



Town of Newmarket

Agenda

Committee of the Whole

Date: Monday, April 28, 2025
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Notice

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

Public Input

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

1. Email your correspondence to clerks@newmarket.ca by end of day on April 23, 2025. Written correspondence received by this date will form part of the public record; or,
2. You are strongly encouraged to pre-register if you would like to make a deputation at the meeting. For more information regarding the options available, email your request and contact information to clerks@newmarket.ca.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Public Hearing Matter(s)

There are no public hearing matters.

5. Presentations & Recognitions

6. Deputations

7. Consent Items

7.1 Zoning By-law Amendment – Lytham Green, Marianneville Developments

1. That the report entitled Zoning By-law Amendment – Lytham Green, Marianneville Developments dated April 28, 2025 be received; and,
2. That the Zoning By-law Amendment application be approved; and,
3. That staff be directed to bring forward the by-law to Council for approval; and,
4. That Nour Bedas of Groundswell Planning, be notified of this action; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.2 2025 Annual Servicing Allocation Review

1. That the report entitled 2025 Annual Servicing Allocation Review dated April 28, 2025, be received; and,
2. That Council reinstate servicing allocation to the developments as outlined in Attachment 1 to this staff report; and,
3. That Council commit servicing allocation to the developments as outlined in Table 1 of this staff report; and,
4. That Council reinstate 61 persons of servicing allocation to the development at 1038 and 1040 Jacarandah Drive subject to Staff receiving an updated Site Plan submission by November 1, 2025; and,
5. That the Town's remaining servicing capacity (the Town Servicing Allocation Reserve) of 2,070 persons be maintained for future development, of which 66 persons is to be held in the Small Developments Reserve; and,
6. That the Town Clerk forward a copy of this report to York Region including the Servicing Allocation Working Group; and,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7.3 Zoning By-law Amendment - Woodspring Avenue (Marianneville Developments Limited)

1. That the report entitled Zoning By-law Amendment – Woodspring Avenue, Marianneville Developments dated April 28, 2025 be received; and,
2. That the Zoning By-law Amendment application be approved; and,
3. That staff be directed to bring forward the by-law, including necessary holding provisions, to Council for approval; and,
4. That Nour Bedas of Groundswell Planning, be notified of this action; and,

5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.4 Capital Program Delivery - Resourcing

1. That the report entitled Capital Program Delivery - Resourcing dated April 28, 2025 be received; and,
2. That the additional resources identified in this report to adequately deliver capital projects and funded from annual capital spending authorities be approved; and,
3. That the Chief Administrative Officer be given delegated authority to approve similar requests where budget approval has already been given; and,
4. That Delegation By-law 2016-17 be amended to reflect the delegation to the Chief Administrative Officer; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.5 Non-Competitive Approval for Payment to AOYS Fire Training Ltd

1. That the report entitled "Non-Competitive Approval for Payment to AOYS Fire Training Ltd." dated April 28, 2025, be received; and,
2. That staff continue to non-competitively acquire specialized Fire Training Services for CYFS staff from AOYS Fire Training Ltd; and,
3. That, subject to recommendation 4 below, the Fire Chief be given delegated authority to approve invoices from AOYS Fire Training Ltd. for fire training services for CYFS staff, subject to the amount being within CYFS approved budgets; and,
4. That staff be directed to diligently monitor the market for other training services for CYFS staff that meet the same standards as the AOYS Fire Training Ltd. service, and that upon a competitor service becoming available, that staff be directed to run a competitive process at that point; and,
5. That the Fire Chief and the Manager, Procurement Services be authorized to execute any agreements or documents that are necessary; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.6 Heritage Newmarket Advisory Committee meeting minutes of February 18, 2025

1. That the meeting minutes of the Heritage Newmarket Advisory Committee of February 18, 2025 be received.

8. Action Items

8.1 Carnival Licence Application for Joe Persechini Midway

1. That the report entitled Carnival Licence Application for Joe Persechini Charity Midway dated April 28, 2025, be received; and,
2. That Council approve or deny the Carnival Licence for Joe Persechini Charity Midway; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.2 Carnival Licence Application for Royal Canadian International Circus

1. That the report entitled Carnival Licence Application Royal International Circus dated April 28, 2024 be received; and,
2. That Council approve or deny the Carnival Licence for Royal International Circus; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9. Notices of Motion

10. Motions Where Notice has Already been Provided

11. New Business

12. Closed Session

12.1 Heritage Designation Appeals

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.

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

***12.3 Labour Relations Update**

Labour relations or employee negotiations as per Section 239(2)(d) of the Municipal Act, 2001.

***12.4 Procurement Matter**

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.

13. Adjournment



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

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Zoning By-law Amendment – Lytham Green, Marianneville Developments

Staff Report to Council

Report Number: 2025-19

Department(s): Building and Planning Services

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

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled Zoning By-law Amendment – Lytham Green, Marianneville Developments dated April 28, 2025 be received; and,
2. That the Zoning By-law Amendment application be approved; and,
3. That staff be directed to bring forward the by-law to Council for approval; and,
4. That Nour Bedas of Groundswell Planning, be notified of this action; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

A Zoning By-law Amendment application has been received to permit home occupation uses in the live work units on the subject land.

Staff have reviewed the development proposal against the relevant Provincial, Regional, and local policy documents and have concluded that the proposal is in conformity with the policy framework. A statutory Public Meeting was held on March 17, 2025, as required by the *Planning Act*.

Purpose

This report provides recommendations to Council on the application for Zoning By-law Amendment on the subject land.

The recommendations of this report, if adopted, would result in amendments to the Zoning By-law 2010-40 to permit the home occupation uses in the live work units on the subject land.

Background

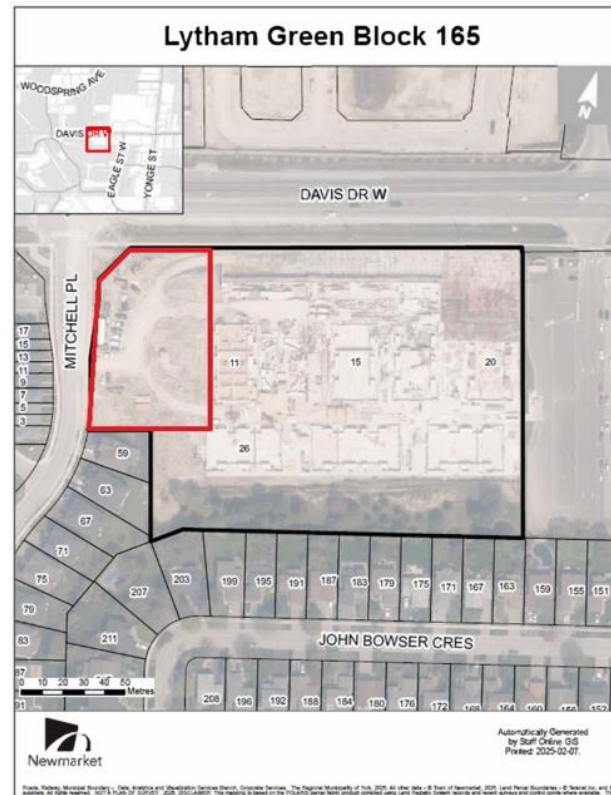
Subject Land

The subject land is located at the southeast corner of Davis Drive and Mitchell Place (see **Appendix 1**).

Surrounding land uses are as follows:

- North: proposed semi-detached residential dwellings and townhouses (Sundial Homes) and the Upper Canada Mall at the north-east;
- East: stacked townhouses and Newmarket YRT Bus terminal;
- South: single detached dwellings; and
- West: townhouses

There is currently construction nearing completion on the subject land in accordance with an approved site plan for the Lytham Green development.



Previous applications

In 2014, Official Plan and Zoning By-law Amendments (OPA 16) were approved by the Ontario Municipal Board to permit an apartment building, an elementary school and residential uses in the form of live work units on the subject land. The site-specific zoning permitted 5 types of commercial uses on the ground floor of the 12 live-work units: art gallery, studio, personal service shop, retail store and office.

In 2020, further Official Plan and Zoning By-law Amendments were approved to expand the permitted uses to include stacked townhouse units and remove the permission for an elementary school.

Subsequently, a site plan application was approved in 2022 (see **Appendix 2**) for a condominium development of 304 stacked townhouse units, including the 12 live-work units. The site is under construction and nearing completion.

Current Proposal to expand the commercial uses

The current Zoning By-law Amendment application pertains only to the 12 live-work units on the subject land.

The application proposes to retain the five currently permitted commercial uses and add other commercial uses which are permitted as home occupations in the live-work units. While home occupations are permitted in the other townhouse units in the development, the subject land is zoned as commercial and therefore home occupations are not permitted. The proposed Zoning By-law Amendment will allow any commercial use that is currently permitted as a home occupation to be established in the ground floor of the units as well as in the residential portion (upper storeys) of the units on the subject land. The proposed draft Zoning By-law is attached as **Appendix 3**.

Some of the more common examples of home occupation uses which would be permitted in the live work units include a chiropractic office (limited to one practitioner), a licensed massage therapist (limited to one practitioner) and a private tutor. A summary of current and proposed permitted uses in the live work units is attached as **Appendix 4**.

There are no changes to the physical built form, or the site plan associated with the additional permitted uses.

This application was deemed complete on February 11, 2025. It has been circulated to internal departments and external agencies for their review and comment. There are no objections to the proposal. The Statutory Public Meeting was held on March 17, 2025.

