LOT 4	130.67	1,406.57
LOT 5	130.68	1,406.67
LOT 6	130.69	1,406.78
LOT 7	173.55	1,868.14
TOTAL	1,021.52	10,995.91
TOTAL LOT AREA	3,072.16	33,069.54



**PARTIAL SITE PLAN
(BUILDING 2 PARKING)**
SCALE 1:200 METRES

The Architect does not retain the consultants and therefore is not responsible for the accuracy of the survey, structural, mechanical, electrical, etc. engineering information shown on the drawing. Refer to the appropriate engineering drawings before proceeding with work.

Contractor shall verify and check all dimensions and conditions on site prior to starting any of the work and report any discrepancy to the Architect and consultants before proceeding. Construction must conform to all applicable Codes and Requirements of Authorities having Jurisdiction pertaining to this application. No investigation has been undertaken or reported on by this office in regards to the environmental condition or pollution of this site.

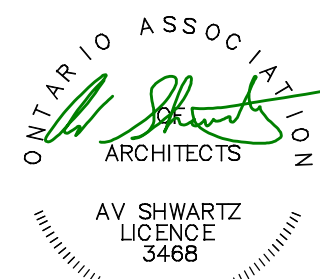
This drawing is not to be scaled.
All dimensions and areas to be confirmed on site by Ontario Land Surveyor.

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4	OCT 26, 2023	FOR ZBLA - 2ND SUBMISSION	RO
3	AUG 17, 2023	CLIENT REVISIONS - BUILDING 2	RO
2	DEC 02, 2022	FOR ZONING BY-LAW AMENDMENT	RO
1	JAN 28, 2022	FOR CLIENT REVIEW / COORDINATION	RO
no.	date	revisions	by

Legal Description:
Part Lot 27 Plan 103 Whitchurch,
Part 1 65R38306

City File Nos.:
D14NP2003 Zoning By-Law Amendment



client:
THE GORHAM PARTNERSHIP

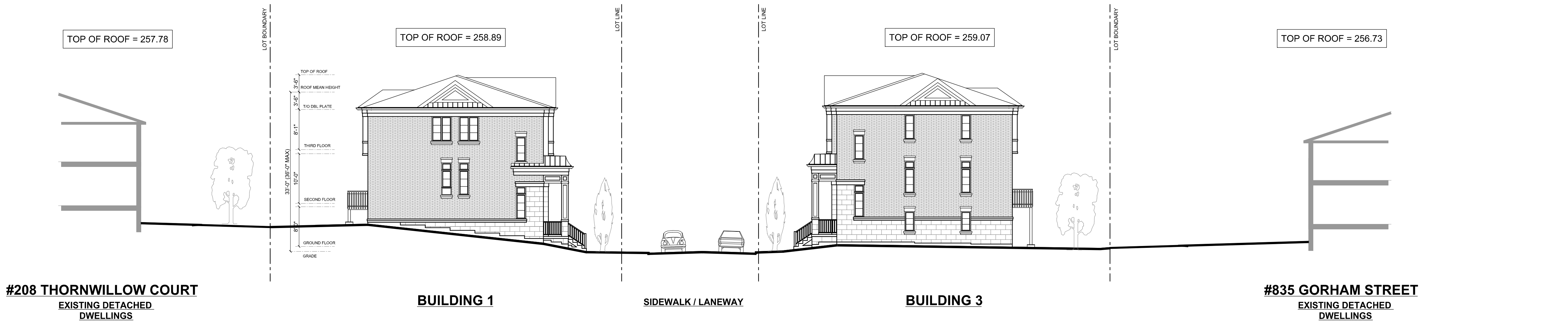
project title
**PROPOSED
RESIDENTIAL
DEVELOPMENT**
849 GROHAM STREET
NEWMARKET, ON

**JOHN G. WILLIAMS LIMITED
ARCHITECT**

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com

sheet title
**CONCEPTUAL
SITE SECTIONS**

scale 3/16" = 1'-0"	project no. W-2448
date JANUARY 2022	drawing no. A-04
drawn by RO	checked by AS
date plotted	date printed



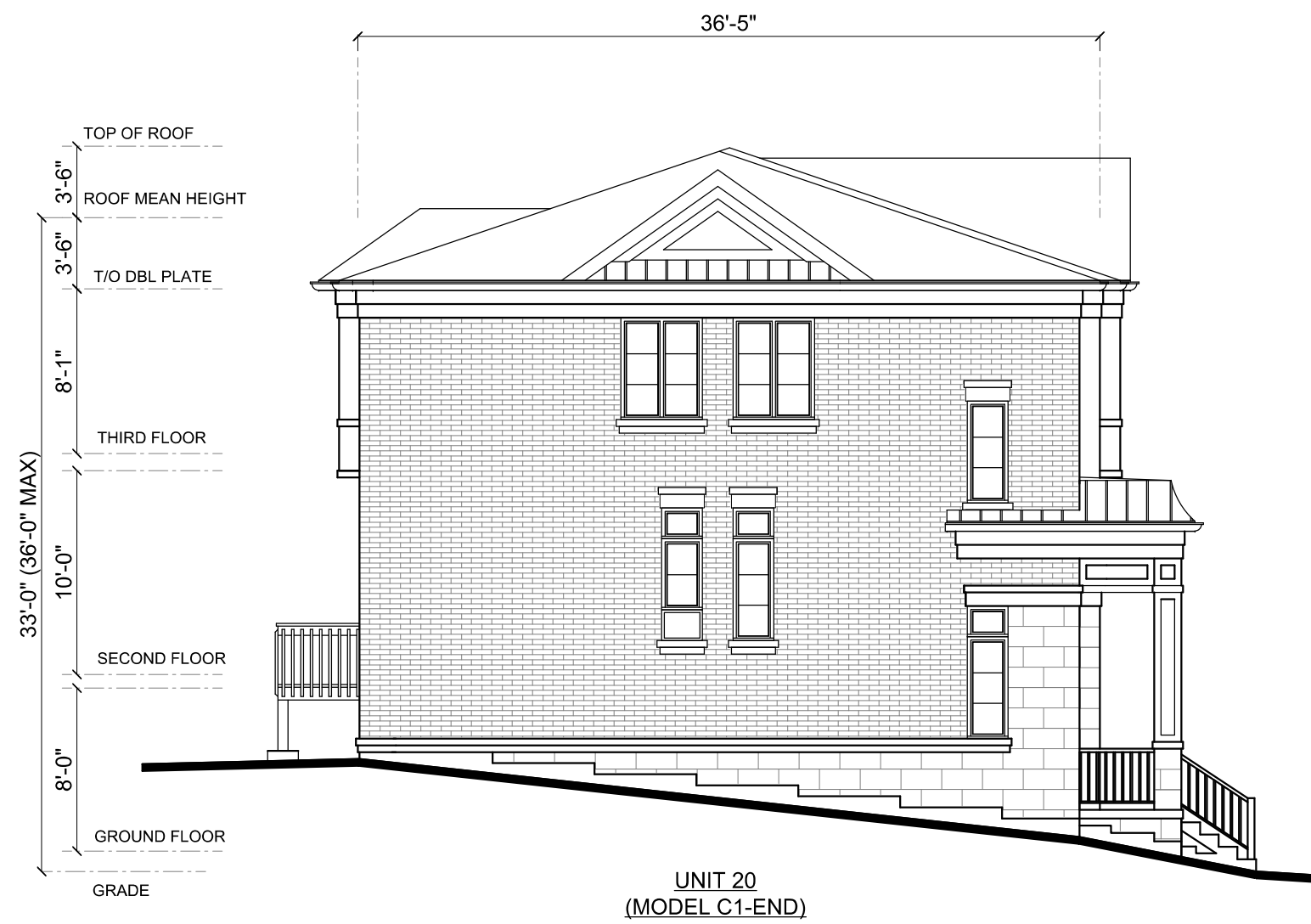
SITE SECTION THRU LANEWAY (EAST-WEST)



SITE SECTION THRU LANEWAY (SOUTH-NORTH)



BUILDING 1 - FRONT ELEVATION



BUILDING 1 - SIDE ELEVATION



BUILDING 1 - FLANKAGE ELEVATION



BUILDING 1 - REAR ELEVATION

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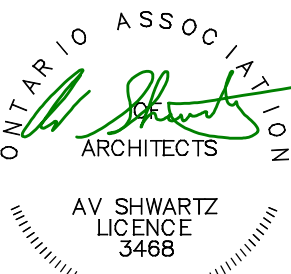
This drawing is not to be scaled. All dimensions and areas to be confirmed on site by Ontario Land Surveyor.

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Legal Description:
Part Lot 27 Plan 103 Whitchurch,
Part 1 65R38306

City File Nos.:
D14NP2003 Zoning By-Law Amendment



client:
THE GORHAM PARTNERSHIP

project title
**PROPOSED
RESIDENTIAL
DEVELOPMENT**
849 GROHAM STREET
NEWMARKET, ON

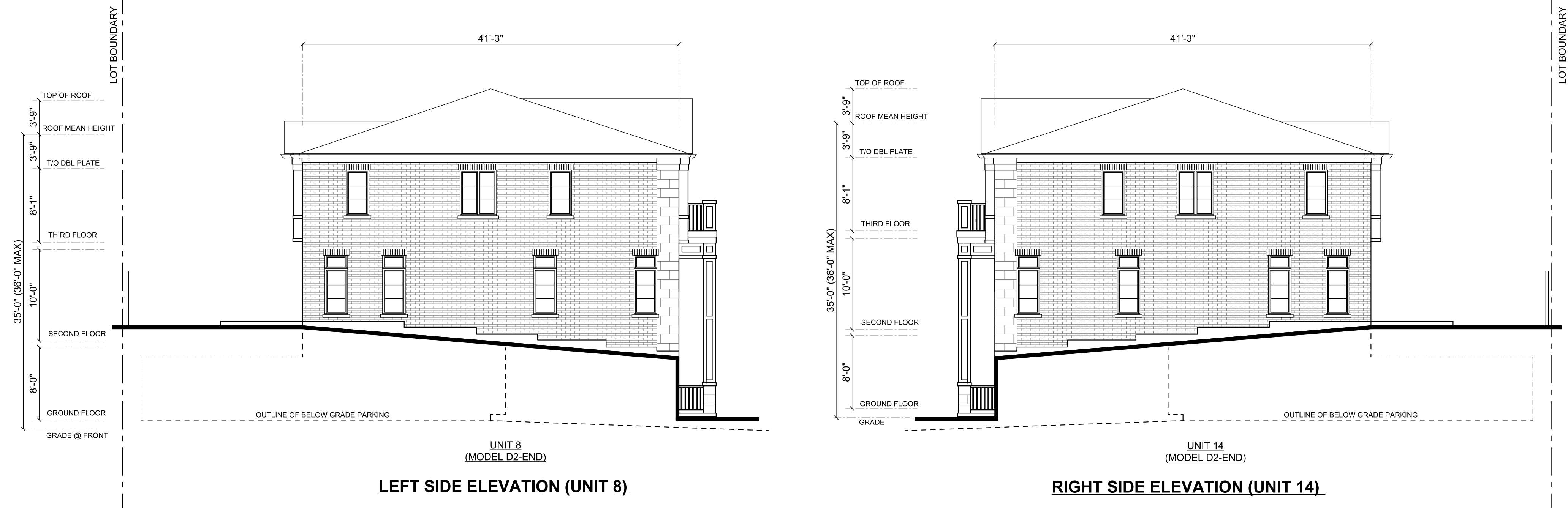
 **JOHN G. WILLIAMS LIMITED
ARCHITECT**
40 Vogel Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com

sheet title
**CONCEPTUAL
BLOCK ELEVATIONS**

scale 1/8" = 1'-0"	project no. W-2448
date JANUARY 2022	
drawn by RO	checked by AS
drawing no. A-01	
date plotted	
date printed	



BUILDING 2 - FRONT ELEVATION



LEFT SIDE ELEVATION (UNIT 8)

RIGHT SIDE ELEVATION (UNIT 14)



BUILDING 2 - REAR ELEVATION

The Architect does not retain the consultants and therefore is not responsible for the accuracy of the survey, structural, mechanical, electrical, etc. engineering information shown on the drawing. Refer to the appropriate engineering drawings before proceeding with work.

