



# Town of Newmarket **AGENDA**

## **Committee of the Whole**

Monday, September 25, 2017 at 1:30 PM

Council Chambers

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### **Additions & Corrections to the Agenda**

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

### **Declarations of Pecuniary Interest**

### **Presentations & Recognitions**

### **Deputations**

#### **1. "We Own It" Campaign**

Mr. Andrew Parker regarding preserving public assets and protecting public services.

Video: <https://youtu.be/VRWRebKVG1Y>

**Page 1**

### **Consent Items**

#### **2. Application for Official Plan and Zoning Bylaw Amendment (17645 Yonge Street)**

Planning and Building Services  
September 25, 2017

**Page 2**

1. That Development and Infrastructure Services/Planning and Building Services Report 2017-32 dated September 25, 2017 regarding Application for Official Plan Amendment and Zoning By-law amendment be received and the following recommendations be adopted:

a. That the Application for Official Plan Amendment and Zoning By-law amendment as submitted by 17645 Yonge Street Developments Inc. for lands Municipally known as 17645 Yonge Street be referred to a public meeting; and,

b. That following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and,

c. That Kerigan Kelly, Groundswell Planning, 30 West Beaver Creek, Richmond Hill, ON L4B 3K1 be notified of this action.

**3. Newmarket Parkland Dedication By-law**

**Page 17**

Planning and Building Services  
September 25, 2017

1. That Development and Infrastructure Services/Planning Report 2017-34 dated September 25, 2017 regarding the Town of Newmarket's Parkland Dedication By-law be received and the following recommendation be adopted:

a. That Council adopt the Parkland Dedication By-law, 2017-XX for the Town of Newmarket as contained in Attachment 1.

**4. Application for Extension of Draft Plan Approval (Toth Farm)**

**Page 30**

Planning and Building Services  
September 25, 2107

1. That Development and Infrastructure Services/Planning and Building Services Report 2017-33 dated September 25, 2017 regarding Application for extension to Draft Plan Approval be received and the following recommendations be adopted:

a. That Council approve a ten year extension to the draft approval for Sundial Homes (Davis) Limited (19TN 2013-003) located in the Northwest Quadrant, north side of Davis Drive west of Yonge Street; and,

b. That Chris Matson, Matson, McConnell Ltd., 2430A Bloor Street West, Toronto, Ontario M6S 1P9 be notified of this action.

**5. Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe**

**Page 34**

Planning and Building Services  
September 25, 2017

1. That Development and Infrastructure Services/Planning & Building Services Report 2017-29 dated September 25, 2017 regarding the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe, Summary of Criteria and Methods, be received and that the following recommendations be adopted:

a. That Council direct staff to submit Report 2017-29 to the Province of Ontario as the Town of Newmarket's comments on the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe, Summary of Criteria and Methods; and,

b. That Council direct staff to submit Report 2017-29 to York Region as input to the Regional Municipal Comprehensive Review.

**6. Diversity and Inclusivity Programs**

**Page 43**

Human Resources  
August 23, 2017

1. That Chief Administrative Officer Report – Human Resources 17-09 dated August 23, 2017 regarding Diversity and Inclusivity Programs be received and the following recommendation be adopted:



- a. That the Town of Newmarket support, in principle, the York Region Diversity & Inclusion Charter which will serve to inform the Town's Diversity & Inclusivity Strategy.

**7. Notice Policy and Community Engagement Policy**

**Page 46**

Legislative Services  
September 25, 2017

1. That Corporate Services – Legislative Services report 2017-15 dated September 25, 2017 entitled "Notice Policy and Community Engagement Policy" be received; and,
2. That the Notice Policy attached as Appendix A and the Community Engagement Policy attached as Appendix B be adopted; and,
3. That By-law 2002-168 be repealed.

**8. Town-wide Traffic Mitigation Strategy 2017**

**Page 55**

Engineering Services  
September 25, 2017

1. That Development and Infrastructure Services Report – ES 2017-29 dated August 10, 2017, regarding "Town-wide Traffic Mitigation Strategy 2017" be received and the following recommendations be adopted:
  - a. That Appendix A be adopted in principle subject to public consultation; and,
  - b. That the public consultation be open to all residents of the Town; and,
  - c. That a specific focus group be assembled to discuss the contents of the Strategy and provide input on a Town-wide level; and,
  - d. That the final Strategy be brought back to Council considering the public consultation process.

**9. Correspondence from the Centre for the Prevention of Radicalization Leading to Violence (CPRLV)**

**Page 80**

United Nations Educational, Scientific and Cultural Organization/Canadian Commission for UNESCO  
August 14, 2017

Note: Mayor Van Bynen requested that this item be placed on the agenda.

OLT Recommends:

1. That the correspondence from the Centre for the Prevention of Radicalization Leading to Violence (CPRLV) be referred to staff.

**10. Petition to re-start grass clipping disposal service for residence of Newmarket**

**Page 100**

Submitted by: Nanda Shetye  
August 23, 2017

OLT Recommends:

1. That the petition from residents requesting that the Town pick up grass clippings as yard waste be forwarded to the York Region Environmental Services Commission, Environmental Promotion and Protection Department for response, as York Region is responsible for the processing of residential waste material from Newmarket.

**11. Audit Committee (Closed Session) Meeting Minutes of June 21, 2017.**

1. That the Audit Committee (Closed Session) Meeting Minutes of June 21, 2017 be received.

**12. Heritage Newmarket Advisory Committee Meeting Minutes of July 11, 2017**

**Page 102**

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of July 11, 2017 be received.

**13. Newmarket Environmental Advisory Committee Meeting Minutes of May 3, 2017**

**Page 108**

1. That the Newmarket Environmental Advisory Committee Meeting Minutes of May 3, 2017 be received.

**14. Proclamation Request - October 2017 - Child Abuse Awareness Month**

**Page 112**

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim October 2017 as "Child Abuse Awareness Month"; and,
3. That the proclamation be advertised in the Town Page advertisement and on the Town's website.

**15. Proclamation Request - November 18, 2017 - NHL Alumni All Star Day**

**Page 113**

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim November 18, 2017 as "NHL Alumni All Star Day"; and,
3. That the proclamation be advertised in the Town page advertisement and on the Town's website.

**16. Proclamation Request - October 16-22, 2017 - Waste Reduction Week**

**Page 115**

1. That the proclamation request be received; and,
2. The Town of Newmarket proclaim October 16-22, 2017 as "Waste Reduction Week";

3. That the proclamation be advertised in the Town page advertisement and on the Town's website.

#### **17. Proclamation Request – October 8 -14, 2017 Fire Prevention Week**

**Page 118**

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim October 8 to October 14, 2017 as “Fire Prevention Week”; and,
3. That the proclamation be advertised in the Town Page advertisement and on the Town’s website.

#### **18. Outstanding Matters List**

**Page 119**

1. That the list of outstanding matters be received.

### **Action Items**

#### **19. Vacant Building/Storefront**

**Page 128**

Legislative Services  
September 25, 2017

1. That Corporate Services – Legislative Services Report 2017-16 dated September 14, 2017 entitled “Vacant Buildings/Storefronts” be received; and,
2. That Council provide feedback to staff regarding its preferred approach to addressing vacant buildings/storefronts.

### **Reports by Regional Representatives**

### **Notices of Motion**

### **Motions**

### **New Business**

### **Closed Session**

#### **20. Corporate Services (Legal Services) Closed Session Report 2017-17 regarding a property in Ward 7**

[Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board as per Section 239 (2)(e) of the Municipal Act, 2001.]

September 25, 2017

## **Public Hearing Matters (7:00 PM)**

- 21. Application for Zoning By-law Amendment (514 Davis Drive) – Public Notice, Council Extract and Planning and Building Services Report 2017-31**  
Planning and Building Services  
September 25, 2017

**Page 141**

## **Addendum (Additions and Corrections)**

- 22. Petition- Speed and Traffic Mitigation near Queen Street/Lorne Avenue**  
Submitted by: Gary Bondi  
September 18, 2017

**Page 152**

OLT Recommends:

1. That the petition be referred to staff in accordance with the Public Consultation and Support Plan - Transportation Services policy

- 23. Proclamation Request – October 29- November 4, 2017 – English as a Second Language (ESL) Week.**

**Page 153**

1. That the proclamation request be received; and,
2. That the Town of Newmarket proclaim October 29 - November 4, 2017 as “English as a Second Language Week”; and,
3. That the proclamation be advertised in the Town Page and on the Town’s website.

## **Adjournment**

## Deputation and Further Notice Request Form

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

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

Name: <b>ANDREW PARKER</b>	
Organization / Group/ Business represented: <b>"WE OWN IT" CAMPAIGN</b>	
Address:	Postal Code:
Daytime Phone No:	Home Phone:
Email:	Date of Meeting: <b>SEPT 25 / 17</b>
Is this an item on the Agenda? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Agenda Item No:
<input checked="" type="checkbox"/> I request future notification of meetings	<input checked="" type="checkbox"/> I wish to address Council / Committee
Describe in detail the reason for the deputation and what action you will be asking Council/Committee to take (if applicable): <b>"WE OWN IT" IS AN ANTI-PRIVITIZATION CAMPAIGN BASED ON EDUCATING THE PUBLIC IN PRESERVING OUR PUBLIC ASSETS + PROTECTING OUR PUBLIC SERVICES. PLEASE SEE BROCHETS PROVIDED + <a href="http://www.weownit.ca">www.weownit.ca</a>.</b>	
Do you wish to provide a written or electronic communication or background information <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please submit all materials at least 5 days before the meeting.	

### Deputation Guidelines:

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

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

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



## PLANNING AND BUILDING SERVICES

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P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

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September 25, 2017

### DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2017-32

TO: Committee of the Whole

SUBJECT: **Application for Official Plan and Zoning Bylaw Amendment  
17645 Yonge Street  
Submitted by: 17645 Yonge Street Developments Inc. (Redwood Properties)  
D9-NP 17 14 (Official Plan Amendment), D14-NP17 14 (Zoning By-law Amendment)**

ORIGIN: Planning and Building Services

### RECOMMENDATIONS

THAT Development and Infrastructure Services/Planning and Building Services Report 2017-32 dated September 25, 2017 regarding Application for Official Plan Amendment and Zoning By-law amendment be received and the following recommendation(s) be adopted:

- a) THAT the Application for Official Plan Amendment and Zoning By-law amendment as submitted by 17645 Yonge Street Developments Inc. for lands Municipally known as 17645 Yonge Street be referred to a public meeting.
- b) AND THAT following the public meeting, issues identified in this Report, together with comments of the public, Committee, and those received through the agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required.
- c) AND THAT Kerigan Kelly, Groundswell Planning, 30 West Beaver Creek, Richmond Hill, ON L4B 3K1 be notified of this action.

### COMMENTS

#### Location and Surrounding Land Uses

The Subject Land is located on the east side of Yonge Street, North of Davis Drive (see Location Map attached) and has an area of approximately 1.8 hectares. The property is municipally known as 17645 Yonge Street. The property is a through lot with frontage on both Yonge Street and George Street.

The subject land is currently vacant of buildings and is being used for the storage of vehicles for sale. The following are the adjacent land uses:

North: existing commercial plaza containing various retail and service commercial uses

South: existing vehicle dealership on Yonge Street and service uses on George Street

East: Low density residential uses



West: Regional Shopping Centre (Upper Canada Mall)

### **Background**

This site has previously been under development applications (zoning By-law amendment and draft plan of subdivision) for a mixed use high density development that culminated in approved Minutes of Settlement through the Ontario Municipal Board (OMB). The final OMB order included the Minutes of Settlement and a draft zoning by-law and was issued on November 14, 2014. The OMB approved zoning by-law for the site contained parameters for the development along with conditions for removing the included Holding Provision for each phase of the development. The OMB also provided issues to be addressed through conditions of draft plan approval. At a high level, the following was approved through the OMB Order.

- 64 m apartment building (max. 21 storeys)
- 58 m apartment building (max. 19 storeys)
- 8 storey retirement residence
- 15 m podium (max. 4 storeys) on George Street, stepped up to a maximum 30 m (max. 8 storeys)

Other aspects of the by-law included a maximum Floor Space Index of 3.5, a maximum lot coverage of 60%, parking requirements (0.5 spaces per suite) for the retirement residence suites, a maximum floor plate (820 sq. m) and separation distances (30 m) between the two towers on Yonge Street.

The property has since been sold to 17645 Yonge Street Development Inc, who have now submitted a revised proposal for the development. This report will provide the details of the newly proposed development along with how it differs from what was approved through the OMB and ultimately refers the submitted applications to the required statutory public meeting under the Planning Act.

### **Proposal**

Official Plan and Zoning By-law amendment applications have been submitted to permit a proposed development that has been broken down into 3 Phases. Generally, the applications propose a mixed use development consisting of 3 residential towers of 21 storeys, 19 storeys and 17 storeys on a four storey parking structure. The periphery of the parking structure includes commercial space on the Yonge Street and George Street frontages and townhouse style dwellings facing north and south. The proposal has been divided into three phases with a total Floor Space Index of 3.5. The following descriptions for each phase are taken from the submitted Planning Justification Report:

#### **Phase 1**

A 21-storey residential rental building (228,245 ft<sup>2</sup>) with one hundred and eighty five (185) units in total. Thirty two (32) of the units will be 1 bedroom, one hundred and two (102) of the units will be two bedroom units and fifty one (51) of the units will be three bedroom units. The main building will be accessible via a future road at the south side of the development into a raised 4-storey parking structure. A 2-storey commercial building is proposed adjacent to Yonge Street at the southwest corner with an area of 5,117 ft<sup>2</sup>. A total of 352 parking spaces are proposed in the podium with 28 for visitors, 33 for the commercial space and 291 spaces for the residential. The number of parking spaces for the residential units and the visitors equates to 1.72 spaces per unit.

#### **Phase 2**

A 19-storey residential rental building (222,178 ft<sup>2</sup>) with one hundred and eighty five (185) units in total. Fifty one (51) of the units will be 1 bedroom, ninety five (95) of the units will be two bedroom units and thirty nine (39) of the units will be three bedroom units. The building will be accessible via a future road at the south side of the development. Commercial units totaling 10,150 ft<sup>2</sup> are proposed adjacent to Yonge



Street. There will be a main entrance for vehicular traffic from the south side into a raised 4-storey parking structure. A total of 228 parking spaces are proposed in the podium with 20 for visitors, 2 for the commercial space and 206 spaces for the residential. The number of parking spaces for the residential units and the visitors equates to 1.22 spaces per unit.

### Phase 3

A 17-storey residential rental building (210,982 ft<sup>2</sup>) with one hundred and fifty seven (157) units in total. Thirty three (33) of the units will be 1 bedroom, eighty six (86) of the units will be two bedroom units and thirty eight (38) of the units will be three bedroom units. The building will be accessible from George Street at the east side of the development. Commercial units totaling 5,351 ft<sup>2</sup> are proposed adjacent to George Street. There will be a main entrance for vehicular traffic from George Street into a raised 4-storey parking structure. A total of 298 parking spaces are proposed in the podium with 24 for visitors, 32 for the commercial space and 242 spaces for the residential. The number of parking spaces for the residential units and the visitors equates to 1.67 spaces per unit.

A perspective image is included below. The proposed site plan and perspective elevations are appended to this report.





## **Preliminary Review**

### **Provincial Policy Statement**

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

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

The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The first section of the PPS (Policy 1.0) relates to building strong communities. The preamble to this policy provides "Ontario's long-term prosperity, environmental and social well-being depend on wisely managing change and promoting efficient land use and development patterns".

The policies set out how healthy, liveable and safe communities are to be sustained. This includes promoting efficient development and land use patterns which sustain financial well-being of the Province and municipalities over the long term and accommodating an appropriate range and mix of residential, employment, recreation, park and open space and other uses to meet long term goals.

The PPS supports and promotes intensification in designated growth areas taking advantage of existing and planned infrastructure. The proposed development is consistent with the PPS by providing a mix of housing types within the settlement area of the Town of Newmarket that has been identified in the Official Plan/Secondary Plan for intensification and redevelopment. The proposal provides for a compact form and a mix of uses allowing for the efficient use of land, infrastructure and public service facilities.

### **Growth Plan**

The Growth Plan directs growth to built-up areas designated within municipal official plans. The Growth Plan identifies the Yonge-Davis area as an Urban Growth Centre. The boundaries of the Urban Growth Centre (Yonge-Davis Provincial Urban Growth Centre) have been delineated by the Town in its approved Urban Centres Secondary Plan. Urban Growth Centres are intended to:

- be the focus of intensification;
- accommodate and support major transit infrastructure;
- serve as high density major employment centres;
- accommodate a significant share of population and employment; and
- ensure orderly progression of development in conjunction with provision of infrastructure;<sup>1</sup>

The Growth Plan requires that Urban Growth Centres be planned to achieve a minimum gross density target of 200 residents and jobs per ha by 2031, or earlier. The Growth Plan does not address densities beyond 2031.

The Growth Plan contains policies directing that municipalities create complete communities, reduce the dependence on private automobile through mixed use, transit supportive development, provide for high

quality public spaces, support transit, walking, and cycling, implements minimum affordable housing target in accordance with the PPS, and achieve an appropriate transition of built form to adjacent uses.

Decisions with respect to planning matters are required to conform to the provisions of the Growth Plan.

#### Official Plan Considerations

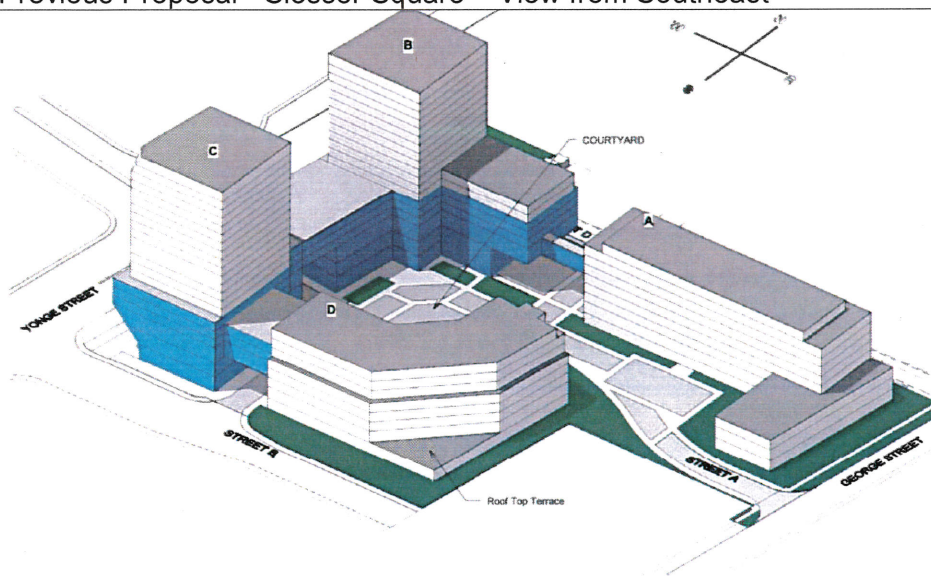
The subject property is located within the Provincial Urban Growth Centre (PUGC) and designated Mixed Use on “Schedule 3: Land Use” plan in the Urban Centres Secondary Plan (UCSP) permitting a broad range of residential and commercial uses. The UCSP also identifies the property as being High Density adjacent to Yonge Street and Medium Density adjacent to George Street and subject to an exception based on the OMB order discussed further below. This site is also identified as a Priority Commercial Area.

Section 15 of the UCSP identifies an exception for the subject lands as follows:

*Notwithstanding the height and density provisions of the Secondary Plan, the maximum building height on lands municipally known in 2014 as 17645 Yonge Street, and as identified in the approved Zoning By-law as Block B and C, shall not exceed 58 m and 64 m, respectively, and that the site density for the entire property shall not exceed 3.5 FSI. This density shall be calculated on the basis of subject property only and will be applied to the overall density calculation for the applicable density designation. All other applicable provisions of the Secondary Plan shall apply.*

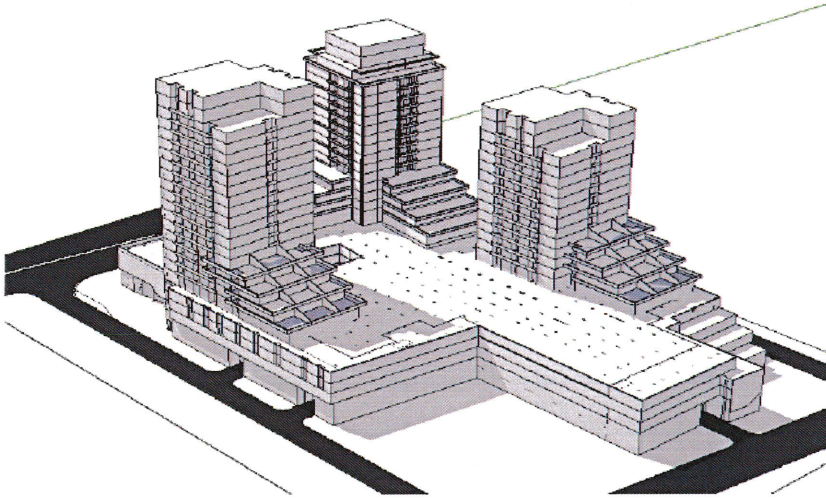
The above exception is based on the OMB order implementing the previous proposal for the site. As the current proposal exceeds these height limits in certain areas, an Official Plan Amendment is required to reflect the revised heights within a revised block configuration. The Floor Space Index remains at 3.5 as the density has been shifted from the previously approved buildings for Blocks A and D of 8 and 9 storeys respectively, to the 17 storey tower stepping down toward George Street. Below are two perspective drawings, one detailing the massing of the previously approved plan and the other detailing the current proposal.

#### Previous Proposal - Slessor Square – View from Southeast

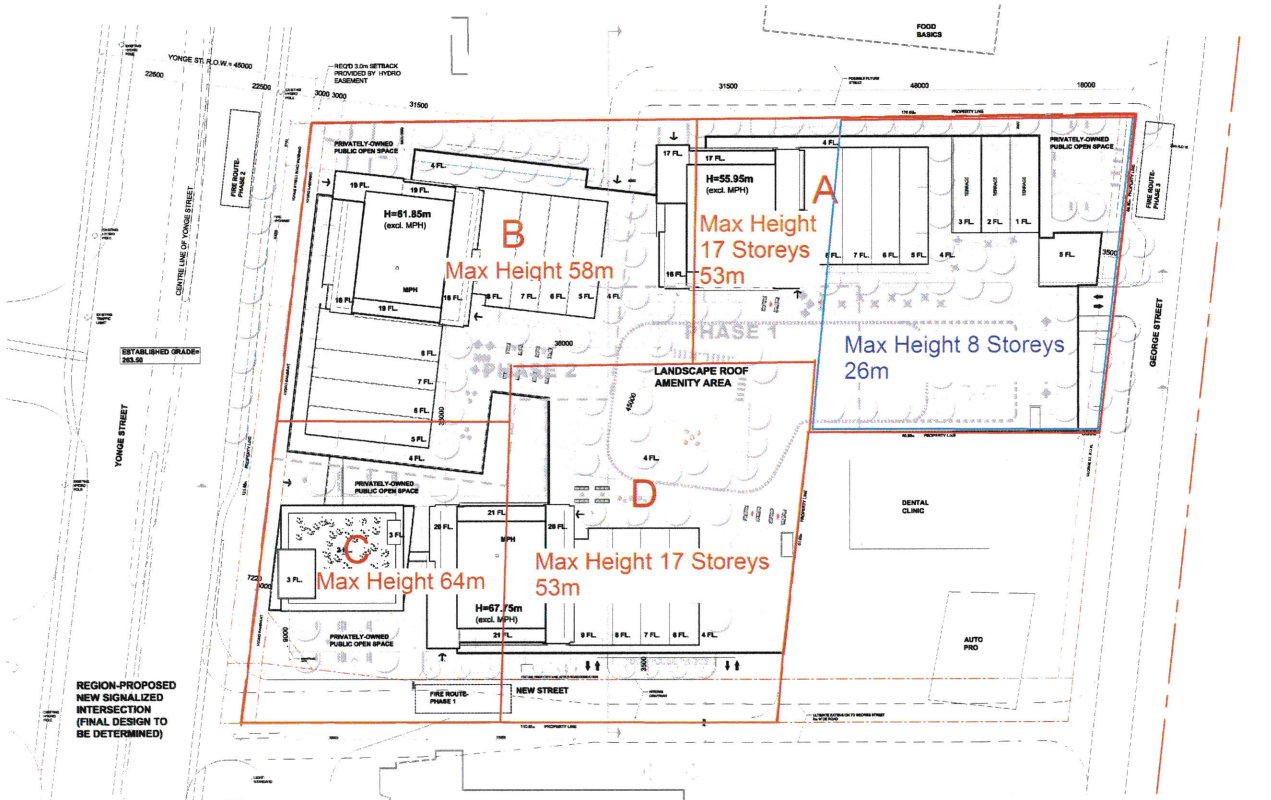




### Current Proposal – Redwood on Yonge -View from Southeast



The exception identifies 4 blocks on the site based on the schedule contained in the OMB order and provide a maximum height on Blocks B and C, adjacent to Yonge Street. The remaining parcels would be subject to the height requirements identified in the UCSP. The Blocks identified and their height limits are superimposed on the current development plan below. The site is designated High Density with the exception of a portion located adjacent to George Street which is designated Medium Density identified in blue on the below plan



#### Block A

- USCP Maximum Height      High Density 17 Storeys 53m  
    Medium Density 8 Storeys 26m (Blue)
- Proposed Height              High Density 17 Storeys – 55.95m  
    Medium Density 8 Storeys (28.8m) (Blue)
- Relief requested              High Density 2.95m  
    Medium Density 2.8m (Blue)

#### Block B

- OMB/UCSP Maximum Height - 58m
- Proposed Height of 19 Storeys - 61.85m
- Relief requested 2.85m

#### Block C

- OMB/UCSP Maximum Height 64m
- Proposed Height 3 storey building at Yonge Street and a portion of a 21 Storey Towner - 67.75m
- Relief requested for Tower 3.75m

#### Block D

- UCSP Maximum Height of 17 Storeys - 53m
- Proposed Height of 17 Storeys - 55.95m
- Relief requested 2.95m

While the proposed height increase will continue to be reviewed, staff are of the opinion the heights are consistent with the general intent of the plan.

The UCSP also contains a number of policies relating to:

*Priority Commercial Areas* – this property is identified as a Priority Commercial Area, specifically along Yonge Street, in the Secondary Plan. The Priority Commercial Areas are identified to ensure that retail and service uses are provided to support the people who live, work and recreate in the Urban Centres and provides for an active street with a balance of residential and commercial uses. The proposed development includes a total of approximately 2,000 m<sup>2</sup> of commercial floor area with approximately 1,500 m<sup>2</sup> adjacent to Yonge Street and 500 m<sup>2</sup> adjacent to George Street.

*Affordable Housing* – The UCSP indicates that a minimum of 35% of new housing units in the Provincial Urban Growth Centre shall be affordable to low and moderate income households. This 35% is not intended to be achieved on each individual application, but rather within the PUGC as a whole. Affordable housing shall comprise a range and mix of housing forms, unit sizes and tenure and include a significant number of dwelling units which may accommodate households with children, larger families, people with special needs, and rental households.

The applicant has indicated in their submission that the proposed development is planned to be entirely rental in tenure. The residential units will include a range of unit types and sizes with approximately 50% of all units will have 2 bedrooms, while another 25% will be one bedroom and the balance (25%) will be three bedrooms. Rents for these units have not yet been established and will be determined through a marketing program closer to project completion. Rents will be determined by a number of factors, namely market conditions at that time, size of unit, length of tenancy, etc. This development is not anticipated to be marketed as 'affordable', under the metrics of the Region of York's annually-published benchmark prices. Rather, this development is intended to provide a quality rental alternative to home ownership in a prime



location in the Town of Newmarket, wherein the barrier for entry (ie. a substantial down payment) is completely out of reach.

While the applicant is providing for a range of unit sizes of rental tenure, further discussion is necessary to confirm conformity with the Plan in terms of ensuring Newmarket's affordable housing goals are broadly met.

*Urban design* – the UCSP has a number of urban design objectives to ensure a high quality of design that is sensitive to the surrounding land uses and create the distinct, livable and vibrant urban place that Newmarket is seeking to achieve. The applicant has submitted an Urban Design Rational identifying the Secondary Plan requirements and how they have been achieved through this proposal. Staff are satisfied that the proposed plans generally conform to the Urban Design policies of the UCSP.

*Angular Plane* – The policies of the UCSP indicate that to ensure that new development is sensitive to and compatible with the existing or planned context and provides for an appropriate transition in scale, new development located directly adjacent to the rear or side yard of an existing *lowrise* residential area within the Stable and Emerging Residential Areas shall be designed to limit the maximum height, including mechanical units, balconies, railings, overhangs and other projections, to generally not exceed an angular plane of 45 degrees measured from the property line of the adjacent residential or parkland property.

The elevations submitted with the application and appended to this report detail the angular plane from George Street to be less than 37.5%.

*Shadow Impact* – the submitted Shadow study indicates that the proposed development will have little impact on the adjacent low density residential to the east during the spring, summer and fall months. Shadow impacts during the winter months appear to be similar to the impact from the previously approved proposal, casting shadows over the adjacent residential community in the evening hours. It appears that the new proposal may provide less of an impact due to the additional tower separations however further study would be needed to confirm this.

*Sustainability* – the UCSP requires the incorporation of certain sustainability measures. The proposal includes water reduction techniques such as rainwater retention and re-use, rain gardens and landscaping on the periphery of the site and terrace/podium. Heated pathways are proposed to reduce salt usage. Staff will insure the sustainability requirements of the Secondary Plan are complied with.

*Communication Technology*- the Secondary plan requires that all mixed use buildings will be designed to facilitate advanced telecommunication. The submission indicates that the owner and developer is committed to providing a high-quality rental housing product that will be attractive to a large number of groups who wish to reside in this development. By ensuring that leading-edge communication technology is included, the owners will be able to attract a broad range of renters who may rely on and expect high speed data. Detailed working drawings will identify these conduits within the design of the proposed development.

It would appear that the current proposal for this site is in general conformity with the Urban Centre Secondary Plan.

#### Zoning Bylaw Consideration

The Subject Property is currently zoned with a site specific Provincial Urban Centre Zone with the Holding Provision to be lifted once certain conditions have been fulfilled. The existing zoning on the property was approved by the OMB based on minutes of settlement for the previous development proposal.

As the site specific zoning was based on a specific plan, a zoning by-law amendment is necessary to implement the proposal as it relates to height, parking, coverage and setbacks.

A number of Holding Provisions will be included in any approved zoning by-law to ensure the appropriate studies are updated and accepted by the Town and that servicing allocation has been provided. The existing holding provisions under the OMB approved By-law are being reviewed for appropriateness to include in any new By-law. The comprehensive report following the Statutory Public Meeting will provide Council with a list of conditions to be included if these applications are approved.

#### Parkland

Parkland dedication will be required in accordance with the Town's By-Law to provide for the conveyance of land and/or cash-in-lieu thereof for park and other purposes (2016-61) through the Site Plan Approval process if these applications are approved.

### **Engineering Services Review**

#### **Traffic and Parking**

The most significant changes being proposed in this application which affect roads and traffic are as follows:

- The revised Plan no longer provides a private street connection to Yonge Street (formerly street A) since the Region of York have now programmed a relocation of this intersection to the south to align with a new signalized mall entrance.
- The previously proposed Street B/Yonge Street interim right-in/right-out configuration will now be replaced with a fully signalized intersection as noted above.
- The underground parking previously proposed will be replaced with an above ground structure.

It is recommended that updated Transportation Mobility Plans (TMP) be prepared to support Phase 2 and 3 of this plan, to determine the impacts that the reduction in east west connectivity may have between Yonge Street and George Street. This ongoing study work will determine the impacts that proposed network improvements (e.g widening of Yonge Street) may have on the study area; confirm the trip generation rates and growth assumptions as development occurs; confirm the pedestrian travel operations and ensure that the Level of Service (LOS) for pedestrian movements are maintained as a reasonable LOS in this area. The updated TMP for Phase 2 and 3 is to also review parking and vehicular queuing.

The revised plan appears to be consistent with the requirements of the Minutes of Settlement provided by the OMB.

#### **Stormwater Management and Storm Drainage**

The impacts of the proposed zone change will not affect the stormwater management design for the site. The stormwater management design for this site proposes to implement low impact development (LID) measures such as rainwater harvesting, rain gardens and heated pathways in lieu of salting. All practical LID measures will be reviewed at the detailed design stage.

The Holding provision under the existing zoning is to be maintained in any new zoning by-law.

#### **Sanitary Drainage**

Engineering Services have noted that at the time the Functional Servicing Report (FSR) had been prepared by the applicant, they did not have the benefit of the recently completed Water and Wastewater Master Plan (WWW) prepared by WSP on behalf of the Town.



The WWW Master Plan concludes that downstream sanitary sewers will likely be surcharged under future development conditions and that there will be a risk of basement flooding. Improvements to the downstream sanitary sewer system will be required to accommodate flows from the development. Improvements identified within the WWW Master Plan are to be implemented prior to this development taking place. The Town is currently reviewing the schedule and funding options to carry out the downstream improvements required to accommodate the proposed development.

The Holding Provision currently in place under the OMB approved zoning with respect to sanitary capacity will be revised to acknowledge that downstream sanitary sewer works are required. The Holding Provision will not be lifted until the required work is completed to the satisfaction of the Town.

### **Water Servicing**

The FSR submitted by the applicant proposes to provide two watermain connections for the proposed development. Only one connection will be permitted.

The Town's WWW Master Plan identifies improvements required to the existing water distribution system. The Town is currently reviewing the schedule and funding options to carry out this work. The developer will be responsible for funding any improvements required to accommodate the proposed development.