Discussion

Planning Policy Context

The application is consistent with the Provincial Planning Statement (PPS)

The proposal is consistent with the PPS by supporting the achievement of complete communities; facilitating housing options to meet the economic needs of future residents; and encouraging compatible mixed-use development to support the achievement of complete communities.

The application conforms to the York Region Official Plan, (as deemed part of the Town's Official Plan by Bill 185 on July 1, 2024)

The proposal supports and is consistent with York Region Official Plan policies related to intensification as it provides a diverse and compatible mix of land uses, including residential and commercial uses, to support a vibrant neighbourhood.

The application conforms to the Town's Official Plan

This property is designated "Residential" on Schedule A – Land Use of the Town's Official Plan and is subject to a site-specific amendment which permits mixed use "live-work" units on the subject land. Home occupation uses are permitted in Residential Zoning By-law Amendment – Lytham Green, Marianneville Developments

Areas in the Official Plan as they foster the creation of employment and reduce the demand on the transportation network.

Expanding the permitted commercial uses to include those permitted as home occupations are considered to be compatible as home occupations are generally permitted within residential dwellings in the Town, and small-scale commercial components were contemplated for the live-work units. Staff have reviewed the application against the policies under Section 16.1.1 and are satisfied the Official Plan's requirements for consideration of a zoning by-law amendment have been met.

The application meets the intent of the Zoning By-law

The subject land is currently zoned Retail Commercial-2 with a site-specific exception. Live-work units are permitted under the site-specific exception which permits a commercial unit on the ground floor and a residential dwelling unit on the upper two floors. The currently permitted commercial uses include art gallery, studio, personal service shop, retail store or office.

The intent of the live-work units is to allow for small-scale commercial businesses that are more intensive than a home occupation, but less intensive than would be found a typical, traditional commercial building. This is achieved by the relatively small floor plates compared to typical commercial units and combining the commercial area with a residential use. The Zoning restricts the scale of the commercial component to a maximum size of 60 m² which is six times less than what is generally permitted in a convenience commercial zone (375 m²). Furthermore, the units were built to 45 and 48 m², less than the maximum permitted.

The previously approved Official Plan Amendment and Zoning By-law Amendments have considered that the scale, form, massing, height and character of the mixed-use live work units. They were found to be compatible with surrounding uses. As there are no proposed physical changes to the site or the buildings as constructed, these matters are not discussed here.

Other Planning Considerations

No changes to parking

There are no changes to the number of parking spaces provided on site. There is no expansion of the commercial floor space associated with the addition of home occupation-type uses. Furthermore, there are 11 extra parking spaces provided on site exceeding of the minimum required parking spaces for the residential and commercial uses on the subject land. These extra parking spaces can be shared by visitors for the live-work units and townhouses within the development.

The proposed site-specific Zoning By-law limits the size of the home occupation use within the residential component of the unit to a maximum of 24 m². Therefore, if a home occupation is established in the residential portion of the unit, no additional parking

spaces would be provided, as additional parking for Home Occupation uses is only required where the Home Occupation space exceeds 24 square metres.

No Further Applications Are Required

Should the Zoning By-law Amendment be approved by Council, staff will bring forward the site-specific bylaw in the subsequent Council meeting. Since the buildings have already been constructed and there are no proposed changes to the site, no Site Plan Approval application would be required.

Consultation

No objection from external and internal consulting agencies/departments

The application and associated technical reports were circulated to all internal departments and external agencies. Comments received indicate there is no objection to the proposed Zoning By-law Amendment.

No related comments from the public

A Statutory Public Meeting was held on March 17, 2025. No comments from the public were received at the Public Meeting.

Email comments were received regarding construction noises and site design. The comments relate to construction management and the approved site plan application and are not related to the application on expanding the commercial uses on the subject land. There are no physical changes proposed.

Conclusion

The proposed Zoning By-law Amendment application has been processed as per the *Planning Act* including circulation to the Town's internal departments and external agencies. All zoning related concerns have been addressed.

The proposal supports the goals of the Official Plan, and it meets the intent of the Zoning By-law. The proposal conforms to and does not conflict with the Provincial Planning Statement and the York Region Official Plan.

Staff recommend approval of the proposal.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

None.

Budget Impact

The appropriate planning application fees have been received for this application.

Attachments

Appendix 1 – Location Map

Appendix 2 – Approved Site Plan

Appendix 3 – Proposed Zoning By-law Amendment

Appendix 4 – Permitted Use Table

Submitted By

Joyce Tsui, Intermediate Planner – Development, Building & Planning Services

Approval for Submission

Adrian Cammaert, MCIP, RPP, Manager, Planning Services

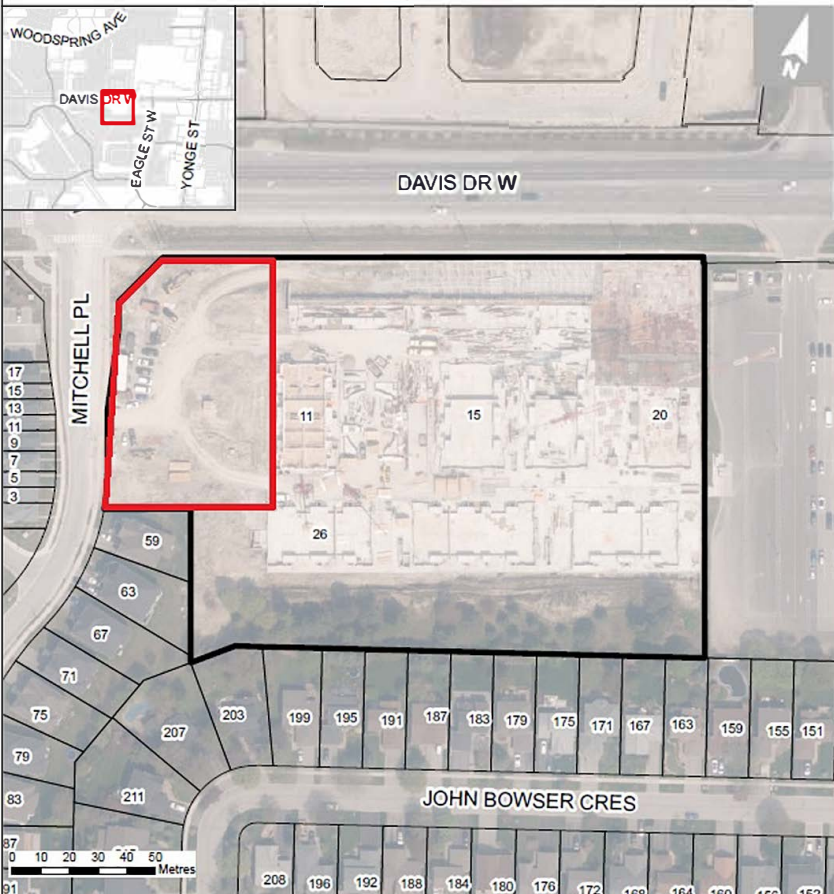
Jason Unger, MCIP, RPP, Director, Planning & Building Services

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

Report Contact

For more information on this report, contact Joyce Tsui, jtsui@newmarket.ca

Lytham Green Block 165



THESE DRAWINGS ARE NOT TO BE SCALED. ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK. ANY DISCREPANCIES MUST BE REPORTED DIRECTLY TO SRN ARCHITECTS INC. ALL ARCHITECTURAL SYMBOLS INDICATED ON THIS DRAWING ARE GRAPHIC REPRESENTATIONS ONLY.

NO.	DATE:	ISSUED FOR:
21	26/08/20	SITE PLAN APPLICATION
22	09/12/20	CONSULTANT COORD.
23	22/12/20	PRE-PERMIT REVIEW
24	25/01/21	CLIENT REVIEW
25	11/02/21	UG - BUILDING PERMIT
26	15/04/20	SPA RESUBMISSION
27	23/04/21	UG - VALUE ENG. COORD.
28	01/06/21	FOUNDATION PERMIT
29	16/07/21	EXCAVATION
30	26/07/21	FORMING TENDER
31	30/07/21	SPA RESUBMISSION

THE DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF SRN ARCHITECTS INC. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY SRN ARCHITECTS INC. OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. SRN ARCHITECTS INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, ETC. ENGINEERING INFORMATION SHOWN ON THIS DRAWING. REFER TO APPROPRIATE ENGINEERS' DRAWINGS BEFORE PROCEEDING WITH ANY WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION UNDERTAKEN OTHERWISE NOTED. NO INVESTIGATION HAS BEEN OR REPORTED ON BY THIS OFFICE IN REGARDS TO THE ENVIRONMENTAL CONDITION OF THIS SITE.

CONDITIONS FOR ELECTRONIC INFORMATION TRANSFER:
ELECTRONIC INFORMATION IS SUPPLIED TO THE OTHER ASSOCIATED FIRMS TO ASSIST THEM IN THE ERECTION OF THEIR WORK. THE RECIPIENT FIRMS MUST DETERMINE THE COMPLETENESS/APPROPRIATENESS/RELEVANCE OF THE INFORMATION IN RESPECT TO THEIR PARTICULAR RESPONSIBILITY.