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no.	date	revisions	by

Legal Description:
Part Lot 27 Plan 103 Whitchurch,
Part 1 65R38306

City File Nos.:
D14NP2003 Zoning By-Law Amendment



client:
THE GORHAM PARTNERSHIP

project title
**PROPOSED
RESIDENTIAL
DEVELOPMENT**
**849 GROHAM STREET
NEWMARKET, ON**

 **JOHN G. WILLIAMS LIMITED
ARCHITECT**

40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com

sheet title
**CONCEPTUAL
BLOCK ELEVATIONS**

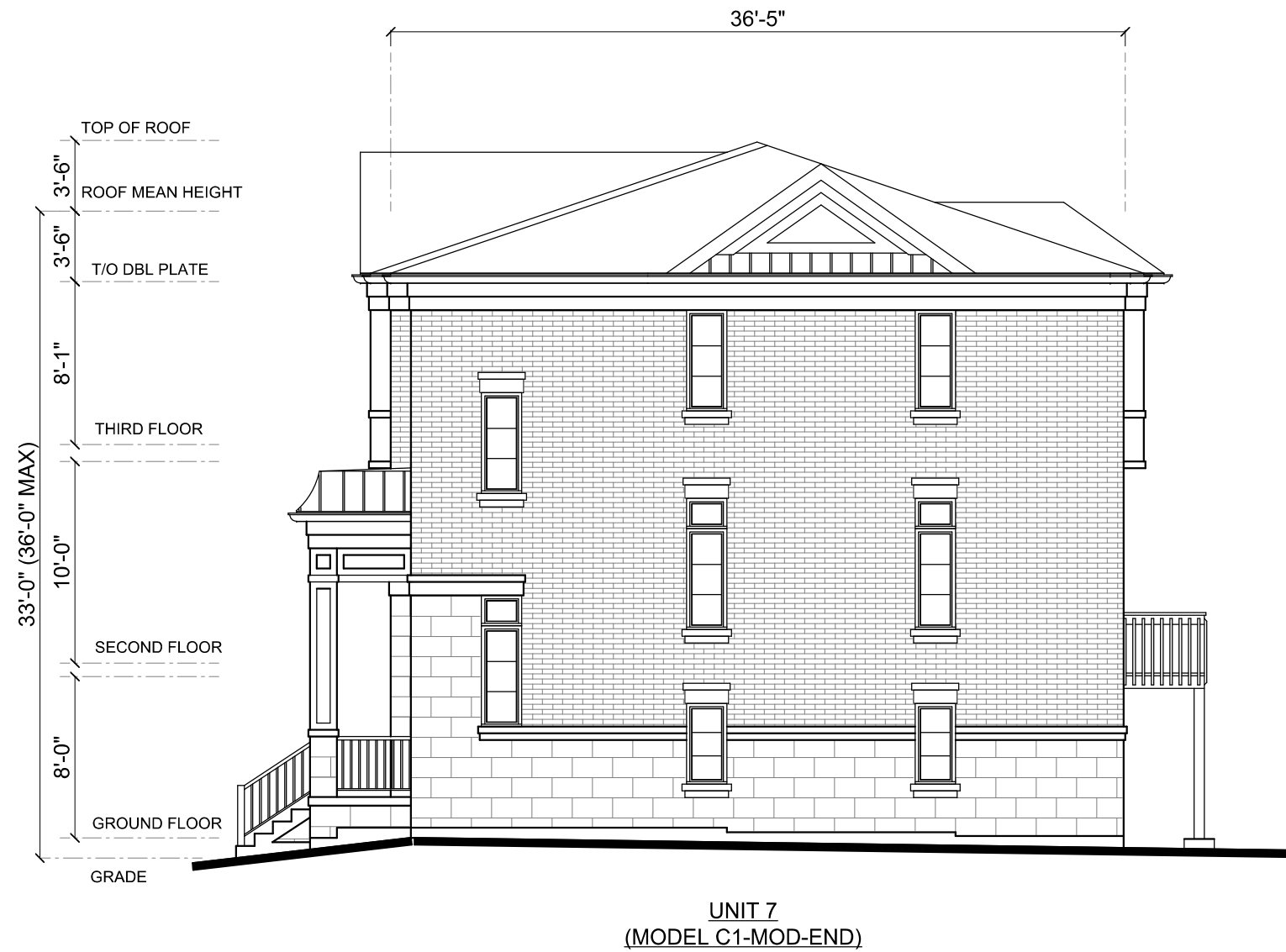
scale 1/8" = 1'-0"	project no. W-2448
date JANUARY 2022	
drawn by RO	checked by AS
date plotted	drawing no. A-02
date printed	



BUILDING 3 - FRONT ELEVATION



BUILDING 3 - FLANKAGE ELEVATION



BUILDING 3 - SIDE ELEVATION



BUILDING 3 - REAR ELEVATION

The Architect does not retain the consultants and therefore is not responsible for the accuracy of the survey, structural, mechanical, electrical, etc. engineering information shown on the drawing. Refer to the appropriate engineering drawings before proceeding with work.

Contractor shall verify and check all dimensions and conditions on site prior to starting any of the work and report any discrepancy to the Architect and consultants before proceeding. Construction must conform to all applicable Codes and Requirements of Authorities having Jurisdiction pertaining to this application. No investigation has been undertaken or reported on by this office in regards to the environmental condition or pollution of this site.

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Legal Description:
Part Lot 27 Plan 103 Whitchurch,
Part 1 65R38306

City File Nos.:
D14NP2003 Zoning By-Law Amendment



client:
THE GORHAM PARTNERSHIP

project title
**PROPOSED
RESIDENTIAL
DEVELOPMENT**
849 GROHAM STREET
NEWMARKET, ON

**JOHN G. WILLIAMS LIMITED
ARCHITECT**
40 Vogell Road, Unit 46, Richmond Hill, Ontario L4B 3N6
905-780-0500 info@williamsarch.com williamsarch.com

sheet title
**CONCEPTUAL
BLOCK ELEVATIONS**

scale 1/8" = 1'-0"	project no. W-2448
date JANUARY 2022	drawing no. A-03
drawn by RO	checked by AS
date plotted	date printed



Corporation of the Town of Newmarket

By-law 2024-XX

A By-law to amend By-law Number 2010-40, as amended, being the Town’s Comprehensive Zoning By-law (849 Gorham Street).

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas it is deemed advisable to amend By-law Number 2010-40, as amended;

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

- 1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto.
- 2. And that By-law 2010-40, as amended is hereby amended by:
 - a. Deleting from Schedule ‘A’ Map No. 13 the Residential Detached Dwelling 30m Zone Exception 113 (R1-B-113); and substituting therefore Holding Residential Townhouse Dwelling 3 Exception 175 ((H)R4-R-175) Zone as shown more particularly on Schedule ‘1’ attached hereto, and forming part of this By-law.
 - b. Adding the following regulations to Section 8.1.1 List of Exceptions and a new Exception number having the following regulations relating to (H) R4-R-175:

Exception 175	Zoning (H) R4-R-175	Map 13	By-law Reference 2024-XX	File Reference D14-NP20-03				
<div><div><div>i) Location: 849 Gorham Street</div><div>ii) Legal Description: PART OF LOT 27, PLAN 103 WHITCHURCH, PART 1 65R38306 TOWN OF NEWMARKET</div><div>iii) Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to the lands zoned R4-R-175 shown on Schedule ‘1’ attached here to:</div></div><div>Development standards:</div><table><tr><td>a) Minimum lot area per dwelling unit</td><td>129 m²</td></tr><tr><td>b) Number of townhouse units (maximum)</td><td>20</td></tr></table></div>					a) Minimum lot area per dwelling unit	129 m ²	b) Number of townhouse units (maximum)	20
a) Minimum lot area per dwelling unit	129 m ²							
b) Number of townhouse units (maximum)	20							

c) Setback from south property line (Gorham Street) (minimum)	2.4 m
d) Setback from north property line (minimum)	6.0 m
e) Setback from the east property line (minimum) Notwithstanding provision (e) above, where the side yard of a building abuts the east property line, the setback shall be a minimum of 3.2 m	6.0 m
f) Setback from the west property line (minimum) Notwithstanding provision (f) above, where the side yard of a building abuts the west property line, the setback shall be a minimum of 1.8 m	6.0 m
g) Setback from the front main wall of a building to a private road (minimum)	3.0 m
h) Setback from the side wall of a dwelling to a private road (minimum)	1.2 m
i) Maximum Lot Coverage for the subject land	40%
j) Maximum Building Height	3 storeys - 11 m
k) Maximum Driveway Width	3.5m (single car garage) 6.0m (double car garage)
l) Minimum private road width	6.5m
m) The minimum required parking spaces per dwelling unit may be located on the parcels of tied land (POTL) or within the common element areas of the condominium corporation.	
n) Where a side wall of a dwelling abuts a parking lot, the minimum setback of the parking lot from the side wall of the building shall be a minimum of 1.2m.	
o) Section 5.4.1 iii) shall not apply.	
p) Section 5.4.3 ii) (Visitor Parking Location) shall not apply.	
q) Notwithstanding Section 5.5 viii), each entrance and/or exit driveway may have a minimum width at public street line of 6.5m. Notwithstanding Section 5.5 x), each entrance and/or exit driveways which provide access to parking areas other than directly from a municipal street may be constructed at a width of not less than 3.5m.	
r) Permitted Encroachments Decks are permitted to project from the second storey of Building 1 and 3 a maximum of 1.9 metres into the rear yards of each unit. Patios are permitted to project from the first storey a maximum of 2.5 metres from the first storey rear wall of each unit. Porches are permitted to project a maximum of 2.5 metres from the front wall of any unit including eaves,	

	<p>cornices, and steps but shall be no closer than 1.5 metres to the lot line or private laneway.</p> <p>Window wells are permitted to project a maximum of 1.0 metres into the rear yards of each unit.</p>
s)	Notwithstanding Section 4.14.3 iv) The minimum required width of a landscape buffer may be 1.8 metres where the interior side lot line of a R4 Zone abuts a lower density Residential Zone (west property line only).
t)	Where any form of dwelling is erected in conformity with a ‘site plan agreement’; parts of the lands affected by the ‘site plan agreement’ forms a ‘common elements condominium’; and, the balance of the lands affected by the ‘site plan agreement’ are ‘parcels of tied land’ with respect to that ‘common elements condominium’, no provision of this By-law shall be deemed to be contravened by reason of the conveyance of a ‘parcel of tied land’ upon which a dwelling unit is erected, provided that all of the standards of this by-law are met for the lands as a whole, as set out in the ‘site plan agreement’ and provided the ‘common elements condominium’ and the ‘parcels of tied land’ are contiguous.
u)	For clarity, ‘parcel of tied land’ means a parcel of land to which the common interest in the common elements condominium attaches as provided for in Subsection 139(2) of the Condominium Act 1998 or a successor thereto for “parcels of tied land” has the corresponding plural meaning.
v)	For clarity, ‘common elements condominium’ means a common elements condominium corporation as defined in the Condominium Act 1998 or a successor thereto.
w)	For clarity, a ‘site plan agreement’ means an agreement entered into pursuant to Section 41 of the Planning Act, R.S.O. 1990 or a successor thereto.

3. And that By-law 2010-40 is hereby amended by:
- a. Adding the following provisions to Section 8.2.1 List of Holding Provisions.

By-law No.	Property Description	Permitted Uses Until Holding Provision is Removed	Conditions for Removal
2024-XX	PART OF LOT 27, PLAN 103 WHITCHURCH, PART 1 65R38306 TOWN OF NEWMARKET	No person within the lands zoned (H)R4-R-175 Zone shall use any lot or erect, alter or use any buildings or structures for any purpose except for those uses which existed on the date of passing of this By-Law.	That Servicing Allocation has been granted in accordance with the Town's Servicing Allocation Policy.
Date Enacted:	849 Gorham Street	Furthermore, no extension or	A Site Plan Agreement to permit the development as proposed has been entered into between the
February 12, 2024			

		enlargement of the uses which existed on the date of passing of this By-Law shall occur unless an amendment to this By-Law or removal of the '(H)' prefix, as identified in the next column, is approved by the Council of the Corporation of the Town of Newmarket and comes into full force and effect.	<p>Town and the property owner.</p> <p>That compensation, in accordance with the Town's Tree Preservation, Protection, Replacement and Enhancement Policy has been provided to the Town for the removal of trees on the site (if applicable).</p> <p>That the application has addressed the Town's affordable housing policies, to the satisfaction of the Town.</p> <p>All necessary requirements of the Town have been satisfied.</p> <p>All necessary approvals have been received by other commenting agencies and authorities, to the satisfaction of the Town.</p>
--	--	---	--

4. And all other provisions of By-law 2010-40, as amended, shall apply to the lands subject to this By-law.

5. That Schedule 1 attached hereto shall form part of By-law 2024-XX

Enacted this 12th day of February, 2024.