The Holding Provision currently in place under the OMB approved zoning with respect to water supply will be revised to acknowledge the watermain replacement that is required. The Holding provision will not be lifted until the required work is completed to the satisfaction of the Town.

### **Grading**

Engineering Services are satisfied that an acceptable Grading Plan can be prepared at the detailed design stage. No special provisions are required with respect to the proposed zone change.

### **Environmental Review**

Engineering Services have advised that the Phase One and Two Environmental Site Assessment Reports have been submitted and Record of Site Conditions (RSC's) have been filed with the Ministry of Environment and Climate Change. No special provisions are required with respect to the proposed zone change.

### **Region of York**

The Region of York has provided no objection to the proposed Official Plan and Zoning By-law amendments. They indicate the site is designated as "Urban Area", "Regional Centre", and along a Regional Corridor and is designated "Yonge Davis Urban Centre" in the Town of Newmarket Official Plan. Combined, these policies contemplate future development that is compact, mix-use, and transit-oriented. The site is within Wellhead Protection Area A, Recharge Management Area, and partially within the boundaries of a Highly Vulnerable Aquifer. The site is also located within the Lake Simcoe watershed and subject to the policies of the Lake Simcoe Protection Plan.

Regional Water Resources and Transportation Planning have a number of technical comments that are to be addressed through the necessary Site Plan process if these applications are approved.

York Region Development Planning staff are of the opinion that proposed OPA and ZBA applications are in keeping with 2010 York Region Official Plan.

### **Lake Simcoe Region Conservation Authority**

This development is considered to be “major development” as defined by the Lake Simcoe Protection Plan (LSPP). Accordingly, the proposed stormwater management plan will be required to be prepared in accordance with Designated Policies 4.8-4.11 of the LSPP. Additionally, current environmental mapping illustrates that the subject lands are within the Recharge Management Area as per the South Georgian Bay Lake Simcoe Source Protection Plan, therefore the Applicant will be required to demonstrate post development water balance on the site. We understand the Applicant will be submitting an application for Site Plan Approval in the future to permit the proposed development. LSRCA technical comments with respect to stormwater management and hydrogeology will be provided at the time of Site Plan Application.

The LSRCA are satisfied from a watershed management perspective that this application is consistent with the intent of the PPS, is in conformity with the Growth Plan and the LSPP, and that the relevant environmental policies would not be offended. On this basis, the LSRCA has no objection to the approval of the proposed Official Plan and Zoning By-law Amendments.

### **Other Departmental and Agency Comments**

Comments from other agencies and departments will be reviewed and addressed throughout the process and summarized in the comprehensive report to come forward after the statutory public meeting.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

These applications have linkages to the Community Strategic Plan as follows:

#### **Living Well**

- Traffic and growth management strategies

#### **Well Balanced**

- Meeting the needs of all life-cycle stages

#### **Well-equipped & managed**

- Efficient management of capital assets and municipal services to meet existing and future operational demands
- Varied housing types, affordability and densities

#### **Well planned & connected**

- Long-term strategy matched with a short-term action plan
- Improving interconnectivity and interaction amongst neighbours and neighbourhoods.

### **COMMUNITY CONSULTATION POLICY**

The recommendations of this report refer the applications to the statutory public meeting as required by the Planning Act.

### **BUDGET IMPACT Operating Budget (Current and Future)**

The appropriate planning application fees have been received for Official Plan amendment and zoning bylaw amendment. The Town will also receive revenue from development charges and assessment revenue with the development of this proposal in the event the applications are approved.

### **Capital Budget**

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



**CONTACT**

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; [druggle@newmarket.ca](mailto:druggle@newmarket.ca)

**Attachments**

- 1 - Location Map
- 2 - Proposed Site Plan
- 3- Perspective Elevations



Commissioner Development and Infrastructure  
Services



Director of Planning and Building Services



Senior Planner – Community Planning

**LOCATION MAP**  
**17645 Yonge Street**  
**East Side of Yonge Street**  
**North of Davis Drive**



**Subject Lands**

**TOWN OF NEWMARKET PLANNING DEPARTMENT**

Designed & Produced by Information Technology – GIS Printed: June, 2017 Land Parcel Boundaries: © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015. Zoning - Town of Newmarket, 2015.  
 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.

T:\DI Services\Planning\Dave\file related documentation\17645 Yonge Street Redwood Prop (slesor)\Complete application documents\location.m



PREPARED BY: 17645 Yonge Street Developments Inc. 17645 Yonge Street, Unit 100 Richmond Hill, Ontario L4B 1A1 TEL: (905) 882-1111 FAX: (905) 882-1112 WWW: 17645YONGE.COM	SUBMISSION 17645 Yonge Street Zoning By-law/Official Plan Amendments Planning 2017-32
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SEAL:

PROJECT:



REDWOOD  
ON YONGE

17645 Yonge Street,  
Richmond Hill, Ontario

TITLE: Site Plan

DATE: 10/03/2017

SCALE: 1:400

DRAWN: PC/SL

CHECKED: UN

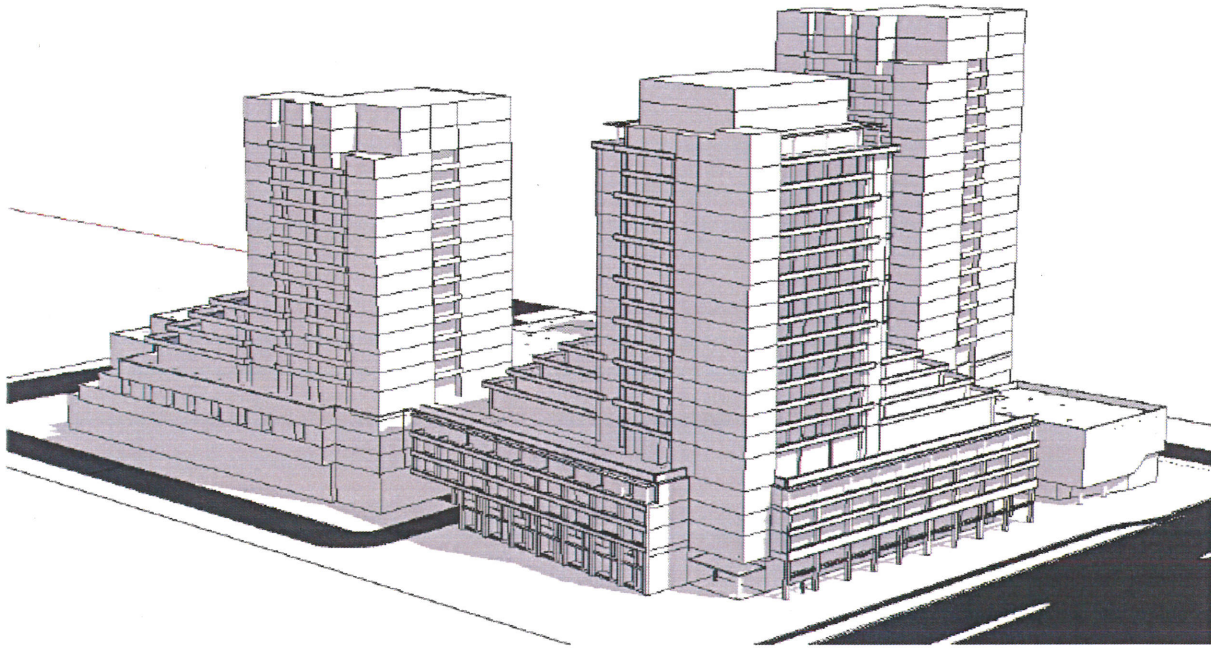
PROJ. NO.: 100732

A-005

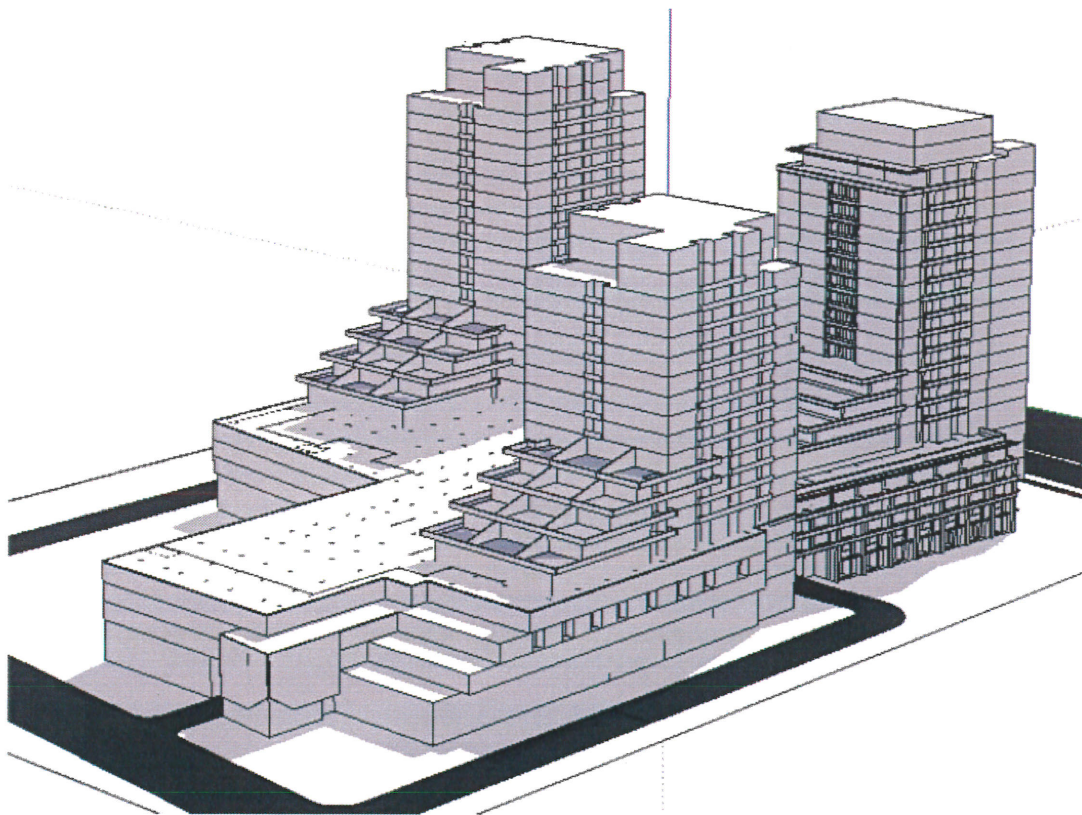




Perspective Elevation – View from Northwest



Perspective Elevation – View From Northeast





## **PLANNING AND BUILDING SERVICES**

**Town of Newmarket**

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# 17

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September 25, 2017

### **DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2017-34**

TO: Committee of the Whole

SUBJECT: Newmarket Parkland Dedication By-law, 2017

ORIGIN: Planning and Building Services

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### **RECOMMENDATIONS**

**THAT Development and Infrastructure Services/Planning Report 2017-34 dated September 25, 2017 regarding the Town of Newmarket's Parkland Dedication By-law, 2017 be received and the following recommendation(s) be adopted:**

- 1. THAT Council adopt the Parkland Dedication By-law, 2017 for the Town of Newmarket as contained in Attachment 1.**

### **PURPOSE OF THIS REPORT**

The purpose of this report is to highlight some of the changes proposed for the Town's new Parkland Dedication By-law.

### **BACKGROUND**

On September 12, 2016, Council approved the Town's first Parkland Dedication By-law (By-law 2016-42). After a three month period, a small number of minor changes were made to the By-law to address some technical issues; this resulted in the next iteration of the by-law, being By-law 2016-61. This is the Parkland Dedication By-law that is currently in place.

After a full year of real-world application through numerous development proposals, staff are now proposing a larger number of more significant changes. These changes will make the by-law more user-friendly for staff and the development industry, less prescriptive, and make the parkland values calculated through the by-law more defensible at the OMB.

## **COMMENTS**

The Town's Parkland Dedication By-law has been used in the processing of various development applications, primarily within the Urban Centres, over the past year. Through this real-world application, various changes have been deemed to be necessary. The following list summarizes the proposed 13 changes:

	<b>Description of Change:</b>	<b>Reason for Change:</b>
<b>1</b>	The definition of "land area" has been revised to include reference to "a legal land parcel..." and other wording has been clarified.	To increase usability of the by-law and clarify that the legal property limits are to be used for parkland calculations.
<b>2</b>	The definition of "development" has been revised to include reference to "any application that requires approval under the <i>Planning Act</i> ."	To clarify the applicability of the by law.
<b>3</b>	"Development" and "redevelopment" have been revised to have the same meanings.	For consistency and to increase usability.
<b>4</b>	A "Gross Floor Area" definition has been introduced.	To align with the new term "gross floor area" that replaced "total floor area" throughout the by-law.
<b>5</b>	Wording changes regarding the requirement for mandatory physical land contribution for larger sites in the Urban Centres.	To highlight this requirement and clarify its applicability.
<b>6</b>	The detail and specificity in the Determination of Cash-in-Lieu Value section has been significantly reduced.	To better implement the requirements of the Planning Act, align this methodology with the similar methodology in similar Town by-laws and policies, and increase usability.
<b>7</b>	A new "Timing of Land Conveyance / CIL Payment" section has been introduced.	To provide clear direction on when conveyances are required.
<b>8</b>	A new "Phased Development" section has been introduced.	Much development will be larger, phased developments, where parkland will be collected in phases. This section provides necessary guidance.
<b>9</b>	The "Future Development or Redevelopment" has been deleted.	To simplify the by-law / there is no requirement to include this section.
<b>10</b>	The "Eligible Projects for CIL" has been deleted.	To simplify the by-law / there is no requirement to include this section.
<b>11</b>	The "Lands Not Acceptable for Parkland Conveyance" section has been revised.	To simplify the by-law and provide for the possibility of floodplain lands being acceptable for parkland conveyance in certain

		circumstances where they are deemed acceptable by the LSRCA and Town (eg. where agreements permit development within the Urban Centres' floodplain area).
12	In the "Exemptions" section, one exemption has been revised.	To simplify the exception dealing with the non-applicability of the by-law to additions that are 10% or less than the GFA of the original building, and to clarify that this exemption does not apply to additions that are 10,000 sq ft (929 sq m) or greater in <i>gross floor area</i> .
13	Formatting, structural and minor text changes to increase usability of the document.	To increase usability of the by-law.

### **Parkland 'cap' timing**

For mixed-use and residential developments within the Urban Centres, the by-law caps parkland requirements (land and the equivalent cash value) at 25% of the land area proposed for redevelopment for a period of 3 years "from the enactment date of this by-law". After the 3 year period, the cap increases to 50%. This was included as a way to incentivize development applications over the short term.

With a new by-law now being proposed, the 3-year period would effectively be reset. Staff believe this would be beneficial to bring this incentive measure in step with other Marketing the Corridors strategies that have recently been enacted or are to be enacted in the near future (e.g. aligned Urban Centres zoning, Density Bonusing Guidelines, and the branding/marketing initiative).

Alternatively, the wording in the proposed by-law can be revised to reference "2 years" to account for the year that has passed, however this approach would not leverage the various incentive measures to the same degree.

### **COMMUNITY CONSULTATION**

As outlined in Report 2016-27, the preparation of the original by-law (By-law 2016-42, which was approved on September 12, 2016) included a significant public/stakeholder consultation process.

In addition, the proposed changes noted above result directly from the by-law's use in calculating parkland requirements and cash-in-lieu values with various developers and lawyers over the past year. This real-world application essentially acted as the consultation that supports the proposed changes.

## **HUMAN RESOURCE CONSIDERATIONS**

None directly applicable to this report.

## **BUDGET IMPACT**

There are no budget impacts resulting from this Report.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

### *Living well*

- Emphasis on active lifestyles and recreational opportunities.

### *Well Balanced*

- Providing recreational facilities and services.

### *Well Planned and Connected*

- Improved interconnectivity and interaction amongst neighbours and neighbourhoods.
- Walking and biking trails, paths and lanes.

## **CONTACT**

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



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Senior Planner, Policy



Jason Unger, MCIP, RPP  
Assistant Director of Planning



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



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

### Attachments:

- Attachment 1 – Parkland Dedication By-law, 2017 (draft)





## CORPORATION OF THE TOWN OF NEWMARKET

### BY-LAW NUMBER 2017-\_\_\_\_\_

#### A BY-LAW TO PROVIDE FOR THE CONVEYANCE OF LAND AND CASH-IN-LIEU THEREOF FOR PARK AND OTHER PURPOSES

WHEREAS sections 42, 51.1 and 53 of the *Planning Act*, as amended, authorize local municipalities to pass by-laws requiring that land or Cash-in-lieu thereof be conveyed to the local municipality as a condition of development or redevelopment of land, the subdivision land, or the granting of provisional consent over land;

AND WHEREAS the Council for the Corporation of the Town of Newmarket has adopted policies within its Official Plan pertaining to the conveyance of land or Cash-in-lieu thereof to the Town as a condition of development or redevelopment under the Planning Act, as amended;

AND WHEREAS Council for the Corporation of the Town of Newmarket deems it necessary and expedient to enact a by-law to provide for the provision of lands for park or other public recreational purposes and the use of alternative requirements therefor;

AND WHEREAS Council for the Corporation of the Town of Newmarket desires to repeal and replace By-law 2016-42 and By-law 2016-61 with an updated by-law to provide for the conveyance of land and cash-in-lieu thereof for park and other purposes;

NOW THEREFORE THE COUNCIL OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:

#### DEFINITIONS:

In this by-law:

- (a) "Building permit" means a *building permit* issued pursuant to the Ontario *Building Code Act*, as amended.
- (b) "Cash-in-lieu" means a payment of money for park or other public recreational purposes which is collected in lieu of a conveyance of land which would otherwise be required to be conveyed pursuant to the parkland provisions of the *Planning Act* as incorporated into this by-law.
- (c) "Development" means the construction, erection, or placing of one or more buildings or structures on land or making an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishing a commercial parking lot, or the creation of dwelling units, or any application that requires approval under the *Planning Act*.

- (d) “Dwelling unit” means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.
- (e) “Gross Floor Area” has the same meaning as in the Town of Newmarket’s Development Charges By-law 2014-42, as amended or replaced.
- (f) “Land area” means a legal land parcel, including the portion of land which is to be conveyed for park purposes, but shall not include: stormwater management areas; lands identified for future road widenings; lands identified for future burying of hydro or related utility facilities; floodplain lands; natural heritage features and hydrologic features identified in the *Town Official Plan* or *Zoning By-Law*; natural heritage features and hydrologic features identified by a required Environmental Impact Study; or floodplain lands.
- (g) “Owner” means the registered owner of the land to be developed, redeveloped, or subdivided.
- (h) “Pocket Park” means a small park that accommodates passive recreation activities and other unstructured activities. *Pocket Parks* are between 70 and 2500 square metres in size, have frontage on at least one public street, and are primarily hard surfaced with limited soft surface elements.
- (i) “Privately Owned Public Space” means physical space that is privately owned but appears and functions as public space. These spaces: are secured through an easement in favour of the *Town*; are designed and maintained to the standards established by the *Town*; and remain open and accessible to the public or on a schedule established by agreement with the *Town*.
- (j) “Redevelopment” shall have the same meaning as *Development*.
- (k) “Sliver Space” means physical space that adds to the width of the abutting public sidewalk system. They create plazas or forecourts between the face of the building and the abutting street right-of-way.
- (l) “Strata Park” means publicly owned parkland or a publicly accessible privately owned open space located on top of buildings or structures, including but not limited to parking garages. The Strata component of this definition refers to the horizontal delineation of ownership, as it is described in the Ontario Condominium Act.
- (m) “Pedestrian Mews” means a short, pedestrian-only laneway having a minimum width of 6 metres.
- (n) “Temporary” in reference to a building or structure, means a building or structure constructed, erected or placed on land with the explicit understanding that that such building or structure is to be demolished by a set time, as indicated in a legal agreement with the *Town*.
- (o) “Town” means the Corporation of the Town of Newmarket.

**PART 1 – CONVEYANCE REQUIRED AS A CONDITION OF DEVELOPMENT OR REDEVELOPMENT**

- 1.1
- As a condition of *development* or *redevelopment* of land, the *Town* shall require the conveyance of land to the *Town* or a *cash-in-lieu* equivalent to the value of the land required to be conveyed under this by-law for park or other public recreational purposes.
- 1.2
- Conveyance, including the location and configuration shall be in the form of land, *cash-in-lieu* or a combination of cash and land, at the discretion of the *Town*.

**PART 2 – APPLICABILITY**

- 2.1
- This by-law applies to all lands within the corporate limits of the *Town*.

**PART 3 – CALCULATION OF CONVEYANCE**

- 3.1
- As a condition of *development* or *redevelopment* of land, the *Town* shall require the conveyance of land or *cash-in-lieu* equivalent to the *Town* for parks and other public recreational purposes as follows:

	Outside Urban Centres	Inside Urban Centres
Commercial or Industrial Uses	<ul style="list-style-type: none"><li>2% of the <i>land area</i> proposed for <i>development</i> or <i>redevelopment</i>; or <i>cash-in-lieu</i> equivalent.</li></ul>	<ul style="list-style-type: none"><li>2% of the <i>land area</i> proposed for <i>development</i> or <i>redevelopment</i>; or <i>cash-in-lieu</i> equivalent.</li></ul>
Mixed Use	<ul style="list-style-type: none"><li>The cumulative amount for the various uses proposed at their respective rates specified by this by-law; or <i>cash-in-lieu</i> equivalent.</li></ul>	<div>For <b>three years</b> from the enactment date of this by-law:</div> <ul style="list-style-type: none"><li>The cumulative amount for the various uses proposed at their respective rates specified by this by-law (utilizing either the provided residential ratio or the alternative residential requirement of the Planning Act, whichever is less), up to a maximum of 25% of the <i>land area</i> proposed for <i>development</i> or <i>redevelopment</i>; or <i>cash-in-lieu</i> equivalent.</li></ul> <div>After this three year period:</div> <ul style="list-style-type: none"><li>The cumulative amount for the various uses proposed, at their respective rates specified by this by-law (utilizing either the provided residential ratio or the alternative residential requirement of the Planning</li></ul>

		Act, whichever is less), up to a maximum of 50% of the <i>land area</i> proposed for <i>development</i> or <i>redevelopment</i> ; or <i>cash-in-lieu</i> equivalent.
<b>Residential Uses</b>	<ul style="list-style-type: none"><li>• 1 hectare per 300 <i>dwelling units</i>, or 5% of the <i>land area</i> proposed for <i>development</i> or <i>redevelopment</i>, whichever is greater.</li></ul> <p>Or:</p> <ul style="list-style-type: none"><li>• <i>Cash-in-lieu</i> equivalent of 5% of the <i>land area</i> for <i>development</i> or <i>redevelopment</i> or 1 hectare per 500 <i>dwelling units</i>, whichever is greater.</li></ul>	<p>For <b>three years</b> from the enactment date of this by-law:</p> <ul style="list-style-type: none"><li>• 0.7 hectares per 1000 residents, or the alternative residential requirement of the Planning Act, whichever is less, up to a maximum of 25% of the developable area of any site; or <i>cash-in-lieu</i> equivalent.</li></ul> <p><b>After</b> this three year period:</p> <ul style="list-style-type: none"><li>• 0.7 hectares per 1000 residents, or the alternative residential requirement of the Planning Act, whichever is less, up to a maximum of 50% of the developable area of any site; or <i>cash-in-lieu</i> equivalent.</li></ul>
<b>All Other Uses</b>	<ul style="list-style-type: none"><li>• 5% of the <i>land area</i> proposed for <i>development</i> or <i>redevelopment</i>; or <i>cash-in-lieu</i> equivalent.</li></ul>	<ul style="list-style-type: none"><li>• 5% of the <i>land area</i> proposed for <i>development</i> or <i>redevelopment</i>; or <i>cash-in-lieu</i> equivalent.</li></ul>

**Additional Parkland Requirement for residential applications on larger sites within the Urban Centres**

- 3.2 Within the areas subject to the Urban Centres Secondary Plan, the *Town* shall require, as part of or in addition to the requirements provided in Part 3.1, that all *development* or *redevelopment* applications that include residential uses on sites greater than 1000 square metres in size, identify a physical land contribution to the Urban Park System, as follows:
- (a) An Urban Park System land contribution of not less than 7.5% of the developable site area; and/or
  - (b) An Urban Square or Plaza, *Pocket Park* or *Sliver Space* with a minimum frontage on a public street of 7.5 metres, and a minimum size of 75 square metres. Larger sites shall include larger Urban Squares or Plazas and/or multiple Urban Park System elements; and/or
  - (c) *Pedestrian Mews* with a minimum width of 6 metres.

The remainder of the required parkland dedication may be made up of an off-site land dedication, or *cash-in-lieu* of land, or some combination of land and *cash-in-lieu*.

For sites less than 1000 square metres in size, the *Town* may accept an on-site land contribution, an off-site land contribution and/or *cash-in-lieu* of land.

#### **PART 4 - PARKLAND CREDIT**

- 4.1 Within the areas subject to the Urban Centres Secondary Plan, physical land conveyed and deemed acceptable by the *Town*, including but not limited to Neighbourhood Parks, Urban Squares, Plazas, *Pocket Parks*, *Sliver Spaces* and *Pedestrian Mews* within the Urban Centres, shall receive 100% credit toward the achievement of the parkland dedication requirement of the *Town*, in accordance with the requirements of Part 3 of this by-law.
- 4.2 Within the areas subject to the Urban Centres Secondary Plan, *Privately Owned Public Spaces* and *Strata Parks* that are not in public ownership may be considered as contributing toward the parkland dedication requirement of the *Town*, as long as appropriate legal agreements between the *Owner* and the *Town* are in place to ensure that they are designed and maintained to *Town* standards and are open and accessible to the public.
- 4.3 Where *Privately Owned Public Space* is designed and secured through a public easement for public uses such as interior courtyards, private/public squares and *Pedestrian Mews* linkages designed to be open and accessible to the general public and maintained to *Town* standards, 50% of the value of the land secured through an easement for such uses shall be applied as a credit towards the land requirements or *cash-in-lieu* required for parkland. This credit reflects the fact that these lands are not under the control of the *Town*, which will restrict the ability of the *Town* to design, manage and program the space as it wants over time.
- 4.4 Where *development* or *redevelopment* proposes a *Strata Park* that is to be owned by the *Town*, 80% of the value of the land required for parkland shall be applied as a credit towards the land requirements or *cash-in-lieu* required for parkland. This credit takes into account this type of parkland's inherent use limitations. For clarity, the 80% credit described in this section only applies where *Strata Parks* are not *Privately Owned Public Spaces*.
- 4.5 Where land is dedicated to the *Town* for the purpose of the future burying of hydro and related utility facilities across the frontages of Yonge Street or Davis Drive, 10% of the value of the land being dedicated shall be applied as a credit towards the land or the *cash-in-lieu* required for parkland.
- 4.6 Where *development* or *redevelopment* is within the Historic Downtown Heritage Conservation District or affects a property designated pursuant to Parts IV, V and VI of the *Ontario Heritage Act* and an identified cultural heritage resource is conserved, 20% of the value of the land required for

parkland shall be applied as a credit towards the land requirements or *cash-in-lieu* required for parkland.

- 4.7 Within the areas subject to the Urban Centres Secondary Plan, the *Town* may accept a full or partial off-site land dedication in-lieu of an on-site land dedication, as long as the value of the land for the off-site land dedication is of equal or greater value than that for the on-site land dedication, as determined by Part 4 of this by-law. The off-site dedication may be a complete or partial parkland contribution with reference to the land area and *cash-in-lieu* value being provided.

## **PART 5 – DETERMINATION OF CASH-IN-LIEU VALUE**

- 5.1 To determine a cash-in-lieu value of land as required by Part 3 of this by-law, land value shall be determined as of the day before the building permit is issued in respect of the *development* or *redevelopment*.
- 5.2 For the purposes of Part 5.1 of this by-law, the value of the land for which payment is being made in lieu of a conveyance shall be established by way of an appraisal of the fair market value of the land by a certified professional appraiser of real estate, who is designated as an Accredited Appraiser by the Appraisal Institute of Canada with experience appraising all types of real property. The appraisal shall be obtained by the Owner and shall be at the sole cost and expense of the Owner.
- 5.3 All appraisals obtained pursuant to this by-law shall state the criteria used to determine the value within the appraisal and shall be satisfactory to the *Town*.
- 5.4 An appraisal shall remain current for a maximum period of two years from the date of the appraisal.

## **PART 6 – TIMING OF LAND CONVEYANCE / CASH-IN-LIEU PAYMENT**

- 6.1 Where land is required to be conveyed to the *Town*, and/or cash-in-lieu is required to be paid to the *Town* in accordance with Part 3 of this by-law:
- (a) Title for the land to be conveyed or the payment of *cash-in-lieu* thereof for any *development* or *redevelopment* under Section 42 of the *Planning Act* shall be received by the *Town* prior to the issuance of any building permit for the proposed *development* or *redevelopment*.
  - (b) Title for the land to be conveyed or the payment of *cash-in-lieu* thereof shall be received by the *Town* in accordance with the conditions of approval of a plan of subdivision or condominium pursuant to Section 51 of the *Planning Act* or the conditions of provisional consent pursuant to Section 53 of the *Planning Act*.

## **PART 7 – PHASED DEVELOPMENT**

- 7.1 Notwithstanding Parts 5 and 6 of this by-law, for *development* or *redevelopment* which occurs pursuant to either of Sections 41 or 51 of the *Planning Act* and for which approvals are issued in phases, the *Town* shall calculate and require the conveyance of land for park purposes or the



payment of *cash-in-lieu* in accordance with the provisions of this by-law, on a phase by phase basis.

## **PART 8 - EXEMPTIONS**

8.1 This by-law shall not apply to the following:

- (a) *Development or redevelopment* of land, buildings or structures owned by and used for the purposes of the *Town*.
- (b) *Development or redevelopment* of land, buildings or structures owned by and used for the purposes of the Region of York or provincial government.
- (c) *Development or redevelopment* of land, buildings or structures owned by and used for the purposes of a Board of Education and/or Newmarket Library Board.
- (d) A college, university or a school defined in the *Education Act*.
- (e) *Development or redevelopment* of land, buildings or structures owned by and used for the purposes of Southlake Regional Health Centre.
- (f) Not for profit palliative care facilities.
- (g) The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause beyond the control of the *Owner* provided that no intensification or change in use is proposed, including but not limited to an increase in total *dwelling unit* count or *gross floor area*.
- (h) The enlargement of an existing single detached or semi-detached *dwelling unit* provided the enlargement does not result in an additional *dwelling unit*.
- (i) An accessory *dwelling unit* permitted by the *Town's* Official Plan and/or Zoning By-law in effect.
- (j) The enlargement of an existing commercial, industrial, or institutional building if the *gross floor area* of the enlargement is 10% or less than the current *gross floor area* of the existing building or structure. This exemption shall not apply to enlargements that are 929 sq m or greater in *gross floor area*.
- (k) A *temporary* building or structure.
- (l) Where the total *cash-in-lieu* payable for *development* or *redevelopment* is less than \$100.

## **PART 9 – LANDS NOT ACCEPTABLE FOR PARKLAND CONVEYANCE**

9.1 The following lands shall not be acceptable for parkland conveyance:

- (a) Lands designated as Natural Heritage System in the *Town's* Official Plan or lands designated Floodplain and Hazard Lands in the *Town's* Urban Centres Secondary Plan. Floodplain lands may only be deemed acceptable for parkland conveyance if written approval for such a use has been received by the *Town* from the Lake Simcoe Region Conservation Authority and the lands are deemed acceptable by the *Town*.
- (b) Any natural heritage feature or hydrologic feature defined by the Provincial Policy Statement (PPS) as significant, or as identified as significant through an Environmental Impact Study.
- (c) Stormwater management facilities.
- (d) Lands that are deemed to be contaminated.
- (e) Lands used for utility corridors or any other infrastructure, with the exception of lands dedicated to the *Town* for the undergrounding of hydro infrastructure along the Yonge Street and Davis Drive corridors.

## **PART 10 - DISPUTES**

- 10.1 Notwithstanding the provisions of Part 5 of this by-law, and in the event of a dispute between the *Town* and the *Owner* on the value of the land as determined under Part 5 of this by-law where the value of the land is not satisfactory to either party, either party may apply to the Ontario Municipal Board to have the value of the land determined.
- 10.2 If there is a dispute between the *Town* and the *Owner* on the value of the land as determined under Part 5 of this by-law, the *Owner* may pay the amount required by the *Town* under protest and shall make an application to the Ontario Municipal Board in accordance with the *Planning Act*.

## **PART 11 - GENERAL PROVISIONS**

- 11.1 All lands conveyed to the *Town* under this by-law shall be in a condition satisfactory to the *Town* and in accordance with the requirements of the *Town's* Official Plan Policies respecting the acquisition of land, including but not limited to the requirement for a Record of Site Condition pursuant to the *Environmental Protection Act*.
- 11.2 All lands conveyed to the *Town* under this by-law shall be free and clear of title encumbrances.
- 11.3 In the event that a section or a part of a section of this by-law is declared invalid by a court of competent jurisdiction, it is the intent of Council that the remainder of the by-law continue in full force and effect.

## **PART 12 - ADMINISTRATION**

- 12.1 This by-law will be jointly administered by the Director of Planning and Building Services and the Director of Financial Services.



- 12.2 As per the requirements of the *Planning Act*, the Director of Financial Services shall maintain a record of all lands and *cash-in-lieu* received and including all expenditures from the *cash-in-lieu* parkland reserve fund. The *cash-in-lieu* parkland dedication record and associated financial statements shall be reported to Council and made available to the public on a yearly basis.