ADDITIONAL NOTES:
SLOPE MINIMUM 1.5% TO ALL INTERNAL SLAB DRAINS (TYPICAL).
BASEMENT WINDOWS MOUNTED xxxx MM FROM FLOOR FOR 600 MM WINDOWS (TYPICAL - REFER TO RESIDENTIAL PLANS).
STEP DOWN FOUNDATION WALLS IS 9.15 TO BE CONFIRMED ON SITE BY CONTRACTOR.
DIMENSIONS FOR WINDOW OPENING TO BE VERIFIED WITH WINDOW SUPPLIER - CONTRACTOR TO COORDINATE (TYPICAL).
REFER TO FLOOR JOIST DRAWINGS FOR APPROVED FLOOR JOIST LAYOUT AND SPACING (TYPICAL).
ALL PHASED CONSTRUCTION TO BE SUBMITTED AND REVIEWED BY THE ARCHITECT PRIOR TO FABRICATION OF ANY SHOP DRAWINGS (TYPICAL).

KEY MAP

SUBJECT TO LT92047 AN

BLOCK 1, REGISTERED PLAN 65M-2118, PART 1, PLAN 65R-5345

LEGEND

- MAIN ENTRANCE
- BICYCLE PARKING, REFER TO LANDSCAPE DRAWINGS
- BARRIER FREE PARKING
- VISITOR PARKING
- FH FIRE HYDRANT, REFER TO CIVIL DRAWINGS
- LS LIGHT POLE, REFER TO ELECTRICAL DRAWINGS
- LB LIGHT BOLLARD, REFER TO ELECTRICAL DRAWINGS
- WL WALL MOUNTED LIGHT FIXTURE, REFER TO ELECTRICAL DWGS
- F.R. FIRE ROUTE SIGN AS PER CITY STANDARD
- H.S. BARRIER FREE PARKING SIGN, AS PER CITY STANDARD
- S.S. STOP SIGN
- I.S. IDLE FREE ZONE SIGN
- P.S. STOP SIGN
- TACTILE INDICATOR
- G. DEPRESSURE CURB
- G. GAS METER
- H. HYDRO METER
- NFHB NON FREEZABLE HOSE BIB
- EVCS ELECTRIC VEHICLE CHARGING STATION
- Y. SIEMENS CONNECTION
- X. SUITE NUMBER
- F. FIRE BREAK BLOCK
- LLE LOWER LEVEL ELEVATION
- FFE FIRST FLOOR ELEVATION

APPROVED

- ☐ AS AMENDED
- ☐ CONDITIONALLY
- ☒ AS SUBMITTED

RESPECTING PLANNING REQUIREMENTS ONLY

Jason Unger

March 1, 2022

NEWMARKET, ONTARIO

ACCEPTED
AS SUBMITTED AS AMENDED
SUBJECT TO THE DEPARTMENT LETTER DATED

S. bagheri

DIRECTOR OF ENGINEERING SERVICES
TOWN OF NEWMARKET

This acceptance is in no way deemed nor to be construed as verification of Engineering content, including without limitation, soundness of design and capability of the works to function as intended and to be in compliance with Town of Newmarket standards and requirements, for which the sealing Engineer is solely responsible to verify and upon which verification the Town of Newmarket is relying.

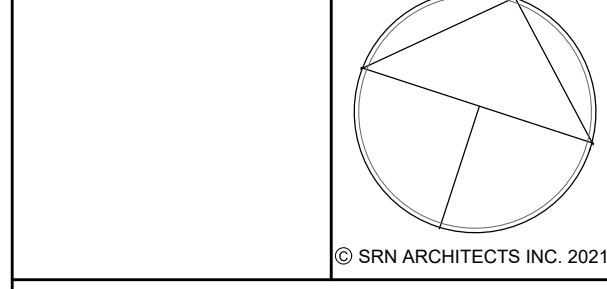
TOWN OF NEWMARKET	
SITE PLAN REVIEW	
Submission No.:	3
Date Rec'd.:	Nov. 6, 2021
Date Reviewed:	Nov. 26, 2021
Reviewed By:	HM
R.J. BURNSIDE & ASSOCIATES LIMITED	

NO.	DATE:	REVISION COMMENT:

FILE NUMBER
SP.20.N.0264

SRN ARCHITECTS INC SHALL NOT BE RESPONSIBLE FOR:
1. ERRORS, OMISSIONS, INCOMPLETENESS DUE TO LOSS OF INFORMATION IN WHOLE OR PART WHEN INFORMATION IS TRANSFERRED.
2. TRANSMISSIONS OF ANY VIRUS OR DAMAGE TO RECEIVING ELECTRONIC SYSTEM WHEN INFORMATION IS TRANSFERRED.

SRN ARCHITECTS
8395 JANE STREET, SUITE 202
VAUGHAN, ONTARIO, L4K 5Y2
PHONE: 905.417.5515 FAX: 905.417.5517



CLIENT: MARIANNEVILLE DEVELOPMENTS LIMITED
26 LESMILL ROAD, UNIT 3
TORONTO, ONTARIO, M5B 2T5
(P) 416.733.3128 (F) 416.733.3129

PROJECT: MIXED-USE RESIDENTIAL
BLOCK 164 / 165
GLENVIEW - NEWMARKET, ON

DRAWING TITLE: CONCEPT SITE PLAN OVERALL

DATE: 03/04/18 SCALE: 1:300

DRAWN BY: N.W. CHECKED BY: G.P.R.

PROJECT NUMBER: DRAWING NUMBER

S17066 A100

THE KING'S HIGHWAY NO. 9 KNOWN AS DAVIS DRIVE WEST

ABOVE GROUND SITE PHASE 1
ABOVE GROUND SITE PHASE 2

BLOCK 2
6 LIVE/WORK UNITS
(MIXED-USE)
WITH 12 RESIDENTIAL
PARKING SPACES

BLOCK 3
28 UNITS
STACKED TOWNHOUSING

BLOCK 4
28 UNITS
STACKED TOWNHOUSING

BLOCK 8
36 UNITS
STACKED TOWNHOUSING

BLOCK 1
6 LIVE/WORK UNITS
(MIXED-USE)
WITH 6 RESIDENTIAL
PARKING SPACES

BLOCK 6
28 UNITS
STACKED TOWNHOUSING

BLOCK 7
28 UNITS
STACKED TOWNHOUSING

BLOCK 12
28 UNITS
STACKED TOWNHOUSING

BLOCK 9
28 UNITS
STACKED TOWNHOUSING

BLOCK 5
28 UNITS
STACKED TOWNHOUSING

BLOCK 11
32 UNITS
STACKED TOWNHOUSING

BLOCK 10
28 UNITS
STACKED TOWNHOUSING

SITE STATISTICS			
LOT SITE AREA	2.71 ha / 27,070 SQ.M.		
LOT AREA (NET)	2.71 ha / 27,070 SQ.M. (100%)		
FBI (GFA/LOT)	1.05		
DENSITY (UPH)	112		
BUILDING COVERAGE	8,013.7 SQ.M. (29.6%)		
LANDSCAPED AREA	14,590.4 SQ.M. (53.9%)		
PAVED AREA	4,465.9 SQ.M. (16.5%)		
PRIVATE AMENITY AREA	7670.7 SQ.M. (28.3%)		
SNOW STORAGE AREA	55.1 SQ.M. (7.9%)		
	MIN. 5% OF THE PARKING AREA		
	695.6 SQ.M. X 5% = 34.78 SQ.M.		
UNIT TYPE	NUMBER	PERCENT	
LIVE/WORK	12	3.9%	
1 BEDROOM	80	26.3%	
2 BEDROOM	172	56.6%	
3 BEDROOM	40	13.2%	
TOTAL:	304	100%	

BUILDING STATISTICS:			
	UNITS PER BLOCK	BUILDING COVERAGE	BUILDING GFA (AS PER ZONING BY-LAW)
BLOCK 1	6 LIVE/WORK UNITS	587.2 SQ.M.	1,360.05 SQ.M. (14,640 SQ.FT.)
BLOCK 2	6 LIVE/WORK UNITS	587.2 SQ.M.	1,360.05 SQ.M. (14,640 SQ.FT.)
BLOCK 3	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
BLOCK 4	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
BLOCK 5	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
BLOCK 6	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
BLOCK 7	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
BLOCK 8	36 UNITS	854.8 SQ.M.	3,218.5 SQ.M. (34,644 SQ.FT.)
BLOCK 9	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
BLOCK 10	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
BLOCK 11	32 UNITS	755.7 SQ.M.	2,847.35 SQ.M. (30,649 SQ.FT.)
BLOCK 12	28 UNITS	653.6 SQ.M.	2,466.9 SQ.M. (26,554 SQ.FT.)
TOTAL	304 UNITS (292 STACKED + 12 LIVE/WORK UNITS)	8,013.7 SQ.M.	26,521.15 SQ.M. (307,005 SQ.FT.)
UNDERGROUND GARAGE GFA			16,146.4 SQ.M. (173,800 SQ.FT.)