John Taylor, Mayor

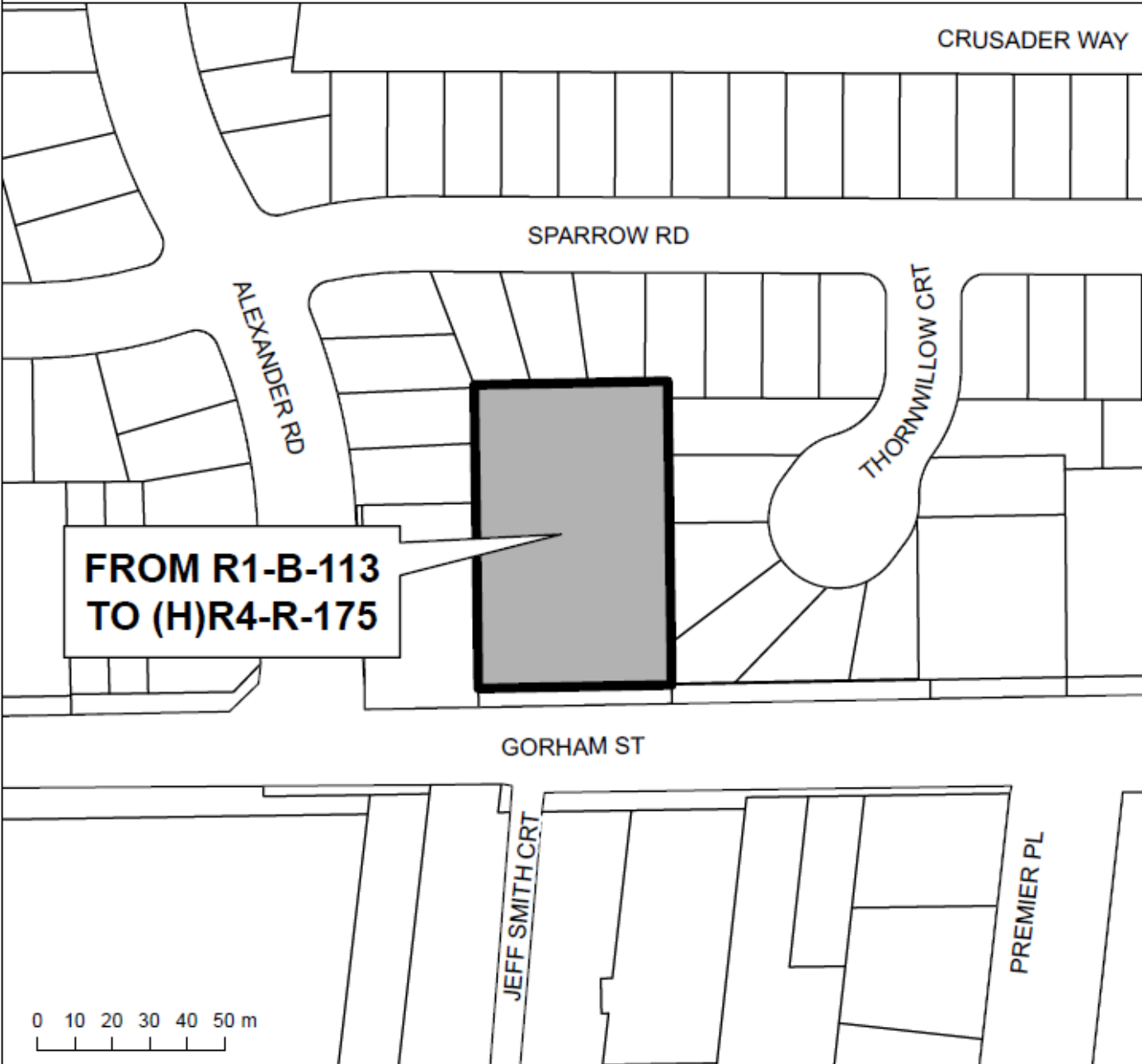
Lisa Lyons, Town Clerk

TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
849 GORHAM STREET
PART OF LOT 27, PLAN 103 WHITCHURCH,
PART 1 65R38306 TOWN OF NEWMARKET

This is Schedule '1'
To Bylaw 2024-
Passed this _____ Day
of _____, 2024.

MAYOR _____

CLERK _____



SCHEDULE "1" TO BY-LAW 2024-
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & produced by Information Technology – DAGS. Printed: January, 2024. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2024. Zoning - Town of Newmarket, 2024. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

Document Path: G:\Projects_PRC\Development_InfrastructureServices\Planning\MapProjects\Zoning\ZBL_Schedule\ZBL_Schedule.aprx\ZBA2024_GorhamSt_849

Application for Zoning Bylaw amendment- 849 Groham Road.

Item 7.1 of the agenda for the Town of Newmarket held on February 5, 2024.

To whom it may concern:

We share [REDACTED]

When we purchased our house, we did so because it backed onto a single dwelling property within a neighbourhood consisting of single family homes, that did not have a roadway behind our house. Should this project go ahead we're going to have driveways backing onto our property and a roadway. Resulting in excessive noise, traffic and cars running, with the said cars exhaust coming into our backyard.

Upon review of documentation received from the Town of Newmarket, we are opposed to the rezoning application and have the following concerns and comments:

1. There are too many town house units proposed for such a small property. Ultimately bringing up many issues and fire safety concerns.
2. We're concerned that the infrastructure in the area will be incapable of facilitating all the original homes and this proposed development.
3. There is no green space proposed.
4. The town houses are too close to the property line.
5. The height of the town houses is much too high. The upper decks will shade the adjacent properties and take away from our privacy. These decks will undoubtedly increase noise levels within the community.
6. What appears on the architectural drawings to be garbage storage is near the property line, too close to the fence. This needs to be relocated closer to Gorham Road or to an alternate location, as garbage attracts unwanted animals, rats and insects, as well as being unsanitary.
7. We have concerns about the possibility of a tree being removed on our property and the replacement of the fence on the property line.
8. We have concerns about the removal and storage of snow and to possibility of flooding to the adjacent properties in the spring.

9. Regarding any tree removal and the tree roots being deep into the ground on the adjacent properties. Research and information available revealed that if the roots are not removed, they decay slowly overtime, and they will become home to various pests, organisms, fungi and diseases. Hence, the builder needs to ensure that the roots are removed properly on the adjacent properties as part of the tree removal process. As well as returning our properties back to the original condition.
10. The current Arborist report on file/record is too old and outdated. An Arborist needs to reassess the trees on the property, as the trees on the property have grown substantially in both height and circumference since the last assessment was conducted.

Furthermore, with regard to the proposed removal numerous trees from the property, the Town of Newmarket's Tree Protection by-law refers to the mature trees as "valuable assets that need to be protected." The By-law indicates that removal of trees as a "last resort," indicating that the Town will explore alternatives with property owners.

It is noted that within the documents provided related to this matter, the developer is "willing to provide a financial contribution to support affordable housing projects." As well as, "cash in lieu of parkland." This offer brings many other concerns and questions regarding whom is financially benefiting from this redevelopment. If the builder wants to contribute to the affordable housing initiatives in Newmarket, perhaps some of these town house units should be made available for the affordable housing project.

Lastly, we are requesting that legal documentation is provided to us and signed by both the builder and the Town of Newmarket stating that they will be fully and legally responsible for all damages done to our property related to the tree removal and construction. As well as, any issues that arise as a result of the construction. This to include any damages related to flooding, foundation issues, sewage issues, water pressure, electrical issues or structural damage to our home or property.

Should you have any questions regarding our concerns, please feel free to contact us at [REDACTED] :

Sincerely, Donna and Steve MacDonald

From: [REDACTED]
To: [Clerks](#)
Subject: 849 Gorham St D-09-NP20-03
Date: February 2, 2024 5:04:52 PM

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Dear Clerks Office,

We would like to submit this input for the public input meeting February 5th, 2024 in regard to the 849 Gorham Street townhome proposed development. We support this project so that the Town can meet the need for affordable housing in our community.

We ask that the following be considered and adopted if not already in place, based on the Town Newmarket's Municipal/Community Energy Plan:

- every effort is made to meet sustainability and energy efficiency requirements for both the buildings, their energy systems, and parking areas;
- its homes are fossil fuel free and construction that is net-zero or near net-zero;
- installation of energy efficient cold climate air heat pumps, windows, solar panels and insulation be adopted;
- native trees and greenspaces are utilized around the property and any mature trees remain where possible to offset the embodied and operational carbon footprint;
- that visitor parking includes EV charging stations, with solar lighting where possible.

Additionally that:

- it proceeds to meet or exceed the affordability requirement percentages, over 20% would be preferable due to local need;
- every effort is made to build as soon as possible without compromising sustainability efforts; this project has been in the works since 2020;
- site plan review details continue to be monitored to ensure standards are being met, and provided to interested parties and the public.

We are happy to speak in more detail to the items above.

Thank you in advance for your time.

Sincerely,

Melanie Duckett-Wilson

on behalf of Climate Action Newmarket Aurora



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

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Fourth Quarterly Update to the Outstanding Matters List 2023 Staff Report to Council

Report Number: 2024-05

Department(s): Legislative Services

Author(s): Emily Thomas-Hopkins, Legislative Coordinator

Meeting Date: February 5, 2024

Recommendations

1. That the report entitled the Fourth Quarterly Update to the Outstanding Matters List 2023 dated February 5, 2024 be received; and,
2. That Council adopt the Outstanding Matters List (**Attachment A**); and,
3. That the Outstanding Matters List Update be reduced from quarterly updates to semi-annually; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to present Council with the fourth quarterly update to the Outstanding Matters List in 2023.

Background

Since 2020, Staff have been presenting quarterly updates to the Outstanding Matters List ("List"). This report presents the fourth quarterly update of 2023, and will also make a recommendation to reduce the reporting frequency from quarterly to twice a year.

Discussion

An updated List (**Attachment A**) has been provided and is presented to Council for adoption. The items included in the attachment are only items from the List which require Council decision or consideration. The chart does not depict other projects or

work to which staff continue to dedicate resources. The chart does not include the Council-approved action items in Council's Priorities. Items in the attachment are enumerated for ease of reference for specific matters if there are questions about associated timeframes or subject matter.

As the List serves only as one means of updating Council and the public on various projects across the organization, staff recommend reducing the frequency of these update reports from quarterly to twice a year.

Staff have completed four (4) items on the Outstanding Matters List

(1) Street Calming Measures for Atkins Drive

Recommendations:

1. That Council direct Staff to install a stop sign at Bob Gapp Drive and Atkins Drive; and,
2. That Council direct Staff to paint wider lines along Atkins Drive from Stuffles Crescent to Quick Street to narrow and slow down traffic.

As of January 2024, a stop sign has been installed at Bob Gapp Drive and Atkins Drive, and Staff have painted wider lines along Atkins Drive from Stuffles Crescent to Quick Street.

(2) Lundy's Lane Traffic Operation Review

Recommendations:

6. That Staff be directed to conduct pedestrian counts on Red Deer Street at different times of the year; and,
7. That Staff be directed to conduct a review in relation to no parking and no stopping at Watson Avenue; and,
8. That Staff be directed to review additional enhanced enforcement options on Lundy's Lane and report to Council on the same.

Staff have completed pedestrian counts on Red Deer Street and results and recommendations of the findings will be brought forward in a report to an upcoming Committee of the Whole meeting. Staff have also completed a review in relation to no parking or stopping on Watson Avenue, and results and recommendations from the findings will be brought forward in a staff report to an upcoming Committee of the Whole meeting. Staff are currently reviewing enhanced enforcement options on Lundy's Lane and will report to Council once available.

(3) Catch and Release Pilot Program

Recommendations:

1. That Council endorse, in principle, a catch and release pilot project in partnership with Aurora Bassmasters at Fairy Lake; and,
2. That subject to completing research and securing all necessary approvals, Council direct staff to re-introduce fishing as a catch and release program at Fairy Lake as a pilot project, and to be evaluated after one year; and,
3. That subject to completing research and securing all necessary approvals, Council direct staff to construct and install one fishing dock with appropriate signage and safety measures subject to the cost of the docks being covered through successful fundraising by Aurora Bassmasters and other partners.

An [information report](#) was circulated to Council on January 22, 2024. The pilot program is scheduled to launch in late Spring 2024 and will run with ongoing review of several components. At the conclusion of the Fairy Lake Catch and Release Fishing Pilot Program, Staff will report back to Council with findings and recommendations regarding the program.

(4) Crossing Guard Kindness Campaign

Recommendations:

1. That staff be directed to design a kindness and safety campaign in regards to safety of crossing guards and to report back to Council.

An [information report](#) was circulated to Council that relayed a Crossing Guard Appreciation Campaign was launched by the Town that included a social media component, an appreciation luncheon, and an opportunity for Councillors to show their appreciation by providing crossing guards with Newmarket Choose Local gift cards.