**PART 13 - EFFECTIVE DATE**

- 13.1 This by-law shall come into force on the day it is enacted (the “Effective Date”) and By-law 2016-42 and By-law 2016-61 shall be repealed on the Effective Date.

**PART 14 - TRANSITION**

- 14.1 The provisions of this by-law shall apply to all *development* and *redevelopment* applications pursuant to the *Planning Act*, as amended, which are submitted and deemed complete on or after the Effective Date of this by-law.

**PART 15 - REVIEW OF THE BY-LAW**

- 15.1 This by-law shall be reviewed with each Official Plan Review or at an earlier time as prescribed by Council.

The portions of this by-law that are specifically subject to the Urban Centres Secondary Plan shall be reviewed at least every 3 years.

- 15.2 Should any section or part of a section of this by-law be declared or determined by a court or tribunal of competent jurisdiction to invalid, that portion of this by-law shall be considered to be severed from the balance of this by-law, which will continue to operate in full force and effect.

ENACTED THIS \_\_\_\_TH DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Tony Van Bynen, Mayor

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

**PLANNING AND BUILDING SERVICES****Town of Newmarket**

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September 25, 2017

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES  
REPORT 2017-33**

TO: Committee of the Whole

SUBJECT: **Application for Extension of Draft Plan Approval  
Draft Plan of Subdivision 19TN 2013-003  
North side of Davis Drive between Yonge Street and Bathurst Street (Toth Farm)  
Part of Lot 96, Concession 1, WYS  
Planning File: D12 13 22 & D14 13 22  
Sundial Homes (Davis) Limited**

ORIGIN: Planning and Building Services

**RECOMMENDATIONS**

**THAT Development and Infrastructure Services/Planning and Building Services Report 2017-33 dated September 25, 2017 regarding Application for extension to Draft Plan Approval be received and the following recommendation(s) be adopted:**

**THAT Council approve a ten year extension to the draft approval for Sundial Homes (Davis) Limited (19TN 2013-003) located in the Northwest Quadrant, north side of Davis Drive west of Yonge Street.**

**AND THAT Chris Matson, Matson, McConnell Ltd., 2430A Bloor Street West, Toronto, Ontario M6S 1P9 be notified of this action.**

**COMMENTS**

Staff have received a request by Sundial Homes to extend the draft plan approval on the subject lands. Council approved the Sundial Draft Plan of Subdivision on October 8, 2015 along with a set of Conditions of Approval. A note to the draft approval indicates that where final approval for registration has not been given within three years, the Town of Newmarket may withdraw its approval or extend the duration of the approval.

The first phase containing 250 dwelling units of this 651 dwelling unit subdivision was registered on June 28, 2017 and construction is ongoing. Section 51(32) of the Planning Act permits Municipalities to extend the time period for draft plan of subdivision approval. Depending on individual circumstances, fulfilling the conditions of draft approval within the initial time period may not be possible. In this case, a requirement of registration of future phases is dependent on Sundial Homes receiving servicing allocation from Council.

In 2016 Newmarket was granted an additional 1500 persons of servicing capacity, subject to completion of the Newmarket forcemain twinning. The additional capacity, once available, is expected to accommodate residential growth to the end of 2021.

This additional capacity is an interim measure until completion of the Upper York Sewage Solutions project, which is comprised of the forcemain twinning and the construction of a new water reclamation centre. As the water reclamation centre is not expected to be completed until 2024, the Region intends to

report back to Regional Council by 2019 to provide an overview on capacity use and need in Newmarket (as well as Aurora and East Gwillimbury), to recommend possible servicing solutions to bridge any capacity gap.

Because the additional 1500 people is subject to works that are not yet completed, staff do not consider it available at this time. Staff continues to work closely with York Region in the monitoring of our available servicing capacity and our growth targets.

As such, it is appropriate to extend the draft plan approval for this subdivision for a duration of ten years.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The continued development of this parcel of land is in accordance with the Newmarket Official Plan and has linkages to the Community Strategic Plan as follows: This application extension to Draft Plan Approval supports the Community Strategic Plan by being *Well*-balanced through the encouragement of an appropriate mix of lands uses and amenities, such as parks, to develop a sense of community within this subdivision; being *Well*-equipped by encouraging a variation of housing types and densities; being *Well*-planned & connected by controlling growth through a comprehensive Official Plan.

### **CONSULTATION**

Council held the statutory public meeting for this proposal in accordance with the *Planning Act* on April 7, 2014. No public consultation is required for this proposed extension of Draft Plan Approval.

### **BUDGET IMPACT**

#### **Operating Budget (Current and Future)**

The appropriate planning fees have been received for the proposed extension to Draft Plan Approval. The Town will also receive revenue from development charges and assessment revenue with the development of this subdivision.

#### **Capital Budget**

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

### **CONTACT**

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; [druggle@newmarket.ca](mailto:druggle@newmarket.ca)

### **Attachments**

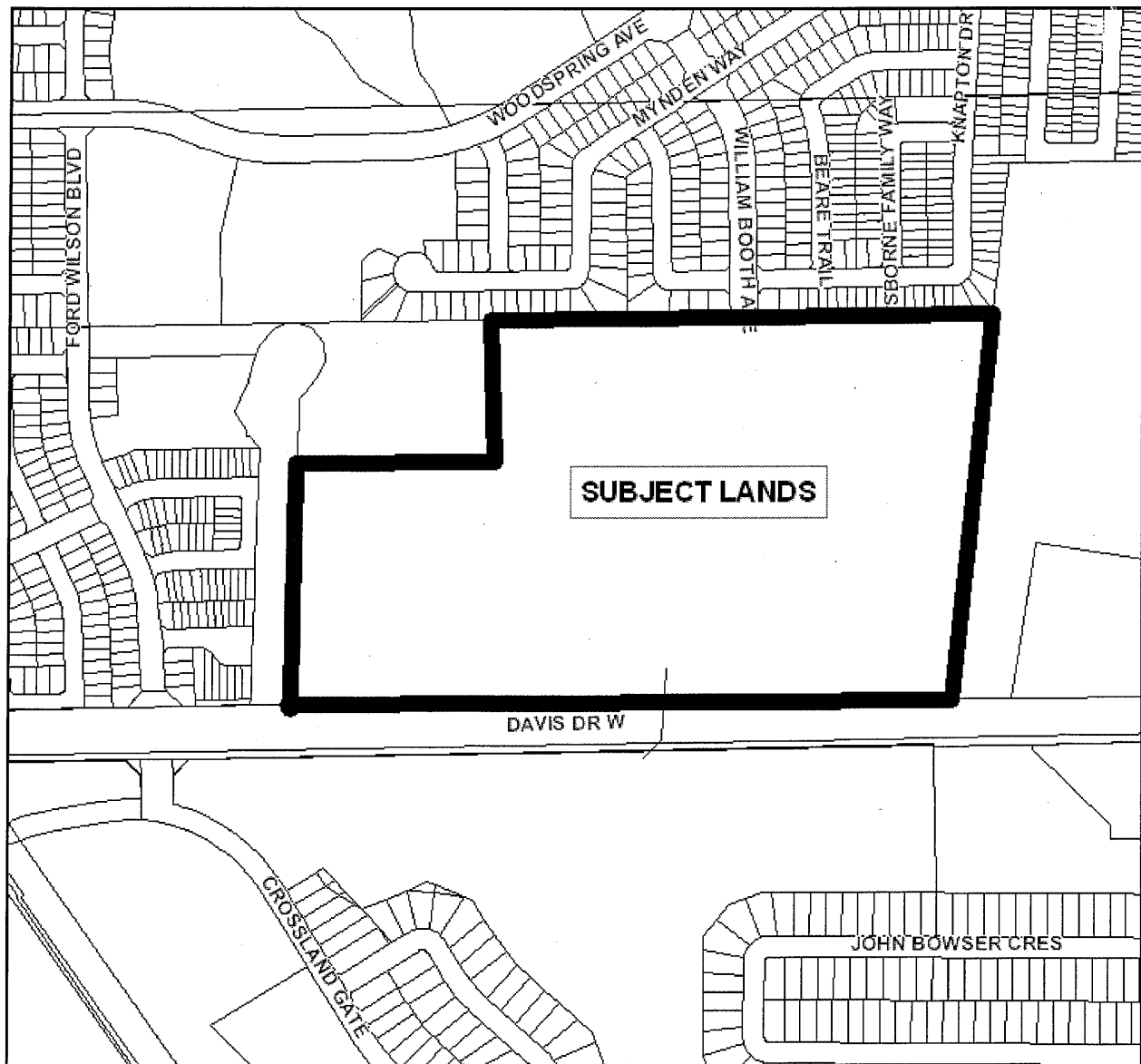
- 1 - Location Map
- 2 - Proposed Draft Plan of Subdivision

  
\_\_\_\_\_  
Commissioner, Development and  
Infrastructure Services

  
\_\_\_\_\_  
Director of Planning & Building Services

  
\_\_\_\_\_  
Senior Planner - Community Planning

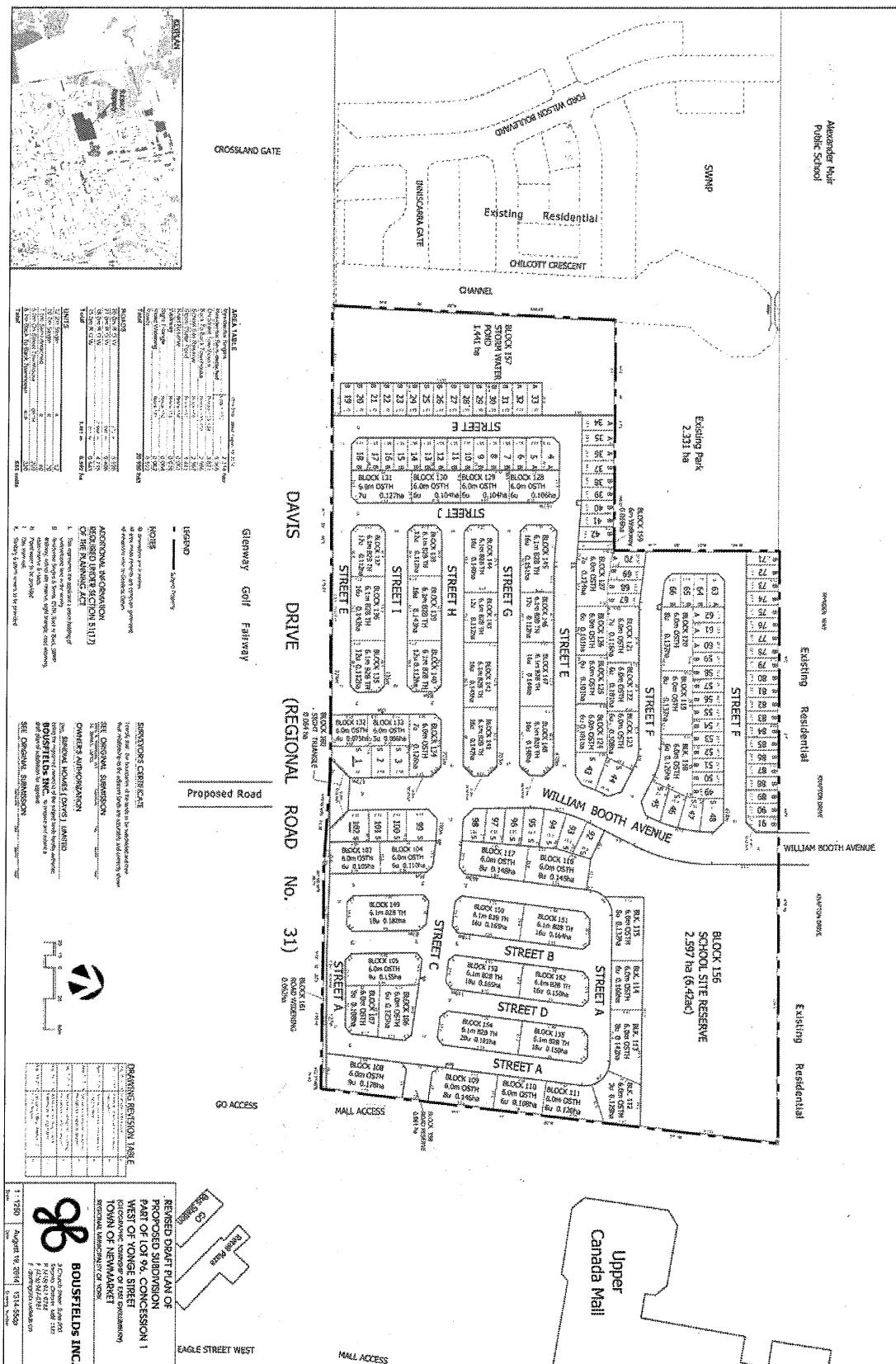
**LOCATION MAP**  
**North side of Davis Drive**  
**West of Yonge Street & East of Ford Wilson Blvd.**  
**Sundial Homes (Davis) Limited (Toth Farm)**



**TOWN OF NEWMARKET PLANNING DEPARTMENT**



Designed & Produced by: Information Technology - GIS. Sources: 2007 Coburn Ortho Imagery - © J.D. Barnes Limited, 2007 Orthophotography; Land Parcel Boundaries - © Telexis, and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2009: Municipal Boundary - Geomatics Division, Planning and Development Services Department © The Regional Municipality of York, 2009. DISCLAIMER: This mapping is based on the POLARIS parcel fabric products 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. It is not a substitute for a legal survey.





**PLANNING AND BUILDING SERVICES**

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September 25, 2017

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2017-29**

TO: Committee of the Whole

SUBJECT: Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe  
EBR Registry Number: 013-1014

ORIGIN: Planning and Building Services

**RECOMMENDATIONS**

THAT Development and Infrastructure Services/Planning & Building Services Report 2017-29 dated September 25, 2017 regarding the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe, Summary of Criteria and Methods, be received and that the following recommendation(s) be adopted:

1. THAT Council direct staff to submit Report 2017-29 to the Province of Ontario as the Town of Newmarket's comments on the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe, Summary of Criteria and Methods.
2. THAT Council direct staff to submit Report 2017-29 to York Region as input to the Regional Municipal Comprehensive Review.

**PURPOSE OF THIS REPORT**

This Report will provide information and recommendation(s) regarding the recently released "Summary of Criteria and Methods on the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe". This document was released by the Province on July 6, 2017 and is open for public comment until October 4, 2017.

**BACKGROUND**

The 2017 Growth Plan for the Greater Golden Horseshoe (Growth Plan) was released on July 1, 2017. This new Growth Plan contained a policy committing the Province to mapping a *Natural Heritage System* for

the Greater Golden Horseshoe to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The draft Natural Heritage System mapping was subsequently completed and released by the Province on July 6, 2017. Comments on this mapping are being accepted by the Province until October 4, 2017.

## **COMMENTS**

The "Summary of Criteria and Methods on the Proposed Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe" provide a clear and logical set of principles and methods for identifying a Natural Heritage System within the Greater Golden Horseshoe Area. In addition, this document included mapping of the proposed Natural Heritage System.

The future Natural Heritage System that this process creates will be subject to Section 4.2.2 of the Growth Plan. This section requires municipalities to incorporate the Natural Heritage System mapping as an overlay in official plans and apply policies to maintain, restore, or enhance these areas.

It should be noted that new development in these areas is possible, provided certain criteria are met, including (among other requirements): (i) there are no *negative impacts on key natural heritage features or key hydrologic features* or their functions; and (ii) the provided maximums on disturbed area and impervious surface are not surpassed.

## **Draft Natural Heritage System Mapping Concerns**

As shown on the attached "Mapping Concerns" map (Attachment 1), the draft mapping identifies a section along the Newmarket / Aurora boundary as Proposed Natural Heritage System, and the Town's ORM lands as "OP Settlement Designation".

Staff have concerns with both of these designations over these lands. Below is a summary of the concern, followed by a potential resolution:

### **Area 1**

In areas outside of (east of) the Town's Oak Ridges Moraine (ORM lands), the proposed Natural Heritage System is placed over lands that are largely designated "Stable Residential" and "Emerging Residential" in the Town's Official Plan. Various ecological designations and the Flood Plain overlay are also applicable in this area.

To potentially resolve this issue, the proposed Natural Heritage System could be replaced with “OP Settlement Designation” in the portions of this area that are designated “Stable Residential” and “Emerging Residential”, and the remaining portions of the Proposed NHS could be revised to reflect the Various ecological designations and the Flood Plain overlay. These changes would align this section of the Proposed NHS with the local Official Plan.

### **Areas 2a and 2b**

In areas within the Town’s ORM lands, a designation labelled “OP Settlement Designation” is placed over lands that have been found to be ecologically significant and are protected by Provincial, Regional and Town policies. It would be logical if:

- **Area 2a:** The area east of Bathurst Street, located within the Greenbelt Plan/Oak Ridges Moraine area, was removed from the “OP Settlement Designation” in favour of the Natural Heritage System (Linkage area). This would more accurately reflect the 2017 Provincial Growth Plan, Regional Official Plan and Local Official Plan as outlined above, and protect the ecological features and functions (e.g. linkages) that have been found to exist in this area; and
- **Area 2b:** The area west of Bathurst Street, located within the Greenbelt Plan Area/Oak Ridges Moraine Natural Core area, was removed from the “OP Settlement Designation” in favour of the Natural Heritage System (Core area).

### **Policy Rationale for Mapping Changes in Areas 2a and 2b**

From a policy standpoint, the term “OP Settlement Designation” implies that Regional and/or local Official Plan designations were taken into account to form the limits of the “OP Settlement Designation”, however regarding the Town of Newmarket this does not appear to be the case. This area is heavily protected from development through the applicable Provincial, Regional and Local designations applicable to this area of the Town:

<b>Policy Document</b>	<b>Designation</b>
Growth Plan, 2017	Greenbelt Area
Greenbelt Plan, 2017	Oak Ridges Moraine Area
Oak Ridges Moraine Conservation Plan, 2017	West of Bathurst St: Natural Core Area East of Bathurst St: Settlement Area
York Region Official Plan, 2010	West of Bathurst St: Natural Core Area / Regional Greenlands System

	East of Bathurst St: Natural Linkage Area/ Regional Greenlands System
Newmarket Official Plan, 2006	West of Bathurst St: Natural Core Area – Oak Ridges Moraine East of Bathurst St: Environmental Protection Area – Oak Ridges Moraine

As shown above, the only outlier to the restrictive, ORM-related designations is the Oak Ridges Moraine Conservation Plan, 2017 (ORMCP) which designates the area east of Bathurst Street as “Settlement Area”. The Town has made previous submissions to the Province regarding better aligning this ORMCP designation with the other Provincial designations and policies, as well as other Regional and Local designations.

In sum, it does not appear that Official Plan designations (Local nor Regional) were consulted during the preparation of the “OP Designations” base mapping, as the name of this designation suggests. Furthermore, neither the 2017 Growth Plan, the 2017 Greenbelt Plan, the Region of York Official Plan, nor the Town of Newmarket Official Plan designate these lands in a manner that would permit large-scale development.

#### **Any mapping changes should result from the Regional MCR and ROPA**

Although the aforementioned mapping changes are logical and therefore suggested, they are not being formally recommended at this time. Staff believe that any mapping changes should result from the Municipal Comprehensive Review (MCR) that is currently being undertaken by the Region. It is being recommended that this Report be submitted to the Region as input to the MCR process.

The Region has re-commenced its Municipal Comprehensive Review (MCR) to establish a preferred Growth Scenario, and form the basis of a Regional Official Plan Amendment (ROPA). The MCR was initiated in 2014, but was put on hold until the Provincial Plans, 2017 were released. Town staff are directly involved in the MCR.

This review will include a holistic review of key policy areas, many of which result from the new Provincial Plans. A key part of this review will be to determine an intensification strategy and update growth forecasts taking into account new provincial policies regarding where and how to grow. Updates are anticipated regarding residential supply, and of key interest regarding the potential development of the Town’s ORM lands, a preferred Growth Scenario will be provided. Following the conclusion of the MCR, the Region intends to have a ROPA prepared for Regional Council consideration/adoption by the end of 2019.

This MCR and ROPA will provide important guidance regarding the development rationale of the Town's ORM lands. It is therefore being recommended that any future changes to the Town's existing Official Plan designations occur following, and as a result of, this process.

### **Background Rationale for Areas 2a and 2b Mapping Changes (Town's ORM Lands)**

The balance of this Report will provide information intended to provide a historic perspective regarding the existing local Official Plan designations that exist on the Town's ORM lands.

#### **a) Newmarket applied environmental designations before there was an ORMCP**

The Town's ORM lands have been protected by various Town and Regional Planning / growth management documents, as well as an Ontario Municipal Board (OMB) decision, for approximately 20 years.

In the mid 1990's, the Province began discussions about creating legislation intended to preserve the Oak Ridges Moraine. At the time, the Town was undertaking an Official Plan review, and although no formal Oak Ridges Moraine legislation was in place, the lands in the Town that were within the Oak Ridges Moraine area were designated "Oak Ridges Moraine" in the 1996 Official Plan.

The "Oak Ridges Moraine Conservation Plan" (ORMCP) was released by the Province in 2002. This Plan contained four land use designations: Natural Core Areas, Natural Linkage Areas, Countryside Areas and Settlement Areas. The moraine area within the Town was designated "Settlement Area" (east of Bathurst Street) and "Natural Core Area" (west of Bathurst Street).

#### **b) Newmarket applied greater environmental protection than required by the ORMCP designation**

During the following year, 2003, the Town amended the 1996 Official Plan to bring it into conformity with the ORMCP. During this process, rather than simply inserting the ORMCP designations (including the "Settlement Area" designation over much of the Town's ORM lands), Council at the time sought to provide a greater amount of protection to these lands, as permitted by the implementation sections of the ORMCP.

Council made this decision based largely on the findings of a "Natural Heritage Pilot Project" which was being undertaken the same year by the Town and LSRCA, in conjunction with Ontario Ministry of Natural Resources and York Region. This Project found that there is a significant concentration of sensitive,



significant and high functioning ecological features within the Town's moraine area which qualify for additional levels of protection. The decision by Council to apply an environmental priority provides the policy basis that guides planning opinions on these lands today.

This additional protection was implemented through an amendment to the Town's Official Plan (OPA 28) which introduced a range of designations over the moraine area, providing greater levels of protection than the ORMCP's "Settlement Area" designation.

### **c) Aurora's Official Plan**

As with Newmarket, the ORMCP designated a portion of the Town of Aurora "Settlement Area". Following this Provincial direction, Aurora Council approved OPA 48 which directly implemented the ORMCP's designations at a local level. This OPA designated much of the western and southern areas of the Town (including the northwest area abutting Newmarket) as "Oak Ridges Moraine Settlement Area" and established policies that supported development within these areas.

Although the two municipalities were designated the same in the ORMCP, Aurora's approach differed considerably from Newmarket's approach. At the direction of Council, Newmarket chose to study and protect its ORM lands, whereas Aurora established a more development-focused policy framework for its ORM lands. Rationale for this is best left to the Town of Aurora to comment on; however it is worth noting that the ORM is located within a far greater percentage of Aurora than the percentage of ORM located within Newmarket.

### **d) Newmarket defended its environmental Official Plan designations at the OMB**

Following approval of the 2006 Official Plan, in 2006 a development application was submitted on a portion of the Town's ORM lands, and therefore subject to OPA 28. Known as the Mademont application, this submission proposed 448 residential units on approximately 29 ha of moraine lands. Staff did not support the application based on three fundamental areas of concern: (i) the ecological integrity of the Oak Ridges Moraine; (ii) required servicing connections across Armitage Creek; and (iii) growth management and conformity issues with the Provincial Growth Plan. The application was appealed by the applicant to the OMB and Council authorized staff to defend against the appeal.

The OMB Decision supported the Town's position, agreeing that the area was not appropriate for development given its concentration of ecological features and proximity to Oak Ridges Moraine Natural Core Areas. Also significant, the Decision confirmed that applying a more restrictive designation was within the rights of the municipality and implemented the ORMCP's stated goal of: "*maintaining, and*

*where possible improving or restoring, the health, diversity, size and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions."*

To acknowledge the Town's successful defence of the Moraine at the OMB, in 2009 the Town received the Moraine Hero Award in the Municipal Leadership Category from EcoSpark and the STORM Coalition. This award was presented annually to a municipality (e.g. department, staff member or elected representative) who demonstrated outstanding leadership in protecting and preserving the Oak Ridges Moraine.



**2009 Moraine Hero Award presented to the Town in 2009, as displayed in Town Hall.**

#### **e) Added Protection provided through the 2017 Provincial Growth Plan**

The 2017 Growth Plan contains policies which limit growth in un-delineated built-up areas, areas that are not serviced by existing or planned water/wastewater servicing, or are in the Greenbelt area. These policies are intended to build upon those in the previous Growth Plan, and provide clearer direction regarding the efficient use of services. In addition, the concept of "strategic growth areas" is introduced in the 2017 Growth Plan. These are areas within "Settlement Areas" such as nodes, corridors, and other areas that identified by municipalities or the Province to be the focus for development (e.g. the Urban Centres).

While these policies are not in the ORMCP, they provide significantly more authority and provincial planning direction relative to protecting this area of the Town. In addition, the Growth Plan notes that where there is a conflict between other Provincial Plans and the Growth Plan regarding the natural environment or human health, the direction that provides more protection to the natural environment or human health prevails.

### **COMMUNITY CONSULTATION**

Not applicable to this Report.

### **HUMAN RESOURCE CONSIDERATIONS**

There are no Human Resource impacts associated with this Report.

### **BUDGET IMPACT**

There are no Capital or Operating Budget impacts associated with this Report.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

*Well-planned & connected:*

- Strategic growth by way of a comprehensive Official Plan.

*Well-respected:*

- Being an influential contributor to regional and provincial affairs.

### **CONTACT**

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



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



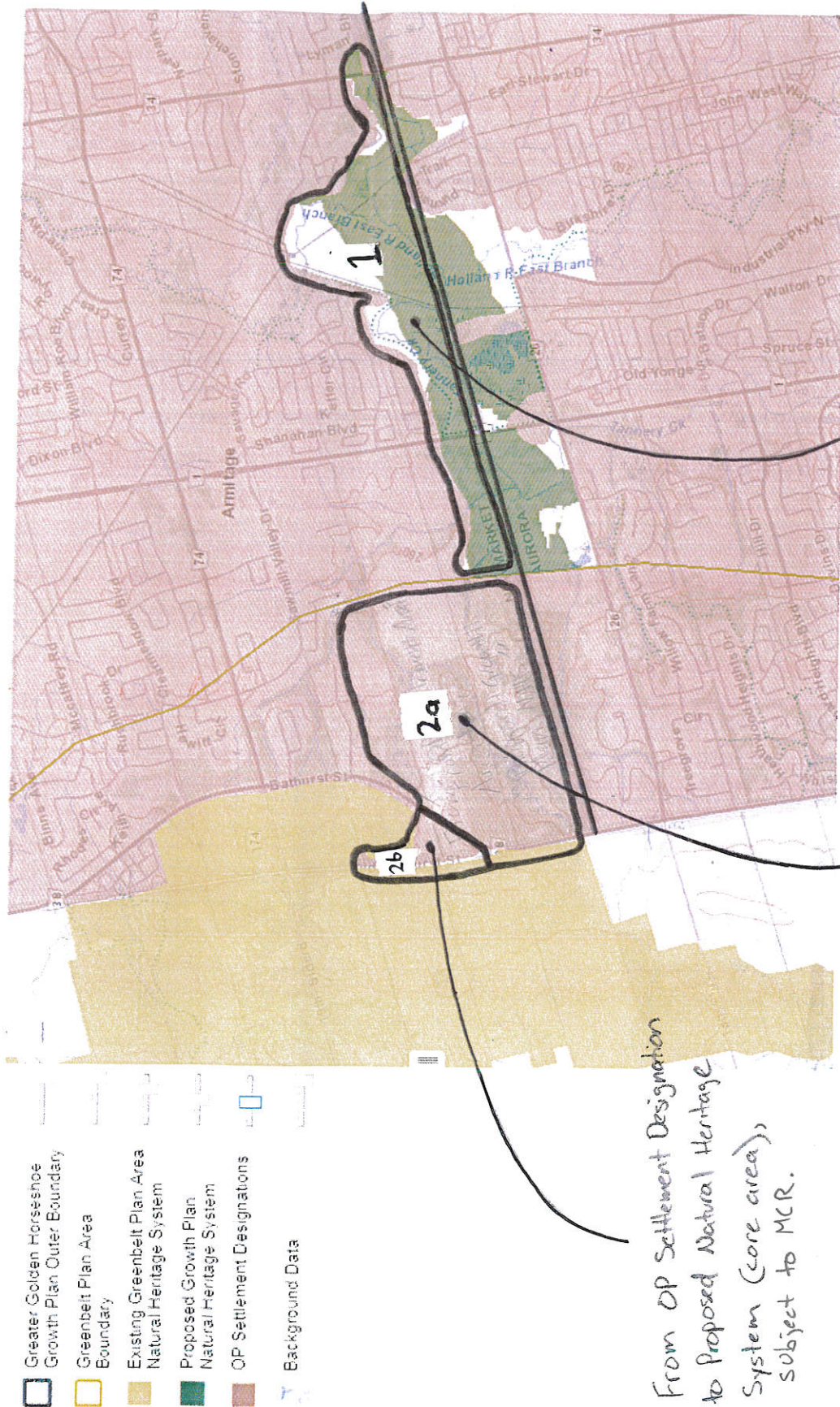
Peter Noehammer, P. Eng.  
Commissioner Development & Infrastructure  
Services

### **Attachment(s):**

Attachment 1 – Proposed Natural Heritage System - Mapping Concerns



# MAPPING CONCERNS



From OP Settlement Designation to Proposed Natural Heritage System (core area), subject to MCR.

From OP Settlement Designation to Proposed Natural Heritage System (Linkage area), subject to MCR.

Revise limits of NUS to account for:

- Town's Parks & Open Space Designation;
- Town's Natural Heritage System Designation;
- Town's Flood Plain Overlay;
- Stable Residential Designation;
- Emerging Residential Designation;
- Subject to MCR.



## OFFICE OF THE CAO/HUMAN RESOURCES

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August 23, 2017

**CHIEF ADMINISTRATIVE OFFICER REPORT – HUMAN RESOURCES REPORT 2017- 08**

TO: Committee of the Whole

SUBJECT: Diversity & Inclusivity Programs

ORIGIN: CAO/Human Resources

**RECOMMENDATIONS**

**THAT Chief Administrative Officer Report – Human Resources 17-08 dated July 27, 2017 regarding Diversity & Inclusivity Programs be received and the following recommendation(s) be adopted:**

**THAT the Town of Newmarket support, in principle, the York Region Diversity & Inclusion Charter which will serve to inform the Town's Diversity & Inclusivity Strategy.**

**COMMENTS**

Background on the York Region Diversity & Inclusion Charter:

Co-chaired by York Region and York Regional Police the Municipal Diversity & Inclusivity Group (MDIG) was created to engage the municipality and develop a Diversity & Inclusivity Charter (as a result of the work done by the Community Partnership Council in 2012). The York Region Diversity & Inclusion Charter will be finalized and implemented later this year. A few of the planned events over the next couple of months include:

- The "Who Am I" program (community conversation sessions);
- Pop In events at existing community events;
- "Workshop in a Box"; a Drop Box with comment cards in high traffic areas;
- An online survey.

Members of MDIG have met and drafted the York Region Diversity & Inclusivity Charter which was approved in principle by Regional Council last January and by the Local Municipal CAO group in May. The Municipal Diversity & Inclusivity Group (MDIG) is comprised of staff from York Regional Police, York Region District School Board, York Catholic District School Board, Mackenzie Health, Southlake Regional Health Centre, Markham Stouffville Hospital, United Way of Toronto & York Region, both the Lake Simcoe and Toronto and Region Conservation Authorities, York Region Children's Aid Society, York Region and the 9 municipalities in York Region, including Newmarket.

Full community Charter endorsement is expected to take place later this year. More information about York Region's initiative can be obtained in the 2017-2021 York Region Newcomer Strategy.



### **Diversity & Inclusivity Strategy at the Town of Newmarket**

Human Resources in collaboration with senior staff have developed a Diversity & Inclusivity Strategy for staff which aligns with corporate strategic priorities and supports the Talent Management Strategy within the Organization Ready 2020 initiative. The Town's Diversity & Inclusivity Strategy also aligns with the values and principles of the Region's Diversity & Inclusivity Charter.

One of the main objectives of the Diversity & Inclusivity Strategy is to enhance staff knowledge on the concept of diversity & inclusivity which will position us well in the face of the Corporations changing workforce demographics. Staff will have the tools and resources for staff to recognize and embrace each other's differences in culture, faith, gender, sexual identity/orientation, accessibility, family status, ethnicity, work status, personality, education, age etc.

In support of gathering data to gauge current levels of diversity & inclusivity within the Town's workforce, members of the Strategic Leadership Team (SLT) led and participated in 7 diversity & inclusivity focus group sessions. With SLT's ongoing support the diversity & inclusivity initiative is in line with creating an environment of extraordinary public service.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

Both the York Region Diversity & Inclusivity Charter and the Town's Diversity & Inclusivity Strategy for staff reflect the Town's core values of Courage & Creativity; Accountability & Accessibility; Respect & Integrity and Excellence as well as the Corporations community focus on 'living well'; 'well-balanced' and a 'well-respected' community.

### **CONSULTATION**

The Operational Leadership and Strategic Leadership Teams have been advised of; and kept up to date of the development of the Diversity & Inclusivity Strategy. As part of the consultation process, 3 OLT Program Champions have been actively involved in the development of this program. Also, the Strategic Leadership Team has actively participated in focus groups and are committed to the development of this program.

### **HUMAN RESOURCE CONSIDERATIONS**

Not applicable to this report.