BICYCLE PARKING STATISTICS:			
	REQUIRED PARKING	PROVIDED PARKING	
COMMERCIAL SPACE: 558.4 SQ.M. (6011 SQ.FT.)			
BICYCLE PARKING SPACES PER 1000 SQ.M. OF COMMERCIAL GFA			
2 LONG TERM + 5 SHORT TERM	2 + 3	10	- 10
RESIDENTIAL	0	10	- 10
TOTAL:	5	20	- 20

BUILDING HEIGHT:			
	GROUND FLOOR	GROUND FLOOR U/S OF CEILING	AVERAGE GRADE
BLOCK 1	282.130	N/A	281.980
BLOCK 2	282.250	N/A	283.210
BLOCK 3	283.440	N/A	283.210
BLOCK 4	283.620	N/A	283.070
BLOCK 5	284.410	284.410	283.210
BLOCK 6	284.760	284.540	282.160
BLOCK 7	283.900	283.550	282.470
BLOCK 8	284.270	283.920	282.870
BLOCK 9	284.640	284.290	283.060
BLOCK 10	284.730	284.380	282.770
BLOCK 11	284.640	284.290	283.710
BLOCK 12	284.060	283.710	282.370
	284.640	284.290	282.850



Corporation of the Town of Newmarket

By-law 2025-XX

A By-law to amend By-law Number 2010-40, as amended, being the Town’s Comprehensive Zoning By-law (Lytham Green Block 165)

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

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

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

- 1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto.
- 2. And that By-law 2010-40, as amended, is hereby amended by:
 - a. Deleting from Schedule ‘A’ Map No. 8 the Retail Commercial -2 Exception 126 (CR-2-126) Zone; and substituting therefore Retail Commercial -2 Exception 180 (CR-2-180) Zone as shown more particularly on Schedule ‘1’ attached hereto, and forming part of this By-law.
 - b. Deleting Exception 126 for Block 165, Plan 19TN2012-001 in Section 8.1.1 List of Exceptions.
 - c. Adding the following regulations to Section 8.1.1 List of Exceptions and a new Exception number having the following regulations relating to CR-2-180:

Exception 180	Zoning CR-2-180	Map 8	By-law Reference 2014-25; OMB Decision PL130413& PL100685; 2020-38; 2025-XX	File Reference D9-NP-12 10 and 19TN 2012-001; D14-NP-19- 05; PLN- OPZS-2024- 009
<div><div>i)</div><div>Location: Lytham Green Block 165 (southeast corner of Davis Drive and Michel Place).</div></div> <div><div>ii)</div><div>Legal Description: BLK 155 PL 65M2205, EXCEPT PLAN 65M4553 AND EXCEPT PLAN 65M4587; T/W PT LT 94 CON 1, PT 1 65R5721 AS IN LT109148; S/T TO AN EASEMENT AS IN YR2731326 TOWN OF NEWMARKET</div></div>				

iii) Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to the lands zoned CR-2-180 shown on Schedule ‘1’ attached here to:

Permitted Uses: Live Work Units shall have a commercial unit on its ground floor and shall have a dwelling unit on its upper floor(s). Permitted commercial uses for the Live Work Units are:

- **Art Gallery;**
- **Studio;**
- **Personal Service Shop;**
- **Retail Store;**
- **Tea room;**
- **Office;** and,
- any occupation or business which is permitted under Section 4.6 as a home occupation, such occupation or business may occupy the commercial ground floor and/or be conducted within the residential unit, subject to the restrictions below.

A **medical clinic, day nursery, nursing home, veterinary clinic, veterinary hospital, automotive uses, or personal wellness establishment** shall not be permitted.

For the purpose of this site-specific by-law, “Tea Room” is defined as below:

*“Means a small **restaurant** or cafe where tea, coffee and/or other light refreshments and/or light meals are served, and shall not include a restaurant that requires commercial cooking equipment to handle grease laden vapours.”*

Section 4.6 (ii)a applies to ground floor commercial units, and Section 4.6 (i), (ii)b, (iii), (iv), (vi), (vii), (viii), (ix), (x) do not apply to the ground floor commercial units.

Any separate home occupation which is conducted primarily or wholly within the dwelling unit above the ground floor shall be subject to the requirements of Section 4.6 (i), (ii), (iii), (iv), (v), (viii) and (x), and shall be clearly secondary to the residential use within the dwelling unit. Any occupation or business within the dwelling unit above the ground floor shall be limited to a maximum area of 24m².

No permanent outdoor storage is permitted. A temporary accessory outdoor display and/or sales area may be permitted, provided that all goods are removed nightly.

Development standards:

a) Minimum Lot Area	0.35 ha
b) Minimum Lot Frontage	60m on Mitchell Place
c) Front Lot Line	Michell Place
d) Minimum Yard Setback from a Public Road	3.0 m
e) Maximum Lot Coverage	35%

f) Maximum gross floor area per Commercial Unit	60 m ²
g) Parking for Residential Use	2 spaces per unit
h) Parking for Commercial Uses	1 space per unit for the first 40 m ² of gross floor area, plus 1 space per 30 m ² of aggregate commercial gross floor area for all units greater than 40 m ² per unit.
i) Garage Location	Not permitted on the side of the building facing the street
j) Maximum Height	11.6 m (3 storeys)
k) Lot	Notwithstanding the definition of “Lot” in Section 3, the subject lands as show in Schedule 1 of Bylaw 2020-38 are deemed one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of a plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of By-law 2025-xx.

3. And all other provisions of By-law 2010-40, as amended, shall apply to the land subject to this By-law.
4. That Schedule 1 attached hereto shall form part of By-law 2025-XX

Enacted this 5th day of May, 2025.

John Taylor, Mayor

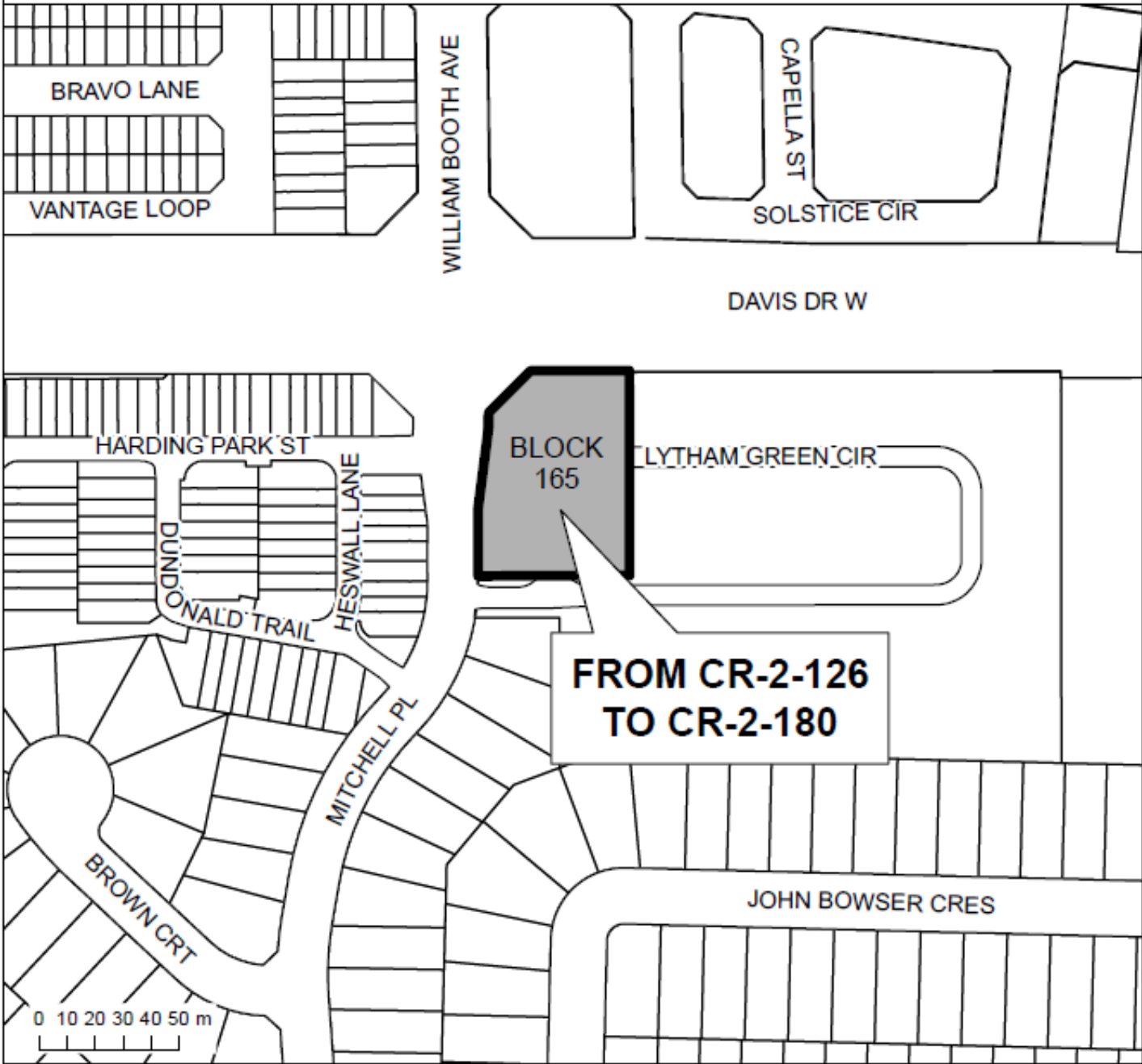
Lisa Lyons, Town Clerk



TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
PLAN 65M2205 PT BLK 155
(BLOCK 165 GLENWAY)

This is Schedule '1'
To Bylaw 2025-
Passed this _____ Day
of _____, 2025.