Conclusion

Staff will continue to present to Council with an updated Outstanding Matters List on a semi-annually basis as identified in the recommendations of this report.

Business Plan and Strategic Plan Linkages

As this report highlights an updated Outstanding Matters List for the Corporation, this report aligns with all Council's Priorities.

Consultation

Members of the Strategic Leadership Team (SLT) and Operational Leadership Team (OLT) were consulted.

Human Resource Considerations

There are no human resource considerations specific to this report. However, individual projects within the List may have associated human resource impacts and any such considerations will be noted in individual reports on those matters.

Budget Impact

There are no budget impacts specific to this report. However, individual projects within the List may have associated budget impacts and any such considerations will be noted in individual reports on those matters.

Attachments

Attachment A – Outstanding Matters List

Approval

Kiran Saini, Manager of Legislative Services/Deputy Clerk

Lisa Lyons, Director of Legislative Services and Town Clerk

Esther Armchuk, Commissioner, Corporate Services

Peter Noehammer, Commissioner, Development and Infrastructure Services

Jeff Payne, Commissioner, Community Services

Ian McDougall, Chief Administrative Officer

Contact

For information about individual projects in **Attachment A**, please contact the responsible department Director or Commissioner.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration in Q4 2023					
1	Skate Park Vandalism	Meeting: Council –April 3, 2023 Recommendation: 1. That Staff report to Council on installing lighting in the skate park to prevent and reduce vandalism. Responsible Department: Parks and Facility Services			Staff continue to explore options to reduce and prevent vandalism at the skate park, and will report back to Council accordingly. Increased enforcement was initiated and surveillance cameras and signage were enhanced in October 2023. Park lighting was deferred as part of the 2024 budget process. Work is ongoing to determine next steps.
2	Petition – Traffic Study on Carol Avenue for Pedestrians Crossing to Sidewalk and Mailbox	Meeting: Committee of the Whole – June 19, 2023 Recommendation: 1. That the petition regarding a traffic study on Carol Avenue be received; and, 2. That staff be directed to conduct a speed and traffic calming analysis on Carol Avenue between Park Avenue and Eagle Street Responsible Department: Engineering Services		Q1, 2024	All necessary data collection and public input will be undertaken in after summer in third quarter (Q3) 2023. Data collection and the study has been completed. The report is currently in draft.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration in Q4 2023					
3	Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision – 600 Stonehaven Avenue	<p>Meeting:</p> <p>Committee of the Whole – September 11, 2023</p> <p>Recommendation:</p> <p>9.That staff report back to Council on enhanced planting in natural areas that will soon be assumed by the Town and potential partners for program and funding sources.</p> <p>Responsible Department:</p> <p>Planning and Building Services</p>		Q4 2024	This item and timeline dependent on the applicant submitting the detailed engineering design drawings through the Development Coordination Committee.
4	Lundy's Lane Traffic Operation Review	<p>Meeting:</p> <p>Committee of the Whole – September 11, 2023</p> <p>Recommendation:</p> <p>8.That staff be directed to review additional enhanced enforcement options on Lundy's Lane and report to Council on the same.</p> <p>Responsible Department:</p> <p>Engineering Services and Regulatory Services</p>		Q2 2024	Staff have conducted pedestrian counts on Red Deer Street and have conducted a review in relation to no stopping or parking on Watson Avenue and staff reports will be forthcoming. Staff are currently reviewing enhanced enforcement options on Lundy's Lane and will report to Council once available.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration in Q4 2023					
5	Street Parking on Kwapis Boulevard	<p>Meeting:</p> <p>September 11, 2023 – Committee of the Whole</p> <p>Recommendation:</p> <p>1.That staff be directed to review and report back to Council on the removal of two or three parking spots on the elbow of Kwapis Boulevard.</p> <p>Responsible Department:</p> <p>Engineering Services</p>		Q1, 2024	Community consultation has been completed and the report is in draft.
6	Street Parking on Crossland Gate	<p>Meeting:</p> <p>September 11, 2023 – Committee of the Whole</p> <p>Recommendation:</p> <p>1.That staff be directed to review and report to Council on additional parking spaces on Crossland Gate.</p> <p>Responsible Department:</p> <p>Engineering Services</p>		Q2, 2024	A community consultation survey has been sent out to the public. The survey closed on January 25, 2024.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration in Q4 2023					
7	Bollards on Keith Avenue	<p>Meeting:</p> <p>September 11, 2023 – Committee of the Whole</p> <p>Recommendation:</p> <p>1. That staff be directed to review and report to Council on installing bollards on Keith Avenue in the Community Safety Zone Area.</p> <p>Responsible Department:</p> <p>Engineering Services</p>		Q2, 2024	This item will be part of the 2024 bollard program in 2024.
8	Street Parking on the east side of Church Street from Eagle Street to Timothy Street	<p>Meeting:</p> <p>October 10, 2023 – Council</p> <p>Recommendation:</p> <p>1. That staff be directed to look at possible short-term parking options on the east side of Church Street.</p> <p>Responsible Department:</p> <p>Engineering Services</p>		Q2, 2024	Internal meeting complete and public consultation process will commence shortly.

Item	Subject Matter	Council Direction from Outstanding Items List	Previous Reporting Timeframe	New Proposed Reporting Timeframe	Additional Comments
Items for Council consideration in Q4 2023					
9	Restricted Parking on Mulock Court	<p>Meeting:</p> <p>November 13, 2023 – Committee of the Whole</p> <p>Recommendation:</p> <p>1. That staff be directed to review and report to Council regarding restricted parking on Mulock Court.</p> <p>Responsible Department:</p> <p>Engineering Services</p>		Q1, 2024	Public consultation and study has been completed. Report is in draft form.
10	Walpole Crescent and Lumsden Drive Parking	<p>Meeting:</p> <p>December 11, 2023 – Council</p> <p>Recommendation:</p> <p>1. That Staff be directed to review and report back to Council regarding the Walpole Crescent and Lumsden Drive parking petitions.</p> <p>Responsible Department:</p> <p>Engineering Services</p>		Q3, 2024	Public consultation and study to commence shortly.



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Pedestrian Crossover Policy Staff Report to Council

Report Number: 2024-04

Department(s): Engineering Services

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

Meeting Date: February 5, 2024

Recommendations

1. That the report entitled Pedestrian Crossover Policy, dated February 5, 2024, be received; and,
2. That the contents of Appendix 1 be approved; and,
3. That the Parking By-law be reviewed, and necessary Stopping Prohibitions for Pedestrian Crossovers (PXO) be added; and,
4. That the implementation of a pilot Type B PXO at Gorham Street & Muriel Street be approved in the amount of \$36,000, to be funded through the Transportation Operating Budget for 2024; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

The development of the policy was initiated in response to public requests and is based on the Ontario Traffic Manual. The discussion outlines additions to the Town's existing Transportation Management Policy, including Pedestrian Crossover (PXO) policy details, definitions, warrant processes, and a pedestrian crossover selection matrix. The warrant process involves a preliminary assessment, traffic and pedestrian studies, and criteria such as the minimum distance to existing traffic control installations and pedestrian system connectivity. Two case studies, Gorham Street at the Muriel Street intersection and Red Deer Street at the pedestrian trail entrance, were used to evaluate whether they qualify for a PXO using the proposed warrant process and the Pedestrian Crossover Selection Matrix. It was determined that Gorham Street at Muriel Street meets the warrants, whereas Red Deer Street at the pedestrian trail entrance does not.

It is therefore being recommended that a Type B PXO be installed at the Gorham Street at Muriel Street location.

Purpose

The purpose of this report is to recommend the addition of a new Pedestrian Crossover Policy to be added to the existing Transportation Management Policy, and to evaluate two case studies using the new policy methods. This new policy will provide definitions, warrants, and a pedestrian crossover selection matrix.

Background

In response to requests from the general public, Town Council directed the development of a Pedestrian Crossover Policy for Newmarket. Staff developed this new policy based on the Ontario Traffic Manual (OTM) Book 15 - Pedestrian Crossing Treatments, which incorporates PXOs introduced by the Ministry of Transportation of Ontario in 2016.

Discussion

The Transportation Management Policy is organized into two main sections. The primary section outlines the general guidelines, while the appendices provide specific items, warrants, or limitations of the policy. The recommended changes to the Transportation Management Policy are outlined in Appendix 1 of this report.

The new addition to the primary section of the Transportation Management Policy to incorporate PXO's describes the general policy, including how PXO's can be requested and where to find the procedure for reviewing PXO requests. Furthermore, it is recommended to introduce six new definitions in 'Appendix A – Definitions'. These additions encompass terms such as PXO, Assisted Pedestrians, Unassisted Pedestrians, and the various types of PXOs (B, C, and D). The last section of Appendix 1 includes the procedures and warrants for new Pedestrian Crossovers, which staff suggest including in 'Appendix C - Traffic Management'.

The warrant process starts with the Preliminary Assessment, focusing on sight distance, the maximum paved road width, and the distance from the railway. This initial step is mandatory before proceeding any further with the warrants. After passing the Preliminary Assessment, an 8-hour study of vehicle and pedestrian volumes is conducted at the site. The evaluation consists of four types of warrants: Total Traffic Volumes, Total Pedestrian Volumes, Existing Traffic Control Devices, and Pedestrian System Connectivity.

The criteria specify that the total traffic volume should exceed 750 vehicles within the 8-hour count, and the total pedestrian count must reach a minimum of 100 within the same timeframe. Adjustments to the pedestrian volume will be made based on the number of assisted pedestrians, including children under the age of 12, senior citizens, and

individuals with mobility challenges or those needing special assistance. Each of these individuals are counted as two pedestrians.

Warrant C requires a minimum distance of 200 metres from existing traffic control devices, such as traffic signals or all-way stop controls. Meanwhile, Warrant D focuses on enhancing Pedestrian System Connectivity.

The last warrant, Warrant E, focuses on existing school crossing guard locations. Since school-aged children can safely cross the street under the supervision of a school crossing guard, their volume is deducted from the total pedestrian volume.

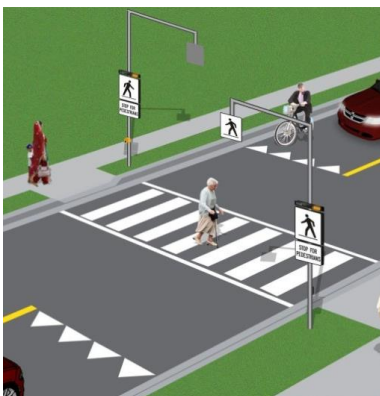
Any location that meets 100% of traffic & pedestrian volumes and is located 200 meters away from the existing traffic control devices can be warranted. Similarly, any site that meets 100% of traffic & pedestrian volumes and that offers the potential of improved pedestrian system connectivity can also be warranted.

The type of PXO being recommended for warranted sites is determined using the Pedestrian Crossover Selection Matrix, which takes into consideration two-way traffic volume, paved road width, and the presence of a raised refuge island. For example, a typical 8.5 metre wide local road with 950 vehicles within an 8-hour study would be classified as requiring a Type C PXO, according to the Matrix.

The last clause of the policy indicates that 'difficult locations may require a safety audit by the consultant.' This provision is intended to address complex situations that may not be adequately addressed by the standard policy.

PXO Installation

There are three types of PXOs that can be implemented with this policy.



Type B PXO



Type C PXO



Type D PXO

Type B pedestrian crossovers are specifically characterized by the mandated use of regulatory and warning signs (side-mounted and overhead-mounted crossover signs), Rapid Rectangular Flashing Beacons (RRFBs), and pavement markings are outlined in OTM Book 15.

Type C pedestrian crossovers require the use of regulatory and warning signs (side-mounted only), RRFBs, and pavement markings as detailed in OTM Book 15.

Type D pedestrian crossovers are specifically characterized by the mandated use of regulatory and warning signs (side-mounted only), along with pavement markings as detailed in OTM Book 15.

All types of PXO's require stopping prohibitions within 15 m of the crosswalk. Therefore, Staff will review the Parking By-law and will add the necessary stopping prohibitions.

Additional Components

In addition to the components outlined in OTM Book 15, staff recommend the inclusion of 'Yield to Pedestrian' flexible bollards for drivers, and informational signage for pedestrians, as shown below. These additional components aim to educate both pedestrians and drivers on the safe use of PXOs.



Flexible Bollard at PXO



Information Signage for Type B & C PXOs



Information Signage for Type D PXOs

PXO Installation Costs

The table below shows the estimated installation cost for each PXO type as of 2022.

PXO Type	Description	Approximate Installation Cost
Type "B"	Signs (overhead and ground mounted), pavement markings, and RRFBs	\$26,000
Type "C"	Signs (ground mounted), pavement markings, and RRFBs	\$20,000
Type "D"	Signed (ground mounted) and pavement markings	\$5,000

Case Studies

Transportation Services has received formal requests to review two locations for new PXO's. The proposed locations and the warrant process and results of the studies using the new PXO policy are presented below.