### **BUDGET IMPACT**

The York Region Diversity & Inclusivity Charter is managed by the Regional Municipality of York and there are no budgetary impacts expected as a result of this initiative.

### **CONTACT**

For more information on this report, contact Director, Human Resources or the Chief Administrative Officer.



Healthy Workplace Program Specialist



Director, Human Resources



Chief Administrative Officer



# DRAFT

## York Region Diversity and Inclusion Charter

*Our commitment to creating a welcoming and inclusive community*

We, the undersigned organizations, value how York Region's diversity contributes to the richness, resourcefulness and innovation that make communities flourish. Promoting welcoming and inclusive organizations and communities increases opportunities to engage with and learn about each other, contributing to the wealth, health and well-being of the community.

Endorsement of this Charter reflects our ongoing commitment to take purposeful steps to promote an environment that values diversity and inclusion. We share the vision of York Region as a welcoming and inclusive community allowing everyone to develop to their full potential, live free of discrimination and where diversity such as age, sex, race, ethnicity, abilities, religion, sexual orientation, educational background and expertise is celebrated.

By endorsing this Charter we, the undersigned organizations, affirm our organization's commitment to inclusion and removal of barriers under the following four key areas of organizational responsibility:

### **As a policy-maker we will strive to:**

- Apply principles of equality for all residents
- Promote equal access and non-discrimination across all policies
- Engage diverse communities in the policy-making process and encourage participation with the aim of finding a balance that best meets the needs of the community

### **As an employer we will strive to:**

- Actively promote understanding and respect for diversity and inclusion with our employees
- Promote the fair and equal treatment of employees by their managers and colleagues
- Attract a diverse and talented workforce that reflects, understands and meets the needs of a changing community

### **As a service provider we will strive to:**

- Provide services that are accessible, inclusive and responsive to the diverse needs of the community

### **As a purchaser of goods and services we will strive to:**

- Encourage equal opportunity in procurement

Signed,

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**Organizations of the Municipal Diversity and Inclusion Group**



**CORPORATE SERVICES – LEGISLATIVE SERVICES – CLERK'S**  
 TOWN OF NEWMARKET  
 395 Mulock Drive  
 P.O. Box 328  
 Newmarket, ON L3Y 4X7

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 info@newmarket.ca  
 905.895.5193

September 25, 2017

### **Corporate Services – Legislative Services 2017-15**

TO: Committee of the Whole

SUBJECT: Notice Policy and Community Engagement Policy

ORIGIN: Legislative Services and Corporate Communications Departments

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#### **Recommendations**

1. That Corporate Services – Legislative Services report 2017-15 dated September 25, 2017 entitled "Notice Policy and Community Engagement Policy" be received; and,
2. That the Notice Policy attached as Appendix A and the Community Engagement Policy attached as Appendix B be adopted; and,
3. That By-law 2002-168 be repealed.

#### **Background**

One of Council's Strategic Priorities for the 2014-2018 term is Community Engagement, which includes the adoption of policies related to community engagement.

In addition Section 270 (1) 4 of the Municipal Act, 2001 requires the adoption of policies with respect to the circumstances in which the municipality shall provide notice to the public and the manner form, manner and times notice shall be given. The Town adopted By-law 2002-168, which prescribed the form, manner and time for the provisions of notice. In 2007, the Town adopted a revised Policy CORP 1-02 the "Notice Policy". This Policy effectively incorporated the concepts of By-law 2002-168 and satisfied the requirement in section 270 (1) 4 of the Municipal Act, 2001.

The purpose of this report is to seek Council approval of a revised Notice Policy (attached as **Appendix A**), a new Community Engagement Policy (attached as **Appendix B**), and recommend that Council repeal By-law 2002-168 to prevent confusion between the current Policy and the By-law.

#### **Revisions to the Existing Notice Policy**

The draft Notice Policy attached as **Appendix A** to this report is an updated version of the Notice Policy adopted in 2007. This Policy provides a framework for the minimum statutory public notice requirements required by the Municipal Act, the Ontario Heritage Act, and the Planning Act, as amended. The Policy contains the minimum notice requirements required under legislation; however, it is not intended to limit or restrict the amount of notice provided to the public.

A summary of the overall revisions to the Notice Policy include:

- Use of plain language and updated formatting

- Addition to Schedule A of legislative references, and references to authoritative documents (ie Procedure By-law)

### **New Community Engagement Policy**

The Community Engagement Policy attached as **Appendix B** bridges the gap between the minimum notice requirements set out in the Notice Policy and Council's strategic priority and goal for community engagement.

This Policy addresses the principles of the Town's commitment to notify stakeholders on community engagement opportunities through various communication tools and tactics. Building on the International Association for Public Participation's (IAP2) spectrum, the Community Engagement Policy will act as a guide to inform, consult, involve, collaborate and empower stakeholders.

### **Community Engagement Tools and Initiatives**

Currently staff use a variety of tools and techniques for community engagement. Some examples from this year include Budget Communications at Newmarket Events (New'mark'et, Moonlight Movies etc), PIC and Social Media Postings regarding issues such as Stormwater Management, Park Improvements, Coyotes etc, staff also circulate Community Events Surveys after every event.

Staff from Legislative Services, Communications and Planning and have formed a community engagement-working group to share information on current community engagement initiatives. In addition to the Community Engagement Policy, staff will continue to explore new opportunities to inform, consult, involve, collaborate and empower the public, to develop procedures to assist staff in determining the most appropriate methods or tools for engaging the public, and to explore new tools for digital engagement.

### **Business Plan and Strategic Plan Linkages**

This report relates to theme of Community Engagement in the Council's Strategic Priorities.

### **Consultation**

Corporate Communications, Building and Planning, Legislative Services, the Operational Leadership Team (OLT) and Senior Leadership Team (SLT) were consulted in the revisions to the Notice Policy, and the development of the Community Engagement Policy.

### **Human Resource Considerations**

Not applicable to this report.

### **Budget Impact**

Not applicable to this report.

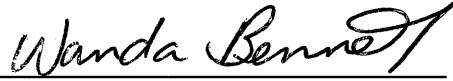
### **Contact**

For more information on this report, contact: Sarah Niezen, Records and Projects Coordinator at ext. 2213 or Amanda Lee, Communications Coordinator at ext. 2042.





Lisa Lyons, Director of Legislative Services



Wanda Bennett, Director of Corporate Communications



Esther Armonchuk, Commissioner of Corporate Services





# Corporate Policy Manual

Sub Topic:	Policy No. CORP.1-02
Topic: Notice Policy	Employees Covered:
Section: Corporate Services	Council Adoption Date: December 17/07
Effective Date: upon Council adoption	Revision No:1 Date: 2017

## Policy Statement & Strategic Plan Linkages

The *Municipal Act, 2001* as amended requires that a municipality shall adopt and maintain a policy with respect to the circumstances in which the municipality shall provide notice to the public and the form, manner and times notice shall be given.

## Purpose

This policy will outline the circumstances of notice and the form, manner and times that notice shall be given on matters where there is statutory notice required pursuant to the Municipal Act, 2001, the Ontario Heritage Act, and the Planning Act as amended. This policy does not intend to address notice requirements that may be required by other legislation or policy.

## Definitions

In this policy:

**Newspaper** means a printed publication having general circulation in the municipality.

**Notice** means a written, published or printed notification

**Town** means the Corporation of the Town of Newmarket

**Town Website** means the official Town of Newmarket website

## Procedures

1. The minimum public notice requirements and times are set out in Schedule "A" attached.
2. Notices that are to be published on the Website shall be the responsibility of the appropriate Town staff member (ie. affected department).

3. Notices shall be written in plain language and in an accessible manner.
4. Notices shall include the following information as appropriate:
  - 4.1. A description of the proposed action or the purpose and effect of the proposed by-law;
  - 4.2. The date, time and location of the meeting;
  - 4.3. The name and contact information of the person who will receive written comments on the issue that is the subject of the meeting and the deadline for receiving such comments;
  - 4.4. The name and contact information of the person who can provide additional information related to the issue.
5. Staff may choose to provide additional or more comprehensive methods of notice at their discretion.
6. If a matter for which notice was given under this policy is deferred, adjourned or continued to a future Committee of the Whole or Council meeting, no further notice is required, unless there is a statutory requirement requiring otherwise, if:
  - 6.1. A public statement is made at the meeting advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement, or
  - 6.2. A written statement is posted at the meeting location advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement.

### **Urgency Provision**

If a matter arises which in the opinion of the Chief Administrative Officer in consultation with the Mayor is considered to be of an urgent or time sensitive nature, the notice requirements of this policy shall be waived and the appropriate staff shall make best efforts to provide as much notice as is reasonable under the circumstances.

### **Amendments**

Schedule 'A' to this policy may be amended from time to time upon in order to add to or enhance the notice provisions.

### **Cross-References**

Accountability and Transparency Policy  
 Road Closure Policy (upon adoption or as amended)  
 Procedure By-law 2015-50 (as amended)  
 Sale of Land Policy Legal.1-01  
 Community Engagement Policy  
 Delegation By-law 2016- 17

Subject	Reference	Minimum Public Notice Requirements
Meetings of Town Council and Committee of the Whole	N/A	As noted in the Procedure By-law
Statutory Public Meetings (Committee of the Whole)	See legislated requirements in Planning Act See also the Procedure By-law	
Mail outs – Notices Planning	See legislated requirements in Planning Act  See Planning Act for details of notice – dependent on type of planning matter.	
Change in Composition of Council and Changes to Ward Boundaries	N/A	Notice will be provided prior to adoption or amendment at a public meeting.  See notice requirements in the Procedure Bylaw for meetings of Council and Committee of the Whole.
Sign by-law	N/A	
Dissolution of Local Boards	Section 216 of the Municipal Act	
Adoption or Amendment of the Budget	N/A	
Fees and Charges bylaw	Section 391, of the Municipal Act	
Procedure by-law	Section 238 of the Municipal Act	
Temporary closure of a public highway	N/A	Notice of planned infrastructure works or temporary closure due to events will be posted to the website, and may also be provided by hand delivering written notice to those individuals who in staff's opinion, will be directly affected by the closure, and/or notice published by general advertising wherever possible.  See Delegation By-law for notice requirements in case of road closure due to emergency.
Permanent altering of a public highway	Section 34 of the Municipal Act	Notice in writing will be provided by regular mail to those affected.
Notice of intent to designate a property as having cultural heritage value or interest	Section 26 (4) Ontario Heritage Act	Notice in writing to the owner of the property and the Ontario Heritage Trust, and Notice to be published in local newspaper.



## CORPORATE POLICY

Topic: Community Engagement Policy

Policy No.: COMM.2-02

Section: Corporate Communications

Applies to: All Employees and Stakeholders

Council Adoption Date:

Effective Date:

Revision No:

Date:

### Policy Statement & Strategic Plan Linkages

This policy supports Newmarket's Strategic Plan directions of being 'Well-Equipped & Managed', 'Well-Planned & Connected' and 'Well-Respected', as well as Council's Strategic Priorities of Community Engagement – to align the Town with communication best practices by engaging our changing resident demographics.

### Purpose

The Town of Newmarket is committed to providing an inclusive community engagement process to better inform stakeholders about decisions that reflect their interests and concerns through a collaborative approach that focuses on two-way communications.

This policy will act as a guide internally to inform, consult, involve, collaborate and empower stakeholders. The policy Aligns with Newmarket's corporate mission of making Newmarket *even* better, with Council's Strategic Priorities and with the principles of the International Association for Public Participation.

The Town is also committed to notifying Newmarket stakeholders on community engagement opportunities. Comprehensive communication plan/strategies will be developed with the leading department and include, goals, objectives, desired outcomes and list of tactics for community engagement. These tools and tactics include, but are not limited to:

- Newmarket Website



- Media Releases/Advisories
- Newmarket Town Page in the local newspaper
- Social Media (Twitter, Facebook, Instagram)
- Email Newsletters
- Household Mail-outs
- Council Meetings
- Special Community Events (Farmers' Market etc.)
- Citizen juries, roundtables, focus groups, workshops, open houses
- Surveys and more.

*Please note that communication tactics for community engagement will be determined by the organizing department to ensure best practices are aligned with stakeholders.*

## Definitions

**Stakeholders means** residents, businesses, municipal neighbours, elected officials, staff, upper tier levels of government, boards and committees, municipal authorities, agencies, associations, and anyone with an interest in the Town's municipal affairs.

**Community Engagement means** various methods of engaging the public in discussion about civic matters that impact Newmarket stakeholders. The community engagement process is transparent, responsive, inclusive and empowering. It is based on realistic expectations, mutual respect and trust.

## Procedures

Organizing departments/commissions will work with their Communications Department liaison to develop a strategic community engagement plan and/or a plan to inform stakeholders about public engagement opportunities through various communication tools and tactics. The communication tools and tactics used may be subject to other statutory, regulatory or municipal standard requirements and will be identified on a case-by-case basis. The Town of Newmarket will:

- Identify the purpose of informing stakeholders
- Determine the best targeted communication tactics for involving stakeholders
- Inform stakeholders of the opportunities for involvement in a timely manner
- Obtain feedback from participating stakeholders
- Report and provide feedback to the appropriate stakeholders
- Provide Council with the results of stakeholder input and feedback for decision making purposes, if requested and as appropriate

- Ensure processes are open, clear, transparent, accountable and operate in a positive atmosphere of good faith and collaboration
- Provide information in an accessible format, using simple, plain language and graphics
- Ensure translation or interpretation services are provided when required
- Ensure facility locations of community engagement events are accessible to all
- Adhere to public notice guidelines set out by legislation, such as the Planning Act.

Following the International Association for Public Participation's values, the Town will also:

- **Inform:** Provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.
- **Consult:** Obtain public feedback on analysis, alternatives and/or decisions
- **Involve:** Work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.
- **Collaborate:** Partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.
- **Empower:** Provide the public the opportunity to have an impact in the decision making process.

## Cross References

Accessibility for Ontarians with Disabilities Act

Integrated Accessibility Standards Regulation

Planning Act

Municipal Act

Town of Newmarket Integrated Accessibility Standards Regulation Policy (CAO.2.02)

Town of Newmarket Notice Policy (Corp. 1-02)

Procedure By-Law 2007-46

International Association for Public Participation

Newmarket's Public Information Centre Checklist

Notice Policy (to be completed the end of 2017)



**DEVELOPMENT AND INFRASTRUCTURE SERVICES – ENGINEERING SERVICES**  
 TOWN OF NEWMARKET  
 395 Mulock Drive  
 P.O. Box 328  
 Newmarket, ON L3Y 4X7

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 905.895.5193

September 14, 2017

**DEVELOPMENT AND INFRASTRUCTURE SERVICES  
 ENGINEERING SERVICES 2017 - 29**

TO: Committee of the Whole

SUBJECT: **Town-wide Traffic Mitigation Strategy 2017**

ORIGIN: Director, Engineering Services

**RECOMMENDATIONS**

**THAT Development and Infrastructure Services Report – ES 2017-29 dated August 10, 2017, regarding “Town-wide Traffic Mitigation Strategy 2017” be received and the following recommendations be adopted:**

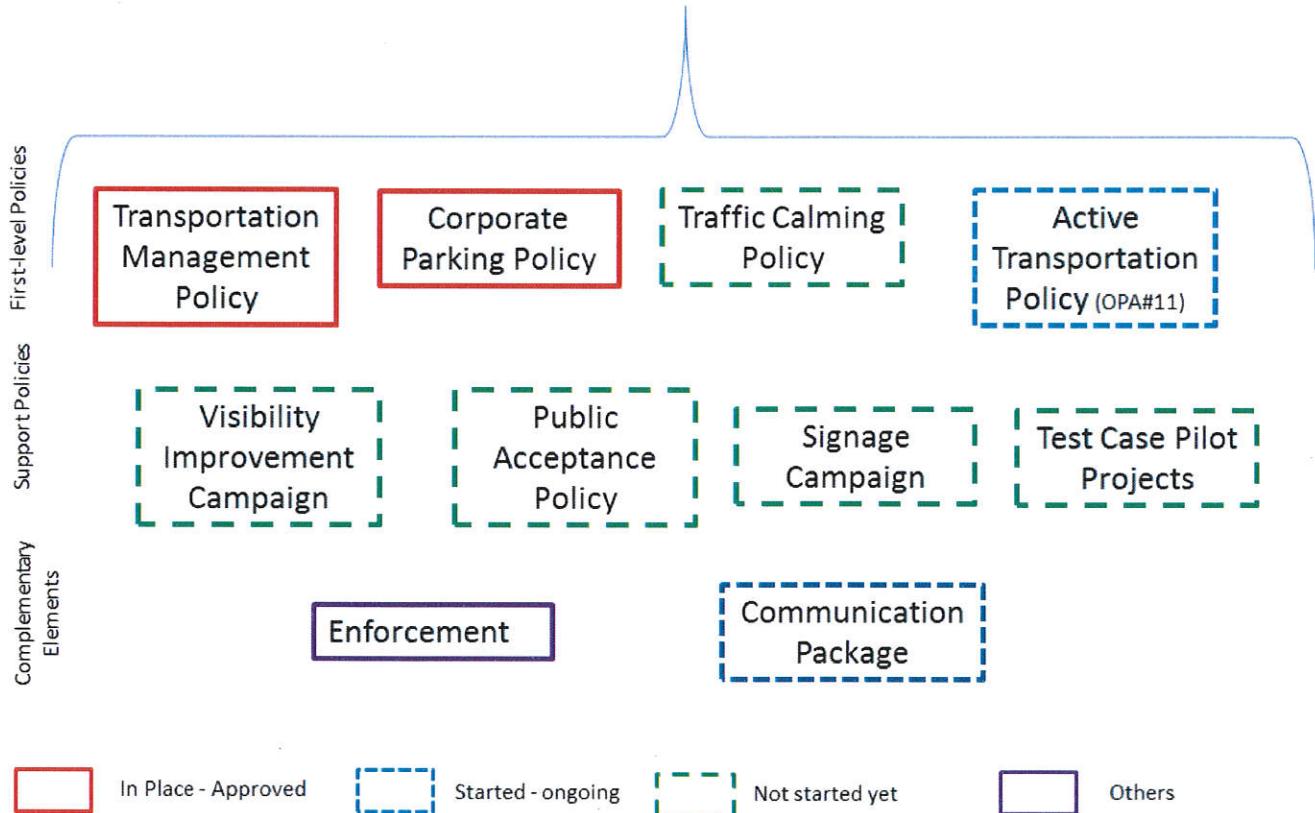
- 1. THAT Appendix A be adopted in principle subject to public consultation;**
- 2. AND THAT the public consultation be open to all residents of the Town;**
- 3. AND THAT a specific focus group be assembled to discuss the contents of the Strategy and provide input on a Town-wide level**
- 4. AND THAT the final Strategy be brought back to Council considering the public consultation process.**

**BACKGROUND**

At its regular meeting of June 23, 2014, Town Council adopted Development and Infrastructure Services Report – ES 2014-32, which recommended a draft Traffic Mitigation Strategy, and the elements of a draft Traffic Calming Policy as part of that strategy.

At that time in June 2014, the various elements of a Mitigation strategy were represented in the graphic below.

## Town-wide Traffic Mitigation



Since that time, a number of items impacted the progression of the Strategy:

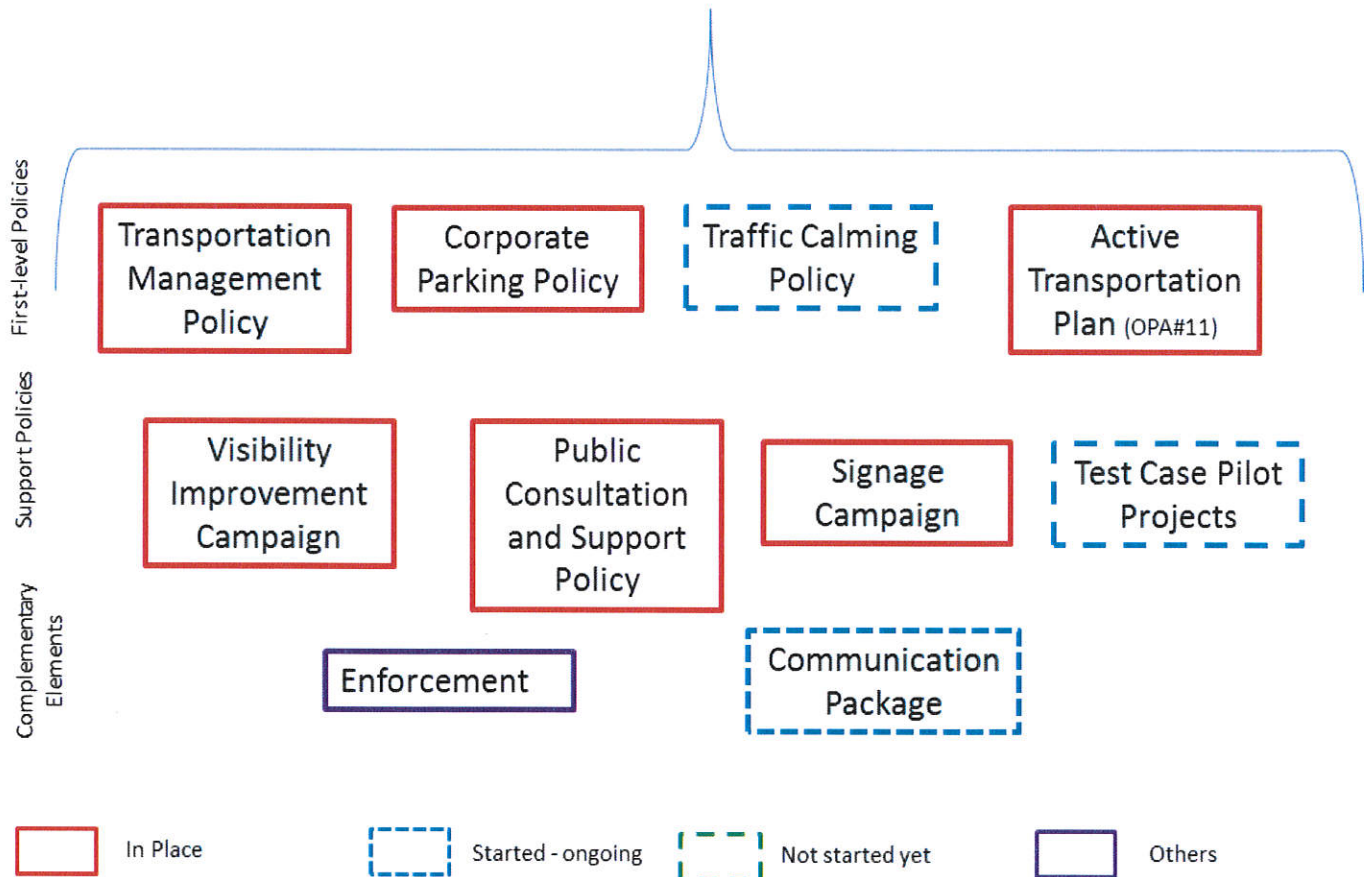
1. Final Approval of OPA#11 in March 2015. This set out the Active Transportation routes within the Town which impacts traffic and traffic calming measures.
2. Council Strategic Priorities adopted in June 2015. This set one of the main 5 themes as Traffic Safety and Mitigation.
3. Transportation Services Business Unit formally created in January 2016. This resulted in the staffing and resources needed to address Council's Strategic Priority.
4. OMCIP application approval received March 2016. This grant application provided a significant start to the Active Transportation Network, in the form of an East-West bike route.
5. Strategy Elements introduced in the summer of 2016. With the Strategy document still in the draft stages, several pieces of the Strategy were implemented in the Town in 2016, such as: pavement ladder markings and pilot projects (in-road bollards).
6. Public Consultation and Support Plan (noted above as Public Acceptance Policy) approved in December 2016. This Policy works in conjunction with the improved Community Engagement Strategic Priority.



## COMMENTS

The following illustrates the current progress of the Town-wide Traffic Mitigation Strategy:

# **Town-wide Traffic Mitigation Strategy**



The Traffic Calming Policy is part of this report and subject to the recommendations regarding public consultation.

The Active Transportation Plan is in place and the Active Transportation Implementation Plan (ATIP) is anticipated to be completed by the end of 2017. The ATIP provides guidance in the creation of the Active Transportation Network.

Test Case Pilot projects will continually be an on-going part of the Strategy, as new ideas are tested on the road system.

As well, the Communication Package will be a continual item as new messaging is created to educate and inform the public.

While elements and policies within the Strategy are being implemented, the guidance of an approved Strategy is needed to focus on even better traffic safety and operations in the Town. The Strategy will be a living document as new 'pilots projects' are added, and new campaigns are introduced.

**Appendix A** is a proposed draft Strategy.

The next step in the process is to bring the Strategy to the Town Council and the public for review and comment. Following the consultation process, a report outlining the final Strategy with amendments based on public consultation will be prepared with a target date of Q2/Q3, 2018.

### **PUBLIC CONSULTATION**

This Strategy was developed over a number of years with direct and indirect input from a variety of stakeholders including residents and Town Council. The public consultation strategy would take on 2 forms. There would be a general request for input from all residents and stakeholders through the web site and typical forms of advertisement. The second form would be an interactive focus group (such as a congress or other), whereby members of the public and other stakeholders would review and debate the Strategy with the primary goal of improving it to make it "Newmarket specific".

Engineering Services has started discussing the public consultation component with Corporate Communications to share ideas about delivery and format. Furthermore, there is already a Public Congress on Active Transportation being planned by Engineering Services for the second week of December, 2017. The Active Transportation Congress may offer a good opportunity to obtain input on the Pedestrian Safety and Cycling Safety sections of the Strategy.

### **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

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

### **HUMAN RESOURCE CONSIDERATIONS**

There is no impact on current staffing levels.

### **BUDGET IMPACT**

#### **Operating Budget (Current and Future)**

The cost of the public consultation process will be determined as the specifics of the consultation plan are developed. Funds will be set aside within the Transportation Management budget.

### Capital Budget

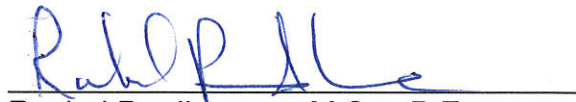
There is no impact on the Capital Budget.

### CONTACT

For more information on this report, please contact Mark Kryzanowski, Manager, Transportation Services at 905-953-5300, press “2”, then extension 2508, or [MKryzanowski@Newmarket.ca](mailto:MKryzanowski@Newmarket.ca).



Mark Kryzanowski, BES, MCIP, RPP  
Manager, Transportation Services



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



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

## APPENDIX A

### Town-wide Traffic Mitigation Strategy

#### 1.0 Vision

To improve road safety and enhance the quality of life in Newmarket for both drivers and vulnerable road users.

#### 2.0 Philosophies

The Town has adopted the three 'E's philosophy: 'Enforcement', 'Education' and 'Engineering', described as follows:

1. 'Enforcement' duties are performed by both York Regional Police and Town parking enforcement (By-laws) staff. York Region Police enforce the Highway Traffic Act regulations, including elements within the Town's traffic Bylaw, and the Town's By-laws staff enforces certain elements of the Traffic Bylaw, as well as the Town's Parking Bylaw.
2. 'Education' comes in many forms, from the Federal level, down to the municipal level, including local special interest groups. As part of the Town's education initiatives, Transportation Services administers the Speed Management Program, consisting of the several radar speed display trailers and pole-mounted speed display units. As well, the 'Safety Driven' campaign informs residents on a variety of topics including speeding, distracted driving, and pedestrian safety. Currently, the 'Safety Driven' campaign has two ambassadors – 'Safety Cone Sam' and 'Belle the Bike', with new ones to be added over time.
3. 'Engineering' focuses on issues related to road design and existing road geometry that can be altered or improved upon to provide mitigation of the issue. Simple engineering solutions include the addition of appropriate signage and pavement markings. Right-of-way control options and physical traffic calming measures, such as speed humps, also fall under the engineering category. Engineered mitigation measures are generally applied in an incremental fashion, starting with the easier, cost-effective, and less intrusive measures. Careful consideration must be given when prioritizing road operations efficiency, traffic safety, and pedestrian safety.

The three 'E's philosophy has been in practice for many years and is still applicable today. However, over time, the Town is looking to improve upon this philosophy, moving from a reactive stance to a more proactive initiative. To do so, the Town is considering two additional concepts to improve traffic safety – 'Complete Streets' and 'Enhancements for Vulnerable Road Users', described as follows:



1. 'Complete Streets' is not a new concept, but an older concept that has been replaced by the car-focused, minimalistic view of road allowances. 'Complete Streets' are designed to accommodate all modes of travel. With the adoption of Official Plan Amendment #11, Town Council has adopted the Active Transportation Plan, indicating which streets will have on-street bicycle facilities. These bicycle facilities, adequate driving lanes and sidewalks on both sides of the street provide a more 'complete street'. The Complete Street concept should be considered on all residential collector and primary collector roads within the Town going forward. Complete streets provide for a connected network of routes for each mode, and may not entail facilitating each mode on all streets. With designated travel corridors, which accommodate all travel modes, ancillary features like benches for pedestrians and appropriate safety measures will be necessary to complete the Complete Street concept.
2. 'Safety Enhancements for Vulnerable Road Users' is another component of the Complete Street concept. Vulnerable road users (VRU's) are pedestrians or cyclists who travel along the roadways or cross roads at intersections. VRU's are at a severe disadvantage to a vehicle when a collision occurs. When vehicles collide on a Town road, the rates of personal injury are quite low (15%), and usually minor in nature. When a pedestrian or cyclist is involved in a collision with a vehicle, the pedestrians and cyclists (VRU's) are almost always injured. VRU protection focuses on the three main factors of visibility, direction and education :
  - 'Visibility' consists of enhancing sight between the motorist and VRU so they notice each other. The best example is the ladder-style markings at intersection pedestrian crosswalks.
  - 'Direction' would be providing distinct delineation for both motorists and VRU's so each knows where their designated lanes are. A good example of this is bicycle lanes.
  - 'Education' is similar to the education package for the Safety Driven program. Belle the Bike was created to teach cycling safety and to educate the community on where to ride their bicycles safely.

### **3.0 Current Town Traffic Management Policies**

The Town has three policies and two specific bylaws to assist in traffic management:

**Sidewalk Installation Policy (Sidewalk Policy):** Town Council adopted The Sidewalk Policy in 2005 to provide guidance on the installation of sidewalks in new subdivisions and existing areas. The Engineering Design Standards (2009) superseded the Sidewalk Policy for new subdivisions. The remainder of the Sidewalk Policy for existing areas is still being used.

**Corporate Parking Policy (Parking Policy):** Town Council adopted The Parking Policy in 2007 to provide a consistent process in dealing with parking issues. The policy provides direction and clarifies the process followed by staff when considering parking requests.

**Parking Bylaw (1993-62):** To complement the Parking Policy, the Parking Bylaw can be used or amended to deal with parking related issues. The Parking Bylaw has all the regulations and individual street exemptions or particulars that can be enforced.

**Transportation Management Policy:** The Transportation Management Policy (TMP) was adopted by Town Council in 2009. This policy brought together many existing practices and procedures under one document. This document clarified the speed management procedures and the school crossing guard warrants. As well, the TMP embraced the three 'E's philosophy and the incremental approach to mitigating concerns.

**Regulate Traffic on Roads Bylaw 2011-24 (Traffic Bylaw):** Similar to the Parking Bylaw, the Traffic Bylaw is used to address traffic management issues. The Traffic Bylaw underwent a major update in 2011 to account for bicycle lanes and the various low-speed and e-bikes that were operating in Ontario.

#### **4.0 Clarity**

This section is dedicated to the truth behind some of the misconceptions regarding traffic safety.

##### **4.1 Speeding**

One of the most requested traffic safety reviews is related to vehicles travel in excess of the speed limit on local streets.

Unfortunately, speeding seems to have become a socially-accepted norm. Our data indicates that on some of our local streets, average speeds are higher than the posted speed, indicating the majority of vehicles are speeding. The question is: Why do people speed? There are two main reasons:

**Driver Attitude:** Research has indicated that there are a number of driver attitudes, including (in no particular order):

- Poor time management
- Self-centred, selfish, self-important
- Low probability of getting caught
- Impatient
- Like driving fast
- Not aware of the speed limits/doesn't apply to them
- They do not regard speeding as a serious offence
- They did not realize they were speeding

Most of these behaviours are beyond the Town's control, however, our most effective measure is education. The last point is interesting in that a large number of speeders may not realize that they are speeding because drivers typically drive at a speed they feel comfortable. **Engineering the road to compel motorists to travel at the desired speed will do more to reduce speeding than reducing the posted speed limit.**

Road design: Traffic calming measures help to reduce speeds because they remind the driver to slow down to the posted speed limit. Going over a speed hump reminds the driver, in a physical way, to slow down. Radar speed display trailers visually indicate that the motorist is driving above the speed limit.

In simplistic terms, roads are designed with specific physical elements to create a design speed for that road. The design speed is defined as the maximum speed at which a motorist may safely drive the street. Elements which govern the design speed of the road include: road width, degree of curves, and grades. The following table illustrates how design criteria have been historically revised for Town local and collector roads:

Local Road				
Year	Max. Grade	Road Allowance	Asphalt Width	Design Speed
1976	10%	20 metres	8.5 metres	48 km/h
1998	8%	20 metres	8.5 metres	50 km/h
2009	6%	18 metres	8.0 metres	50 km/h
Collector Road				
Year	Max. Grade	Road Allowance	Asphalt Width	Design Speed
		21 to 26		
1976	6%	metres	9.75 metres	48 km/h
1998	6%	23 metres	9.7 metres	60 km/h
2009	6%	21 metres	9.0 metres	50 km/h

*The maximum grades, and road allowance/asphalt width for local roads have been reduced in recent years. Road allowances for collectors have been reduced, as have asphalt widths.*

Design speeds are one of the more important factors related to speeding. Speed limits are typically set by subtracting 10 km/h from the design speed; most Town roads should be (and are) posted at 40 km/h. The industrial roads and major collector roads, which have a design speed of 60 km/h, are an exception. Even though the posted speed is 40 km/h, a driver can safely navigate these Town roads at 50 km/h; possibly faster with higher performance vehicles. It is important to note that Town design speeds have not drastically changed from 1976 to 2009, *however vehicles have.*

The Town has been undertaking effective traffic calming by reducing the asphalt widths. A narrower travelled portion of the road slows down traffic. A narrower road allowance can even contribute to lower speeds, as the entire corridor will visually appear tighter; Therefore, it is important for the Town to consider narrowing the overall travelled path of the street to reduce

speeds. These measures, once implemented, would begin to eliminate the need for active traffic calming, and provide a year-round mitigation measure.