MAYOR _____

CLERK _____



 **SCHEDULE " " TO BY-LAW 2025-**
TOWN OF NEWMARKET PLANNING DEPARTMENT 

Designed & Produced by Information Technology – GIS Printed: March, 2025. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2025. Zoning - Town of Newmarket, 2025.
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.
G:\Projects_PRO\Development_Infrastructure\Services\Planning\MapProjects\Zoning\ZBA_Schedule\2010-40_ZBA_Schedule_2025.aprx\ZBA2020_Block164_Block165_Glenway

Appendix 4 – Permitted Use Table

	Current Permitted Uses	Proposed Permitted Uses
Ground Floor	<ul style="list-style-type: none"> ➤ 5 types of commercial uses: <ul style="list-style-type: none"> • art gallery • studio • personal service shop • retail store • office 	<ul style="list-style-type: none"> ➤ 5 types of commercial uses: <ul style="list-style-type: none"> • art gallery • studio • personal service shop • retail store • office ➤ Home occupation-type uses (subject to limitations in the site specific zoning) <ul style="list-style-type: none"> • Means any lawful occupation or business which is conducted entirely within a dwelling unit and which is clearly subordinate or incidental to the primary residential use of the dwelling. • Tea Room shall be permitted to allow flexibility for a small scale and neighbourhood-level style of food and beverage service • Common examples: chiropractic office (limited to one practitioner), licensed massage therapist (limited to one practitioner) and private tutor • Not permitted: medical clinic, day nursery, nursing home, veterinary clinic, veterinary hospital, automotive uses, or personal wellness establishment
Upper Storeys (second and third floors)	<ul style="list-style-type: none"> ➤ Only Residential use 	<ul style="list-style-type: none"> ➤ Residential (primary use) ➤ Home occupation (secondary use) <ul style="list-style-type: none"> • Means any lawful occupation or business which is conducted entirely within a dwelling unit and which is clearly subordinate or incidental to the primary residential use of the dwelling. • Common examples: chiropractic office (limited to one practitioner), licensed massage therapist (limited to one practitioner) and private tutor • Not permitted: medical clinic, day nursery, nursing home, tea room, veterinary clinic, veterinary hospital, automotive uses, or personal wellness establishment



Town of Newmarket
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If you require this document in an alternative format email at clerks@newmarket.ca or call 905-895-5193.

2025 Annual Servicing Allocation Review

Staff Report to Council

Report Number: 2025-20

Department(s): Building and Planning Services

Author(s): Andria Sallese, Senior Planner - Policy

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled 2025 Annual Servicing Allocation Review dated April 28, 2025, be received; and,
2. That Council reinstate servicing allocation to the developments as outlined in Attachment 1 to this staff report; and,
3. That Council commit servicing allocation to the developments as outlined in Table 1 of this staff report; and,
4. That Council reinstate 61 persons of servicing allocation to the development at 1038 and 1040 Jacarandah Drive subject to Staff receiving an updated Site Plan submission by November 1, 2025; and,
5. That the Town's remaining servicing capacity (the Town Servicing Allocation Reserve) of 2,070 persons be maintained for future development, of which 66 persons is to be held in the Small Developments Reserve; and,
6. That the Town Clerk forward a copy of this report to York Region including the Servicing Allocation Working Group; and,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is twofold: 1) to provide Council with recommendations for the distribution of servicing capacity to development applications that have a residential component; and 2) to provide Council with a general update on the Town's current servicing capacity status.

Background

Planning staff review servicing allocation requests and make recommendations to Council annually. Each application is reviewed based on its status in the planning approval process and staff's assessment of each application against the [Town's Servicing Allocation Policy](#), including consideration of completion of communities.

Council received the last annual servicing allocation report [2024-24](#), titled 2024 Annual Servicing Allocation Review, on April 29, 2024, and subsequently received the 2024 Year-End Servicing Allocation Review Information Report 2024-27 on December 13, 2024 (**Attachment 3**).

This report provides Council with staff's recommendations on the 2025 servicing allocation distribution as well as an update on the Town's Servicing Allocation Reserve balance.

Discussion

As part of the annual servicing allocation review, all completed residential development applications are categorized into the following three subsections:

1. Previously committed servicing allocation;
2. New requests for servicing allocation; and,
3. Not recommended for servicing allocation.

Previously Committed Servicing Allocation

In 2024, Council committed a total of 1,815 persons of servicing allocation to the following developments:

- 99, 103, 105 Main Street South, 454, 462, 466 Queen Street (Streetcar) – 170 persons
- 315 Davis Drive (Format Davis Limited Partnership) – 332 persons (amended to 328 persons in 2025)
- 415 Pickering Crescent (2425945 Ontario Inc.) – 77 persons
- 600 Stonehaven Avenue (Marianneville Stonehaven Ltd) – 228 persons (Phase 1)
- 835 Gorham Street (Blue Door) – 37 persons
- 849 Gorham Street (Gorham Development 849 Inc.) – 53 persons
- 1038 and 1040 Jacarandah Drive (2529437 Ontario Ltd.) – 61 persons
- 16860 and 16920 Leslie Street (Forest Green Homes/City Park Homes) – 441 persons (Phase 1)
- 17046 Yonge Street – Inn from the Cold – 10 persons (units with full kitchens)
- 17175 Yonge Street (Trinity Coptic Foundation) – 406 persons

Staff have reviewed the status of the above noted applications and recommend that Council reinstate 1,811 persons of servicing allocation to these applications as well as

the previously committed persons of servicing allocation in previous years for a total of 4,686 persons, subject to the refinements to 315 Davis Drive, and as outlined in **Attachment 1**. Attachment 1 also includes 43 Lundy's Lane, 592 Watson Avenue, 40, 36, 32 Bolton Avenue, which was considered by Council in the April 2024 Annual Servicing Allocation report and will be assigned allocation from the Reserve Balance once the site plan agreement has been executed.

The Site Plan application for 1038 and 1040 Jacarandah Drive is currently under review; however, there has been no movement on the application and, as of the date of this report, the property is listed for sale. As such, staff recommends that Council add the following condition to 1038 and 1040 Jacarandah Drive:

- Reinststate 61 persons of allocation subject to Staff receiving an updated Site Plan submission by November 1, 2025. If an updated Site Plan submission is not received by the deadline, staff recommend that Council rescind the committed servicing allocation of 61 persons from 1038 and 1040 Jacarandah Drive in the 2025 Year End Servicing Allocation review.

More information regarding the status of each previously committed development, changes to the requested allocation, and staff's recommendations and rationale can be found in **Attachment 1** to this report.

New Requests for Servicing Allocation

In January 2025, staff sent a letter to applicants with residential developments and requested updated information including the status of the application, the anticipated timing of construction, and whether servicing allocation would be required for 2025. Planning Services staff have reviewed all responses received by the Town and are recommending that Council consider committing a total of 584 persons of servicing allocation to these developments included in **Table 1**.

Table 1 Recommendations for New Servicing Allocation Requests

Development	Priority Area	Allocation Required	Application Status & Recommendation
201 Davis Drive	1	Allocation required for 69 additional apartment units (135 persons)	Official Plan Amendment and Zoning By-law Amendment approved in 2024. Staff recommend full allocation (135 persons).
1041-1051 Davis and 15 & 23 Hamilton	Not currently in priority area – designated commercial	24 townhouse units (51 persons – accounted for a credit of four single detached units 13 persons)	Official Plan Amendment and Zoning By-law Amendment approved in 2024. Site Plan application submitted. Staff are awaiting an executed agreement. Staff recommend full allocation (51 persons)

Redwood Properties Phase 2 (17645 Yonge Street)	1	Phase 2 - 33 additional apartment units (rental) (66 persons)	Finalizing Site Plan Agreement. Additional persons of servicing allocation required for Phase 2 due to changes in the unit count. Previously allocated 714 persons for Phases 1 and 2. The 66 persons of servicing allocation is required for the 33 proposed additional rental apartments. Staff Recommend full allocation of 66 additional persons for Phase 2.
Marianneville Stonehaven Ltd. (600 Stonehaven Avenue) I&I Reduction Project	3	Phase 2 – 126 townhouse units (332 persons)	Official Plan Amendment, Zoning By-law Amendment approved. Draft Approval issued for Draft Plan of Subdivision. Phase 2 is under review. Site plan application received January 2025 for condominium townhouse blocks. Staff Recommend full allocation (332 persons)
Total New Servicing Capacity Commitment Recommended 584 persons			

Not Recommended for Servicing Allocation

Attachment 2 to this report includes all residential development applications that are not yet adequately advanced in the planning approval process to warrant servicing allocation and/or are located in lower priority areas according to the [Town's Servicing Allocation Policy](#). Staff will continue to monitor the progress of these applications and will provide any necessary updates to Council in the 2025 year-end servicing allocation review.

In summary, there are a total of approximately 5,565 persons of allocation pending approval. Additionally, 5,000 to 7,000 people are anticipated within the area currently subject to the proposed Shining Hill Secondary Plan. It should be noted that some of the applications in **Attachment 2** will advance sooner; however, others may take a considerable period of time before the application is at a stage where Staff can make recommendations for servicing allocation.

Small Developments Reserve

Since the 2024 Year End Report, there have been no Certificates of Approval issued for new lots created through a consent application. Staff will continue to monitor the status

of any provisional consents and provide an update in the 2025 Year End report if certificates of approval are issued for any new lots.

A total of 8 new additional residential units were created since the Year End Report, receiving a total of 16 persons of allocation from the Small Developments Reserve. The remaining Small Developments Reserve balance from 2024 was 82 persons.

Accounting for the above noted additional residential units, the Small Developments Reserve balance is reduced to 66 persons. Staff will provide an update in the Year End Report and recommend whether the small development reserve balance be increased to accommodate the demand for additional dwelling units and small developments (less than 10 units) that do not require site plan approval.

Current Town Reserve Balance and Available Capacity

The Town Reserve Balance refers to servicing capacity that has not yet been granted or allocated to development (e.g., uncommitted servicing allocation), whereas Available Capacity refers to the total amount of capacity available to the Town, including the Town Reserve Balance, new assignments from the Region, rescinded allocation, and capacity that has previously been allocated but where registration has not yet occurred and could therefore be rescinded and re-allocated.