Gorham Street at Muriel Street

Gorham Street is an east-west collector road with an average daily volume of 8,600 vehicles. The road has a width of 8.5 metres and consists of two lanes. Near Muriel Street, Gorham Street has parking restrictions on both sides, and there is an existing school crossing guard location on Gorham Street at Muriel Street.

1) Preliminary Assessment

The site has adequate sight distance, road width, and no nearby railway. Thus, the site meets all the criteria in the preliminary assessment.

2) Warrants

As the site is an existing school crossing guard location, either Warrants A, C, and E, or Warrants A, D, and E, must be fulfilled at 100% to justify a crosswalk.

The table below shows the 8-hour vehicle and pedestrian volume study data that were collected (May 2023) and the results. One thing to note is how the total pedestrian volume was calculated. The pedestrian volume study reveals that, during the 8 peak hours, there were 47 unassisted pedestrians, 34 assisted pedestrians, and 21 elementary school-aged children who crossed the street.

The formula for calculating pedestrian volume for an existing school crossing guard location is as follows:

Adjusted volume = Unassisted Pedestrian Volume + 2 x (Assisted Pedestrian Volume - Elementary School Aged Children)

Thus, the adjusted pedestrian volume for Gorham Street at Muriel Street can be calculated as: $47 + 2 \times (34 - 21) = 73$

Warrant	Threshold	Data	Result
A. Total Traffic Volume (8-hour)	750	5,625	Met
C. Existing Traffic Control Devices	>200m	630m	Met
E. Total Pedestrian Volumes for Existing School Crossing Guard Locations	70	73	Met

Gorham Street at Muriel Street would meet 100% of Warrants A, C, and E, making it eligible for a PXO under the new policy. The next step is choosing the PXO type based on the Pedestrian Crossover Selection Matrix.

3) Pedestrian Crossover Type Selection

The Two-way Vehicular Volume of the proposed site is 5,625, placing it in the third row of the Pedestrian Crossover Selection Matrix (see table below). Given that the Paved Road Width of Gorham Street is 8.5 m, a Type B PXO can be implemented on Gorham Street at Muriel Street.

Two-way Vehicular Volume		Paved Road Width			
Lower Bound	Upper Bound	Less than or Equal to 7.5m	Between 7.6m and 11.3m	More than 11.3m w/ raised refuge	More than 11.3m w/o raised refuge
750	2,250	Type D	Type C	Type D ¹	Type B
2,250	4,500	Type D	Type B	Type D ¹	Type B
4,500	6,000	Type C	Type B	Type C ¹	Type B
6,000	7,500	Type B	Type B	Type C ¹	Type B
7,500	17,500	Type B	Type B		

¹ Use of two sets of side mounted signs for each direction (one on the right side and one on the median)

Red Deer Street at Pedestrian Trail Entrance

Red Deer Street is an east-west local road with a two-lane cross-section. The average daily volume is 1,380, and the width of the road is 8.5 metres. There are parking restrictions on both sides of Red Deer Street near the trail entrance.

1) Preliminary Assessment

The proposed site has adequate road width and no railway nearby; however, the site has limited sight distance for both drivers and pedestrians due to the curve and existing trees. As a result, the site does not meet the preliminary assessment. Additionally, there is an existing mailbox adjacent to the trail entrance, which could create greater issues as PXOs should maintain no stopping within 15 metres of a PXO.

With an unsatisfactory preliminary assessment, the proposed site would not grant the opportunity for progressing with the studies for warrants. Hypothetically, if the trees at the curve are cut and the mailbox is relocated, the site distance could be achieved. This makes it difficult to make decisions on this site. Thus, this site would be eligible for progressing studies for warrants if those actions were taken. If the proposed site meets the warrant requirements, a safety audit by the consultant will be required due to the complexity of the location.

2) Warrants

For the proposed site to be warranted, either Warrant A, B, and C or A, B, and D must meet 100%.

The table below shows the 8-hour vehicle and pedestrian volume study data (October 2023) and the results. The pedestrian volume study indicates that there were 58 unassisted pedestrians, and 2 assisted pedestrians who crossed the street during the 8 peak hours. The formula for calculating pedestrian volume is as follows:

Adjusted volume = Unassisted Pedestrian Volume + 2 x Assisted Pedestrian Volume

Therefore, the adjusted pedestrian volume for Red Deer St at the Trail Entrance can be calculated as: $58 + 2 \times 2 = 62$

Warrant	Threshold	Data	Result
A. Total Traffic Volumes (8-hour)	750	937	Met
B. Total Pedestrian Volumes (8-hour)	100	62	Not Met
C. Existing Traffic Control Devices	>200m	92 m	Not Met
D. Pedestrian System Connectivity	Yes	Yes	Met

Red Deer Street at the Trail Entrance would not meet either Warrants A, B, and C or Warrants A, B, and D. Therefore, the site is not eligible for a new PXO, and no safety audit is required.

Conclusion

The proposed Pedestrian Crossover Policy serves as an appropriate tool for determining the ideal locations for PXO's in Newmarket. It is recommended that the contents of Appendix 1 be included into the Transportation Management Policy. It is also recommended that a Type B PXO be implemented on Gorham Street at Muriel Street.

Business Plan and Strategic Plan Linkages

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

Consultation

No consultation was undertaken in preparation of this report.

Human Resource Considerations

While no additional resources are required, adopting the policy amendments aligns with the current traffic software being used, making reviews and analyses easier to conduct, thus improving staff efficiency.

Budget Impact

The estimated cost for the new Type B PXO on Gorham Street at Muriel Street is approximately \$36,000.00. Funding for this project can be drawn from the Transportation Services Business unit. Further, since this PXO will be the first for the Town, additional technology may be required to assess compliance and operations. This additional cost can also be drawn from the 2024 Transportation Services budget.

Attachments

Appendix 1- Proposed Pedestrian Crossover Policy

Approval

Rachel Prudhomme, Director, Engineering Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

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

Appendix 1 - Proposed Pedestrian Crossovers Policy

Under the Transportation Management Policy, section Pedestrians, add:

Pedestrian Crossovers

- 1 Pedestrian Crossover requests shall come in the form of: a) a written letter/electronic mail from the resident; b) a written/electronic mail request from the Ward Councillor; or c) requests from members of Town Council to the Director of Engineering Services.**
- 2 The appropriate vehicle and pedestrian volume study is undertaken to determine compliance to the Town's requirements. The procedure for reviewing Pedestrian Crossover requests is found In Appendix C.**

Under the Transportation Management Policy, Appendix A – Definitions, add:

PXO. A PXO is a type of crossing where drivers and cyclists are required to stop for pedestrians intending to cross the street. Drivers and cyclists must allow pedestrians to cross the full width of the street before proceeding. PXO's are marked by unique PXO signs and pavement markings.

Assisted Pedestrians. Assisted pedestrians are children under the age of 12, senior citizens, disabled pedestrians and other pedestrians requiring special consideration or assistance.

Unassisted Pedestrians. Unassisted pedestrians are adults and adolescents at or above the age of 12.

Type B PXO. Type B PXO is a pedestrian crossover with pedestrian crossover signs (overhead and ground mounted), ladder crosswalk markings, Yield to Pedestrians line markings, and Actuated Double-Sided Rectangle Rapid Flashing Beacon with push buttons. -As described in Ontario Traffic Manual.

Type C PXO. Type C PXO is a Pedestrian crossover with pedestrian crossover signs (ground mounted only), ladder crosswalk markings, Yield to Pedestrians line markings, and Actuated Double-Sided Rectangle Rapid Flashing Beacon with push buttons. -As described in Ontario Traffic Manual.

Type D PXO. Type D PXO is a Pedestrian crossover with pedestrian crossover signs (ground mounted only), ladder crosswalk markings, and Yield to Pedestrians line markings. -As described in Ontario Traffic Manual.

Under the Transportation Management Policy, Appendix C – Traffic Management, add:

Pedestrian Crossovers

C.17 Preliminary Assessment

The following conditions must be met before proceeding with the warrant process:

- The proposed site has adequate sight distance for both drivers and pedestrians based on the Geometric Design Guide by the Transportation Association of Canada (TAC).

- The paved road width is less than or equal to 15 metres.
 - The proposed site is at least 100 m away from the railway.
- C. 18 An 8-hour vehicle and pedestrian volume study is undertaken at the proposed site. The time periods are:
- 7:00 am to 9:00 am
 - 11:00 am to 2:00 pm
 - 3:00 pm to 6:00 pm
- C. 19 The vehicle and pedestrian volume study results are applied to the Pedestrian Crossovers Policy as follows:
- Warrant A Total Traffic Volumes - The total vehicular volume crossing the point must be at least 750 vehicles within the 8-hour count.
 - Warrant B Total Pedestrian Volumes – The total pedestrian volume crossing the street must be a minimum of 100 within the 8-hour count. For assisted pedestrians, each one will be counted as two (2) pedestrians.

$$*Adjusted\ volume = Unassisted\ Pedestrian\ Volume + 2 \times Assisted\ Pedestrian\ Volume$$
 - Warrant C Existing Traffic Control Devices – other traffic device controlling right-of-way should not be permanently in place within 200 m.
 - Warrant D Pedestrian System Connectivity – The proposed site must be located with an emphasis on enhancing pedestrian system connectivity, considering the surrounding environment, such as trail networks and facilities.
 - Warrant E Total Pedestrian Volumes for Existing School Crossing Guard Locations - The total pedestrian volume minus elementary school aged children volume crossing the street must be a minimum of 70 within the 8-hour count. For assisted pedestrians, each one will be counted as two (2) pedestrians.

$$*Adjusted\ volume = Unassisted\ Pedestrian\ Volume + 2 \times (Assisted\ Pedestrian\ Volume - Elementary\ School\ Aged\ Children)$$
- C. 20 For pedestrian crossovers to be considered, 100% of one of the following warrants must be achieved:
- Warrant A, B, and C
 - Warrant A, B, and D
 - Existing School Crossing Guard Locations: Warrant A, C, and E
 - Existing School Crossing Guard Locations: Warrant A, D, and E
- C. 21 Pedestrian Crossing Type Selection
- When the proposed site meets one of the warrants, the selection of an appropriate PXO (Type “B”, “C”, or “D”) is determined by the Pedestrian Crossover Selection Matrix.

Pedestrian Crossover Selection Matrix

Two-way Vehicular Volume		Paved Road Width			
Lower Bound	Upper Bound	Less than or Equal to 7.5m	Between 7.6m and 11.3m	More than 11.3m w/ raised refuge	More than 11.3m w/o raised refuge
750	2,250	Type D	Type C	Type D ¹	Type B
2,250	4,500	Type D	Type B	Type D ¹	Type B
4,500	6,000	Type C	Type B	Type C ¹	Type B
6,000	7,500	Type B	Type B	Type C ¹	Type B
7,500	17,500	Type B	Type B		

¹ Use of two sets of side mounted signs for each direction (one on the right side and one on the median)

C. 22 Difficult locations may require a safety audit by the consultant.



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Downtown Parking Update Staff Report to Council

Report Number: 2024-06

Department(s): Engineering Services

Author(s): R. Prudhomme, M.Sc., P.Eng., Director, Engineering Services

Meeting Date: February 5, 2024

Recommendations

1. That the report entitled “Downtown Parking Update” dated February 5, 2024 be received; and,
2. That staff be directed to hire a consultant to complete a study to recommend updated parking time-of-use rules, technology supports for customer interface and enforcement, as well as potential paid parking scenarios in Newmarket, including the downtown area; and,
3. That staff be authorized to initiate an RFP procurement process for the “design-build” construction of a modular parking structure to be constructed in the Tennis Court area of the Commons North municipal parking lot; and,
4. That staff report back to Council with a multi-faceted approach aimed at alleviating parking pressures in the downtown in 2024, during the construction of the modular parking structure; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is threefold:

1. To seek approval from Council to hire a specialized consultant to conduct a business case to analyze various scenarios for parking time-of-use rules to optimize utilization and efficiency and consider paid parking in the community,

- including the downtown area, specifically focused on potential pay-back period for a ground-plus-one-level parking structure; and,
2. To seek approval from Council for staff to enter into a 'Design-Build RFP' procurement process to hire a contractor to design and construct a modular parking structure to be located in the current tennis court area of the Commons North municipal parking lot (formerly P-3) capable of being expanded to multiple levels in the future, if the need arises; and,
 3. To seek Council support for staff to take the initiative and report back with creative and effective approaches to alleviate what will be short term parking pressure in 2024 during the construction of the parking lot/structure.