## **4.2 All-way Stops**

Another often-requested traffic measure is an all-way stop. All-way stop controls provide right-of-way control and help pedestrians to cross only, and do not reduce speeds on the roadway.

The Ontario Traffic Manual (OTM) Book 5 governs the use of stop signs, as well as the warrant process for implementing all-way stop controls. Unlike any other sign, the OTM Book 5 dictates specifically where all-way controls shall not be used.

The Town follows the warrants outlined in OTM Book 5, with some slight variations to account for pedestrian traffic. For example, large pedestrian volumes can interact with vehicles to change the traffic flows. Aside from these warrants, sound Engineering judgement must be used to determine if an all-way stop should be installed.

While all-way stop controls appear to be an ideal and cost-effective solution, they create additional safety concerns when installed contrary to the warrant study results. For example, adding too many all-way stops on a collector road may slow down motorists right at the intersection, but research indicates that motorists tend to speed up after they leave the all-way stop. Over time, rolling stops occur and eventually motorists will not stop at these intersections, creating a compliance issue. Within the Town, the majority of all-way stops have a non-compliance percentage of 5 to 8%, however, it has been recorded that some intersections have a 25% non-compliance rate (one in every 4 cars does not stop). This can be disastrous for pedestrians, particularly children, who expect a motorist to stop. All-way stops should be carefully reviewed before installation.

## **4.3 Speed humps**

An increasing number of residents have requested speed humps as a form of traffic calming in their neighbourhood. Speed humps have been used extensively in some other communities, but not in the Town of Newmarket. It is the Town's policy to refrain from installing speed humps on collector, arterial, or industrial roads. Speed humps on these classifications of roads could create a hazard because these roads transport a higher volume of traffic. Large vehicles, including public transit and school buses, transport trucks, and emergency response vehicles use these roads, and are more vulnerable to disruption when driving over speed humps.

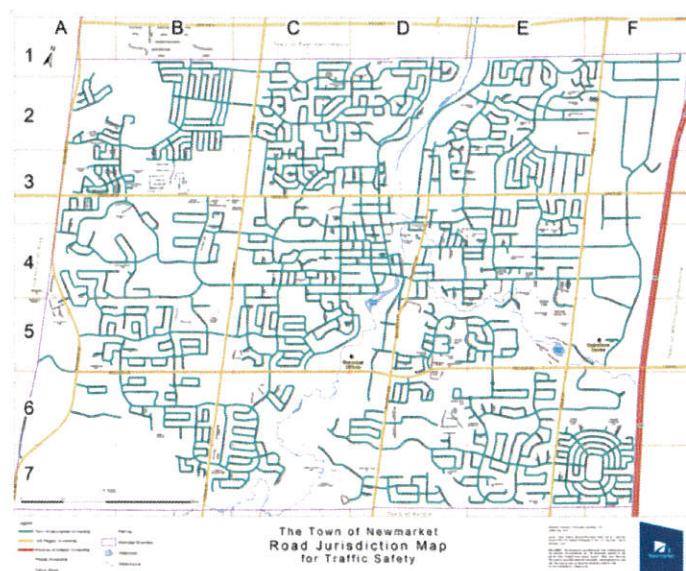
Like all-way stops, speed humps appear to be a good permanent solution; however, there are issues with their use. Motorists may increase speeds between the speed humps, as in all-way stop controls. Motorists maintain the posted speed for short sections around the speed humps, then may increase their speeds in the longer sections between the speed humps to make up for perceived lost time. As well, speed humps placed on one street tend to negatively affect the



speeds and volumes on surrounding streets, as motorists search for alternate routes. In many locations where speed humps have been installed, there is an increasing lack of support for them because the community now has to 'bounce' over them several times a day. Eventually, residents become less concerned about speeding and become more concerned about a comfortable ride.

Speed hump design should also be considered. The average speed hump is 7 metres wide and perpendicular to the direction of travel. New homes have frontages of 12 metres or less; when one accounts for driveway entrances, including driveway widenings (driveways are typically staggered from one side of the street to the other) there are few locations with enough space to install a speed hump. To be most effective, several speed humps need to be installed in succession, compounding the space requirement. In addition, speed humps do not work well with bicycle lanes because vehicles tend to weave into the bicycle lane to avoid going over the speed hump.

#### 4.4 Statistics



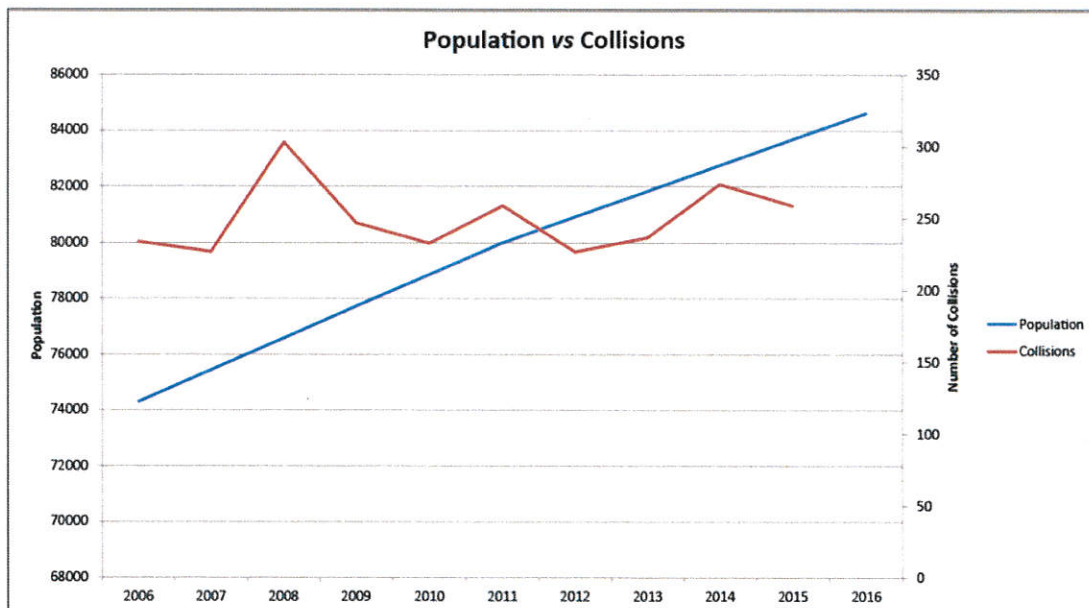
As of 2016, there are 281.4 km of roads within the Town. Of the 281.4 km, 32.9 km are considered Regional Roads, and the remaining 248.5 km fall under the Town's jurisdiction.

Even though the Town road system is over 7.5 times greater in length than the Regional road system within the Town, there are many fewer incidents. The Regional roads are wider, have higher speeds and volumes, which result in, higher collision rates and more fatalities. The table below compares the frequency of incidents occurring on the Town's road system versus the entire Regional Road system across York Region for 2014.

	Newmarket	York Region
One collision every...	32 hours	63 minutes
One person injured every...	9.1 days	4 hours
One pedestrian collision every...	33 days	2 days
One cyclist collision every...	91 days	4 days
One fatal collision every...	none occurred	17 days

A perfectly successful traffic safety initiative will result in 'zero' collisions. The Town had 'zero' fatal collisions in 2014. Since 2000, the Town has had only one fatal collision on a Town road. It occurred in 2008 and was the result of a medical condition. The Town continues to work to improve safety for our vulnerable road users, pedestrians and cyclists. Town initiatives, such as the Speed Management Program, boulevard sign campaigns, 'Safety Cone Sam' and 'Belle the Bike', are yielding promising results.

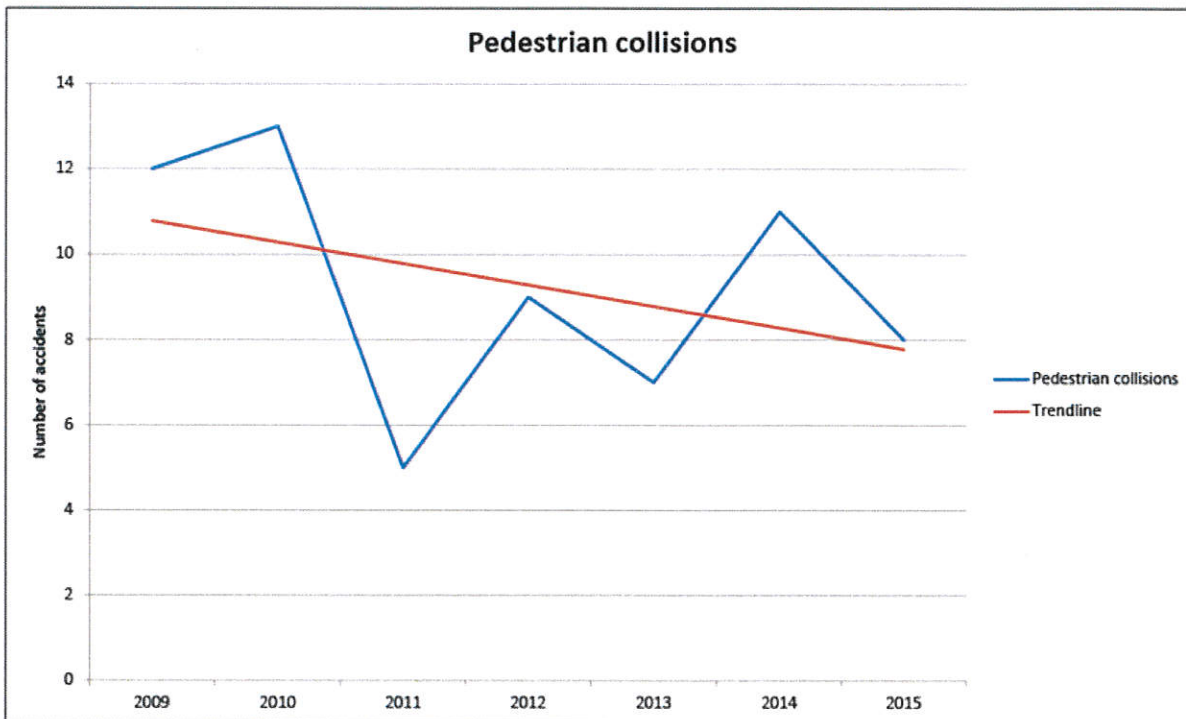
The following chart indicates the number of annual collisions based on population. The chart shows the **number of collisions annually has remained relatively constant, while the population has actually increased.**





Typically, collisions would follow population as new roads and more vehicle ownership will provide an increased chance of collisions. However, the chart indicates a steady rise in population, but a level collision line, which would indicate by this metric that Town streets are becoming safer.

The chart below depicts the number of pedestrian collisions since 2009.



Similarly, to the total number of vehicle collisions, pedestrian collisions would be expected to trend upward with population, but are instead **trending downward** suggesting that traffic safety measures implemented by the Town have had some success.

While it is not possible to eliminate all speeding or collisions from the road network, it is very important to improve the safety for our vulnerable road users, who are always the disadvantaged parties in a collision with a vehicle.

## 5.0 Future Policies

Future policies must acknowledge that speeding, traffic infiltration, and other safety issues will always occur, as it is not possible to mitigate **all** issues. Policies and mitigation measures must acknowledge sound engineering practices and reliable information sources, because safety can be subjective. Education and communication campaigns can be short-term and targeted, such as the Speed Management Program; however, traffic calming and other mitigation measures, to be effective, must be in place for the entire year.

## 5.1 Traffic Calming Measures

Traffic calming measures are implemented to slow down traffic to an acceptable level, as well as to improve traffic safety in specific ways. The basic concepts of traffic calming are not new, however, the implementation specifics have changed to suit various conditions. The best example is the evolution of the speed bump. The speed 'bump' evolved to a speed 'hump', then to a speed 'table', and finally, to the present speed 'cushion'. These examples all create a vertical deflection or 'bump' to slow motorists, but each is used under different conditions.

In 2005, the Town of Newmarket developed a Neighbourhood Traffic Management Guide. This Guide was the precursor to the TMP developed in 2009. The 2005 Guide was the first endeavour to bring traffic calming policies and practices under one document. The Guide included a scoring system, and also incorporated the Environmental Assessment (EA) process, which was necessary for implementing some types of traffic calming measures. The EA process was required in 2005 and subsequently removed, because municipalities tended to follow similar EA processes. Many of the traffic calming issues were deemed local matters as well, therefore, the EA process was excluded from these Town projects.

An excerpt from the 2005 Guide is noted below.

The following guiding principles form the basis for the Town of Newmarket's Neighbourhood Traffic Management Policy:

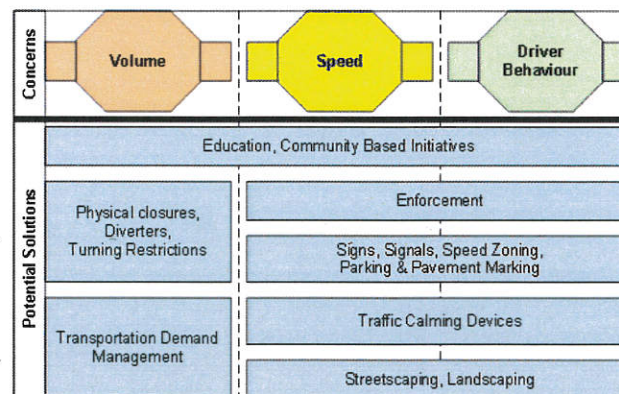
- Public safety is the primary consideration in neighbourhood traffic management and roadway design;
- Town staff should identify the real problem, not just the perceived concerns;
- The problem should be quantified to determine its extent and nature;
- Improvements should be considered for higher order roads first (Regional arterial roads) – motorists typically do not short cut unless there is a reason;
- Measures should be considered on an area-wide basis, as treatments implemented on a piece-meal basis will only transfer the problem elsewhere;
- Self-enforcing measures should be considered first over measures that require police presence to ensure compliance. Measures that directly impact driver behaviour should also be considered first to reduce the need for traffic calming;
- Measures that restrict access and egress should be avoided;
- Measures should consider and not impede the movement of cyclists and pedestrians;
- Measures shall provide for adequate emergency vehicle access to, and circulation within, residential communities;
- Measures should consider the movement of commercial (truck) traffic, public transit and maintenance vehicles;
- The process shall involve effective public/stakeholder consultation, and generally follow the Municipal Class EA process;



- Implementation of traffic management plans shall be undertaken in accordance with local bylaws and within available funding capabilities;
- The Town, in co-operation with the York Regional Police Service, shall continue to encourage community participation through the promotion of community-based marketing and education programs, such as “Safe Streets Nice Neighbourhood”, “Road Watch”, “Radar Message Board”, etc.;
- In recognizing the potential environmental and societal benefits resulting from the implementation of traffic management, the Town shall seek/encourage the participation of other levels of government in the funding of such programs. The Town shall encourage the implementation of traffic management techniques in new subdivisions that will reduce the need for retrofit traffic calming measures; and
- The Town should monitor and report its findings to the public.

And from these guiding principles, a diagram was included in the 2005 Guide to address traffic concerns:

Figure 2: Suitability of Measures in Addressing Traffic Concerns



Further, the 2005 Guide looked into the basic principles of traffic management.

- Changes to a roadway's horizontal and/or vertical alignment;
- Roadway or lane narrowing;
- Changes to roadway surface texture and/or colour;
- Landscaping immediately adjacent to the roadway or within a median;
- Definition/separation of pedestrian/cycling facilities;
- Physical obstructions to prevent traffic movements;
- Streetscaping; and
- Gateway treatments

Finally, the Guide examined Level 1 minor improvements (Category 1) and Level 2 major improvements (Category 2).

Level 1 traffic calming measures include:

- Rumble strips;
- Pavement markings;
- Textured pavement/crossing;
- Lane narrowing;
- Increased on street parking; and
- Roadside improvements (including landscaping/streetscaping amenities).

Level 2 traffic calming measures include:

- Speed humps/cushions;
- Speed bumps (temporary);
- Raised crosswalk/intersection;
- Curb radius reduction;
- Curb extensions;
- Centre median/pedestrian refuge;
- Traffic circle;
- Chicane;
- Cul-de-sacs/road closures;
- Diagonal diverters;
- Breakaway barriers; and
- Bus only crossings/links.

The TMP embraced the traffic calming measures listed above, and placed limits, which determined when they would implemented. An incremental approach was proposed, which determined the appropriate measure. This provided the greatest impact and effectiveness for each proposed measure. Category 1 measures were implemented first, then Category 2 measures followed. The TMP established limits and warrants to ensure thorough review of appropriate mitigation measures. The following Table illustrates some of these limits and warrants:

Issue	Limits and Warrants
All-way stop request	Town variation of OTM Book 5
Speeds on Local Roads	10 km/h and less - Category 1, > 10 km/h - Category 2
Speeds on Collector Roads	15 km/h and less - Category 1, > 15 km/h - Category 2
Traffic Infiltration	20% of total road volume – Category 1
School Crossing requests	OTC 2006 Guide, with Town amendments

All of the TMP warrants and limits are currently valid.

To mitigate speeding, infiltration and right-of-way control, the following traffic calming measures are endorsed:

#### Category 1

- Speed Management Program
- Pavement Marking and Signage
- Enforcement
- Road-side Improvements
- Lane Narrowing (non-construction)

#### Category 2

- Speed humps (not applicable on Active Transportation Routes)
- Curb radii reductions
- Curb radii extensions
- Centre medians/pedestrian refuge islands
- Chicanes
- Lane Narrowing (construction)

Lane narrowing (non-construction) is achieved by installing pavement markings or bollards, while lane narrowing (construction) is achieved by constructing curbs in new locations to physically narrow the travelled road widths.

## 5.2 Category 1 Measures

### 5.2.1 Speed Management Program

The Speed Management Program is an education package intended to make motorists more aware of their chosen speeds. Currently, the Town has the following radar-type speed display boards:

- boulevard speed display trailers – 2
- battery powered, pole-mounted speed display signs – 1
- solar powered, pole-mounted speed display signs – 7

At each speed display location and at other locations (upon request) boulevard lawn signs are placed for up to 4 weeks.

The battery powered pole-mounted speed display signs remain in place for one week before they are removed to recharge the batteries. The solar powered pole-mounted speed display signs can remain in place indefinitely, however, they are moved every month or so to reduce driver apathy.

To balance both the resources required for placement and the impact on motorists, the new direction is to slowly decommission the trailers, and five more solar pole-mounted speed display signs were purchased in 2017 for a total of seven units. Additional battery pole-mounted speed display signs would be purchased as the trailers are decommissioned. Boulevard lawn signs will be continued to be deployed in the current manner, however, the message will be refreshed every 2 to 3 years.

### 5.2.2 Pavement Marking and Signage

Pavement Markings and signage are regulated under the Ontario Traffic Manuals (OTM) to ensure consistency for all motorists. The placement and use criteria for the Town is based on the OTM standards. To achieve consistency within the Town for speed reduction, stop compliance, and pedestrian safety, all collector roads should have a yellow centre line. Collector roads are typically wider, straighter, and tend to have higher recorded speeds. For these reasons, a yellow centre line is required, which visually divides the roadway and narrows the travel path.

Stop bars and pedestrian lines should be implemented at all intersections, where appropriate. These lines create a visual 'stop' for motorists and provide a designated travel path for pedestrians. Not all intersection legs in Newmarket include pedestrian lines. Some intersections do not have the required intersection platform (apron) or sidewalk connections at every leg, therefore pedestrian lines are omitted in these locations.

### 5.2.3 Enforcement

The Town supports the RoadWatch program operated by the York Regional Police, however, many residents are not aware of the program or how to access it. Currently, the Town has a web site link to the York Regional Police web site. Seven RoadWatch signs have been placed on the major arterial roads leading into the Town. Additional signs should be installed at major collector road/arterial road intersections.

### 5.2.4 Road-side Improvements

One fundamental traffic calming measure is to provide 'side-friction' on roadways. Side-friction is defined as an element near the road which creates a visual reduction in the travel path of a vehicle. The most common side-frictions include cars (parked in driveways near the curb line) and pedestrians (on sidewalks). Landscaping elements and street furniture are also successfully utilized to create side-friction. Benches and garbage receptacles can be placed in key locations,



and additional trees, landscaping, and LID (low impact development) features can reduce the number of ‘flat boulevards’, creating the visual effect of a narrower roadway.

#### 5.2.5 Lane Narrowing (non-construction).

The most common technique to narrow lanes is applying pavement markings, typically edge lines and centre-lines. The Town has narrowed two streets (on Queen Street and Bristol Road) by implementing a painted wide median to ‘push’ vehicles to the curbs. This creates a narrower lane, providing further separation between vehicles in curved sections. Edge lines are applied along the curb and can be painted as much as 0.5-metres away from the curb. This can be effective, however, the preferred practical application is to install a proper bicycle lane.

### 5.3 Category 2 measures

Category 2 measures are more expensive, more intrusive and more permanent solutions compared to Category 1 measures. Category 2 measures also require extensive public engagement.

#### 5.3.1 Speed humps (not on Active Transportation Routes)

Speed humps are only effective if properly spaced, and in groups of three to four. The Town has used speed humps in two communities: Kingston/Malton/Lancaster and Cotter/Oak.

Speed humps may be effective, but are difficult to place. Because speed humps cause a vertical deflection (bump), great care must be taken during the design phase to ensure that other road geometrics would not cause the motorist to lose control. Speed humps, therefore, should not be considered in the following locations:

- a) Active Transportation Routes
- b) Road grades exceeding 5%
- c) Road curves
- d) Near intersections (controlled or uncontrolled)
- e) Roadways with daily volumes exceeding 5,000 vehicles per day
- f) Industrial areas

Other factors that require consideration when assessing speed hump locations are:

- a) Public Transit Routes
- b) Primary or minor collector roads
- c) Proximity to schools

### 5.3.2 Curb radius reduction

Reducing an intersection curb radius increases the sharpness of a vehicle turning movement. The turning travel path at a reduced radius is shortened, and in order to make the turn, drivers must take more care and slow down more than with a conventional radius. In addition, an intersection with reduced curb radii creates shorter distances for pedestrians to cross streets, generally improving pedestrian safety.

The radius of a typical local road curb is 8.0 metres; 9.0 metres for collector roads. This radius is sufficient for the majority of larger service and emergency service vehicles, and forms part of our current Engineering Standards. Curb radii reduction will be considered for all road rehabilitations.

### 5.3.3 Curb radius extension

Curb radius extensions or curb extensions are a more aggressive form of treatment at intersections. The curbs are extended out, creating a pinch point at the intersection approaches. The Town has not utilized this type of treatment, but Main Street South, in the parking areas on the east side, approximates this treatment. The curb extensions shorten the crossing distance for pedestrians, thereby enhancing pedestrian safety. Curb extensions are effective, however, they must be designed differently to accommodate roads with bicycle lanes.

### 5.3.4 Centre median/pedestrian refuge islands

Currently, the Town has two pedestrian refuge islands; one on William Roe Boulevard, just east of Yonge Street, and a second on Water Street, just west of Doug Duncan Drive. The pedestrian refuge island allows pedestrians to cross one lane at a time with an area of safe refuge in between. Refuge islands are very effective for locations where trails and roads intersect, which are generally isolated from signalized intersections.

### 5.3.5 Chicanes

As with speed humps, chicanes require placement in groups of 3 or 4, and at appropriate spacing. More importantly, to be effective, chicanes should be constructed on roads with constant volumes travelling in both directions. Chicanes constructed on roads with low or uni-direction volume provide poor results, as motorists tend to drive down the middle of a chicane, and not closer to the right curb line.

### 5.3.6 Lane Narrowing (construction).

As a result of road reconstructions, the Town has been narrowing the travelled portion of existing roads from 8.5 metres to 8.0 metres for local roads, and 9.7 metres to 9.0 metres for collector

roads. This is the current standard for new subdivision construction. As noted above, the physical narrowing of the lanes is an effective traffic calming measure.

## 5.4 Pedestrian Safety

Pedestrian safety is a multi-faceted issue where motorists and pedestrians must work together to reduce safety risks. When there is a collision between a car and a pedestrian, the pedestrian always loses. On average in Newmarket, one pedestrian is involved in a collision every month. The ideal goal is zero collisions. The current trend indicates collisions have been declining even though the population has been increasing. Pedestrians are most vulnerable where vehicle and pedestrian paths conflict (mainly at intersections, but also at mid-block locations) and where pedestrians choose to walk on the road. It is best to have a physical separation between motorists and pedestrians, but when this is not achievable, clear indications of rights-of-way and the ability for each to see the other is very important.

There are two distinct themes to improve pedestrian safety – communication/education, and physical improvements.

### 5.4.1 Communication/Education

Speed Management Program: The Speed Management program consists of the trailer and pole-mounted, radar speed display signs. The signs remind passing drivers of their speeds. A slower driver or a driver travelling at the posted speed is more likely to be able to avoid a collision. In addition, lawn boulevard signs are placed at the speed display sign locations. After the speed display signs are removed, the boulevard signs are left for a few weeks. The driver is the target audience for this education package.

Safety Cone Sam: Safety Cone Sam and his friends are the mascots for the Speed Management program and the overall Safety Driven Campaign. Vulnerable road users, mainly youth, are the target audience for this education package. Safety Cone Sam, through displays at Town events, and in social media, provides messages and information. Give-away items and handouts, which have a defined theme, are also distributed. Most of the items focus on improved or increased visibility between drivers and pedestrians, and usually take the form of reflective material. Safety Cone Sam also has a presence on the Town Web page, but is more effective at community special events.

### 5.4.2 Physical Improvement

The following are a number of low cost, physical improvements that can greatly add to pedestrian safety:

Visibility Improvement at Intersections: This initiative is currently underway. Chosen intersections receive additional pavement markings in the form of the ladder-style pedestrian markings. For the motorist, ladder markings provide better visual contrast between the pedestrian and the roadway.

Currently, the program has seen 7 successful installations, one in each Ward. The locations were chosen based on traffic/pedestrian volume as well as collision rates. Going forward, the program will install one additional location per Ward for the next 2 to 3 years.

Pedestrian Crossing lines: Currently, the Town has a policy in regards to the installation of stop bars and pedestrian crossing lines. These markings are generally found at all four-way and three-way stop controlled intersections, and select minor stop controlled intersections. Intersections located directly on a school route take precedence. The ultimate goal is to install stop bars and pedestrian crossing lines at all intersections. Not only do the crossing lines provide guidance to pedestrians and motorists, they also improve visibility at intersections. Lateral lines painted across the road generally elicit a higher motorist response than signage, or in combination with signage.

Sidewalks: The Sidewalk Policy, developed in 2005, requires sidewalks on one side of all streets, two sides for collector roads with some criteria, and two sides for all arterials roads. The Town has been installing sidewalks on one side of local streets during reconstructions, pertaining mainly to the older areas of Town, however, there are a number of collector roads which currently have a sidewalk on one side only. Some of these streets are not scheduled for reconstruction and sidewalk placement for many years. To increase pedestrian safety, and to conform to the Complete Street philosophy, a program is necessary to construct sidewalks on collector roads with only one sidewalk. Priority must be given to locations near school sites and other areas of high pedestrian activity.

Aprons: How a sidewalk intersects with the roadway is very important. A sidewalk apron is a widening of the sidewalk at an intersection to allow pedestrians a convenient and safe location to cross the road, and can be designed to accommodate road crossings in two directions. At intersections, most sidewalks have a wide apron for accessibility and ease of crossing. However, some intersections (especially where additional stop controls have been constructed) may not include an accessible apron. A program is required to address this issue, to provide accessibility and ease of use.

## **5.5 Cyclist Safety - Active Transportation**

In 2014, the Town adopted the Urban Centres Secondary Plan (OPA#10), as well as Official Plan amendment #11 (OPA #11). OPA #11 amended Schedule D, the Active Transportation Network, which identifies Primary and Secondary facilities for both on-road and off-road users.

The majority of on-road facilities are located on residential collector roads. When OPA #11 was being drafted, Ontario Traffic Manual #18 (OTM Book #18) was created, which set standards for bicycle facilities in Ontario. The design criteria utilized in OTM Book #18 were instrumental in determining the type of on-road facilities for the routes identified in OPA#11.

The majority of the residential collector road system has an asphalt or road width of up to 9.7 metres, sufficient for one vehicular lane and one standard 1.5-metre bicycle lane on each side. A



few residential collectors, however, were constructed at a road width of 8.5 metres, providing sufficient space only for a reduced 1.25-metre bicycle lane on each side. Fortunately, these narrower roads generally have less traffic volumes and lower speeds.

The purpose of the Active Transportation Plan is three-fold:

- Provide alternative non-automobile methods of travel for work-based, school-based, and recreational trips from our residential communities outward to the commercial, institutional, retail, and recreational areas of the Town.
- Provide protected travel paths for cyclists in the form of appropriate cycling facilities. These facilities will increase cyclists' comfort level by reducing safety risks.
- Provide traffic calming to the residential collector streets by narrowing the travel lanes. Narrower travel lanes typically have a slowing impact on traffic, resulting in complete streets for community use.

The Active Transportation Plan has set out two timeframes, 1) a short-term (0-5 year), and 2) a longer-term (6-10 year) timeframe. On-road cycling facilities function much like a road network, and when considering the implementation schedule, the broader network and its connections should not be ignored based solely on timeframes. The Active Transportation Plan consists primarily of bicycle lanes, with travel lane narrowing, therefore, the use of other forms of physical traffic calming measures, as noted in Category 2, is not advisable. To further refine the Active Transportation Plan, an Active Transportation Implementation Plan is currently being crafted which would better define time frames, costs and accessory infrastructure.

## 5.6 Parking

Although on-street parking is considered a temporary condition, e.g. less than a full day, parked vehicles also provide a measure of traffic calming. Parked cars typically restrict traffic flow, thereby reducing vehicle speeds. The amount of parking space should reflect a balance between community needs and community maintenance services, such as garbage collection, emergency services, traffic flow, etc.

The Town's Engineering Design Standards, as well as the Parking Bylaw (1993-62) govern on-street parking. The Town reviews resident requests for amendments to the Parking Bylaw. Residents often request the need for more parking restrictions, usually citing safety concerns as the reason. Rarely, however, is there a clear and definable safety issue. Often the reason behind the request for parking restrictions is simply homeowners' preferences. Amending the Parking bylaw arising from community requests is set out in the Corporate Parking Policy and is a very linear process. The process can be lengthy and time-consuming. Often, amendments result in some very contentious community dialogue. In many cases, the amendment request is forwarded by a single resident, but is rejected by the majority of the community.

As a general guide, parking is restricted in the following locations:

- Where the roadway is less than 6.0 metres wide – BOTH sides
- On local residential roads with widths of between 6.1 metres and 8.0 metres – ONE side
- For Residential Collector roads of any width – ONE side minimum
- For Primary Collector roads of any width – BOTH sides
- On industrial roads of any width – BOTH sides.

These criteria may be altered for specific areas, for example, near schools or close to intersections.

### **5.7 Pilot Projects**

Some traffic calming measures are perceived to be new or innovative, however, the majority of these 'new' traffic calming measures are simply variations on proven technology. For example, speed 'bumps' became speed 'humps', evolving to variations like the speed 'table' and, finally, the speed 'cushion'. All of these measures create vertical deflections whereby motorists slow down to cross over a 'bump' in the road.

While the new traffic calming measures are variations on older, proven methods, the delivery and impact can differ. New pilot ideas must be thoroughly vetted through research to determine potential effectiveness and potential impacts in a Newmarket scenario. The rumble strip was found to be an example of a traffic calming measure not appropriate for all situations. The rumble strip (a series of grooves crossing the road from curb to curb that shakes a passing vehicle/emits sound) warns motorists of an up-coming all-way or two-way stop at rural intersections. In a rural setting, the rumble strip was determined to be highly effective, with no observable negative impact. In an urban setting, however, and especially in a residential area, rumble strips created too much noise and were found to be inappropriate for this kind of installation.

Once a thorough review of effectiveness versus impact has been completed for all contemplated traffic calming measures, pre-condition information needs to be gathered (such as traffic counts and speed studies) to establish a base line. The post-condition assessment will determine the effectiveness of the measure(s). In addition, any community issues or operational impacts must be noted. The best practice is to run the pilot project for 2 years in multiple locations because of varying geometry and characteristics of the roadways.

As with all road items, the Highway Traffic Act and Ontario Traffic Manual (OTM Books) govern both the roadways and all pilot projects within the roadways. The Town cannot alter the contents and intent of the legislation. Traffic safety and operations are generally consistent throughout Ontario and Canada. A good example of this consistency is that all stop signs are red, octagonal in shape and have the word STOP (or Arrête). No other road signs may exhibit any combination of these characteristics.

## **6.0 Public Consultation and Support**

This section is a critical piece to the overall strategy. This section was in a complete enough form and complimented some of the Council's Strategic priorities. Therefore, this section was separated out and adopted by Town Council in December 2016.