Details of the Town Reserve Balance and Total Available Capacity calculations, in number of persons, is shown in **Table 2** below:

Table 2: 2025 Available Capacity

2025 Opening Reserve Balance (December 13, 2024)*	2,170
+ Interim Solutions and Centres & Corridors Reserve (June 7, 2024)	500
- Small Developments Allocation (2025)	16
- Recommended New Servicing Allocation Requests (2025)	584
2025 Total Reserve Balance	2,070
+ Unused Committed Servicing Allocation From Previous Years	4,686
Unused Committed Servicing Allocation From Previous Years + 2025 Reserve Balance (TOTAL AVAILABLE CAPACITY)	6,756

*Excluding 132 persons for 43 Lundy's Lane, 592 Watson Avenue, 40, 36, 32 Bolton Avenue, which will be assigned allocation upon the execution of a Site Plan Agreement. These 132 persons are accounted for in the Unused Committed Servicing Allocation from Previous Years. Upon execution of the Site Plan Agreement, 132 persons from the Reserve Balance will be committed.

York Durham Sewage System Expansion (YDSSE)

York Region and Durham Region are working together on a long-term wastewater infrastructure project (York Region Sewage Works Project), which will upgrade the

existing York Durham Sewage System (YDSS). The project involves building new or expanded wastewater sewers and pumping stations and enhancing the Duffin Creek Water Pollution Control Plant. In accordance with the York Region [2023 Servicing Capacity Assignment](#) report, York Region assigned 7,767 persons of additional capacity to the Town, which is expected to be released upon the completion of the Phase 1 North YDSSE in 2028.

Inflow and Infiltration (I&I) Reduction Program Repayments

In 2024, York Region assigned 875.6 persons of servicing capacity to the Town in accordance with the Marianneville I&I Reduction Agreement, reducing the outstanding I&I repayment to 574 persons. No new capacity releases have been received since the 2024 Year End Report. The 875.6 persons of servicing capacity was captured in the Town Reserve Balance in December 2024.

Existing and Future Capacity

Table 3 below shows a summary of the existing and future capacity expected to be available to the Town.

Table 3: Summary of Existing & Future Capacity

	Supply
2025 Servicing Allocation Available Capacity	6,756
+ Total Outstanding Allocation to be Paid Back by Marianneville Agreement (Glenway & Kerbel) Future Repayments	574
2025 Servicing Allocation Available Capacity + Future Marianneville Agreement Repayments	7,330
Future capacity from York Region (Phase 1 North YDSSE) – Anticipated in 2028*	7,767
Existing & Future Capacity	15,097

*anticipated date as per York Region

Conclusion

Staff have completed the annual review of current development applications requiring servicing allocation and have provided recommendations as per the Town's Servicing Allocation Policy. This report recommends reinstating 4,686 persons of servicing allocation and committing 584 persons of new allocation, creating a Town Servicing Allocation Reserve balance of 2,070 persons of which 66 persons will be held in the Small Developments Reserve.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 – Previously Committed Servicing Allocation

Attachment 2 – Developments Pending to Receive Servicing Allocation Subject to Council's Approval

Attachment 3 – 2024 Year-End Servicing Allocation Review Information Report

Submitted By

Andria Sallese, Senior Planner – Policy, Building and Planning Services

Approval for Submission

Adrian Cammaert, Manager, Building and Planning Services

Jason Unger, Director, Planning and Building Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Report Contact

For more information on this report, contact info@newmarket.ca.

Attachment 1 – Previously Committed Servicing Allocation

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
43 Lundy's Lane, 592 Watson Avenue, 32, 36, 40 Bolton Avenue	1	76 rental apartment units (132 persons - accounted for a credit of 16 persons for the five existing single detached dwellings)	Approved at the Ontario Land Tribunal in June 2022. In 2023, Council committed 132 persons of servicing allocation in principle and authorized staff to assign such allocation upon the execution of the Site Plan Agreement in accordance with the Minutes of Settlement.	Reinstate 132 persons of allocation subject to the execution of the Site Plan Agreement in accordance with the Minutes of Settlement.
99, 103, 105 Main Street South, 454, 462, 466 Queen Street (Streetcar)	2	68 stacked and back-to-back townhouse units (170 persons – accounted for a credit of three existing single detached units)	Zoning By-law Amendment approved in 2023. Since the 2024 annual report, staff have not yet received a Site Plan Submission.	Reinstate 170 persons of allocation.
315 Davis Drive (Format Davis Limited Partnership)	1	168 apartment units (328 persons)	Official Plan Amendment and Zoning By-law Amendment approved in 2023. Site Plan application Submitted in 2025 and is being processed. Site Plan proposes 2 fewer units than the initial submission.	Reinstate 328 persons of allocation.

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
415 Pickering Crescent (2425945 Ontario Inc.)	3	4 singles and 24 townhouse units (77 persons)	Zoning By-law Amendment approved. Site Plan application to be submitted.	Reinstate 77 persons
600 Stonehaven Avenue (Marianneville-Stonehaven Ltd. – Phase 1)	3	57 single detached units and 16 freehold townhouse units (228 persons)	Official Plan Amendment and Zoning By-law Amendment approved. Draft Plan of Subdivision application is in the detailed design stage. Site Plan application was received in January 2025.	Reinstate 228 persons
835 Gorham Street (Blue Door)	3	14 townhouse units (37 persons)	MZO is approved. Site Plan application in progress.	Reinstate 37 persons.
849 Gorham Street (Gorham Development 849 Inc.)	3	20 townhouse units (53 persons)	Zoning By-law Amendment approved. Site Plan application in progress.	Reinstate 53 persons of allocation.
1038 and 1040 Jacarandah Drive (2529437 Ontario Ltd.)	3	3 singles and 20 semi-detached units (61 persons – accounted for a credit of two existing single detached units 6.5 persons)	Zoning By-law Amendment approved. This property is for sale. Have not received a second Site Plan submission.	Reinstate 61 persons of allocation subject to Staff receiving an updated Site Plan submission by November 1, 2025. If an updated Site Plan submission is not received by

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
				the deadline, staff recommend that Council rescind the committed servicing allocation of 61 persons from 1038 and 1040 Jacarandah Drive in the 2025 year-end servicing allocation review.
16860 and 16920 Leslie Street (Forest Green Homes)	3	48 singles and 108 townhouse units (441 persons – accounted for a credit of one existing single detached unit - 3.25 persons)	Official Plan Amendment and Zoning By-law Amendment approved. Draft Plan of Subdivision application in progress.	Reinstate 441 persons of allocation, subject to the Bogart House, located at 16860 Leslie Street on Block 54, being fully restored and incorporated into the neighbourhood as a residential unit as part of the first phase.
17046 Yonge Street (Inn From The Cold)	1	5 transitional units	MZO approved. Site Plan application in progress.	Reinstate 10 persons of allocation.
17175 Yonge Street (Trinity Coptic Church)	1	208 apartment units	Official Plan Amendment and Zoning By-law Amendment approved. Site Plan application nearing approval.	Reinstate 406 persons of allocation

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
Kerbel Group Inc. (17365 and 17369 Yonge Street)	1	28 townhouse units and 303 apartment units (665 persons)	Zoning approved with Holding provisions. Site Plan application on third submission.	Reinstate 665 persons
Redwood Properties Phases 1 and 2 (17645 Yonge Street)	1	Phase 1: 178 apartment units (347 persons) Phase 2: 188 apartment units (rental) (367 persons)	Finalizing Site Plan Agreement.	Previously allocated 714 persons for Phases 1 and 2. 66 additional persons of servicing allocation will be required for Phase 2 due to change in the unit count. Reinstate 714 persons. See staff report for recommended approval of 66 additional persons for Phase 2.
201 Davis Drive	1	147 apartment units (287 persons)	Development proposal has changed. New applications have been submitted for land use approval.	Reinstate 287 persons.
Blackthorn (Western terminus of Silken Laumann Drive, west of hydro corridor)	3	28 townhouse units (74 persons)	Subdivision Agreement in progress. Site Plan comments provided to applicant.	Reinstate 74 persons

Development	Priority Area	Previously Committed Allocation	Status	Recommendation
Sundial Phase 3B	3	8 semi-detached units and 124 townhouse units (348 persons)	Subdivision agreement in progress.	Reinstate 348 persons
Landmark Phase 5	3	34 semi-detached units (98 persons)	Subdivision agreement is in progress.	Reinstate 98 persons
Marianneville (Glenway West, Blocks 11, 12 and 13)	3	97 singles and 92 towns (557 persons)	Official Plan Amendment, Zoning By-law Amendment, and draft Plan of Subdivision approved in May 2022. 2 nd Site Plan pre-application received for Blocks 11 & 12. As of March 2025, the Block 13 pre-application SPA submission has been received but has not been deemed complete.	Reinstate 557 persons.
Total Allocation Recommended to be Reinstated				4,686



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2024 Year-End Servicing Allocation Review Information Report

Report Number: INFO-2024-27

Department(s): Planning and Building Services

Author(s): Andria Sallese, Senior Planner – Policy

Date: December 13, 2024

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this Report is to update Council on the following: 1) the 2024 year-end available servicing capacity; 2) the status of applications that have received allocations or will have their servicing allocation rescinded; and 3) considerations for updating the Town's [Servicing Allocation Policy](#).

Background

On April 29, 2024, Council received staff report [2024-24](#), titled "2024 Annual Servicing Allocation Review". In that report, Staff advised that the Town's remaining Servicing Allocation Reserve of 1,330 persons be maintained for future development, of which 150 persons to be held in the Small Developments Reserve.