Background

In 2023, Engineering Services Staff procured a consultant to produce a design and develop tender documents for the decommissioning of the downtown tennis court facility, which is to be relocated to a larger, more modern, new facility to be built within the Shining Hill lands in the southwest quadrant of the Town. Staff in Recreation and Culture are working with the Newmarket Tennis Club to facilitate the transition to the new facility once completed. In the interim period, between the closure of the current club and the opening of the new location, the 2024 season for the summer tennis club will be accommodated through alternative arrangements, the details of which will be communicated once finalized.

The design for the surface parking spaces required the demolition of the Tennis Clubhouse currently in the Commons North Municipal Parking Lot (formerly known as P3), the removal of the concrete courts and the construction and paving of the new parking spaces. This project would result in a total of 119 new parking spaces being created in the Commons North Parking Lot, for a new grand total of 422 spaces in Commons North. The total budget to demolish the existing facilities and construct the new parking spaces, including design, contract administration and contingencies, was estimated at \$2,150,000.

The Town has temporarily paused the tender process for the new ground-level parking lot while it reconsiders the construction of an added parking structure. The work done to prepare a design and tender in 2023 is not lost because, even if the Town decides to build a one-level structure, the tennis courts and clubhouse will still need to be demolished, and the area still needs to be prepared and paved as part of the process of constructing a parking structure. The tender documents produced by the consultant continue to be relevant, because they provided the scope of work, the standards to be applied, the quantities for each tender item, and the cost estimate for the work that needs to be done, whether a parking structure is built or not.

Discussion

The Town is very aware of the mounting need for more parking in the downtown core. There are currently a total of 526 parking spaces in the downtown area, including Main Street parking plus all municipal lots except the Gorman Pool lot, and 566 if the Gorman Pool parking lot is included. According to feedback heard from the BIA and community about downtown parking availability, this is not enough to service the downtown businesses, facilities/public spaces, and residences.

A new parking structure would consist of a modular, ground-plus-one-level structure, capable of being expanded to more levels in the future if necessary. A modular structure is preferred for many reasons. Firstly, the pre-stressed concrete elements for a modular structure are manufactured inside the supplier's facilities, under ideal and consistent environmental and temperature conditions. As a result, the fabrication can be done throughout the coldest and snowiest days of winter, or the rainy days of other seasons without any interruptions or delays, and with no negative consequences. The same cannot be said of a traditional, poured-in-place structure, which is very challenging and slow to construct (if not impossible) through the winter and will take 8 to 12 months, or even more additional months to construct, when compared to a modular structure. The prefabricated modular elements are transported to the site and are mounted on top of each other. This results in a much shorter time to construct than if it were a traditional poured-in-place structure. This modular structure has been done in a number of communities and is a proven effective and efficient construction methodology.

With a modular structure, very little lead time is needed to begin the project after the tender is awarded, regardless of the season. As a result, the fabrication can proceed quickly and immediately, regardless of the time of year that the tender is awarded. A non-modular structure could require a much longer lead time before any activity can start, depending on when the tender is awarded. For example, if a tender is awarded in the late fall, winter or early spring, it will take much longer before the construction of a traditional poured-in-place structure can even begin, resulting in the possibility of longer down time while waiting for the weather to be suitable for construction.

The construction time on the site is much quicker with a modular structure. The time expected to erect a ground-plus-one-level modular structure, such as the one being proposed herein, is about a 10-month construction window, whereas a traditional, poured-in-place structure could take 18 to 24 months.

There is also much less disturbance in the existing parking lot and less space required for the construction of a modular structure. Staging of materials would be simpler and of less duration, as premanufactured components would be delivered and installed in short order.

A modular structure is less expensive to construct than a poured-in-place structure. Maintenance costs are dramatically reduced for a modular structure and are reported to be up to 90% lower than conventional parking structures. Part of the reason for this is that a modular structure does not require an epoxy topping throughout the garage's surface, whereas traditional structures do. This epoxy topping in non-modular structures

has to be stripped and replaced every 5 to 6 years, resulting in downtime for the garage and high maintenance costs. Modular structures are also more durable and are estimated to be able to last up to 100 years.

There are fewer structural columns required in a modular parking structure, resulting in more open parking spaces and a safer feel to the garage. This is because the manufactured steel and concrete elements making up the structure are stronger and can therefore have a longer span than poured-in-place concrete members.

A detailed preliminary business case analysis shows that a structure as proposed could be self-sufficient and self-funded, with a viable payback period depending on the parking revenue scenario followed.

Conclusion

It is recognized that the parking demand in the downtown area will only continue to increase. A parking structure, as proposed in this report, will address the current and future parking needs of the community. A preliminary cost analysis done by staff shows that such a structure could be built and be self-sustaining, without impacting the Town's budget, by implementing some form of paid parking in some 'to be determined' zones within the downtown area. It is recommended that Council direct staff to procure a specialized consultant to conduct a high level, detailed business case in order to recommend the best scenario for paid parking in the community, including the downtown area, that will not have a detrimental financial impact on users or the economic health of the downtown. It is also recommended that Council approve entering into an RFP procurement process for the 'Design-Build of a Modular, Ground-Plus-One-Level Parking Structure' to be constructed in the Commons North municipal parking lot and for staff to report back with a series of short-term solutions to help alleviate parking pressures downtown during construction in 2024.

Business Plan and Strategic Plan Linkages

Well-Planned and Connected:

Planning and managing growth through long-term plans and strategies, supported by short-term action plans.

Well-Equipped & Managed:

Creating a clear vision of the future and supporting plans and strategies to guide the way; **AND:**

Providing municipal services that meet existing and future needs of residents.

Consultation

Internal consultation was conducted with several departments including Finance, Economic Development, Legislative Services and the Office of the CAO. External

consultation was done to obtain a draft preliminary design and cost to manufacture and construct a parking structure. External consultation was also conducted regarding paid parking technologies and working with a third party to collect comprehensive current parking utilization data that can inform future recommendations. The BIA, area residents, and the community as a whole will be engaged throughout the course of the consultant's fulfilling their scope of work and to help inform research and recommendations.

Human Resource Considerations

None.

Budget Impact

The budget section of this report at this time is subject to a closed session discussion based on the following:

A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality of local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization as per Section 239(2)(i) of the Municipal Act, 2001.

Attachments

None.

Approval

Peter Noehammer, Commissioner, Development and Infrastructure Services

Ian McDougall, CAO

Contact

For more information, please contact the Director of Engineering Services, Rachel Prudhomme, at RPrudhomme@Newmarket.ca

February 2, 2024

Dear Mayor and Ward Councillors for the Town of Newmarket,

With the opportunity provided for public input at the February 5th, 2024 public meeting, please accept the following written deputation in regard to the 'Downtown Parking' (Keith Davis Tennis Centre).

Firstly, we would ask that you consider:

- 48% of global carbon emissions are from passenger cars and vans alone (2022)
- 13-18% of the total embodied carbon footprint of any construction project (UNEP, 2007) and 100% of the total embodied carbon footprint of any landscape project is released the year the project is built or installed.
- The remainder of the carbon footprint is the operational carbon released and the landscape carbon sequestered over the life of the project, typically 30 to 80 years.
- The approved Town of Newmarket Community/Municipal Energy Plan 2016 states its purpose is to 'take Newmarket from a future of expensive and inefficient energy consumption to a future that is sustainable and responsible.. and make choices that will reduce (your) carbon footprint'.
- The better the transit system, the more likely people will use it. Investment could be redirected to this purpose.
- Public transit improvements rather than another parking lot provides equity of access and a greater sense of community for all.
- How much more congestion will this parking lot accumulate on the already crowded downtown core?

Questions for this project:

1. How will the Town enforce its Official Energy Plan and continue to be a leader in environmental stewardship in regard to zero-emissions and reducing its environmental impact? The goal is to reduce community GHGs per capita by 50% - how does this parking lot help or does it encourage more people to use their cars?

2. What is the Town's parking minimum? Are 200 needed for this site? What is the calculated number of public parking spots in Newmarket per resident already?

3. Has the Town considered developing specific and frequent **express** buses, EV even better, from other high population areas in town to access Main St and vice versa rather than more parking? This would be in addition to its current plans for ridership. For example, a shuttle that runs from Upper Canada Mall or hospital parking lots, 404 plaza or carpools and Go-Transit?

<https://www.cpha.ca/public-transit-factsheet>

<https://www.parkingindustry.ca/parking-101/sustainable-parking-solutions>

<https://building.ca/feature/new-green-parking-lot-in-the-gta-to-improve-local-eco-system/>

<https://www.oala.ca/ground-57-greening-mini-forests>

<https://www.yourleaf.org/blog/amanda-gomm/nov-24-2011/designing-trees>

https://en.wikipedia.org/wiki/Berczy_Park

WAIVER

RE: Shareholders agreement made as of April 30, 2007 between Tay Hydro Inc. (“**THI**”), Newmarket Hydro Holdings Inc. (“**NHHI**”, and together with THI, the “**Shareholders**”), Newmarket-Tay Power Distribution Ltd. (the “**Corporation**”), The Corporation of the Township Of Tay and The Corporation of the Town Of Newmarket (the “**Agreement**”)

WHEREAS section 3.03(2) of the Agreement provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation;

AND WHEREAS there will be a vacancy on the board of directors of the Corporation and the Shareholders have agreed to forego the formal process contemplated by section 3.03(2) of the Agreement;

NOW THEREFORE, THIS WAIVER WITNESSES THAT:

1. The undersigned hereby agree that in connection with identifying, nominating and selecting from a recommended list of candidates in order to fill the current vacancy on the board of directors of the Corporation and putting forward for election by the Shareholders at the next general meeting of shareholders of the Corporation to be held in 2024 following the Corporation’s 2023 fiscal year end (the “**2023 AGM**”), the undersigned each waive the provisions of section 3.03(2) of the Agreement and any requirement that such process be implemented or followed in connection with the 2023 AGM.
2. The undersigned agree that the waiver granted by the undersigned hereunder do not constitute a waiver of any other provision of the Agreement or an agreement to otherwise modify any term of the Agreement.
3. The undersigned intend that the waiver provided herein shall be effective as at the date hereof and the execution of a counterpart hereof by each of the undersigned.



590 Steven Court
Newmarket, ON L3Y 6Z2
(905) 895-2309

4. This Waiver will endure to the benefit of and be binding upon the respective successors and assigns of each of the undersigned.
5. This Waiver shall be construed and interpreted in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.

IN WITNESS WHEREOF each of the undersigned have executed this Waiver as of the ____ day of _____, 2024.

TAY HYDRO INC.

Per: _____
Name: _____
Title: _____

NEWMARKET HYDRO HOLDINGS INC.

Per: _____
Name: _____
Title: _____

NEWMARKET-TAY POWER DISTRIBUTION LTD.

Per: _____
Name: _____
Title: _____

THE CORPORATION OF THE TOWNSHIP OF TAY

Per: _____
Name: _____
Title: _____



590 Steven Court
Newmarket, ON L3Y 6Z2
(905) 895-2309

THE CORPORATION OF THE TOWN OF NEWMARKET

Per: _____
Name: _____
Title: _____

January 8th, 2024

To: Council of the Town of Newmarket
From: President & CEO
Re: Newmarket-Tay Power Distribution Ltd. (NT Power)
Director Recruitment and Nomination Process

RECOMMENDATIONS:

WHEREAS section 3.03(2) of the Newmarket-Tay Power Distribution Ltd. Shareholders Agreement provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation;

AND WHEREAS there will be a vacancy on the board of directors of Newmarket-Tay Power Distribution Ltd. (NT Power) as part of the AGM process and the Shareholders have agreed to forego the formal process contemplated by section 3.03(2) of the Agreement;

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

1. THAT the requirement in the Shareholders Agreement, Article 3, Section 3.03, Paragraph (2) in connection with identifying, nominating and selecting from a recommended list of candidates in order to fill the current vacancy on the board of directors of the Corporation and putting forward for election by the Shareholders at the next general meeting of shareholders of the Corporation to be held in 2024 following the Corporation's 2023 fiscal year end (the "**2023 AGM**"), be waived for this appointment;
2. AND THAT the waiver granted does not constitute a waiver of any other provision of the Shareholders Agreement or an agreement to otherwise modify any term of the Agreement.

BACKGROUND:

At the 2022 annual general meeting of Newmarket-Tay Power Distribution Ltd., the Shareholders appointed Newmarket Mayor J. Taylor, Tay Mayor T. Walker, Cristine Prattas, David Charleson, Brian Gabel, David Wattling and Dino Priore to the board of directors.

Cristine Prattas' director term will cease at the 2023 AGM, creating one director vacancy.