August 14 2017

His Worship  
Mayor Tony Van Bynen  
Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario  
L3Y 4X7

Dear Mayor Van Bynen,

The Canadian Commission for UNESCO (CCUNESCO), in partnership with the Centre for the Prevention of Radicalization Leading to Violence (CPRLV), is pleased to invite your municipality to take part in the "*What if I was wrong – When we talk, we learn*" campaign. This campaign will be officially launched in Montréal on September 21, 2017, the International Day of Peace, and during the following weeks in other Canadian municipalities belonging to the *Canadian Coalition of Municipalities Against Racism and Discrimination*.

In joining the *Canadian Coalition of Municipalities Against Racism and Discrimination*, your municipality committed to promoting the development of initiatives and programs aimed at creating more inclusive communities. We believe that by getting your citizens to confront and think about their own prejudices and/or preconceived ideas, this campaign will be able to contribute directly to advancing the priorities of your municipality related to inclusion and respect for differences.

The campaign is designed to reinforce resilience and promote the development of critical thinking as protective factors against radicalizing and extremist rhetoric leading to violence. "*What if I was wrong? Talking about it and learning*" is something everyone should consider when thoughts become inflexible and intolerant and lead us to refuse a dialogue with others.

CCUNESCO is partnering with the CPRLV for this campaign as preventing radicalization leading to violence is a global issue that is a priority for UNESCO and the entire United Nations system. In addition, the CPRLV, which is based in Montréal, is the only centre of its kind in North America.

This global issue requires a local response; your support is therefore essential to the campaign's success. All municipalities in the Coalition are encouraged to take an active part and support this important and relevant campaign.

There are many ways you can take part in the campaign:

- **putting up posters on the five main themes of the campaign** (or purchasing advertising space to do so) **in the public transit networks of your municipality** (on buses, on bus shelters, in the subway, etc.) **or in different**

Canadian Commission for  
UNESCO operates within the

La Commission canadienne  
pour l'UNESCO relève du  
Conseil des arts du Canada

150 Elgin Street, PO Box 1047  
Ottawa, Ontario K1P 5V8  
Canada

150, rue Elgin, C.P. 1047  
Ottawa (Ontario) K1P 5V8  
Canada

1-800-263-5588  
[www.unesco.ca](http://www.unesco.ca)



**public places** (municipal libraries, sports centres, community centres, museums, parks, etc.) to raise awareness of radicalization prevention and teach citizens how to respond to radicalization;

- **posting**, on your social media platforms, **details about the campaign**, particularly the contest to which young people will be able to actively contribute; and
- **sharing information about the campaign and about the different tools developed by the CPRLV with different stakeholders in your community** (youth workers, social workers, hotline operators, law enforcement).

Attached is a booklet about the "*What if I was wrong – When we talk, we learn*" campaign.

We hope that you will join us in making this campaign a success. For more information, please contact Anamaria Cardona at the CPRLV at [acardona@info-radical.org](mailto:acardona@info-radical.org) or Cynthia Lacasse at CCUNESCO at [cynthia.lacasse@unesco.ca](mailto:cynthia.lacasse@unesco.ca).

Yours sincerely,



Herman Deparice-Okomba  
Directeur général  
Centre de prévention de la radicalisation  
menant à la violence



Sébastien Goupil  
Secrétaire général  
Commission canadienne pour l'UNESCO

C.C. Town of Newmarket CCMARD focal points  
Ms. Anamaria Cardona, Communications and Intercultural Relations Officer, CPRMV  
Ms. Pauline Dugré, Program Officer, Canadian Commission for UNESCO  
Ms. Cynthia Lacasse, Program Officer, Canadian Commission for UNESCO

Encl. "*What if I was wrong – When we talk, we learn*" campaign booklet



**WHAT IF  
I WAS WRONG?**



An original idea of



CENTRE FOR THE PREVENTION  
OF RADICALIZATION  
LEADING TO VIOLENCE

In collaboration with



United Nations  
Educational, Scientific and  
Cultural Organization



Canadian  
Commission  
for UNESCO

# WHAT IF I WAS WRONG?

When we talk, we learn!

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*Awareness-raising campaign  
for the prevention of radicalization  
leading to violence*

[whatifiwaswrong.org](http://whatifiwaswrong.org)







## *Definition* **OF RADICALIZATION LEADING TO VIOLENCE**

Radicalization leading to violence is a process that tends, under certain conditions, to promote "extreme thought patterns" within a group or in the minds of certain individuals, with the outcome that they reject everything that is not consistent with their own beliefs, perceptions, ideas, values or convictions. They may even agree to use violence.

## *Factors associated with* **RADICALIZATION LEADING TO VIOLENCE**

Radicalization leading to violence occurs in situations where a variety of social issues, individual psychosocial problems, and facilitating factors intersect. Factors associated with radicalization leading to violence include:

- 
- **Cognitive rigidity**
  - **Polarized perceptions**
  - **Unshakeable ideological convictions**
  - **Lack of critical distance**
  - **Dualistic simplifications (“white versus black”, “good versus bad”)**
- 

All these factors may encourage the development of **“extreme thought patterns”** (Bronner 2009) or ideological extremism (Sunstein 2009). These factors indicate **“low cognitive flexibility”** that characterize radicalization leading to violence (Liht & Savage 2013; Boyd-MacMillan 2016). In other words, they imply the difficulties certain individuals are having to integrate multiple values, to compare several points of view, or to contextualize one's own perceptions and beliefs.

Given this, **“low cognitive flexibility”** is a risk factor in radicalization leading to violence because it leads some individuals to be attracted to dogmatic discourses or polarized views, which in turn promote the shift to extremism (Kruglanski 2004; Hogg 2004).

It is thus not surprising that **“low cognitive ability”** could lead a person to adopt a mental structure in which a single value or belief becomes the basis of their perceptions, thereby excluding or rejecting all others (Strozier and al. 2009).

# WHAT IF I WAS WRONG?

*... to think that everything is simple?*

*... to believe too quickly without  
challenging myself?*

*... to imagine there is only one truth?*

*... to persist in my convictions with  
absolute certainty?*

*... to think that others are not worth  
listening to?*

*... to want to impose my beliefs on others  
by any method?*

## GOAL OF THE *campaign*



Encourage resilience and critical thinking skills as protecting factors against radicalizing discourses and extremism leading to violence.

The **“What If I Was Wrong?”** campaign does not seek to persuade anyone to abandon an ideology or delegitimize specific extremist groups of any stripe. On the contrary, it addresses attitudes that can lead to violent radicalization: unshakeable ideological convictions, unquestioning doctrinal rigidity, cognitive isolation, or intolerance of alternative ideas, values or beliefs.

## *Target audience*

- Young people: Age 13-25
- Young adults: Age 26-35



## Major campaign THEMES

The campaign “**What If I Was Wrong?**” is organized around five major themes that are key factors in radicalization:

### *I don't fit in here*

Feeling of exclusion (objective or subjective)



- A feeling that can gradually lead some people to feel cast aside by society, and to cut themselves off.
- Feeling excluded from a common destiny and meaningful participation in social life, such individuals perceive a widening gap between themselves and the rest of society, sometimes to the point of a fatal rupture.

### *One vision for all*

A dogmatic view



- Sectarian standardization of world views, ideas and beliefs.
- Rejection of whatever way of thinking which is considered different, alternative or marginal and does not necessarily match that of the majority or what is recognized outside the “in” group.
- Conforming only with what is shared with the group, for reassurance.

## *Us against them*

### **Polarization of beliefs**



- Perception of deep-seated barriers between some groups, based on their social, political, religious, cultural or ethnic characteristics, or their beliefs.
- “Us against them”: world views, opinions or beliefs are divided into two antagonistic camps that seem irreconcilable.

## *That's none of my business*

### **Feeling of powerlessness**



- Turning a blind eye to situations that should in fact elicit a reaction.
- A feeling of powerlessness in relation to everyday occurrences.

## *They're all the same*

### **Stereotyping of others**



- Generalizing characteristics and behaviour, making lives one-dimensional when they in fact contain a wealth of experiences.
- Categorization of a person on the basis of specific characteristics, or the social, cultural, political or religious group they belong to, or are assigned to.
- Refusal to see distinctions within society or among the individuals within it, and preference for a stereotype devoid of nuance.

## *Angles of approach*

### **BY THE CAMPAIGN**

Each theme of the “**What If I Was Wrong?**” campaign will be explored from the following angles:

### *Perceptions*



#### **I question my own perceptions of:**

- The world around me
- Other people and my fellow citizens
- Local, national and international events

#### **Are my perceptions:**

- Based on facts?
- Subjective, or affected by what I read, what I see or what I am told?

### *Beliefs*



#### **I question:**

- My own beliefs
- How my beliefs conflict with those of others

#### **When I think about my beliefs, I wonder how I can answer these questions:**

- Are they unique?
- Are they more valid than other people's?
- How can I practice them without denying other people's?

## Convictions



### I question:

- My own convictions
- The actions my convictions lead me to take
- The lines I refuse to cross

**Does the end always justify the means?**

## Ideas



### I question:

- My own ideas and how I relate to them
- The importance I attach to certain ideas in my life

**Do my ideas come from me, or from other people?**

## Values



### I question:

- My own values
- The biases my values introduce into my way of seeing the world

### Are my values:

- Absolute?
- Inclusive of other people's values?



## How can I get involved IN THE CAMPAIGN?

### EDUCATOR'S GUIDE

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The **"What If I Was Wrong?"** Educator's Guide is for teachers, community workers and group leaders involved with young people. The purpose of the guide is to help them organize activities in their communities that will allow participants to move forward in a process of self-discovery, discovery of others, and exploration of the world around them.

You can download the guide here: [whatifiwaswrong.org/guide](http://whatifiwaswrong.org/guide)

- *Target audience: Young people aged 13-17*
- *Number of activities offered: 20*
- *Time: 50 - 90 minutes*

### QUIZ NIGHT

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**Quiz Night** is an awareness-building workshop that presents material related to the five campaign themes. The goal is to create a space for conversation and discussion in a respectful atmosphere, and to encourage critical thinking and the practice of questioning one's own convictions.

- *Target audience: young people and young adults aged 13-35*
- *Time: 120 minutes*
- *Number of participants required: minimum of 10*

## THE ART OF EXPRESSION

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**The Art of Expression** is an awareness-building workshop led by experienced artists who work in different art forms. It offers a space for artistic expression and the creation of art that addresses social issues of direct or indirect concern to workshop participants.

**If you are interested in organizing a workshop in your school, community centre or any other context,** please contact us at the following address: **info@whatifiwaswrong.org**. We will provide you with the tools needed to organize your workshop.

- *Target audience: open to all*
- *Time: 120 minutes*
- *Number of participants required: minimum of 10*

## VIDEO STORIES

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Make a 60-second video where you tell your story that relates to one of the five major themes of the campaign, answering the following three questions:

1. What was the situation where you felt you were wrong? Start by saying: *"I was wrong when ..."*
2. *Why were you wrong?*
3. *What did you take away from the experience?*

Send your video to this email address: **info@whatifiwaswrong.org**

- *Target audience: open to all*

## INTERNATIONAL *Contest*



Enter our “**What If I Was Wrong? When We Talk, We Learn!**” contest by submitting your art project based on one of the five campaign themes.

- **Individual:**
  - Photo
  - Text, poem
  - Song or musical composition
- **Group of 10-30 individuals:**
  - Short video
  - Song or musical composition

To mark the World Day of Social Justice, the winners will be announced on **February 20, 2018**.

- *Contest runs from: **September 21, 2017 to January 21, 2018***
- *Entrants: **Ages 13 – 35***

For information about the contest terms and conditions, especially the criteria for the art project submissions, go to: **[whatifiwaswrong.org/contest](http://whatifiwaswrong.org/contest)**



# WHAT IF I WAS WRONG?

WHEN WE TALK,  
WE LEARN!

## ***Evaluation*** **OF THE CAMPAIGN**



Tools have been prepared to evaluate each type of campaign activity:

- Questionnaire on resilience and critical thinking completed by participants in the awareness-building workshops
- “Critical Thinking” grid to analyze comments posted on social media (awareness workshops, contest, video stories and the campaign in general)
- Questionnaire for educators, community workers and workshop leaders who used the *Educator’s Guide*
- “Critical Thinking” grid for a semiotic analysis of the artworks submitted to the international contest
- “Resilience” analysis grid for the video stories
- “Your Impressions of the Campaign” questionnaire completed by entrants in the International Contest

***For more information visit the website:***  
***whatifiwaswrong.org***



## Bibliography

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# Petition to restart grass clipping disposal service for residence of Newmarket

To,  
The Honorable Mayor,  
Town of Newmarket,  
395 Mulock Drive ,  
Newmarket, Ontario  
L3Y 4X7

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		June 28 <sup>th</sup> . 2017
AUG 23 2017		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		

LEGISLATIVE SERVICES		
INCOMING MAIL	REFD TO	COPY TO
AUG 24 2017		

**Subject: Petition to restart grass clipping disposal service for residence of Newmarket**

Mr. Tony Van Bynen,

We the residents of Newmarket are put under tremendous inconvenience due to the fact that the waste department does not pick up grass as part of yard waste.

It is not possible to cut the grass and leave it for mulching on the ground if it has grown over a certain height. This kills the lawn.

You have to understand that at times when it continuously rains, or due to other reason like sickness etc. we are not able to cut the grass in time. This allows the grass to grow long enough where it cannot be cut and left on the lawn for mulching, as it would damage the lawn.

Due to the above reasons many resident, especially seniors, residents travelling, and residents who have medical issues find it difficult to cut grass at regular intervals to maintain the required height of grass good enough to help mulching.

Our appeal to your administration and council is to provide the facility of picking up grass clippings from Newmarket residents at regular interval as yard waste.

*We have made inquiries with the other Municipalities in Ontario and have learnt that they have no restriction for collecting grass clipping as yard waste.*

We are making this petition as we, the residents of Newmarket, feel let down by our municipality in this regards.

We request you to please take up this matter immediately with your council and provide this facility as soon as possible.

The current arrangement by your administration to drop the grass clipping at 1351 Bloomington Road East, Richmond Hill, Ontario, L4K 2N7 is too far and inconvenient for residents of Newmarket. The seniors, disabled, those who are have medical issues Newmarket residents who do not own vehicles find it impossible to travel to the designated location for dropping the grass clipping as yard waste. The working residents also have issues with the timing.

## Petition to restart grass clipping disposal service for residence of Newmarket

We are making this petition by signing here below as the Newmarket home owners and residents who have been affected by your above policy.

Trust your cooperation in this regards will help our community in the best possible manner to our satisfaction.

Petition signed by Residents of New market:

7

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, July 11, 2017 in the Mulock Room, 395 Mulock Drive, Newmarket.

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

Absent: Malcom Watts  
Soni Felix Raj

Staff Present: D. Ruggle, Senior Planner  
M. White, Planner  
K. Saini, Deputy Town Clerk, Recording Secretary

The meeting was called to order at 7:07 PM with Athol Hart in the Chair.

#### **Additions and Corrections to the Agenda**

None.

#### **Declarations of Pecuniary Interest**

None.



## Approval of Minutes

### 1. Heritage Newmarket Advisory Committee Minutes of June 13, 2017

Moved by: Rohit Singh  
Seconded by: Billie Locke

1. That the Heritage Newmarket Advisory Committee Minutes of June 13, 2017, be approved.

**Carried**

## Correspondence

### 2. Correspondence from the Planning and Building Services Department regarding Notice of Passing of Zoning By-law 2017-40 for the property known as 106 Main Street South

Moved by: Councillor Hempen  
Seconded by: Rohit Singh

1. That the correspondence from the Planning and Building Services Department regarding Notice of Passing of Zoning By-law 2017-40 for the property known as 106 Main Street South be received for information purposes.

**Carried**

### 3. Correspondence from the Planning and Building Services Department regarding Notice of Complete Application for the property known as 17645 Yonge Street (Redwood Properties)

Moved by: Councillor Hempen  
Seconded by: Joan Seddon

1. That the correspondence from the Planning and Building Services Department regarding Notice of Complete Application for the property known as 17645 Yonge Street (Redwood Properties) be received for information purposes.

**Carried**

**4. Correspondence from the Planning and Building Services Department regarding Notice of Complete Application and Public Meeting for the property known as 195 Harry Walker Parkway North**

Moved by: Rohit Singh  
Seconded by: Billie Locke

1. That the Correspondence from the Planning and Building Services Department regarding Notice of Complete Application and Public Meeting for the property known as 195 Harry Walker Parkway North

**Carried**

**Items**

**5. Removal of 770 Gorham Street from Municipal Register of Non-Designated Heritage Properties**

Moved by: Billie Locke  
Seconded by: Joan Seddon

1. That the Heritage Newmarket Advisory Committee recommend to Council that the request to remove the property known as 770 Gorham Street from the Municipal Register of Non-Designated Heritage Properties be denied; and,
2. That the Heritage Newmarket Advisory Committee recommend to Council that the property known as 770 Gorham Street be designated a heritage property due to its cultural and architectural importance.

**Carried**

**6. Workplan & Operating Budget Discussion**

There was discussion regarding the Committee's Workplan and the 2018 budget. Discussion ensued regarding heritage brochures for walking tours. D. Ruggle advised that printing costs for brochures would be researched. Further discussion ensued regarding plaques within the Heritage Conservation District and amending the workplan to include the brochures and plaques.

Moved by: Joan Seddon  
Seconded by: Rohit Singh

1. That applicants requesting their properties to be designated as a heritage property be required to provide 50% of the costs associated with the designation process; and,
2. That Heritage Newmarket Advisory Committee recommend to Council that \$5,000 be allocated for designation reports.

**Carried**

Moved by: Billie Locke  
Seconded by: Councillor Hempen

3. That item 6 (have all deteriorating Town of Newmarket Assessment Roll Books be rebound and digitized, where possible) of the Committee's Workplan be removed.

**Carried**

Moved by: Billie Locke  
Seconded by: Rohit Singh

4. That a workshop for Real Estate Professionals and Property Appraisers be moved forward as a priority item in 2018 for the Committee; and,
5. That Heritage Newmarket Advisory Committee recommend to Council that \$500 be allocated towards a workshop for Real Estate Professionals and Property Appraisers.

**Carried**

Moved by: Billie Locke  
Seconded by: Rohit Singh

6. That the "Heritage Newmarket Workshop for all York Region municipalities to discuss fundamentals of the Act, by-laws and other municipal approaches" be removed from the Committee's Workplan; and,
7. That Heritage Newmarket Advisory Committee recommend to Council that \$1,600 be allocated towards purchasing 4 Heritage Conservation District plaques.

**Carried**

## Reports from Committee Members

### 7. Designated Property Maintenance and Concerns

#### a) Site Plaques

There was no discussion on this matter.

#### b) Residence Plaques

There was no discussion on this matter.

#### c) Heritage Location Plaques

There was no discussion on this matter.

### 8. Sub-Committee Reports

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

Athol Hart advised that the Committee is meeting tomorrow.

#### b) Elman W. Campbell Museum Board

There was no report from this Sub-Committee.

#### c) Lower Main Street South Heritage Conservation District Advisory Group

There was no report from this Sub-Committee.

#### d) Newmarket Historical Society Board of Directors

There was no report from this Sub-Committee.

## New Business

### 9. Annual Ontario Heritage Conference

There was discussion regarding the budget.

Moved by: Councillor Hempen

Seconded by: Rohit Singh

1. That Malcolm Watts be reimbursed \$1,591.76 for attending the Ontario Heritage Conference; and,

2. That Heritage Newmarket Advisory Committee recommend to Council that \$3,000 be allocated towards attendance for two members to attend the annual Heritage Conference.

**Carried**

## **10. Municipal Property Assessment Corporation**

Councillor Hempen provided a verbal update regarding information regarding a property.

### **Adjournment**

Moved by: Joan Seddon  
Seconded by: Billie Locke

1. That the Heritage Newmarket Advisory Committee adjourn at 9:12 PM.

**Carried**

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Date

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A. Hart, Chair



The meeting of the Newmarket Environmental Advisory Committee was held on Wednesday, May 3, 2017 in the Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: John Birchall  
David Kempton  
Petra Vollmerhausen  
Councillor Vegh

Absent: Jill King  
Cathie Ethier

Staff Present: P. Noehammer, Commissioner, Development and Infrastructure  
Services  
H.Leznoff, Council Committee Coordinator

The meeting was called to order at 6:45 p.m.

Petra Vollmerhausen in the Chair.

### **Additions & Corrections to the Agenda**

None.

### **Declarations of Pecuniary Interest**

None.

### **Approval of Minutes**

1. Newmarket Environmental Advisory Committee Meeting Minutes of November 2, 2016.

Moved by: J. Birchall  
Seconded by: D. Kempton

That the Newmarket Environmental Advisory Committee Meeting Minutes of November 2, 2016 be received.

2. Newmarket Environmental Advisory Committee Meeting Minutes of March 1, 2017.

Moved by: J. Birchall  
 Seconded by: D. Kempton

That the Newmarket Environmental Advisory Committee Meeting Minutes of March 1, 2017 be received.

**Carried**

## **Correspondence**

3. Correspondence items, previously distributed by e-mail.

Moved by: D. Kempton  
 Seconded by: J. Birchall

That the correspondence items, previously distributed by e-mail, be received.

**Carried**

## **Items**

4. Public Engagement and Environmental Events.

- a) Garage Sale Discussion

P. Vollmerhausen advised that she was experiencing difficulty securing a location and volunteers for the garage sale. The Commissioner of Development and Infrastructure Services agreed to provide information about a potential site for the garage sale as an alternate venue. Other options such as cancelling the garage sale or rescheduling it to the fall were discussed and Petra advised that a decision would be made once the information about the alternate venue was received.

- b) Newmarket Farmer's Market Attendance

This item was deferred to a future meeting or through informal discussion.

## 5. Q & A with the Commissioner of Development and Infrastructure Services

Committee Members and the Commissioner of Development and Infrastructure Services discussed the function of the Environmental Advisory Committee and if it is appropriate to fill the current vacancies at this time.

The Commissioner of Development and Infrastructure Services discussed the role of the Committee as an Advisory Committee and indicated how the terms of reference and work plan of the Committee align with Council's strategic priorities. He advised that there is an advocacy component of the committee through education and outreach but that these areas should still align with the work plan rather than individual committee member's areas of interest. He identified two main areas of discussion. Firstly, are the Terms of Reference still meaningful for the Town and Committee? Secondly, if there is a stronger interest for committee members to advocate for particular environmental issues, then perhaps the committee meeting structure is not the best forum for those initiatives.

Committee members discussed their work plan and expressed frustrations with the narrow scope of work assigned in the Terms of Reference, the few occasions where they were asked for input, and their lack of accomplishments achieved.

A decision was made that the Committee would work with the Terms of Reference and current work plan to find areas to pursue, specifically community involvement and education/outreach. It was suggested that environmental policy advice, rather than project advice, could be an area to consider. Revisions to the work plan would be brought to Council for approval.

There was concurrence that the vacant positions should not be filled at this time due to the on-going consideration being given by the existing members of the Committee to the work plan.

## New Business

None.

**Adjournment**

Moved by: J. Birchall  
Seconded by: Councillor Vegh

That the meeting adjourn at 8:17 PM.

**Carried**

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Date

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Petra Vollmerhausen, Chair



To the Staff of the Town of Newmarket.

My name is Derek, AKA Big D. I am the President of the Barrie chapter of the Guardians of the Children (GOC). We are a non-profit organization made up of men and woman motorcycle riders who serve to create awareness and prevention of child abuse in all its forms. We also work with abused children post victimization to help them feel safe and secure, and to rebuild their confidence. We are not therapists, but friends and protectors.

We partner with Child Advocacy Agencies, Victim Assistance Groups and others to raise awareness of the prevalence of child abuse. GOC assists these agencies by being one of many resources available to them; and introduce the child into our organization where it has been determined it would be beneficial in order to lend support to their family, and at the same time protect that child. Our members share a common goal in that we enjoy the open road on our iron horses and are here to convey an important message; "We stand as one prepared to protect this priceless resource"

The mission of Guardians of the Children (GOC) is to recognize and react to child abuse and educate the public to do the same; to serve as advocates to provide strength and stability to families in crisis; and be an answer to the prayer of an abused child or teen for courage, support and protection.

"Don't Let Your Silence Drown Out Their Cries"

We are requesting that you would consider our request to proclaim October Child Abuse Awareness Month in the Town of Newmarket.

Thank you for your time and consideration,

Sincerely,

Big D

President  
Barrie Chapter of the Guardians of the Children

<https://www.guardiansofthechildrenbarrie.com/>

<https://www.facebook.com/gocbarrie/>



**From:** Support - Benefit Hockey [<mailto:support@benefithockey.com>]

**Sent:** August 29, 2017 3:17 PM

**To:** Mayor Van Bynen

**Subject:** Proclamation Request

## **NHL Alumni Hockey Game In Support of the Law Enforcement Torch Run for the Special Olympics Ontario**

**November 18th, 2017 - Newmarket** - The Ray Twinney Complex will play host to NHL Alumni All Star Day in Newmarket.

Mayor Van Bynen,

We would like to invite you to take part in our Puck Drop Ceremony at our upcoming NHL Alumni hockey game. We would be honoured to showcase your Town and the Special Olympics Ontario with the Law Enforcement Torch Run by Proclamation of November 18th, 2017 as NHL Alumni All Star Day in Newmarket.

I will touch base with you in the next few days to follow up and look forward to new partnerships that will make this year's NHL Alumni game a true All Star experience for everyone involved.

If you have any immediate questions or concerns feel free to contact me any time,

Paul Keen  
Event Logistics

[www.benefithockey.com](http://www.benefithockey.com)  
[support@benefithockey.com](mailto:support@benefithockey.com)



## PRESS RELEASE

**THE 2017 NHL ALUMNI BENEFIT TOUR PRESENTED BY SCOTIABANK!  
CELEBRATING THE 30<sup>TH</sup> ANNIVERSARY OF THE LAW ENFORCEMENT TORCH  
RUN YOUR FAVORITE FORMER NHL LEGENDS FACE OFF AGAINST THE LAW  
ENFORCEMENT ALL STARS IN SUPPORT OF SPECIAL OLYMPICS**

**(November 18<sup>th</sup>, 2017 – Newmarket)** – The Ray Twinney Complex will play host to Hockey Night in Newmarket on Saturday November 18<sup>th</sup>, 2017!

Scotiabank proudly presents the 2017 NHL Alumni Benefit Tour featuring NHL legends from Stanley Cup winning teams, classic original 6 hockey teams and local former NHLers representing your hometown all in support of Special Olympics Ontario and the Law Enforcement Torch Run! The NHL Alumni Tour has proudly hosted hockey legends such as Walter Gretzky, Wendel Clark, Curtis Joseph, Tiger Williams, Theo Fleury and many more!

The Scotiabank NHL Alumni Benefit Tour gives fans a unique experience and an evening to remember that showcases top shelf hockey skills, on ice pranks and old fashioned hockey nostalgia. This great evening provides something for fans of all ages and gives you an exciting opportunity to see a lighter side of these hockey greats while raising money for a great cause.

The Scotiabank NHL Alumni Benefit Tour supports the Special Olympics and Law Enforcement Torch Run's mission "*To provide year-round sports training and athletic competition for individuals with intellectual disabilities.*" Join us for a special night as we celebrate the 30<sup>th</sup> anniversary of the Law Enforcement Torch Run Ontario!

Doors open at 5:00PM, game starts at 6:00pm at the Ray Twinney Complex, 100 Eagle Street West, Newmarket, ON.

For ticket information, please visit [www.benefithockey.com](http://www.benefithockey.com). Come out and join in the fun!

**CALL 1-844-363-0500 OR VISIT [WWW.BENEFITHOCKEY.COM](http://WWW.BENEFITHOCKEY.COM)  
TO BOOK YOUR TICKETS TODAY!**

**From:** Waste Reduction Week in Canada [<mailto:info@wrwcanada.com>]

**Sent:** September 5, 2017 5:37 PM

**To:** Mayor Van Bynen

**Subject:** Proclaim Waste Reduction Week in Canada 2017



## Proclaim Waste Reduction Week in Canada

**Oct. 16 - 22, 2017**

Waste Reduction Week in Canada, a coalition of environmental non-profit and government organizations from the 13 participating provinces/territories, is asking municipalities, businesses, and schools across Canada to demonstrate their commitment and accomplishments in waste reduction by proclaiming **Oct. 16 – 22, 2017** as Waste Reduction Week in Canada.

Municipalities are the bedrock of Ontario's waste reduction success by collecting more than 2 million tonnes of packaging, hazardous, and organic material every year.

Waste Reduction Week in Canada provides you and your residents a platform to recognize the benefits of waste reduction, and we hope your municipal council and waste staff will take this opportunity to support a national environmental campaign that builds awareness around issues of sustainable and responsible consumption; encourages choice for more environmentally responsible products/services; and promotes actions that divert more waste from disposal and conserve natural resources.

### Proclamation

In 2016 more than 70 communities across Ontario officially proclaimed Waste Reduction Week, and we'd appreciate your support and increase that amount in 2017.

To proclaim Waste Reduction Week:

- [Download the proclamation](#) and include your municipality's logo and seal on the bottom right. You are welcome to use your municipality's own certificate template instead, if desired.

- Visit [wrwcanada.com/proclamations](http://wrwcanada.com/proclamations) and upload the completed certificate, or email your completed certificate to [info@wrwcanada.com](mailto:info@wrwcanada.com).

Once submitted your proclamation will be featured on [wrwcanada.com](http://wrwcanada.com) within 1-3 business days. In doing so, fellow municipalities, residents, and businesses across Canada will view and appreciate your support and commitment to waste reduction, recycling, and the environment.

## PROCLAIM NOW!

### Promotion

[Download the 2017 Waste Reduction Week in Canada Program Guide \(PDF\)](#) for more details and ideas, including themes for each day of the week.

Host events and facility tours that showcase and celebrate the behind the scenes work that goes into waste reduction and recycling. [Register your events online.](#)

Support Waste Reduction Week in Canada through social media using hashtag **#WasteReductionWeek** in your communications. Share ideas, stories, and pictures of waste reduction initiatives to demonstrate commitment to reducing waste both at home and in the community.

### Thank You

Canadians are proud of their natural environment and understand the value of protecting our resources. Campaigns like Waste Reduction Week in Canada play an important role in reminding us to conserve and maintain a lifestyle that helps to preserve them. Your support will help inspire individuals and other communities to mobilize and take action on this important initiative.

We appreciate your commitment to the environment and for proclaiming Waste Reduction Week in Canada.

Yours sincerely,



Jo-Anne St. Godard  
Executive Director  
Recycling Council of Ontario  
416.657.2797, ext. 3  
[info@wrwcanada.com](mailto:info@wrwcanada.com)

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### About Recycling Council of Ontario

Since 1978 RCO has worked closely with municipalities and businesses across Ontario to inform and educate all members of society about the generation of waste, the avoidance of waste, the more efficient use of resources, and the benefits and/or consequences of these activities. We also run programs that support waste reduction goals.

Take Back the Light can help municipalities recover and recycle spent lights, whether they are generated through relighting, on-going maintenance, or facility retrofits. The program also works with organizations that recycle lights outside their purchase arrangements, and accepts lights and light fixtures in all quantities. Every light is tracked, and 98 per cent each light collected is diverted from disposal with component parts reused wherever possible. Visit [www.TakeBacktheLight.ca](http://www.TakeBacktheLight.ca) to learn more.

3RCertified is a unique program that reviews how organizations manage solid waste reduction and diversion operations. [Participating facilities](#) achieve certification levels based on established criteria and third-party evaluation of waste management and reduction practices. Visit [www.3RCertified.ca](http://www.3RCertified.ca) to learn more.

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Waste Reduction Week in Canada | [info@wrwcanada.com](mailto:info@wrwcanada.com) | [www.wrwcanada.com](http://www.wrwcanada.com)

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LEGISLATIVE SERVICES		
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SEP 12 2017		

**IAN LAING** Fire Chief

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Newmarket, ON  
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www.cyfs.ca

September 12, 2017

Lisa Lyons, Clerk  
Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario  
L3Y 4X7

Dear Lisa:

Re: **Council Declaration of "FIRE PREVENTION WEEK" October 8 – 14, 2017**

Each year a one week period in October is proclaimed by the Government of Canada as "Fire Prevention Week", and is used to place emphasis on the prevention of fire, and for the preparation of plans to be enacted in the event of fire.