This report will update Council on the status of 172-178 Old Main Street and 43 Lundy's Lane, 592 Watson Avenue, 32, 36, and 40 Bolton Avenue, as well as new Small Developments or Additional Residential Units requiring servicing allocation. This report will also provide an update on the 2024 year-end available capacity and discuss future capacity assignments and its role in meeting the Town's housing target of supporting 6,400 new units by 2031. Finally, this report outlines a future work program and considerations for updating the Town's Servicing Allocation Policy.

As per the Town's usual practice, the distribution of available servicing capacity will be reviewed in the Spring of 2025 through the annual servicing capacity review.

Discussion

Draft Plan of Subdivision for 172 – 178 Old Main Street Was Not Registered by the October 29th Deadline

In the April 2024 servicing allocation report, staff advised that the property at 172 – 178 Old Main Street had changed ownership, and the last time the applicant engaged with the Development Coordination Committee was in August 2023. Staff recommended Council add a condition that the owner register the draft Plan of Subdivision by October 29, 2024. Staff also recommended that Council rescind the committed servicing allocation of 32 persons if the Subdivision agreement was not executed by the October deadline and report back on the status of the application in the 2024 year-end servicing allocation review. Given that the draft Plan of Subdivision was not registered by the October 29th deadline, the 32 persons of allocation for this application has been rescinded.

Site Plan Agreement for 43 Lundy's Lane, 592 Watson Avenue, 32, 36, 40 Bolton Avenue Not Executed

The proposed development at 43 Lundy's Lane, 592 Watson Avenue, and 32, 36, and 40 Bolton Avenue was subject to an Ontario Land Tribunal (OLT) appeal which was settled at the OLT in June 2022. In accordance with the Minutes of Settlement, Council agreed to grant servicing allocation to the above noted development upon the execution of the Site Plan Agreement. As such, Council had authorized staff to commit 132 persons of servicing allocation to the development upon execution of the Site Plan Agreement.

As of the date of this report, Staff are still waiting for the required financial securities and fees before executing the Site Plan Agreement; therefore, no servicing allocation has been committed. Staff are also waiting for the applicant to execute an encroachment agreement for construction activities in the road allowance. Staff will continue to work with the applicant towards a fully executed Site Plan Agreement and will commit 132 persons of allocation to the development at that time as directed by Council. The Town Reserve balance will be updated when the commitment is made.

Small Developments Reserve

The Small Developments Reserve is used to allocate servicing for additional residential units (ARUs), consents, and developments with fewer than 10 units. The remaining Small Developments Reserve balance from 2023 was 150 persons.

In March 2024, 353 Ontario Street received a Certificate of Approval for a consent application, having cleared its conditions. Staff servicing allocation for one new single detached dwelling will be provided for this application.

A total of 34 new additional residential units (64.6 persons) were created in 2024, and together with the one single detached dwelling referenced above (3.25 persons) this

totals 68 persons to be allocated from the Small Developments Reserve. With the allocation granted in 2024 for these units, the Small Developments Reserve balance is reduced to 82 persons.

Current Town Reserve Balance and Available Capacity

The 2024 year-end available capacity is 6,873 persons. This is a sum of the April 2024 Town Reserve balance of 1,330 persons (uncommitted allocation), allocations which have been rescinded (32), committed allocations from the Small Development Reserve (68), the Marianneville I&I Reduction Repayment (876), and 4,703 persons of unused committed allocation (i.e., Site Plan or Draft Plan of Subdivisions that have not been registered). Details of the calculations, in number of persons, is shown in **Table 2** below:

Table 2: 2024 Year-End Available Capacity

Town Reserve Balance (April 2024)	1,330
+ Allocation Rescinded (December 2024)	32
- Small Developments Allocation	68
Subtotal	1,294
+ 2024 Capacity From I&I Reduction Repayment (Marianneville)	876
2024 Year-End Available Capacity	2,170
+ Unused Committed Servicing Allocation From Previous Years	4,703
2024 Year-End Available Capacity + Previously Committed Servicing Allocation	6,873

York Durham Sewage System Expansion (YDSSE)

York Region and Durham Region are working together on a long-term wastewater infrastructure project (York Region Sewage Works Project), which will upgrade the existing York Durham Sewage System (YDSS). The project involves building new or expanded wastewater sewers and pumping stations and enhancing the Duffin Creek Water Pollution Control Plant. Specifically, the project will be divided into multiple projects: North YDSS Expansion, South YDSSE, and YDSS Primary System Expansion. In accordance with the York Region [2023 Servicing Capacity Assignment](#) report, York Region assigned 7,767 persons of additional capacity to the Town, which is expected to be released upon the completion of the Phase 1 North YDSSE. The project schedule anticipates that Phase 1 of the North YDSS Expansion (YDSSE) will be completed by 2028, according to York Region's project management team. The Region has indicated that it will work with the local municipalities to track development timing and advance allocation in anticipation of the project completion date above.

Inflow and Infiltration (I&I) Reduction Program Repayments

York Region has approved a capacity release request of 876 persons from Marianneville Developments Limited which reduces the outstanding I&I repayment to 575 persons. This release increases the Town's Reserve Balance to 2,170 people (see **Table 2**).

Existing and Future Capacity

Table 3 below shows a summary of the existing and future capacity expected to be available to the Town. Staff estimate that going into 2025 the Town should have capacity for 2,170 persons plus the unused committed servicing allocation from previous years for a total of 6,873 persons.

In the near term, the Town expects to receive an additional 500 persons of servicing capacity from York Region through the Centres and Corridors Reserve (334 persons) and the Interim Solutions Project (166 persons) and future repayments from the Marianneville agreement (575) persons for a total of 1,075 persons.

Table 3: Summary of Existing & Future Capacity

	Supply
2024 Year-End Servicing Allocation Capacity	6,873
Total Outstanding Allocation to be Paid Back by Developer - Marianneville Agreement (Glenway & Kerbel) Future Repayments	575
Centres & Corridors Reserve & Interim Solutions Project	500
	7,948
Future capacity from York Region (Phase 1 North YDSSE) – Anticipated in 2028*	7,767
Existing & Future Capacity	15,715

*anticipated date as per York Region

York Region Capacity Assignment Working Group and Updates to the Servicing Allocation Policy

In early 2024, York Region formed a Capacity Assignment Working Group. The Working Group is chaired and coordinated by the Region with representation from the Region's Planning and other departments, and from planning and/or engineering staff from all nine local municipalities. The purpose of the Working Group is to provide a forum for collaboration and to modernize data exchange to ensure future Regional water and wastewater capacity assignments align with local municipal needs.

Based on the information shared in this working group, and the information shared with Council in the 2024 Annual Servicing Allocation Review, Staff will be undertaking a review of the Town's Servicing Allocation Policy in 2025 to assess whether updating the policy should be considered.

Staff anticipate the following tasks in assessing whether updates to the policy should be considered:

- A jurisdictional scan of other municipalities;
- A review of implications of the Official Plan update (anticipated in 2025/2026);
- A review of implications of the new Provincial Planning Statement (2024);
- Consultation with the development industry; and,
- Consultation with internal Town departments.

Additionally, Council has adopted a Housing Pledge to support a municipal housing target of 6,400 new housing units in the Town by 2031. This includes a target of 1,250 rental units and 400 non-profit/subsidized units.

Currently, the Servicing Allocation Policy prioritizes applications within the Urban Centres Secondary Plan, including a “meaningful number of affordable units, to the satisfaction of Council”. The term “meaningful” allows Staff and Council to interpret the quantity at their discretion. However, under the current policy, an affordable housing component, while encouraged, is not a mandatory requirement for receiving servicing allocation. To help achieve the Town’s Housing Pledge targets while managing the remaining servicing allocation reserve balance, staff will be exploring opportunities to introduce a new town-wide policy that prioritizes applications that contribute to the Town’s affordable housing goals in the Urban Centres Secondary Plan Area, Historic Downtown and Residential Areas as identified in Schedule “A”, Land Use Plan to the Town of Newmarket Official Plan, respectively.

Staff are currently working with consultants on a Housing Needs Assessment, Inclusionary Zoning Framework and related policy directions through the Official Plan Review, the results of which may establish a more precise percentage-based approach regarding affordable housing requirements.

Staff anticipate presenting a detailed report at a future Committee of the Whole meeting, outlining the findings and recommendations from the review of the Servicing Allocation Policy, including the matters pertaining to affordable housing noted above.

Conclusion

The total available servicing capacity, including previously committed but unused servicing allocation, is 6,873 persons. As per the regular process, Staff will provide recommendations on servicing allocation for pipeline development applications in the Annual Servicing Allocation Report in Q2 2025. This report also identifies that staff will be bringing forward a report to a future Committee of the Whole Meeting regarding the consideration of updates to the Town’s Servicing Allocation Policy as described in this report.

Business Plan and Strategic Plan Linkages

- Living Well
- Well-Equipped and Managed

Consultation

York Region staff were consulted regarding future capacity assignments.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

None.

Approval

Adrian Cammaert, Manager, Planning Services

Jason Unger, Director, Planning and Building Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Contact

Andria Sallese, Senior Planner – Policy, asallese@newmarket.ca

Attachment 2 – Developments Pending to Receive Servicing Allocation Subject to Town Approval/OLT Decisions

This list is provided for reference only. It does not represent staffs' support or Council's approval of the following developments. The amount of allocation listed below may be subject to change.