Section 3.03(2) of the NT Power Shareholders Agreement (the Agreement) provides a specific process for nominating candidates and making a selection from a recommended list of candidates in order to fill vacancies on the board of directors of the Corporation for election by the Shareholders at the general meeting of shareholders of the Corporation.

The Board notes that there is only one director vacancy to be filled and that the expense of retaining a professional recruitment firm is not justified. It is therefore recommended that the requirement in the Shareholder's Agreement to retain a professional search firm be waived in this instance.

That further to the Shareholder Agreement with NT Power, Council agrees to waive the requirement to set up an ad hoc committee to confirm selection between the two candidates recommended by NT Power and give the authority the NT Power Board of Directors regarding the replacement for Christine Prattas.

The Board is recommending the shareholders fill the vacancy based on the recommendation put forward by The Board. It should be noted that NT Power's Board of Directors contains representation from both shareholders ie Mayor of Newmarket and the Mayor of Tay Township. This change will allow for a more streamlined selection process which will be beneficial to the shareholder, NT Power and the candidates themselves and is inline with good governance practice.

PROCESS:

The Board has established a set of search criteria for potential directors. The Agreement places no restrictions on director residency; and the Board believes that the search should not be restricted by any such requirements.

The Committee proposes to place advertisements in various job posting locations / sites as part of the recruitment advertising strategy.

Once applications have been received, they will be pre-screened using the criteria noted, and prospective candidates interviewed by the Committee. The Board will make a recommendation on the appointment for the replacement director to both Newmarket and Tay Councils at the 2023 Annual General Meeting.

TIMELINE:

The Committee has established the following timeline for the recruitment process:

- | | |
|-------------|--|
| March 2024: | Advertise, receive and pre-screen applications |
| April 2024: | The Committee conducts interviews; and prepares a recommendation for presentation to the Board.

The Board makes a final recommendation on appointment for the replacement director. |
| June: | Annual general meeting to confirm appointment of new director. |



Ysni Semsedini,
President & CEO
Newmarket – Tay Power Distribution Ltd.



Town of Newmarket

Minutes

Accessibility Advisory Committee

Date: Thursday, October 19, 2023
Time: 10:30 AM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Steve Foglia, Chair
Jeffrey Fabian
Huma Tahir
Steve King
Kathleen Kedzierski
Bev Moffatt
Mitsy Jones-Bailey

Members Absent: Kelly Broome

Staff Present: V. Kendra, Supervisor, Programs, Recreation and Culture Services
E. Thomas-Hopkins, Legislative Coordinator

The meeting was called to order at 10:31 AM. Steve Foglia in the Chair.

1. Notice

Steve Foglia advised that members of the public were encouraged to attend an Advisory Committee or Board Meeting by viewing the live stream available at newmarket.ca/meetings, or attending in person at the Council Chambers at 395 Mulock Drive.

2. Additions & Corrections to the Agenda

The Legislative Coordinator advised that there was one correction to the agenda:

- Item 6.5 - Canada's Enabling Accessibility Fund Grants - Fairy Lake Washrooms, this update will be provided at a later date.

3. Conflict of Interest Declarations

None.

4. Presentations & Deputations

None.

5. Approval of Minutes

5.1 Accessibility Advisory Committee Meeting Minutes of August 17, 2023

Moved by: Jeffrey Fabian

Seconded by: Kathleen Kedzierski

1. That the Accessibility Advisory Committee Meeting Minutes of August 17, 2023 be approved.

Carried

6. Items

6.1 Accessibility at the Stickwood Walker Property

Steve Foglia discussed accessibility at the Stickler Daycare Property including dimensions of the ramps, railings, and the current placement of benches on the property.

6.2 Update on Main Street Accessibility Barriers

Steve Foglia discussed an article on accessibility on Main Street featured in Newmarket Today.

Staff provided a verbal update to barriers on Main Street. The curb cut is scheduled to be addressed in conjunction with an upcoming Newmarket Hydro project.

Members of the Committee discussed accessibility on Main Street and Council involvement and availability in the budget for improving accessibility on Main Street. Members discussed interest in a site visit of

Main Street with Members of Council and will provide a presentation of the findings after the walkthrough to Council at a later date.

6.3 Accessibility Check-list Review

Members of the Committee reviewed the existing Accessibility check-list used by the Accessibility Advisory Committee for past Town facility audits and made changes to various sections of the list. Members of the Committee discussed learning more about Accessibility check-lists and how the Town uses the check-list at a new site.

Members requested an education session on AODA. This will be provided by Chair Steve Foglia at an upcoming meeting.

Moved by: Bev Moffatt

Seconded by: Jeffrey Fabian

1. That the Accessibility Check-List be approved as amended.

Carried

6.4 Accessibility Audit Review

Members discussed completing updated audits of the Ray Twinney Recreation Complex and Newmarket Theatre.

6.5 Canada's Enabling Accessibility Fund Grants - Fairy Lake Washrooms

An update on this item will be provided at a later date.

7. New Business

7.1 Business of Accessibility Handbook

Jeff Fabian discussed the Business of Accessibility Handbook produced by the Ontario BIA Association and how it remains a good resource for downtown businesses, local residents and business owners.

7.2 Crosswalk Timing

Kathleen Kedzierski discussed an entrance and crosswalk into Upper Canada Mall that is challenging for mobility device users. Members discussed amount of time given to cross intersections before the light changes and consideration of different solutions that other municipalities

use. Steve Foglia discussed that the Region is currently discussing the amount of time given at crosswalks.

7.3 York Region Accessible Trails

Steve Foglia provided a video presented by York Region on updated accessible trails. Members of the Committee discussed trail accessibility, how grading can improve accessibility, and considerations of solutions to improving trails.

8. Adjournment

Moved by: Jeffrey Fabian

Seconded by: Huma Tahir

- 1. That the meeting be adjourned at 11:42 AM.

Carried

Steven Foglia, Chair

Date



Town of Newmarket

Minutes

Accessibility Advisory Committee

Date: Wednesday, November 8, 2023

Time: 9:00 AM

Location: Main Street Newmarket
500 Water Street
Newmarket, ON
L3Y 1M5

Members Present: Steve Foglia, Chair
Jeffrey Fabian
Huma Tahir
Steve King
Kathleen Kedzierski
Bev Moffatt
Mitsy Jones-Bailey

Members Absent: Kelly Broome

Staff Present: K. Saini, Deputy Town Clerk
E. Thomas-Hopkins, Legislative Coordinator

Guests: Mayor John Taylor
Deputy Mayor and Regional Councillor Tom Vegh
Councillor Kwapis, Ward 5
Tom Hempen, Chair of Main Street District Business
Improvement Area Board of Management

The meeting was called to order at 9:00 AM.

Steve Foglia in the Chair.

Members and attendees were present on Main Street.

1. Notice

Steve Foglia advised members and meeting attendees that this meeting can be attended in person by meeting the Committee on Main Street. Steve Foglia advised attendees that the purpose of the meeting is to review different locations along Main Street with the lens of increased accessibility.

2. Conflict of Interest Declarations

None.

3. Items

3.1 Main Street Accessibility Audit

Members of the Committee toured Main Street. They reviewed and discussed several locations with accessibility concerns or challenges and identified areas that could to be addressed.

Members discussed various aspects of accessibility including: 1) crosswalks; 2) sidewalk grading; 3) visual improvements; 4) accessible patios; 5) funding and grant opportunities; and, 6) opportunities to learn from other municipalities.

Discussion regarding cross walks ensued. Suggestions included a concrete slab in front of the button in order to create level ground and provide adequate range of motion for individuals using mobility devices. Additionally, there was discussion regarding the volume of the audio signals to ensure that it can be heard clearly, and that the timing of the crosswalk was long enough to support individuals who are using the space.

Discussion regarding sidewalk grading ensued. Members discussed the benefit of low slope sidewalk grades for those using mobility devices.

Discussion regarding visual improvements ensued. Members discussed opportunities to identify public spaces using medium such as paint or tactile plates at intersections to help visually differentiate the space from its surroundings.

Discussion regarding accessible doors ensued. It was note that many businesses do not have doors into their establishments that are accessible.

Discussion regarding accessible patios ensued. Members and attendees discussed barriers to enter restaurants, including their patios, due to table placements and spacing, with not enough space being provided for individuals using mobility devices to turn or maneuver without issue.

Additionally, members and attendees also discussed the value of restaurants that have adjustable or accessible tables available for use.

Discussion regarding funding and grant opportunities included a suggestion to invite federal and provincial ministers to meet with the Committee in order to gain a deeper understanding of accessibility challenges in municipalities. It was noted that the Newmarket Downtown Development Fund also provides an opportunity for businesses to apply for grant funding for accessibility upgrades.

Discussion regarding other municipal experiences in historic main street districts ensued. Members discussed the opportunities to learn from other municipalities that have successfully created accessible spaces in historic spaces.

4. New Business

4.1 Invite Provincial and Federal Representatives for an Accessibility Discussion

Moved by: Huma Tahir

Seconded by: Jeffrey Fabian

1. That the Committee invite the local Newmarket provincial and federal government representatives to meet with the Accessibility Advisory Committee to discuss accessibility in Newmarket.

Carried

5. Adjournment

Moved by: Bev Moffatt

Seconded by: Huma Tahir

1. That the meeting be adjourned at 9:30 AM.

Carried

Steven Foglia, Chair

Date



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Wednesday, December 6, 2023
Time: 8:30 AM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Ken Sparks
Dominic Pede
Patricia Carmichael
Sheila Stewart
Norm Pereira
Councillor Kwapis

Members Absent: Grant Buckley
Avi Wulfand

Staff Present: C. Kallio, Economic Development Officer
E. Thomas-Hopkins, Legislative Coordinator
B. Morrow, Grant Coordinator
D. Lowes, Business Development Specialist

The meeting was called to order at 8:31 AM. Tom Hempen in the Chair.

1. Notice

Tom Hempen advised that members of the public were encouraged to attend an Advisory Committee or Board Meeting by viewing the live stream available at

newmarket.ca/meetings, or attending in person at the Council Chambers at 395 Mulock Drive.

2. Additions and Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

None.

5. Deputations

5.1 Newmarket Chabad: Sponsorship Request for 2023 Chanukah Events

Rabbi Mendy Grossbaum provided a deputation regarding a sponsorship request of \$500.00 for Chanukah events at the Riverwalk Commons.

Moved by: Allan Cockburn

Seconded by: Councillor Kwapis

1. That the deputation provided by Rabbi Mendy Grossbaum of Newmarket Chabad be received.

Carried

Moved by: Councillor Kwapis

Seconded by: Norm Pereira

1. That the Main Street District Business Improvement Area Board of Management authorize a donation of \$500.00 to Newmarket Chabad for 2023 Chanukah events at the Riverwalk Commons.

Carried

6. Approval of Minutes

6.1 Main Street District Business Improvement Area Board of Management Meeting Minutes of November 1, 2023

Moved by: Ken Sparks

Seconded by: Norm Pereira

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of November 1, 2023 be approved.

Carried

7. Items

7.1 Highway Signage Payments

Al Cockburn discussed highway signage payments and queried board members and staff on the BIA's history of payment.

Staff clarified history of the signage payments.

Members agreed that the Board will be responsible for payment for the remainder of the term, as per the motion carried at the November 1, 2023 Board Meeting.

7.2 Sub-Committee Reports

7.2.1 Marketing

Ken Sparks provided a verbal update on Marketing for the BIA including positive feedback on social media engagement and that social media posts will increase over the holidays.

7.2.2 Working Group

No updates provided.

7.2.3 Fall/Winter Events

Tom Hempen provided a verbal update that the Board is working towards a sponsorship grant through Central Ontario Counties and that funding has been applied for.

Members discussed plans for winter events and that further discussion is needed in the New Year.

Councillor Kwapis reminded Board Members and members of the public that Frozen Fridays continues throughout December at the Riverwalk Commons.

7.3 Parking Update

No new parking updates provided. Members queried status of parking in the existing Tennis Courts and feasibility of other parking options in the downtown area.

7.4 Staff Update

7.4.1 Financial Update

Dominic Pedo, Treasurer, provided a verbal Financial update on the Board's budget and recent approvals for event funding. Sheila Stewart asked for a reimbursement of \$632 for personal funds used towards Main Street District Business Improvement Area event planning.

Moved by: Dominic Pedo

Seconded by: Patricia Carmichael

1. That Sheila Stewart be reimbursed \$632 for the use of personal funds for events planned for the Main Street District Business Improvement Area.

Carried

7.4.2 Financial Incentive Program Staff Working Group Update

Chris Kallio provided a verbal update on completion of funding for businesses in the downtown for recent renovations.

