



Town of Newmarket  
**AGENDA**

**Special Council**

Monday, July 10, 2017 at +/- 9:00 PM  
(Immediately following Special  
Committee of the Whole)

Council Chambers

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**Corrections to the Agenda**

**Declarations of Pecuniary Interest**

**Reports of Committees and Staff**

1. Ratification of action related to Application for Zoning By-law Amendment (Temporary Use) 195 Harry Walker Parkway North.

**By-laws**

2017-47 - A By-law to authorize the temporary use of certain lands to permit "office" and "institutional day centre" uses on lands generally described as 195 Harry Walker Parkway North.

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**Confirmatory By-law**

2017-48 - A By-law to confirm the proceedings of the July 10, 2017 Special Council meeting.

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**Adjournment**



Corporation of the Town of Newmarket

By-law Number 2017-47

A By-law to authorize the temporary use of certain lands to permit "office" and "institutional day centre" uses on lands generally described as Concession 3, Part Lot 2, Plan 65R-8676, Parts 1-5 (195 Harry Walker Parkway North)

Whereas the Council of the Corporation of the Town of Newmarket has authorized an amendment to Zoning By-law 2010-40 as amended, to permit the temporary use of "Office" and "Institutional Day Centre" uses in accordance with the provisions of Sections 39 and 34 of the Planning Act R.S.O. 1990.

And whereas Development & Infrastructure Services/Planning & Building Services Information Report #2017-20 was submitted to the Mayor and Members of Council for information purposes providing a Planning analysis associated with proposed temporary uses at 195 Harry Walker Parkway North.

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

1. That notwithstanding anything contained in Comprehensive Zoning By-law Number 2010-40 as amended to the contrary, "Office" and "Institutional Day Centre" uses shall be permitted as temporary uses on the lands described in Schedule "X", attached to and forming part of this By-law (the "Subject Lands") for a temporary period of up to three (3) years from the date of passing of this By-law; and,
2. That Heavy Employment Zone (EH) be temporarily deleted from Zoning By-law 2010-40 as amended, Schedule "A", and substituted with Heavy Employment Zone Exception 138 (EH-138) for a period of up to three (3) years from the date of passing of this By-law; and,
3. That all other applicable provisions of By-law 2010-40, as amended from time to time not mentioned in this By-law, shall continue to apply to the Subject Lands; and,
4. That this By-law shall come into force and take effect pursuant to Sections 34(21), 34(30) and 34(31) of the Planning Act, R.S.O., 1990, Chapter P.13 as amended.

Exception	Zoning	Map	By-Law Reference	File Reference
138	EH-138	15	2017-47	NP-P-17-01
i) Location: 195 Harry Walker Parkway North  ii) Permitted Uses: a. <i>Office</i> use shall also be permitted for a period of up to three (3) years from the date of passing of the By-law.  b. <i>Institutional Day Centre</i> use shall also be permitted for a period of up to three (3) years from the date of passing of the By-law.				

Enacted this 10<sup>th</sup> day of July, 2017.

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Tony Van Bynen, Mayor

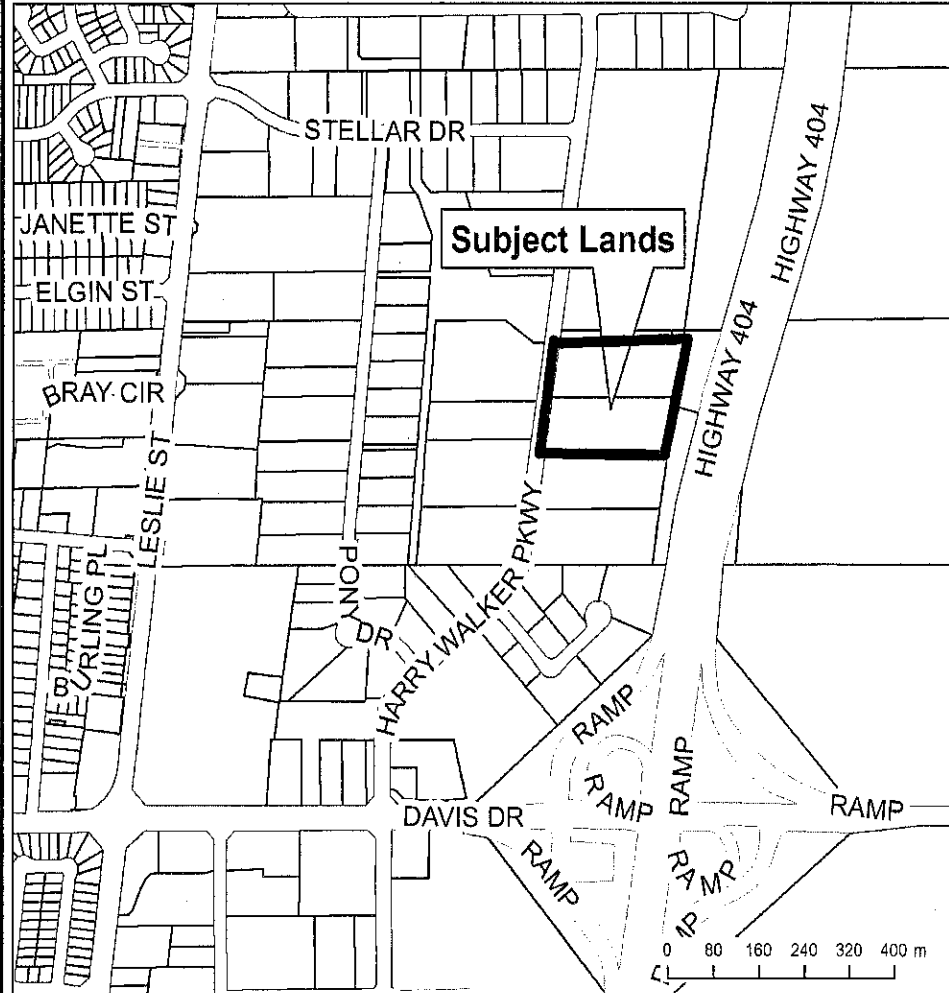
\_\_\_\_\_  
Lisa Lyons, Town Clerk

195 Harry Walker Parkway North  
Town of Newmarket  
Regional Municipality of York

This is Schedule 'X'  
To Bylaw 2017-47  
Passed this 10th Day  
of July, 2017.

MAYOR \_\_\_\_\_

CLERK \_\_\_\_\_



SCHEDULE "X" TO BY-LAW 2017-47  
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology - GIS Plotted: June, 2017 Land Parcel Boundaries - © Target loc. and its suppliers. All rights reserved. INT A PLAN OF SURVEY 2015, Zoning - Town of Newmarket 2016.  
DISCLAIMER: This mapping is based on the POLARIS parcel file 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 an estimate of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.  
I:\Dr Services\Planning\2017\106 Harry Walker Parkway Temp Use ZBA\bylaw schedule 15a HWP 11.mxd



Corporation of the Town of Newmarket

By-law Number 2017- 48

A By-law to confirm the proceedings of a meeting of Council – July 10, 2017.

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 10<sup>th</sup> day of July, 2017.

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Tony Van Bynen, Mayor

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Lisa Lyons, Town Clerk