Central York Fire Services is respectfully requesting the Town of Newmarket also proclaim the week of October 8, 2017 through October 14, 2017 Fire Prevention Week, with this year's theme being:

***"Every Second Counts - Plan Two Ways Out"***

Sincerely,

Ian Laing  
Fire Chief

*Proudly protecting the communities of Aurora and Newmarket*

# TOWN OF NEWMARKET

## Outstanding Matters Schedule A

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
1. Committee of the Whole – February 22, 2016 – Item 27 Motion – Councillor Hempen Welcome Entrance Sign	<p>THAT staff report back on the feasibility and suitable location for the installation of a community welcome entrance sign at the intersection of Longford Drive and Davis Drive;</p> <p>AND THAT staff also provide a suitable design for the welcome sign. The cost of the sign will be covered by private fundraising.</p> <p>➤ Development and Infrastructure Services</p>	<p><del>Q2/Q3-2016</del> Q4-2016 Q1-2017 Q2-2017 <del>June 19, 2017</del> Q2-Q3-2017 Q4</p>	Subject to confirming preferred location of installation with adjacent property owner
2. Council – April 4, 2016 – Item 5 Joint Report Community Services - Recreation and Culture; Development and Infrastructure Services - Public Works, Engineering, Corporate Services - Finance 2016-14 dated March 31, 2016 regarding Implementation Plan - Future Facilities and Land Use	<p>THAT Phase 2 of the Recreation Playbook Implementation Plan be approved as outlined in the report, with public consultation done as part of applicable design processes;</p> <p>AND THAT Phase 3 of the Recreation Playbook Implementation Plan be shared with the community through a public consultation process and that staff then report back;</p> <p>AND THAT future Council Workshops be done to consider specific uses and negotiation strategies on potential property acquisitions, as outlined in the report;</p> <p>AND THAT as part of the 2016 Capital Budget, the design for an outdoor basketball court at Ken Sturgeon Park be undertaken, and funding for construction be requested in the 2017 Capital Budget funded from Development Charges and Capital Reserves, in order to include this project in Phase 2 of the Recreation Playbook implementation plan.</p> <p>➤ Recreation and Culture</p>	<p><del>Q4-2016</del> Q2-2017 Q4, 2017</p>	<p>An information report will be forthcoming in June, 2017 outlining a series of PIC's that will be related to various aspects of Phase 3 of the Recreation Playbook</p>

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
3. Council – June 27, 2016 – Item 34 Development and Infrastructure Services Report – ES 2016-24 regarding Savage Road/Sandford Street Traffic Review	<p>THAT Item 4 – Active Transportation Plan (bicycle lanes) on Sandford Street from Muleck Drive to Savage Road with a possible extension along Savage Road to Paul Sample Park entrance be deferred in order to provide an opportunity to work with residents to monitor and evaluate the traffic calming measures.</p> <p>➤ Engineering Services</p>	<p>A meeting was held between staff and the Ward Councillor on May 11, 2017, to explore public consultation options. It was confirmed by the Councillor that the measures implemented by Engineering Services in 2016 (flexible bollards) have resolved the issues on Sandford St. The measures will continue through 2017. A public consultation and report to CoW is no longer required, according to the Ward Councillor. Staff will produce an Info Report instead.</p>	<p>Meeting scheduled with Councillor May 11th and further updates provided following the meeting</p> <p>Information Report to follow</p>
4. Committee of the Whole – February 6, 2017 – Item 14 – Motion – Councillor Kwapis – Vacant Storefronts  Committee of the Whole – April 10, 2017 – Item 11 (2)	<p>THAT Council direct staff to review options, best practices and by-laws that are used by towns and cities to prevent and/or manage unsightly vacant storefronts in areas of special interest such as Main Street. This report to be brought back to Council within 120 days.</p> <p>A suggestion was made to include residential dwellings/units as part of staff's review.</p> <p>➤ Legislative Services</p>	<p>June 19, 2017 August 28, 2017 September 25, 2017</p>	<p>Meeting with Legislative Services, Planning and Economic Development Officer held and staff proceeding with research options and best practices to provide Council</p>
5. Committee of the Whole – February 27, 2017 – Item 19 – Development & Infrastructure Services – Planning & Building Services and Public Works Services Report 2017-05 – Tree Removal, Protection Policies and Regulations	<p>THAT Council direct staff to update the existing Tree Preservation, Protection, Replacement and Enhancement Policy.</p> <p>➤ Planning and Building Services</p>	<p>Q3/Q4, 2017</p>	
6. Committee of the Whole – February 27, 2017 – Item 23 – Motion – Councillor Bisanz	<p>THAT staff prepare a report on options and opportunities to address residential on street and off street parking challenges. Specifically, the report should consider the impact that changing economics and demographics have on housing occupancy and ways in which the Town of Newmarket can better balance reasonable parking needs with streetscape aesthetics, active transportation objectives and effective by-laws enforcement.</p> <p>➤ Planning and Building Services</p>	<p>Q3/Q4, 2017</p>	

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
7. Committee of the Whole – February 27, 2017 – Item 21 – Item 3 of Central York Fire Services – Joint Council Committee Minutes of October 4, 2016 regarding Burning By-laws Discussion	<p>THAT the Central York Fire Services – Joint Council Committee recommendation be approved and that staff be directed to review the current burning by-law in conjunction with Aurora staff (specifically, By-law and Fire Services)</p> <p>➤ Central York Fire Services</p>		<p>Report considered at May 16, 2017 JCC meeting</p> <p>Excerpt of Minutes of CYFS JCC meeting of May 16, 2017 – Item 11</p> <p>That Fire Services Report 2017-04 dated May 9, 2017 regarding Outdoor Burning By-law be received; and,</p> <p>That there be no amendments made to the current Outdoor Burning By-laws 2009-064 and 5111-09; and,</p> <p>That an education and communication plan be implemented.</p>
8. Council – March 27, 2017 – Item – Motion Councillor Twinney	<p>To ask staff to review Zoning By-law 2010-40 and 2013-40 to address best practices related to infill development standards across the town as a whole.</p> <p>➤ Planning &amp; Building Services</p>	Q3/Q4, 2017	
9. Committee of the Whole – May 8, 2017 – Item 26 – Community Services – Commissioner and Newmarket Public Library Joint Report 2017-07 regarding Library Facility Needs Assessment	<p>That the library facility needs assessment be referred to staff to be brought forward with the operational efficiency review.</p> <p>➤ Community Services – Commissioner/Library</p>	Q4, 2017	To follow Efficiency Review

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
10. Committee of the Whole – May 8, 2017 – Item 32 – Motion – Councillor Bisanz Information Document for Residents Related to Construction Sites	<p>That Council approve the following motion in principle:</p> <p>That staff be directed to prepare an information document that can be provided to residents in the vicinity of new construction sites, the purpose of which is to advise and to communicate to the residents, the various activities, potential impacts and expected timelines associated with each phase of construction, from site clearing through to house construction; and,</p> <p>That developers, through their consulting engineers, be required to ensure that residents, and the relevant Ward Councillor, in adjacent areas receive advance written notice of construction events to take place, so that they can be better informed and prepared for any disruption that may occur as a result.</p> <p>And that the aforementioned motions be referred to staff for a report back including options and resource requirements.</p> <p>➤ Planning &amp; Building Services</p>	Q4, 2017	
11. <del>Special Council – May 29, 2017</del> <del>Motion – Temporary re-zoning of 195 Harry Walker Parkway</del>	<p>That a Town-led temporary re-zoning application for the property known as 195 Harry Walker Parkway be initiated with a Public Planning session scheduled over the summer months to accommodate a temporary location for the Community Living Newmarket Aurora District administration and programming facility with a completion target date of no later than September 4, 2017</p>	<p>Statutory Public Meeting held on July 10, 2017</p> <p>Temporary Zoning By-law enacted at Special Council meeting held on July 10, 2017</p>	
12. Committee of the Whole- June 19 – Motion – Textile Diversion Program	<p>That the PowerPoint presentation entitled “Diabetes Canada – Textile Diversion Program for the Town of Newmarket” by Mr. Ryan Michaels and Mr. Blaine Hobson be received and referred to staff</p> <p>➤ Public Works Services</p>	October 16/November 27, 2017	
13. Committee of the Whole – August 28 – Motion – Item 3 of Accessibility Advisory Committee Meeting Minutes of March 23 re: Accessibility in the downtown area	<p>That the Operational Leadership Team recommends that the follow recommendation be referred to staff for review and report:</p> <p>1. That The Accessibility Advisory committee recommends to Council that Council consider ways to make as many entrances to Main Street buildings as accessible as possible.</p> <p>➤ Legislative Services (lead), Planning and Building Services, Engineering Services &amp; Legal Services</p>	Q1-Q2 2018	



Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
14. Committee of the Whole – August 28 – Motion – Item 5 of the draft Heritage Newmarket Committee Meeting Minutes of July 11, 2017 re: 770 Gorham	<p>The Operational Leadership Team recommends to Council that the following be referred to staff for review and report:</p> <ul style="list-style-type: none"> <li>a. That the Heritage Newmarket Advisory Committee recommend to Council that the request to remove the property known as 770 Gorham Street from the Municipal Register of Non-Designated Heritage Properties be denied; and,</li> <li>b. That the Heritage Newmarket Advisory Committee recommends to Council that the property known as 770 Gorham Street be designated as a heritage property due to its cultural and architectural importance.</li> </ul> <p>➤ Planning and Building Services</p>	October 16, 2017	

# TOWN OF NEWMARKET

## Outstanding Matters Schedule B

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
1. Council – December 14, 2015 – Item 35 – Joint Development and Infrastructure Services – Planning and Building Services/ES 2015-44 – Proposed Trail from Yonge Street to Rita's Avenue	That staff provide alternate trail options for this area at a lower cost.		
Council – January 18, 2016 – Item 35	<p>That Item 35 of the Council Minutes of December 14, 2015 being Joint Development and Infrastructure Services - Planning and Building Services and Engineering Services Report 2015-44 dated November 19, 2015 regarding a proposed trail from Yonge Street to Rita's Avenue be reconsidered.</p> <p>That staff provide alternate trail options for this area at a lower cost, including the option of extending the trail through George Luesby Park along Clearmeadow Boulevard to Yonge Street and further connecting the trail from Flanagan Court/Rita's Avenue to the George Luesby Park Trail;</p> <p>And that staff also include in the report the option of installing lighting along the George Luesby Park Trail.</p> <p>➤ Planning and Building Services</p>	Timeline to be determined	Deferred subsequent to VivaNext construction
2. Committee of the Whole – November 28, 2016 – Item 23 Development & Infrastructure Services Report – ES 2016-54 Public Consultation and Support Plan – Transportation Services Update	<p>That the Public Consultation and Support Plan as outlined in Appendix A be adopted for use starting January 1, 2017;</p> <p>And that the Public Consultation and Support Plan be reviewed both internally and by the public throughout 2017 for improvements for 2018, if necessary.</p> <p>➤ Engineering Services</p>	Q1, 2018	

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
3.	Internet Voting and Ranked Ballots	That staff report back on Internet Voting and Ranked Ballots in 2019 immediately following the 2018 Municipal Election.  ➤ Legislative Services	Q1, 2019
4.	Committee of the Whole – February 27, 2017 – Item 19 – Development & Infrastructure Services – Planning & Building Services and Public Works Services Report 2017-05 – Tree Removal, Protection Policies and Regulations	And that Council direct staff to prepare and bring to a future meeting a by-law regulating and protecting significant trees on private property;  And that Council direct staff to prepare and bring to a future Council meeting a by-law protecting trees on municipal property.  ➤ Planning and Building Services	2018
5.	Committee of the Whole – March 20, 2017 – Item 20 – CAO/Finance/Human Resources Report 2017-03 – Council Remuneration and Tax Status	That Council maintain the 1/3 tax free status relative to Council remuneration;  And that the matter of Council Remuneration and Tax Status be brought forward within the first twelve months of a new term of Council beginning in 2018.  ➤ CAO/Finance/Human Resources	2018
6.	Council – December 5, 2016 – Item 44 Development & Infrastructure Services – Planning & Building Services Report 2016-25 – 178, 170, 184, 188, 190 and 194 Main Street	That in 120 days, staff be directed to bring back an amendment to the Heritage Conservation District Plan and By-law for consideration of Council that would outline the criteria which would need to be met by applicants in order to be considered for approval for a fourth storey set back from the street by a minimum of 15 (fifteen) feet.  ➤ Planning and Building Services	This direction has been deferred as it will be Council's position at the Ontario Municipal Board hearing related to 178-194 Main Street South
7.	Council – June 7, 2016 – Item 35 Joint Office of the CAO and Commissions of Development and Infrastructure Services, Community and Corporate Services Report 2016-08 – Federal Infrastructure Funding	That staff provide Council with a prioritized list of infrastructure projects currently not funded through Development Charges, the Asset Replacement Fund or Other Reserve Funds for implementation between 2018 to 2025 that augment existing priorities, strategies and master plans or leverage grant funding for initiatives that achieve our Corporate Vision of a 'Community Well Beyond the Ordinary'  ➤ Strategic Initiatives	2018  Awaiting next phase of funding announcements

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
8.	<p>Committee of the Whole – August 29, 2016 – Item 20 – Corporate Services Report – Legislative Services 2016-17 regarding ‘Potential Regulation of Driving School Instructors’</p> <p>Committee of the Whole – May 8, 2017 – Item 3 – Corporate Services Report – Legislative Services 2017-07 – “Restricted Area for Driving Schools and Instructors”</p>	<p>That staff host a PIC in November, 2016 to seek Council, public and industry input on the potential regulation of driving school instructors operating in the Town of Newmarket;</p> <p>And that staff continue to work with the MTO and driving school instructors operating in the Town of Newmarket to mitigate traffic and perceived safety concerns raised by residents;</p> <p>And that staff bring back a report in the first quarter of 2017 regarding the potential regulation of driving school instructors operating in the Town of Newmarket.</p> <ol style="list-style-type: none"> <li>1. That Option 1 of the Report be implemented; and,</li> <li>2. That staff provide a status report on the “Restricted Area” within 12 months of implementing Option 1 of the Report.</li> </ol> <p>➤ Legislative Services</p>	
9.	<p>Committee of the Whole – May 8, 2017 – Item 23 – Development and Infrastructure Services Report – Engineering Services Report – Engineering Services Information Report 2017-15 regarding 2017 Newmarket East-West Bikeway PIC Report</p>	<p>1. That Development and Infrastructure Services Report – Engineering Services Information Report 2017-15 regarding 2017 Newmarket East-West Bikeway PIC Report be received; and,</p> <p>2. That staff monitor the implementation of the bike lanes, analyze the impacts for a one year period and provide a report back to Council in one year.</p> <p>➤ Engineering Services</p>	<p>May, 2018</p>
10.	<p>Council – June 26, 2017- Item 10 Application for Official Plan Amendment and Zoning By-law Amendment – 260 Eagle Street</p>	<p>That traffic impacts be monitored post construction.</p>	<p>TBD</p>

Item Subject	Recommendations & Responsibility	Date to come back to Committee	Comments
<p>11. Committee of the Whole – August 28 – Items 6 and 9 of the draft Heritage Newmarket Advisory Committee Meeting Minutes of July 11, 2017 re: Workplan and Operating Budget Discussion and Ontario Heritage Conference</p>	<p>1. The Operational leadership team recommends to Council that the following be referred to staff for consideration as part of the 2018 budget process:</p> <p>a. That Heritage Newmarket Advisory Committee recommend to Council that \$5,000 be allocated for designation reports; and,</p> <p>b. That Heritage Newmarket Advisory Committee recommend to Council that \$500 be allocated towards a workshop for Real Estate professionals and Property Appraisers; and,</p> <p>c. That Heritage Newmarket Advisory Committee recommend to Council that \$1,600 be allocated towards purchasing 4 Heritage Conservation District plaques; and,</p> <p>d. That the Heritage Newmarket Advisory Committee recommend to Council that that \$3,000 be allocated towards attendance for two members to attend the annual Heritage Conference.</p>		
<p>12. Committee of the Whole – August 23- Motion Councillor Hempen</p>	<p>That staff bring forward a report looking at subsidies or other methods/options for homeowners dealing with flooding issues.</p>		





CORPORATE SERVICES – LEGISLATIVE SERVICES – CLERK'S  
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September 14, 2017

### **Corporate Services – Legislative Services 2017- 16**

TO: Committee of the Whole

SUBJECT: Vacant Buildings/Storefronts

ORIGIN: Legislative Services

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#### **Recommendations**

1. That Corporate Services – Legislative Services Report 2017-16 dated September 14, entitled "Vacant Buildings/Storefronts" be received; and,
2. That Council provide feedback to staff regarding its preferred approach to addressing vacant buildings/storefronts.

#### **Executive Summary**

Staff and Members of Council have received a limited number of complaints about vacant properties, specifically vacant storefronts in the downtown area. Concerns have been raised with respect to the negative impact that vacant storefronts have on their surrounding neighborhoods and communities. Currently, vacant buildings are regulated through the requirements set out in the Ontario Building Code and are subject to adhering to the Town's Property Standards By-law. In this report, staff have researched various tools for how a municipality can address vacant properties, with specific focus on vacant commercial properties and vacant storefronts.

#### **Comments**

##### **Background and Purpose**

On February 6, 2017 staff were directed to provide a report detailing options for addressing vacant storefronts. The purpose of this report is to seek Council input and direction on proceeding with some or all of the Options outlined. Upon receiving Council's feedback, staff will provide a detailed cost-benefit analysis of a preferred Option.

##### **Current State of Vacant Storefronts in Newmarket**

Currently, Economic Development staff support local business owners by providing information related to federal and provincial grants, conducting corporate visits to understand the needs of the business owner, and providing businesses with information about the financial incentive programs

offered through the Newmarket Downtown Development Committee (NDDC). The Economic Development Department, along with the Business Improvement Area (BIA) and NDDC work closely with Newmarket business owners to provide support and opportunities for growth, such as connecting new businesses with York Small Business Enterprise Centre. These efforts help to decrease the number of businesses that leave Newmarket and prevent buildings from being vacant. Also, this year Newmarket is launching a community investment brand/marketing and communications strategy to help accelerate investment and development along the Yonge and Davis Corridors. One of the primary objectives is to engage key stakeholders who share the Town's vision for growth along the corridors to attract investment in the Town of Newmarket.

The Town does not keep an active list of vacant properties. However, to provide context, staff recorded the number of vacant storefronts in high density commercial areas. Staff observed a total of 24 vacant commercial storefronts, 4 on Yonge Street, 8 on Davis Drive, 1 on Mulock Drive, 4 on Leslie Street and 7 along Main Street.

The Town of Newmarket's current Property Standard's By-law already addresses vacant buildings by setting regulations for health and safety matters such as maintenance of yards, removal of garbage, fencing, exterior lighting, enclosing hazards etc. Further, the Property Standard's By-law requires owners of vacant properties to ensure that the building is protected against the risk of fire, accident or danger and that the building is boarded up to prevent unauthorized entrance. The Vacant Property section of the By-law also indicates that boards must be covered and maintained with a preservative which colour coordinates to the exterior finish of the building. Staff are currently reviewing the Property Standard's By-law and will look for opportunities to strengthen the language for the section relating to the property's appearance.

## **Municipal Consultation**

Staff researched 11 Canadian and 8 American municipalities and the research has been attached as Appendix A to this report. Based on that review, most Ontario municipalities, through their BIA Boards or other committees, offer financial incentive programs to provide funding options for business owners to assist with renovations, façade improvements, heritage improvements, etc. However, there are no Ontario municipalities that provide financial incentive or grant programs specifically for vacant storefronts (e.g. Window Wrap programs). The City of Vancouver was the only Canadian municipality that had a Window Wrap program that was administered by the City and its BIA. In Newmarket, a Window Wrap program has been brought forward as a potential option by residents and the BIA.

Municipalities such as Hamilton, London, Brantford, Brampton and Winnipeg have developed a Vacant Building By-law and/or Registry, setting out specific requirements for vacant property owners. Aurora has also proposed a Vacant Building Registry, and this was received by Council in April 2017, but has not yet been enacted.

## **Options**

The following are possible options based on programs or regulations that have been implemented in other municipalities regarding vacant properties. It should be noted that many of these options

do not resolve the issue of vacancies, but rather address the maintenance, enforcement and appearance of vacant buildings.

### **Option 1: Vacant Building By-law/Registry**

#### **A. Vacant Building By-law and Registry**

Municipalities such as Hamilton and Brantford have enacted Vacant Building By-laws and Registries. The Vacant Building Registry By-laws include stipulations including but not limited to:

- register their building with the City within a specified period of time,
- provide proof of insurance,
- provide updated and accurate contact information,
- permit inspection of the building confirming it meets requirements under the Property Standards By-law,
- post a sign with their contact information somewhere visible on the property,
- provide reports from a qualified individual as to the condition of the building, when required
- keep a log of bi-weekly/monthly visits to the property to ensure property standard's requirements are maintained

Owners of vacant properties are required to register on a yearly basis, and there is a fee associated with registration. There is opportunity for proactive inspection and enforcement as property owners must provide the City with accurate and up to date contact information each year. For example, in Hamilton, inspections are conducted on all registered properties on a quarterly basis.

In the Town of Aurora, staff is recommending a Vacant Building By-law/Registry modeled after the City of Hamilton. This By-law is currently being drafted. In the City of Windsor, staff will be reporting back to their Council regarding the Vacant Building By-law/Registry in the fall of 2017.

#### **B. Vacant Building By-law**

The City of London and the City of Brampton have enacted Vacant Building By-laws that require the property owner to:

- Ensure that the vacant building is secured against unauthorized entry;
- Maintain liability insurance on the vacant building; and,
- Protect the vacant building against the risk of fire, accident of other danger.

When the building has been vacant for at least 30 consecutive days, the owner may also be required to meet additional requirements as set out by the Fire Department including installing security measures, providing floor plans etc. Vacant Building By-laws assist in maintaining minimum standards and compliance with Property Standards By-laws, Fire Code and Building Code, and can include additional requirements set out under the Vacant Building By-law. In both London and Brampton, the information is primarily submitted to and monitored by their respective Fire Departments. However, there is not a formal registry, application process, or registration fees associated with these By-laws.

Should Council wish to pursue to a Vacant Building By-law/ Registry, a framework for the registry would need to be developed including by-law requirements, registration requirements, application process, fee model, exemptions, and enforcement procedures. The primary goals of a Vacant Building By-law/Registry is to deter owners from leaving properties vacant for an extended period of time, and to provide the municipality with accurate and up to date contact information (as well as access to other necessary information such as insurance, inspection reports etc.) so that the buildings can be monitored proactively. This approach also provides an additional avenue for addressing concerns with vacant properties outside of the limitations of the Property Standards By-law.

### **Benefits of Option 1**

- This is a proactive model that would assist the Town with identifying and monitoring vacant properties before they become a significant issue that warrants a complaint.
- A Vacant Building By-law would supplement the current Property Standards By-law
- Onus is placed on owner to provide information and maintain the property to the standards set out in the By-law
- The By-law/Registry could apply to both residential and commercial properties. Most municipalities have not included industrial properties in the registry.
- With a Vacant Building By-law and Registry:
  - the registration process and associated fees may deter property owners from leaving buildings vacant for an extended period of time, and may motivate them to find tenants,
  - An annual registration provides the Town with updated and accurate contact information for the building owner.
  - There is a potential to develop a cost recovery model – collect administrative and yearly fee (e.g. Hamilton fee is a one-time \$319 administration fee and a \$654 annual registration fee, per property).

### **Limitations of Option 1**

- A vacant building registry would create a higher level of service for staff, specifically with regards to enforcement of vacant or allegedly vacant properties.
- A registry could be viewed as punitive towards property owners if there are fees associated.
- Exemptions would need to exist for owners of buildings with active building permits, currently in litigation, currently in the development process etc. Many of the vacant properties in Newmarket are currently undergoing development.
- Owners could opt to demolish as an alternative to finding tenants or registering. This was a major concern for Windsor as staff felt that the result would be increased vacant lots in particular areas which would have a negative impact on the surrounding area. Staff in Windsor recommended not moving forward with a vacant building registry for this reason.

### **Considerations regarding Option 1**

Staff feels that this option could assist with taking a proactive approach to gathering more accurate data on vacant commercial and residential properties and, if resources permit, monitor properties proactively. However, based on the limited number of current vacant properties in Newmarket (in relation to the number of occupied properties), this Option may be not be considered viable given the resources it would require to develop, administer and enforce.

It is also important to note that many of the current vacant commercial properties in Newmarket are not occupied due to ongoing development, litigation or appeals to building permits. Additional considerations regarding the criteria for vacancy will need to be considered as part of the registry's framework, for example, if a residential property is vacant during the winter as the owners are out of the country, but occupied in the spring, summer and fall, would that be considered vacant according to the by-law? Should Council wish to implement a Vacant By-law and/or Registry, there would be challenges in identifying both commercial and residential vacant properties. Lastly, the registration model includes fees that could be considered punitive, as property owners are already paying municipal taxes.

Central York Fire Services has commented that although not required, a registry may be helpful for in identifying which buildings are vacant when they receive emergency calls.

Municipalities that have implemented a Vacant Building By-law/Registry have done so because they have had a significant number of vacant properties, and require it for proactive enforcement.

### **Option 2: Window Wrap Program**

Option 2 is being presented based on different examples of Window Wrap programs being successfully implemented in various municipalities. The City of Miami Beach, Florida, for example, created a program whereby the City selects five to ten specific window wrap designs (designs included images of popular City attractions, buildings, landmarks etc.). Business owners apply to and receive window wrap from the City upon request. The City provides the wraps (including the content) which effectively eliminates any concerns regarding content regulation.

In the City of Lakewood, Colorado, property owners are provided grant money to develop a window wrap of their choice; however, with this model there are concerns regarding content control and associated enforcement to ensure compliance.

In Vancouver, the City and its BIA have partnered with a local curator and graphic designer to develop a Window Wrap program for the downtown Chinatown area. Owners of buildings with vacant storefronts were approached by members of the BIA and were asked to be part of the project. The window wraps were provided at no cost to the businesses and were funded through the municipal tax base. Window wraps were designed to depict historic images and information

about the Chinatown area over the years. The window wraps made the storefronts look visually appealing and also provide tourists with useful historic and cultural information about the evolution of the Chinatown area.

### **Benefit of Option 2**

- Additional streetscaping improvement initiative that will temporarily improve the look of the street

### **Limitations of Option 2**

- A Town-funded program would have an associated budget impact.
- The property owner would need to apply and participate in the program. It is unclear whether there is enough incentive for a business owner to take the time to apply, even if the window wrap is offered at no cost to the owner.

### **Considerations regarding Option 2**

Should Council direct staff to report back on the feasibility of a Window Wrap program for the Town of Newmarket, consideration as to whether the program would apply to all businesses or only vacant properties would need to be made. A framework would need to be developed for the administration, funding and application process of a program. A suggested process would be for owners to apply on a yearly basis and a staff group would be developed to select applicants based on set criteria. The images used for the window wraps could be pre-determined and depict images of Newmarket (historical images, landscapes, significant buildings etc.). There is also the potential to extend the program to include Window Wraps for Town advertising (e.g. 2018 Election) and collaborate with the Heritage Newmarket Advisory Committee for input on heritage graphics. A Window Wrap program would also require a program champion to promote it to local businesses and encourage business owners to apply.

The cost of window wraps including installation varies depending on the size of the window, image design and material used. However, after obtaining a selection of quotes from various companies, it was determined that the cost would be approximately \$1000 per wrap.

While Option 2 provides for additional streetscaping improvement and Town beautification, it is not a solution for vacant storefronts. A window wrap may temporarily improve the look of the streetscape; however, it is not proposed as a long term solution. There are many factors that would need to be considered, including what would happen if the wrap got damaged and needed to be replaced. In addition, if a vacant building is filled with tenants shortly after receiving a free wrap, the wrap would likely be removed and this would be a waste of materials and resources.

### **Option 3: Pop up shop/temporary business licence**

The Town of Newmarket could develop and administer a temporary business licence, marketed for pop up shops in commercial areas and utilizing current vacant buildings as a “pop up location.”



The City of Hamilton has a temporary business licence that is valid for 30 days. This temporary licence is modeled after a “pop up business” approach which is used to: test markets, increase the businesses’ name and recognition, and promote the business with minimal risk. The City of Hamilton sets out specific licencing and building requirements for the temporary business licence that identified during the application process.

It should be noted that a temporary business licence would need to specify certain requirements, for example, a precondition for an evaluation by a third party to confirm compliance with the Building and Fire Codes, should the pop up shop require renovation or “Change of Use.” Likewise, if any upgrades are necessary, a Building permit would be required.

The Danforth area in Toronto had a pop up program that was administered by the Danforth East Community Association. Through this initiative the retail scene of the street was revitalized as businesses were able to test the street through pop up shop locations and in many cases, ended up permanently renting the area. In Akron, Ohio, pop up shops have been suggested as a way to fill vacant short term vacancies. Similarly, the program was administered through the Downtown Akron Partnership and a Committee of existing downtown retailers, assisted in choosing temporary tenants. It was stated that communities such as Dayton, Buffalo and San Antonio have also adopted similar pop-up programs to attract retail tenants.

### **Benefit of Option 3**

- Directly addresses the issue of vacant commercial properties
- Could generate revenue for vacant property owners as they would receive rent from temporary tenants while they continue to look for permanent tenants (The Town could lengthen the licence to more than 30 days if necessary)
- Pop up shops are becoming popular especially for seasonal items such as summer gardening accessories, Christmas decorations, etc.

### **Limitations of Option 3**

- Primarily implemented as a way to promote business and provide creative options for owners and tenants rather than as a solution for vacant storefronts
- Would require an additional service level - creating, administering and enforcing the Temporary Business Licence and licence requirements.
- The Town currently does not licence most businesses
- Would require the property owner to seek out temporary tenants – is there enough incentive for business owners to do so?
- Currently, there are limited vacant buildings that could host a pop up business in a downtown or high traffic area in Newmarket
- In the City of Hamilton, this approach was not used as a way to address vacant storefronts but instead as a way to attract new businesses
- Business owners may feel that it is more beneficial to wait for an ideal permanent tenant than rent to a temporary tenant.
- Under the current legislation for tax rebates for vacant commercial buildings, the allowance of temporary tenants may make the property ineligible for a rebate for the full year.

### **Considerations regarding Option 3**

A temporary business licence may be something to consider for Newmarket in the future, however, staff do not believe that it will not adequately address the concern regarding vacant storefronts. Currently the Town does not issue business licences, so issuing temporary business licences would require a new licensing regime. Staff feel that a temporary business licence may be a model to consider for economic development and to provide new opportunities to business owners. However, there are limited vacant properties in Newmarket currently that would be ideal locations for pop up shops. As with other options, this would be a voluntary approach that would place the onus of advertising for and finding a temporary tenants on the business owner.

### **Additional Considerations – Vacant Residential Properties**

Staff are currently developing a Clean Yard's By-law that will be brought forward by the end of 2017. This By-law will address exterior property maintenance and appearance of residential properties.

The following two additional considerations should be noted as they relate to vacant properties:

#### **1. Vacant Property Tax**

The City of Vancouver recently implemented an "Empty Homes" tax that applies to residential properties. The "Empty Homes" tax is a 1% tax on the property's assessed value. In Ontario, the City of Toronto is currently the only municipality with the authority to impose a vacant property tax. The optional vacant residential property tax option was included as part of the Ontario Fair Housing Plan. The City of Toronto is currently undertaking public consultation and feedback on a vacant property tax, including various administrative approaches, mandatory declaration for all properties (same as Vancouver), and a self-reporting model and/or a complaint based model.

Ontario municipalities other than the City of Toronto, currently do not have the authority to issue a tax on vacant residential properties. The Municipal Act may be amended to provide all Ontario municipalities with the option of imposing a vacant property tax. The Ontario Budget Measures Act (Stronger, Healthier Ontario Act 2017) received Royal Assent on May 17, 2017; however, it has not yet been proclaimed, and therefore is not yet in effect. To date, staff has not been advised as to when the Stronger, Healthier Ontario Act will be proclaimed.

#### **2. Vacant Property Tax Rebate**

As discussed in Financial Services Report 2017-08 entitled "Vacant Unit Property Tax Rebate Program Review," the next steps regarding the Vacancy Property Tax Rebate are as follows:

- Town of Newmarket staff are currently working with the Regional Municipality of York. A report will be presented to Council during October with a recommendation to Regional

Council regarding the possible elimination of the vacant unit rebate program for the 2018 tax year.

- The Regional Municipality of York has already received Council resolutions from Aurora and Georgina that they wish to have the program eliminated as soon as possible. The Region will gather recommendations from the remaining 7 municipalities and draft a request to the Province for the authority to proceed; and,
- The Province will determine if this authority will be granted to Ontario municipalities.

Should this authority be granted, the Town of Newmarket will have the option to proceed with eliminating the program. It is possible that the loss of the tax rebate may motivate property owners to rent or fill their properties, as they would no longer receive a tax rebate for their vacant building. Should this authority be granted, regulations would be set at the provincial level with the earliest change being seen for the 2018 tax year (applications submitted in early 2019). A separate staff report to Council on this topic is expected later this year. This is something for Council to consider when evaluating options relating to vacant storefronts.

### **Conclusion**

In summary, should Council wish to pursue an option within this report it should be noted that staff is currently reviewing the Property Standard's By-law and will look for opportunities to strengthen the wording related to the appearance of vacant properties, for example, the colours of boards compared to the building exterior. In addition, staff will be bringing forward a Clean Yard's By-law before the end of 2017 that will address concerns related to residential property maintenance. Staff is currently awaiting proclamation of the Stronger, Healthier Ontario Act 2017 which will provide the municipality with the authority to implement a vacant property tax. Further, staff will be providing Council with an update on the anticipated changes to the current vacant property tax rebate program in the near future.

### **Business plan and strategic plan linkages**

This report relates to the "Well Equipped and Managed" link of the Town's community vision implementing policy and processes that reflect sound, accountable governance.

### **Consultation**

Staff consulted with 11 Ontario municipalities, as well as the Town of Newmarket's Economic Development, Planning and Building Services, Legal and Financial Services Departments when preparing this report.

### **Human resource considerations**

None.

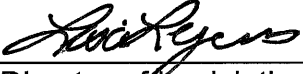
### **Budget impact**

Depending on the option selected by Council, there may be budget impacts related to resources.