8. New Business

8.1 Experience Ontario 2024 Grant - Central Counties Tourism

Ken Sparks discussed the Experience Ontario 2024 grant from Central Counties Tourism and asked Staff if the Board could apply. The Town's Grant Coordinator will look into opportunities.

8.2 Shop Local Campaign - Valentine's Day

Sheila Stewart discussed initiating planning of a Shop Local campaign for Valentine's Day and the events sub-committee will begin discussions planning and budget requirements.

9. Closed Session (if required)

The Board did not resolve into Closed Session.

10. Adjournment

Moved by: Norm Pereira

Seconded by: Allan Cockburn

1. That the meeting be adjourned at 9:10 AM.

Carried

Tom Hempen, Chair

Date



Corporation of the Town of Newmarket

By-law 2024-04

A By-law to amend By-law Number 2010-40, as amended, being the Town’s Comprehensive Zoning By-law (849 Gorham Street).

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas it is deemed advisable to amend By-law Number 2010-40, as amended;

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

- 1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto.
- 2. And that By-law 2010-40, as amended is hereby amended by:
 - a. Deleting from Schedule ‘A’ Map No. 13 the Residential Detached Dwelling 30m Zone Exception 113 (R1-B-113); and substituting therefore Holding Residential Townhouse Dwelling 3 Exception 175 ((H)R4-R-175) Zone as shown more particularly on Schedule ‘1’ attached hereto, and forming part of this By-law.
 - b. Adding the following regulations to Section 8.1.1 List of Exceptions and a new Exception number having the following regulations relating to (H) R4-R-175:

Exception 175	Zoning (H) R4-R-175	Map 13	By-law Reference 2024-04	File Reference D14-NP20-03				
<div><div><div>i) Location: 849 Gorham Street</div><div>ii) Legal Description: PART OF LOT 27, PLAN 103 WHITCHURCH, PART 1 65R38306 TOWN OF NEWMARKET</div><div>iii) Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to the lands zoned R4-R-175 shown on Schedule ‘1’ attached here to:</div></div><div>Development standards:</div><table><tr><td>a) Minimum lot area per dwelling unit</td><td>129 m²</td></tr><tr><td>b) Number of townhouse units (maximum)</td><td>20</td></tr></table></div>					a) Minimum lot area per dwelling unit	129 m ²	b) Number of townhouse units (maximum)	20
a) Minimum lot area per dwelling unit	129 m ²							
b) Number of townhouse units (maximum)	20							

c) Setback from south property line (Gorham Street) (minimum)	2.4 m
d) Setback from north property line (minimum)	6.0 m
e) Setback from the east property line (minimum) Notwithstanding provision (e) above, where the side yard of a building abuts the east property line, the setback shall be a minimum of 3.2 m	6.0 m
f) Setback from the west property line (minimum) Notwithstanding provision (f) above, where the side yard of a building abuts the west property line, the setback shall be a minimum of 1.8 m	6.0 m
g) Setback from the front main wall of a building to a private road (minimum)	3.0 m
h) Setback from the side wall of a dwelling to a private road (minimum)	1.2 m
i) Maximum Lot Coverage for the subject land	40%
j) Maximum Building Height	3 storeys - 11 m
k) Maximum Driveway Width	3.5m (single car garage) 6.0m (double car garage)
l) Minimum private road width	6.5m
m) The minimum required parking spaces per dwelling unit may be located on the parcels of tied land (POTL) or within the common element areas of the condominium corporation.	
n) Where a side wall of a dwelling abuts a parking lot, the minimum setback of the parking lot from the side wall of the building shall be a minimum of 1.2m.	
o) Section 5.4.1 iii) shall not apply.	
p) Section 5.4.3 ii) (Visitor Parking Location) shall not apply.	
q) Notwithstanding Section 5.5 viii), each entrance and/or exit driveway may have a minimum width at public street line of 6.5m. Notwithstanding Section 5.5 x), each entrance and/or exit driveways which provide access to parking areas other than directly from a municipal street may be constructed at a width of not less than 3.5m.	
r) Permitted Encroachments Decks are permitted to project from the second storey of Building 1 and 3 a maximum of 1.9 metres into the rear yards of each unit. Patios are permitted to project from the first storey a maximum of 2.5 metres from the first storey rear wall of each unit. Porches are permitted to project a maximum of 2.5 metres from the front wall of any unit including eaves,	

	<p>cornices, and steps but shall be no closer than 1.5 metres to the lot line or private laneway.</p> <p>Window wells are permitted to project a maximum of 1.0 metres into the rear yards of each unit.</p>
s)	Notwithstanding Section 4.14.3 iv) The minimum required width of a landscape buffer may be 1.8 metres where the interior side lot line of a R4 Zone abuts a lower density Residential Zone (west property line only).
t)	Where any form of dwelling is erected in conformity with a ‘site plan agreement’; parts of the lands affected by the ‘site plan agreement’ forms a ‘common elements condominium’; and, the balance of the lands affected by the ‘site plan agreement’ are ‘parcels of tied land’ with respect to that ‘common elements condominium’, no provision of this By-law shall be deemed to be contravened by reason of the conveyance of a ‘parcel of tied land’ upon which a dwelling unit is erected, provided that all of the standards of this by-law are met for the lands as a whole, as set out in the ‘site plan agreement’ and provided the ‘common elements condominium’ and the ‘parcels of tied land’ are contiguous.
u)	For clarity, ‘parcel of tied land’ means a parcel of land to which the common interest in the common elements condominium attaches as provided for in Subsection 139(2) of the Condominium Act 1998 or a successor thereto for “parcels of tied land” has the corresponding plural meaning.
v)	For clarity, ‘common elements condominium’ means a common elements condominium corporation as defined in the Condominium Act 1998 or a successor thereto.
w)	For clarity, a ‘site plan agreement’ means an agreement entered into pursuant to Section 41 of the Planning Act, R.S.O. 1990 or a successor thereto.

3. And that By-law 2010-40 is hereby amended by:
- a. Adding the following provisions to Section 8.2.1 List of Holding Provisions.

By-law No.	Property Description	Permitted Uses Until Holding Provision is Removed	Conditions for Removal
2024-04	PART OF LOT 27, PLAN 103 WHITCHURCH, PART 1 65R38306 TOWN OF NEWMARKET	No person within the lands zoned (H)R4-R-175 Zone shall use any lot or erect, alter or use any buildings or structures for any purpose except for those uses which existed on the date of passing of this By-Law.	That Servicing Allocation has been granted in accordance with the Town's Servicing Allocation Policy.
Date Enacted:	849 Gorham Street	Furthermore, no extension or	A Site Plan Agreement to permit the development as proposed has been entered into between the
February 12, 2024			

		enlargement of the uses which existed on the date of passing of this By-Law shall occur unless an amendment to this By-Law or removal of the '(H)' prefix, as identified in the next column, is approved by the Council of the Corporation of the Town of Newmarket and comes into full force and effect.	<p>Town and the property owner.</p> <p>That compensation, in accordance with the Town's Tree Preservation, Protection, Replacement and Enhancement Policy has been provided to the Town for the removal of trees on the site (if applicable).</p> <p>That the application has addressed the Town's affordable housing policies, to the satisfaction of the Town.</p> <p>All necessary requirements of the Town have been satisfied.</p> <p>All necessary approvals have been received by other commenting agencies and authorities, to the satisfaction of the Town.</p>
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4. And all other provisions of By-law 2010-40, as amended, shall apply to the lands subject to this By-law.

5. That Schedule 1 attached hereto shall form part of By-law 2024-04

Enacted this 12th day of February, 2024.

John Taylor, Mayor

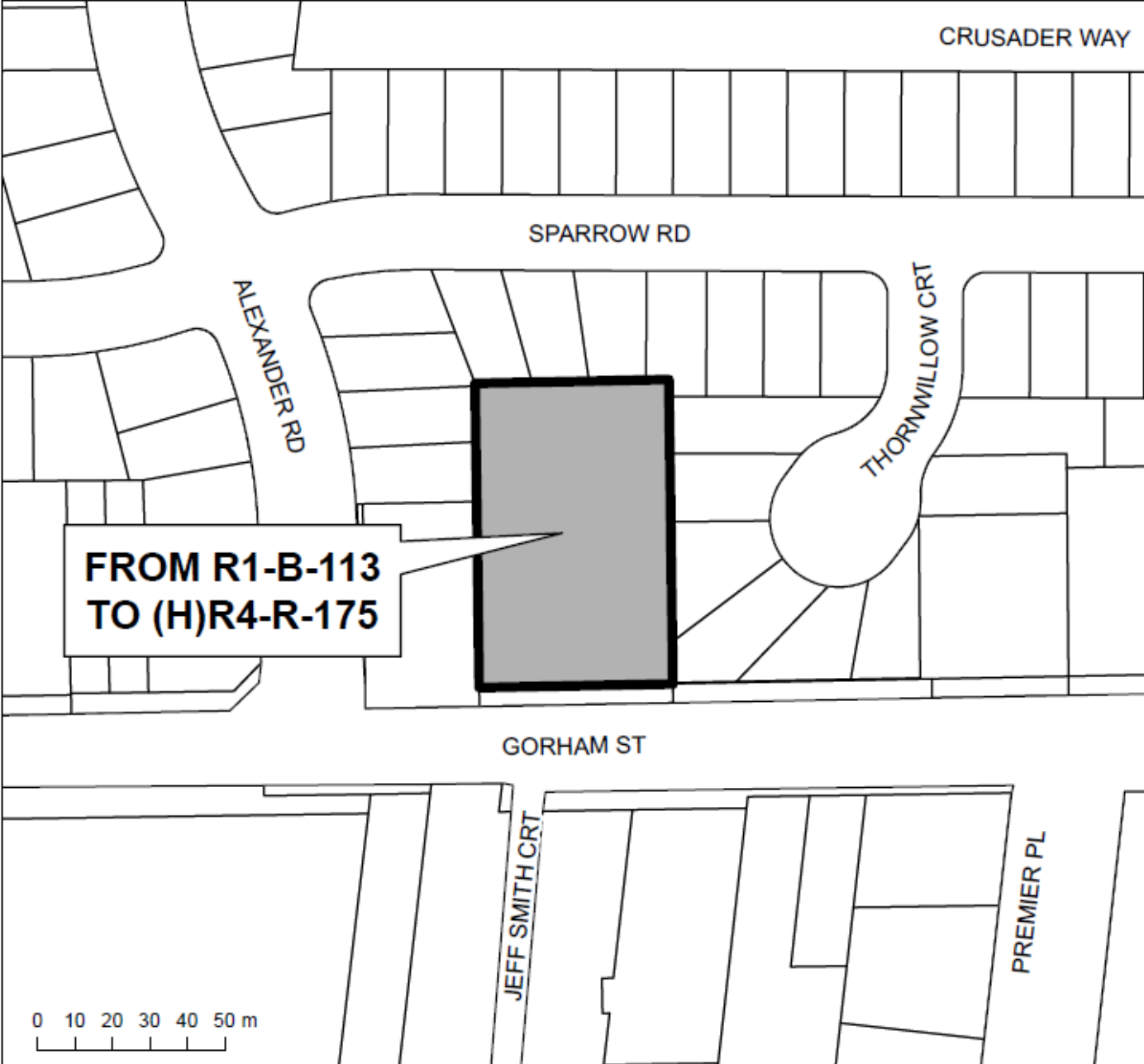
Lisa Lyons, Town Clerk

TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
849 GORHAM STREET
PART OF LOT 27, PLAN 103 WHITCHURCH,
PART 1 65R38306 TOWN OF NEWMARKET

This is Schedule '1'
To Bylaw 2024- 04
Passed this 12th Day
of February, 2024.

MAYOR

CLERK



SCHEDULE "1" TO BY-LAW 2024- 04
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & produced by Information Technology – DAGS. Printed: January, 2024. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2024. Zoning - Town of Newmarket, 2024. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

Document Path: G:\Projects_PRC\Development_InfrastructureServices\Planning\MapProjects\Zoning\ZBL_Schedule\ZBL_Schedule.aprx\ZBA2024_GorhamSt_849

Corporation of the Town of Newmarket

By-law 2024-05

A By-law to confirm the proceedings of a meeting of Council – February 12, 2024.

Whereas s. 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that the powers of a municipal corporation shall be exercised by its Council; and,

Whereas s. 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and,

Whereas the Council of the Town of Newmarket deems it advisable to pass such a by-law;

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

1. That subject to Section 3 of this by-law, every decision of Council, as evidenced by resolution or motion, taken at the meeting at which this by-law is passed, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted;
2. And that the execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized;
3. And that nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied;
4. And that any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

Enacted this 12th day of February 2024.

John Taylor, Mayor

Lisa Lyons, Town Clerk