**Contact**

For more information on this report, contact:

  
\_\_\_\_\_  
Council/Committee Coordinator

  
\_\_\_\_\_  
Director of Legislative Services

  
\_\_\_\_\_  
Voi. Commissioner of Corporate Services

## Appendix A: Municipal Comparison

Municipality	How does the municipality address vacant properties?	Additional Information
Aurora (Proposed in April 2017)	Vacant Building By-law Registry/Registry	Propose similar registration and fee structure to Hamilton.
Ajax and Oshawa	Property Standards By-law – Demolition	Amendments to property standards Bylaws to require buildings that have been boarded up for a period exceeding 2 years to be demolished.  Applies to residential properties only.
Brampton	Vacant Property By-law	Does not have a registry  Vacant Property By-law that requires property owners to notify the Fire Chief in writing that the property is vacant, as well as maintain liability insurance on vacant buildings, provide a Professional Engineers report commenting on the building's structural integrity, and ensure that all combustible materials are removed and to further install security measures or devices, and other requirements as needed.
Brantford	Vacant Registry By-law 2016  Amendments to Property Standards By-law	Currently in a one year education phase to inform public of the Vacant Building Registry and By-law  Amendments to Property Standards By-law by adding the following "Where a building remains vacant or unoccupied for a period of more than 1 calendar year, the owner shall ensure that all previously installed boarding be removed from all windows and doors and that all windows and doors be repaired to the standards prescribed in the Property Standards By-law and the Ontario Building Code."
Collingwood	Amendments to Property Standards By-law – Appearance	Amendment to Property Standards by-law now requires partially or completely vacant buildings to be made fit for occupancy as permitted in their Zoning Bylaw within 60 days of being initially boarded up.
Hamilton	Vacant Registry/	Annual registration fees (\$654) and one time

	By-law - 2010	<p>administration fee (\$319), per property.</p> <p>Enforcement by Property Standards Officers done quarterly</p> <p>Applies to commercial, residential and industrial properties</p> <p>Detailed Application process</p> <p>Cost Recovery Model</p> <p>Owners must register after 90 days of vacancy or within 30 after notice from the City</p>
London	Vacant Building By-law	<p>No registry/fee</p> <p>Enforcement and regulation is a joint effort between the Fire Department who monitors buildings on a monthly basis and Municipal Law Enforcement Officers who perform proactive inspections and enforce the by-law and invoice the property owner if action is taken (e.g. boarding, property clean up, inspection fees etc.).</p> <p>After 30 consecutive days of vacancy, the building owner must ensure that the building is secured against unauthorized entry, liability insurance on the vacant building is maintained and protection of the vacant building against the risk of fire is implemented.</p>
Vancouver	Empty Homes Tax (residential properties only)	<p>Does not have a Vacant building registry</p> <p>Empty Homes Tax – 1% tax on empty residential properties</p> <p>Window Wrap Program in Downtown Chinatown area</p>
Windsor	Nothing at this time	Staff are reporting back to Council with further information regarding a Vacant by-law Registry



Winnipeg	Vacant and Derelict Building Strategy and Vacant Building By-law 79-2010	<p>Maximum time for boarding of residential buildings is 1 year</p> <p>Strengthen Enforcement activities (e.g. fines, no-occupancy orders, and remediation activity including property demolition)</p> <p>Streamline vacant residential and commercial property inspections and enhance inspection capacity</p>
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Vacant Registry By-laws are more common in the United States and can be found in cities including St. Petersburg, Minneapolis, Wilmington, Las Vegas, Chicago, Palm Springs, Baltimore, East Hamptons, for example.


**PLANNING & BUILDING SERVICES**
**Town of Newmarket**

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

[www.newmarket.ca](http://www.newmarket.ca)
[planning@newmarket.ca](mailto:planning@newmarket.ca)

T: 905.953.5321

F: 905.953.5140

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

**TAKE NOTICE** that the Council of the Corporation of the Town of Newmarket will hold a statutory public meeting on

**MONDAY SEPTEMBER 25<sup>th</sup>, 2017 AT 7:00 P.M.**

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

**Purpose and Effect:** An application has been submitted for a Zoning By-law Amendment for lands located on the south side of Davis Drive, west of Charles Street, municipally known as 514 Davis Drive. The effect of this application is to permit a 5-storey mixed-use commercial building and an associated multi-level parking structure to the rear.

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

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

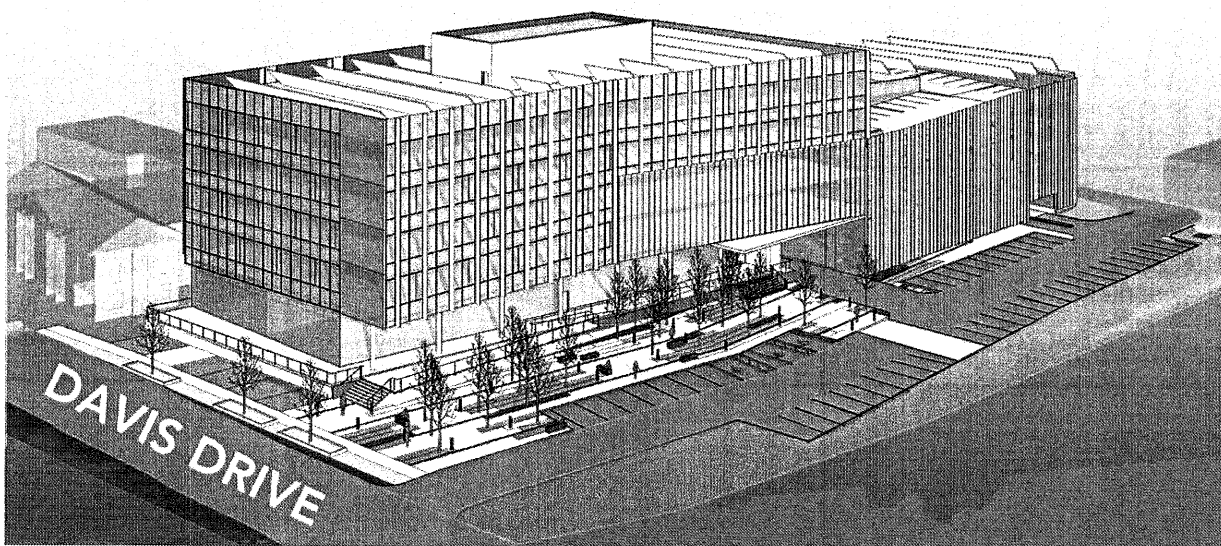
**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting or make written submissions to the Town of Newmarket before the by-law is passed the person or public body is not entitled to appeal the decision of the Town of Newmarket to the Ontario Municipal Board.

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

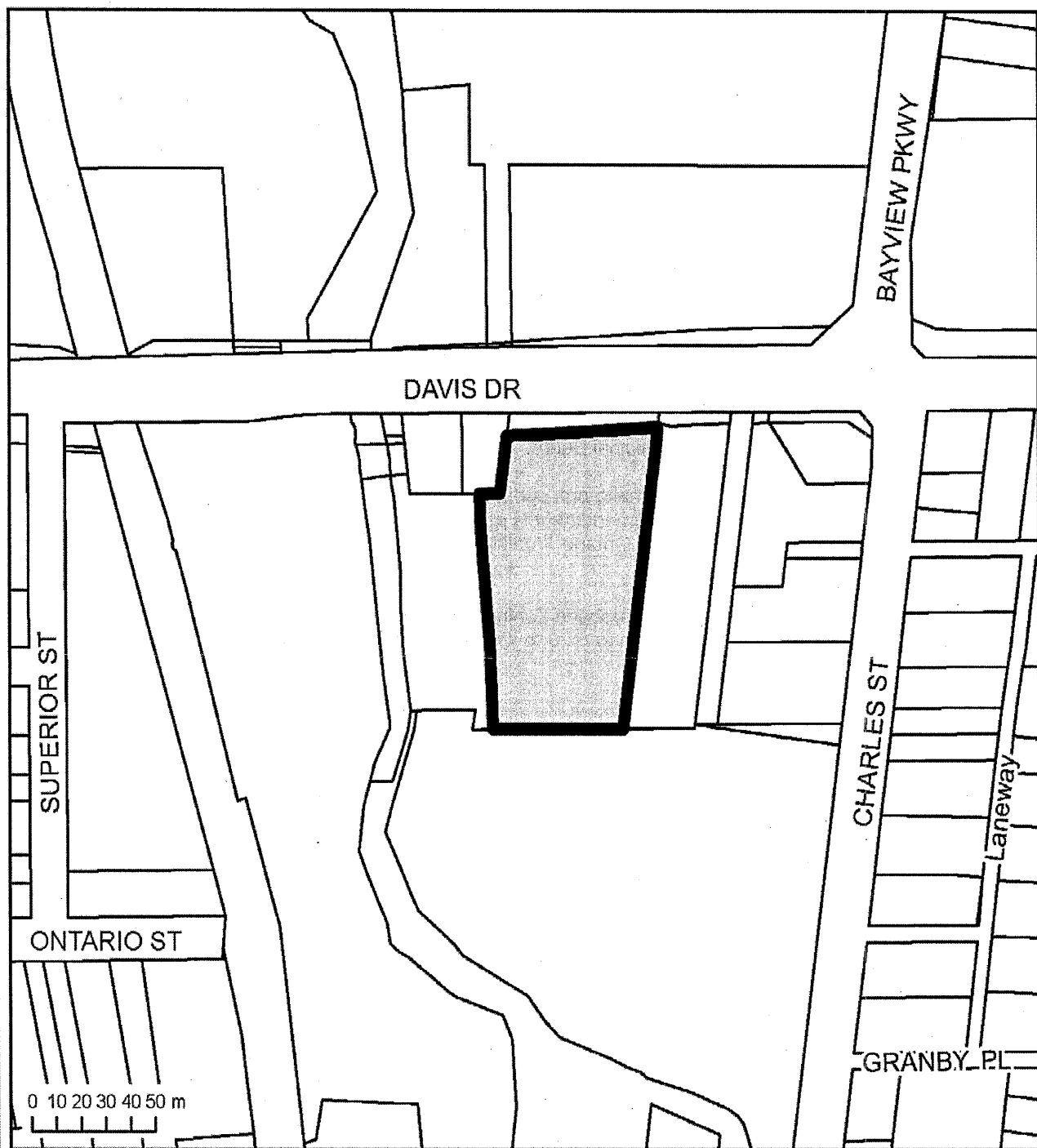
**ADDITIONAL INFORMATION** relating to the proposed Zoning By-law Amendment is available for inspection between 8:30 a.m. and 4:30 p.m. Monday to Thursday and 8:30 to 4:00 p.m. on Fridays at the Municipal Offices, 395 Mulock Drive, Newmarket.

**Direct any inquiries to the Planning Department 905-953-5321**  
**Please refer to File No. D14-NP1702 (ZBA)**

**September 1, 2017**



# LOCATION MAP 514 Davis Drive



TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology - GIS Printed: 13/01/2017. Land Parcel Boundaries - © Teraset Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY 2017. 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. It is not a substitute for a legal survey. Document Path: G:\Projects\10\Development and Infrastructure Services\Planning\Map Documents\514DavisDr\_LocationMap.mxd

- (2) Application for Zoning By-law Amendment – 514 Davis Drive
1. That Development and Infrastructure Services - Planning and Building Services Report 2017-31 dated August 28, 2017 regarding Application for a Zoning By-law Amendment be received and the following recommendations be adopted:
    - a. That the application for a Zoning By-law Amendment, as submitted by 1548373 Ontario Inc. (Oskar Group) for lands located at 514 Davis Drive, be referred to a public meeting; and,
    - b. That following the public meeting, issues identified in this report, together with comments from the public, Committee and those received through agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required; and,
    - c. That 1548373 Ontario Inc. (Oskar Group), c/o Adam Lennie, 3660 Midland Avenue, Suite 200, Toronto, ON M1V 0B8 be notified of this action.

August 28, 2017

## **Development and Infrastructure Services – Planning & Building Services Report 2017-31**

TO: Committee of the Whole

SUBJECT: Application for Zoning By-law Amendment  
Proposed Retail and Office Development  
1548373 Ontario Inc. (Oskar Group)  
514 Davis Drive  
File No.: D14-NP1702

ORIGIN: Application Submitted to the Planning Department

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### **Recommendations**

THAT Development and Infrastructure Services – Planning & Building Services Report 2017-31 dated August 28, 2017 regarding application for a Zoning By-law Amendment be received and the following recommendations be adopted:

1. THAT the application for a Zoning By-law Amendment, as submitted by 1548373 Ontario Inc. (Oskar Group) for lands located at 514 Davis Drive, be referred to a public meeting.
2. AND THAT following the public meeting, issues identified in this report, together with comments from the public, Committee, and those received through agency and departmental circulation of the application, be addressed by staff in a comprehensive report to the Committee of the Whole, if required.
3. AND THAT 1548373 Ontario Inc. (Oskar Group), c/o Adam Lennie, 3660 Midland Ave, Suite 200, Toronto Ontario, M1V 0B8, be notified of this action.

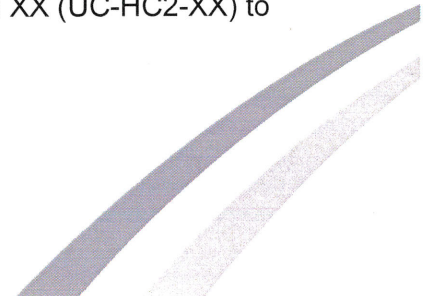
### **Background**

#### **Location**

The subject land is located on the south side of Davis Drive, east of Main Street South and west of Charles Street, being Part Lots 2, 3, 4 and 5, South Side of Huron Street, Plan 78 and Part of Block F, Plan 262, Town of Newmarket, municipally known as 514 Davis Drive (see location map attached in Appendix A).

#### **Proposal**

Applications have been submitted for a Zoning By-law Amendment and Site Plan Approval. The applicant is proposing to rezone the subject lands from the existing the Healthcare Urban Centre Complementary Use 2 (UC-HC2) Zone to an Urban Centre Complementary Use 2 Zone Exception XX (UC-HC2-XX) to





permit redevelopment of the parking lot currently situated on the lands. The proposed development is a 5-storey commercial building with retail and office uses (approximate GFA of 9,124.2m<sup>2</sup>). Also proposed is a 5.5 level parkade, at the rear of the property (approximate GFA of 8,017.9m<sup>2</sup>), providing 257 spaces; an additional 52 parking spaces are proposed at grade. Direct access will be provided through an existing curb cut along Davis Drive, at the northwest corner of the subject lands.

This redevelopment proposal fulfils a tri-party agreement between the owner, the Town, and the LSRCA, wherein the landowner is permitted to redevelop the lands in the footprint of the previous building despite the property being located in the floodplain. The tri-party agreement expires after 10 years.

### **Site Description**

The subject lands have an approximate area of 6,928.4 square metres, with a lot frontage of approximately 52.65 metres on Davis Drive. The property is currently being used as a parking lot for Southlake Regional Health Care Centre staff.

The surrounding land uses are:

- North: Medical building and parking lot (across Davis Drive)
- South: Town-owned Youth Centre and parking lot
- East: Funeral Home and other commercial uses
- West: Recreational trail, the Holland River and other commercial uses

## **Comments**

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters “shall be consistent” with the policy statement.

Section 1.1.1 of the PPS encourages municipalities to provide for an appropriate range of employment. Section 1.1.3 of the PPS communicates that settlement areas shall be the focus of growth and development, and that their vitality and regeneration be promoted. Further, settlement areas shall be based on densities and a mix of land uses that promote appropriate development standards to facilitate intensification, redevelopment and compact form.

The application for a 5-storey building with mixed office and retail uses; and a 5.5 level parkade at the rear, is consistent with the Provincial Policy Statement as it provides for redevelopment and intensification of the subject lands which are located within a Settlement Area, it provides for a mix of land uses within the community, and it provides for a range of employment opportunities.

### **York Region Official Plan Considerations**

The York Region Official Plan (YROP) provides objectives to encourage and accommodate economic activity that diversifies and strengthens the Region’s economic base, employment opportunities for residents and competitive advantages for its businesses. *Map 1: Urban Structure* of the YROP identifies the subject lands to be located within the “Urban Area”, adjacent a Regional Corridor.



Section 4.0 of the Plan speaks to supporting Regional Centres and Corridors as a focus of economic activity and culture within the Region. The YROP policies intend to encourage investment and prosperity, in a manner that creates a competitive business environment. Specifically, Section 4.1.2 of the YROP speaks to creating high-quality employment opportunities for residents, and Section 4.6.2 encourages Regional Centres and Corridors to include a significant amount of mixed-use, pedestrian oriented and street-related uses that include retail.

Section 5 of the YROP highlights that intensification within the “Urban Area” will accommodate the significant growth planned to occur within the Region. The Regional Centres and Corridors are identified to be prominent locations for the greatest levels of intensification in the Region.

The proposed redevelopment is consistent with the York Region Official Plan as it will provide new employment opportunities within the Region, and office and retail uses along the Davis Drive Regional Corridor. Further, it is intensification of the subject lands that encourages the use of infrastructure along Davis Drive, while also providing access to transit and other amenities situated throughout the community.

#### **Newmarket Urban Centres Secondary Plan Considerations**

The Newmarket Urban Centres Secondary Plan provides land use policies to guide land use and development in accordance with: provincial plans, the YROP, and the Town of Newmarket Official Plan.

The subject lands are located within the “Regional Healthcare Centre” Character Area as identified by *Schedule 2: Character Areas*, by the Secondary Plan. Section 6.3.9 of the Secondary Plan speaks to having a land use mix of approximately 80% of the total gross floor area of the Regional Healthcare Centre Character Area as commercial and employment uses. Further, this section permits commercial uses that include retail stores and office uses, and private and public parking spaces in above-ground parking structures.

*Schedule 3: Land Use* in the Secondary Plan further designates the subject lands as “Mixed Use”. This designation allows for commercial, office and employment uses, with the goal of contributing to the establishment of the Urban Centres as a complete community. Schedule 3 and 6 further identify the subject lands to be located within “Floodplain and Hazard Lands”. As per Section 6.4.6 of the Secondary Plan, written approval from the LSRCA is required to permit development, redevelopment or site alteration within Floodplain and Hazard Lands. It has been noted through comments that the LSRCA has no objection to the approval of the application for a Zoning By-law Amendment, and that the application for Site Plan Approval is subject to further review and comments.

*Schedule 4: Height and Density* identifies the subject lands as “Low Density”, with a maximum permitted height of 6 storeys (20m), and an FSI requirement of 1.5 to 2.0. The proposal conforms to this policy, with an FSI of 1.54, and a building height of 5 storeys.

Based on the analysis above, the proposed 5-storey commercial building and 5.5 level parkade is consistent with the policies of the Newmarket Urban Centres Secondary Plan.

#### **Zoning By-law Considerations**

The subject lands are currently zoned Healthcare Urban Centre Complementary Use 2 (UC-HC2) Zone by Zoning By-law 2010-40. The applicant is proposing to rezone the subject lands to an Urban Centre Complementary Use 2 Zone Exception XX (UC-HC2-XX) with site specific provisions reflecting the proposed built form. The following chart outlines the requested changes to the Zone Standards.



Provision:	Required UC-HC2:	Proposed:
Minimum Interior Side Yard Setback	3.0 m	1.0 m
Minimum Rear Yard Setback	9.0 m	1.2 m
Maximum Building Height	18.0 m	30 m
Minimum Entrance/Exit Width at the Street Line	7.9 m	7.0 m
Minimum Two Way Parking Aisle Width	6.7 m	6.0 m
Minimum Number of Loading Spaces Required	4	1
Parking Area Buffer Width	3.0 m	0.90 m
Parking Lot Location Rear Yard	3.0 m	1.2 m
Parking Lot Location Interior Side Yard	3.0 m	0.90 m
Storey	A level of building located between the surface of a floor and ceiling or roof immediately above it, and includes a mezzanine but does not include a basement or cellar. Any portion of the building partly below grade level shall be deemed to be a storey where its ceiling is at least 1.8 metres above established grade. Any portion exceeding 3.6 metres in height shall be deemed to be an additional storey.	Storey shall mean a level of building located between the surface of a floor and ceiling or roof immediately above it, and includes a mezzanine but does not include a basement or cellar.
Parking Area Buffer Width	3.0 m	0.9 m
Parking Area Buffer Coniferous Vegetation Minimum Height	1.5 m	No minimum
Parking Area Buffer Deciduous Vegetation Minimum Height	4.5 m	No Minimum

Section 16.1.1 of the Official Plan sets forth the policies Council must have regard for when considering a Zoning By-law Amendment. Compliance with these policies will be addressed in a comprehensive report to Council following the consultation process including the statutory public meeting.

#### Site Plan Application

The applicant has applied for Site Plan Approval, which is being concurrently processed with the Zoning By-law Amendment Application. The Site Plan Application was received in December of 2016, and SPRC was made aware that the application was submitted. SPRC has delegated the application to staff for processing, thus granting approval in principle as of February 7, 2017.

A conceptual perspective rendering the building is attached as Appendix B. Staff continues to work with agencies and the applicant to address the Site Plan comments.

### **Departmental and Agency Comments**

The following departments and agencies have provided comments on the application:

#### **Agency Comments**

The LSRCA, Regional Municipality of York, Central York Fire Services, Enbridge, and Rogers have reviewed the application and advised that they have no concerns with the proposal. Southlake Regional Health Centre has provided comments and generally has not provided any objections to the Zoning By-law Amendment application. Other agency comments remain outstanding as of the time of writing this report.

#### **Supporting Studies and Reports**

In support of the application a Planning Justification Report, a Phase 1 ESA, a Stage 1 – 2 Archaeological Assessment, an Environmental Impact Study, a Flood Conveyance Analysis, a Functional Servicing Report, a Geotechnical Investigation, a Stormwater Management Report, and a Traffic Impact Study have been submitted.

The Phase 1 ESA, the Geotechnical Investigation, the Functional Servicing Report, the Stormwater Management Report, and the Traffic Impact Statement are being reviewed by Engineering Services. The Stage 1 – 2 Archaeological Assessment has been reviewed by the Ministry of Tourism, Culture and Sport.

### **Conclusion**

The subject application for Zoning By-law Amendment is sufficiently advanced to warrant its referral to a statutory public meeting.

Attachments: Appendix A: Location Map  
Appendix B: Conceptual Perspective Rendering

### **Community Consultation**

A statutory public meeting will be required as part of the *Planning Act* requirements for the proposed changes to the Zoning By-law.

### **Human Resource Considerations**

Not applicable to this report

### **Budget Impact**

The Town will receive income in the form of building permit fees, and assessment revenue associated with the redevelopment of the subject lands. Should the application be referred to a public meeting, there will be the typical costs associated with providing notice and holding the public meeting.

## Business Plan and Strategic Plan Linkages

The applications for Zoning By-law Amendment and Site Plan Approval support the Community Strategic Plan by being *Well-Balanced* for the potential to encourage a strong sense of community through an appropriate mix of lands uses.

## Contact

For more information on this report, contact Meghan White, Planner, at x 2460; [mwhite@newmarket.ca](mailto:mwhite@newmarket.ca)



Meghan White, MCIP RPP  
Planner



Matthew Peverini, BURPI, B.Sc.  
Planner



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

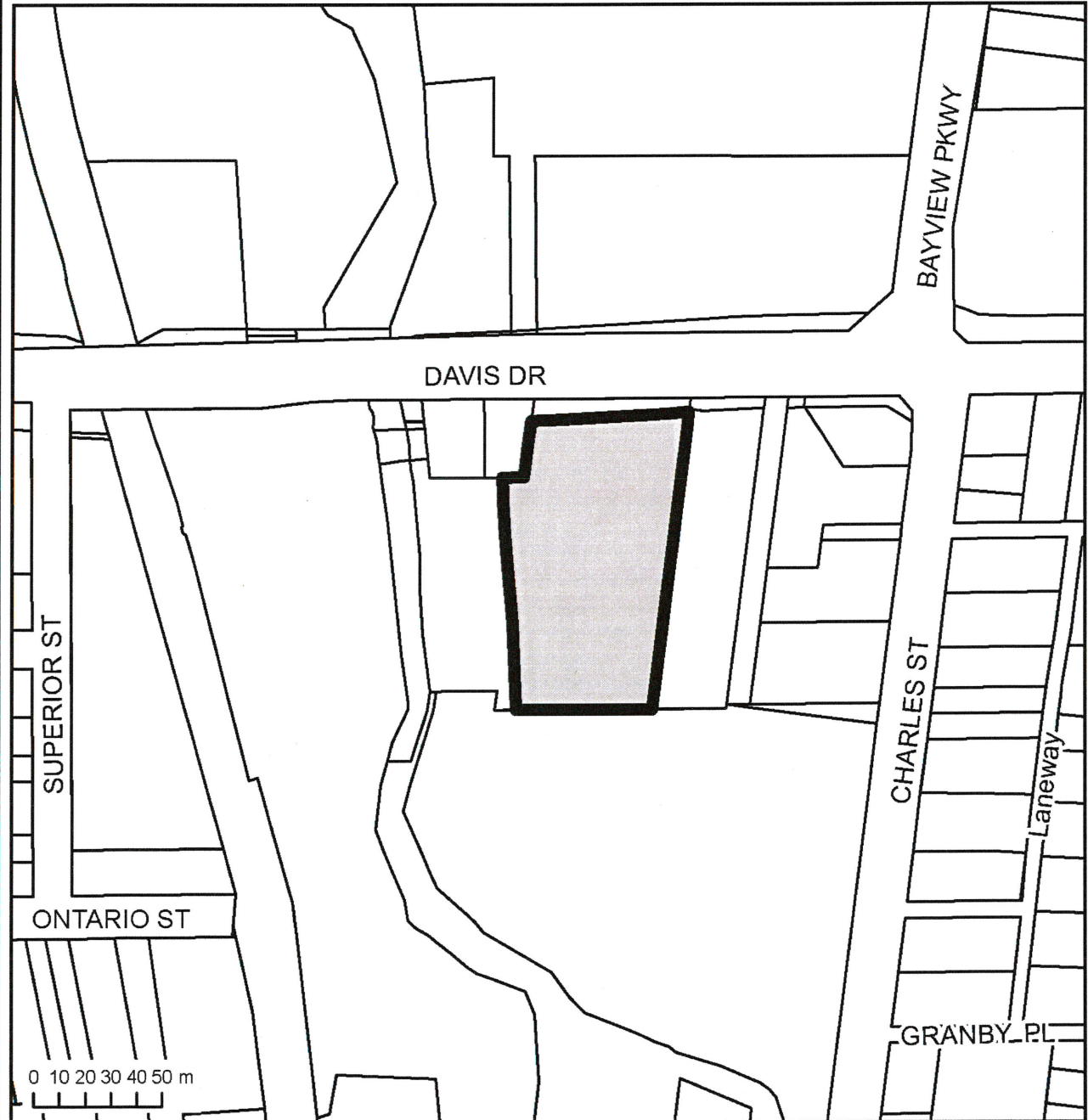



Peter Noehammer, P. Eng.  
Commissioner Development and Infrastructure  
Services



## APPENDIX A

# LOCATION MAP 514 Davis Drive

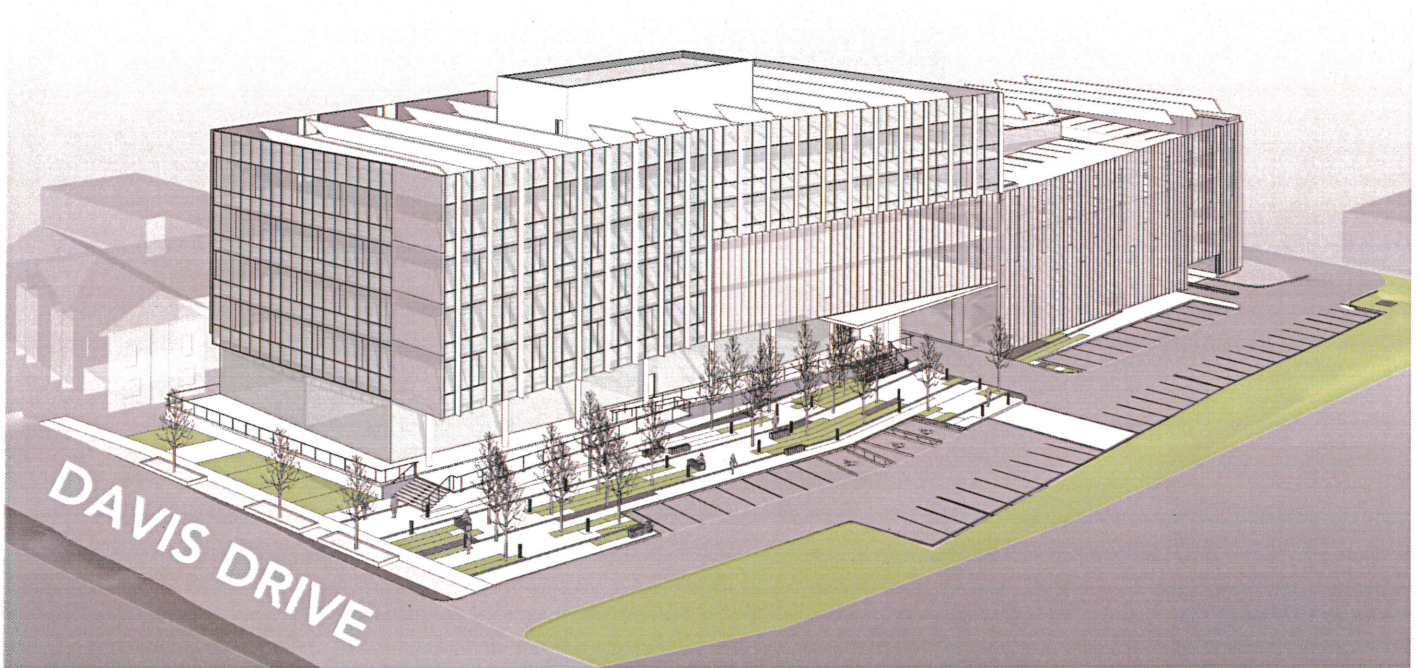


 Subject Lands

TOWN OF NEWMARKET PLANNING DEPARTMENT



## APPENDIX B: CONCEPTUAL PERSPECTIVE RENDERING





Fellow neighbours in the Queen St / Lorne Ave area :

Would you be interested in petitioning the town to put an end to the traffic chaos around our neighbourhood ?

The amount of traffic violations is getting out of hand, speeding, failure to stop at stop signs, the illegal use of our residential streets by oversize trucks, etc.

Do we need a tragedy to get the attention we deserve ?

.....



TEACHERS OF ENGLISH  
AS A SECOND LANGUAGE  
ASSOCIATION OF ONTARIO

27 Carlton Street, Suite 405  
Toronto, Ontario M5B 1L2  
T 416-593-4243 F 416-593-0164  
TF 1-800-327-4827  
administration@teslontario.org  
www.teslontario.org

August 25, 2017

His Worship Mayor Tony Van Bynen  
Town of Newmarket  
395 Mulock Drive - P.O. Box 328 - STN Main  
Newmarket, ON  
L3Y 4X7

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		✓
AUG 29 2017		
COMMISSIONER		
DEPARTMENT		
CLERKS	✓	
CONCERNS		

Your Worship,

We thank you and your community for previously taking part in our Ontario wide initiative to raise awareness of the importance of English language learning opportunities for newcomers to Canada by declaring English as a Second Language (ESL) Week in your community during the weeks in years past when our annual conference took place.

I am writing on behalf of TESL Ontario (Teachers of English as a Second Language) to invite you to again take part in our province-wide initiative to recognize Ontario's ESL community and declare the week of October 29 to November 4, 2017 as "English as a Second Language Week". Given the ever growing diversity of the population of Ontario, we hope you will continue to support our efforts and grant us this request. In 2016, several dozen municipalities declared ESL Week and we hope that this number will continue to grow, helping the ESL community to celebrate and expand its development.

For 44 years, TESL Ontario has held its Annual Conference to provide professional development for the ESL educators, administrators, students and volunteers who make it possible for immigrants, refugees, citizens, and visitors to learn the English language. This year, our conference "Celebrating Success" will be held November 2 & 3, 2017 and we would be honoured if representatives of your Council could participate in our conference, which is held in Downtown Toronto. If you, or any member of your Council, are interested in participating please contact our Office Manager, Kevin Gamble, at administration@teslontario.org for further details.

Last year's TESL Ontario Conference attracted more than 900 attendees. Our members travel from across the province and beyond to attend workshops, research symposia, a technology fair and publishers' displays. For many of us, this annual journey to Toronto marks a time when we can share our experiences, expand our skills, and reaffirm the positive contribution that our province makes to diversity.

Through a set of criteria developed to ensure measurable qualifications among ESL professionals, TESL Ontario demands the best of qualifications from our members, as well as the best of training from the TESL training programs accredited by TESL Ontario. As a result, we offer the finest in second language education to our students, who are capable of contributing a wealth of knowledge and experience to Ontario communities.

Attached, please find our suggested wording of the proclamation. If you have any suggestions or comments as to the content of this document, please contact our Executive Director, Renate Tilson, at 416-593-4243 ext. 203.

Thank you for your consideration,

Sincerely,

James Papple,  
Chair

**SUGGESTED WORDING FOR ESL WEEK PROCLAMATION**

WHEREAS the Province of Ontario has welcomed many peoples from around the world who have chosen this province as the place to start a new life in Canada, now as much as any other time in its history, and many of these immigrants undertake to learn English in order to communicate with their fellow Ontarians, allowing them to start the process of building productive and rewarding lives in their new country.

AND WHEREAS this diverse and multifaceted group of learners of English as a Second Language can be found throughout all levels of society in Ontario, whether they are students in school, at any level, teachers, researchers, caregivers, volunteers and workers, business owners and employees, professionals and labourers, all benefit from instruction in English as a Second Language and use that new knowledge to contribute to this province on an ongoing basis.

AND WHEREAS our professional organization, TESL (Teachers of English as a Second Language) Ontario, hosts a conference each fall in downtown Toronto that features professional development in the form of workshops, keynote speakers and diverse presentations for teachers of English as a Second Language to develop, update and expand their knowledge base, skills and abilities to aid newcomers to our province in their efforts to acquire English language skills.

NOW THEREFORE, I, \_\_\_\_\_ on behalf of \_\_\_\_\_ of \_\_\_\_\_ Council, do hereby proclaim October 29th to November 4th, 2017 as "English as a Second Language Week" in the \_\_\_\_\_ of \_\_\_\_\_.