Development	Priority Area	Allocation Required	Application Status
Forest Green Homes/City Park Homes (16920 and 16860 Leslie Street)	3	Phase 2: 148 townhouse units (390 persons)	Official Plan and Zoning By-law Amendment applications approved with Holding provisions. Draft approval for Plan of Subdivision issued March 2024. The property has since changed ownership. Staff have received new draft plans with revisions however a detailed design submission and/or site plan applications have not yet been received.
Redwood Phase 3 (17645 Yonge Street)	1	Building 3: 168 apartment units (328 persons)	Site Plan Agreement has been signed. Buildings 1 and 2 will be constructed before Building 3.
Marianneville Developments Woodspring Limited (Woodspring Avenue, Block 194, 65M 3820) I&I Project	3	124 condo townhouse units (327 persons)	Awaiting third Zoning By-law Amendment submission. Staff report scheduled for April 28 th Committee of the Whole.
741, 745, 747, 753, 757, and 763 Gorham Street & 233 Muriel Street	3	72 townhouse units (168 persons)	Developer-led PIC held in December 2022. Awaiting resubmission for Zoning By-law Amendment and draft Plan of Subdivision. Last correspondence from the applicant was January 2025.
Millford Development Limited (55 Eagle Street)	3	To be confirmed	Ontario Land Tribunal settlement reached for OPA and Zoning By-law Amendment. Final Order from OLT in 2023. Awaiting site plan submission.

Development	Priority Area	Allocation Required	Application Status
66 Roxborough Road	3	9 townhouse units (21 persons – accounted for a credit of one existing single detached unit 3.25 persons)	Statutory public meeting held October 2020. Awaiting land use approval for the Zoning Amendment application.
231 Old Main Street	3	16 semi-detached units and one affordable fourplex (51 persons – accounted for credit of one existing single detached unit 3.25 persons)	Zoning By-law Amendment approved in 2025. Awaiting site plan submission.
218-244 Old Main Street	Not in priority area – designated Residential Area – Old Main Street Tertiary Plan and Natural Heritage System	20 semi-detached units; 57 townhouse units; and 16 apartment units (226 persons). There is a credit of 13 persons for four (4) existing single detached dwellings on the properties.	On second pre-application submission for Official Plan Amendment and Zoning Bylaw Amendment application . Have not submitted site plan application yet. Staff have not deemed the applications complete.
17680 Leslie Street	Not in priority area – currently designated Commercial	88 townhouse units (232 persons)	Public meeting held. Awaiting resubmission for OPA and Zoning By-law Amendment.
LIM Developments (Newmarket) Inc. (535 Davis Drive West)	Not in priority area – Natural Heritage System, ORM	226 apartment units (441 persons)	PIC held in October 2021. Awaiting resubmission for OPA and Zoning By-law Amendment.
Algibon Investments Inc. (301 Mulock Drive and 500 Cane Parkway)	Not in priority area – currently designated Mixed Employment	392 apartment units (765 persons)	Revised OPA and Zoning By-law Amendment under review. Public Meeting held March 25, 2024. Application on hold.

Development	Priority Area	Allocation Required	Application Status
615, 625, 631 Davis Drive and 29, 33, 39 Bolton Ave	1	767 apartment units (1490 persons – accounted for a credit of two existing single detached units 6.5 persons)	Official Plan Amendment and Zoning By-law Amendment applications deemed complete. Public Meeting held April 29 th , 2024. Applicant has noted the market as a reason why they haven't proceeded.
281 Main Street North Phases 1 and 2	3	19 townhouse units (47 persons – accounted for a credit of one existing detached unit 3.25 persons)	Allocation was rescinded in December 2023. Did not fulfill the condition to Register the Draft Plan of Subdivision and Site Plan Agreement by November 2023. Minor Variance application approved in April 2024 to increase the number of units. A site plan resubmission to reflect the 19 townhouse units has not been received.
17615 Yonge Street (Dymon Capital)	1	215 apartment units (420 persons)	Pre-application stage for Official Plan Amendment and Zoning By-law Amendment. Application is on pause.
113-121 Main Street North	3	20 townhouse units (47 persons – accounted for two existing single detached units 6.5 persons)	Pre-application stage for Zoning By-law Amendment. Have not received a second submission.
62 Bayview Parkway	Not currently in priority area – designated Major Institutional	247 apartment units (482 persons)	Pre-application stage for Official Plan Amendment and Zoning By-law Amendment.

Development	Priority Area	Allocation Required	Application Status
Shining Hill Secondary Plan	Not currently in priority area – designated Oak Ridges Moraine Area and Urban	2000-3000 units (targeting 5,000 to 7,000 people)	Secondary Plan and Official Plan Amendment deemed complete in August 2024.
16756 and 16764 Bayview Ave	3	70 apartment units (130 persons accounted for a credit for 2 existing single detached units 6.5 persons)	Official Plan Amendment and Zoning By-law Amendment approved June 3, 2024.
ESTIMATED TOTAL ALLOCATION REQUIRED: 5465 PERSONS plus 5000-7000 people for Shining Hill Secondary Plan (subject to final unit count at the time of approval)			



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

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Zoning By-law Amendment – Woodspring Avenue, Marianneville Developments Staff Report to Council

Report Number: 2025-21

Department(s): Building and Planning Services

Author(s): Meghan White, Senior Planner - Development

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled Zoning By-law Amendment – Woodspring Avenue, Marianneville Developments dated April 28, 2025 be received; and,
2. That the Zoning By-law Amendment application be approved; and,
3. That staff be directed to bring forward the by-law, including necessary holding provisions, to Council for approval; and,
4. That Nour Bedas of Groundswell Planning, be notified of this action; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

A Zoning By-law Amendment application has been received to amend Zoning By-law 2010-40 to permit 122 townhouses on the subject land.

Staff have reviewed the development proposal against the relevant Provincial, Regional, and local policy documents and have concluded that the proposal is in conformity with the policy framework. A statutory Public Meeting was held on June 24 2024, as required by the *Planning Act*.

Purpose

This report provides recommendations to Council on the application for Zoning By-law Amendment on the subject lands.

Zoning By-law Amendment – Woodspring Avenue, Marianneville Developments

The recommendations of this report, if adopted, would result in amendments to the Town's Zoning By-law 2010-40 to permit the proposed townhouse development and apply the necessary holding provisions.

Background

This application was deemed complete February 18, 2022. It has been circulated to internal departments and external agencies for their review and comments. There are no objections to the proposal, subject to application of the Holding Provisions. The Statutory Public Meeting was held on June 24, 2024.

Subject Land

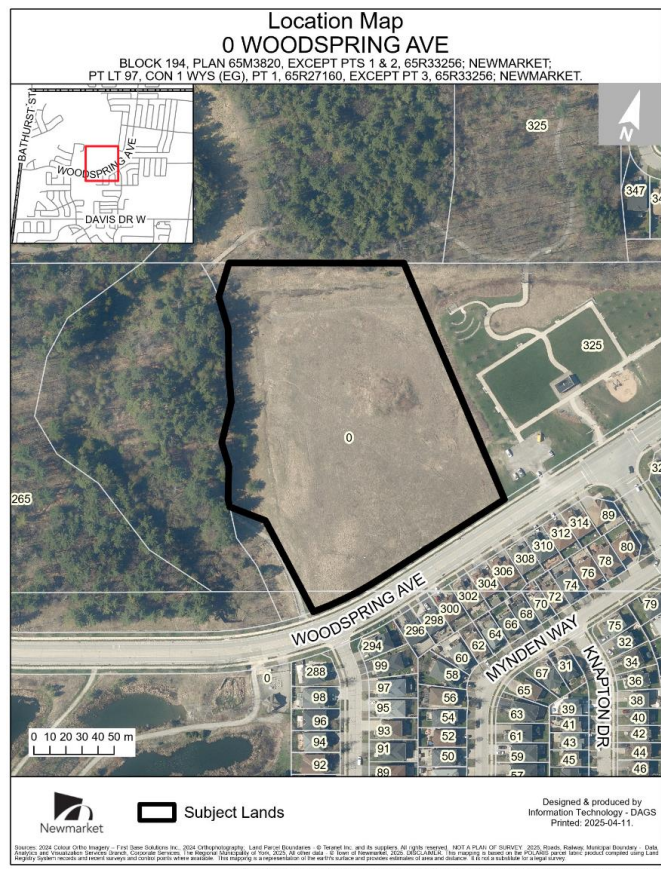
The subject lands are located on the north-west side of Woodspring Avenue, between William Booth Avenue and Memorial Gardens Way. The subject lands are surrounded on three sides by Environmental Park.

When this area of town was being developed, this space was held in reserve as a potential school site. The School Board determined that a school was not required in this location and the land was returned to the original developer, and then it was sold to the current owner.

A Proposal for 122 Townhouse Units

The applicant has applied to develop the subject lands with 122 condominium townhouse units, accessed by private roads. A mix of townhouse styles are proposed; 20 back-to-back townhouses, 68 rear-lane access townhouses, and 34 standard townhouses. The concept plan can be found in Attachment 2.

The proposed development consists of three- and four-storey townhouses, with heights ranging from 8.7 metres to 12.8 metres. The townhouses have been designed with a combination of single- and double-car driveways. A total of 225 parking spaces are proposed on-site, which includes 35 visitor parking spaces. The visitor parking spaces are distributed across the site. The applicant is not seeking a parking reduction and complies with the zoning by-law requirements.



Pedestrian connections are provided throughout the development and to Woodspring Avenue. A connection to the Dave Kerwin Trail in Environmental Park is proposed, and its suitability will be determined at the detail design stage.

Two open space blocks are proposed along the north-east and north-west property lines. They will form a buffer between the back yards of the dwellings and Environmental Park. These areas are too steep to be included as private backyard amenity spaces and will be held in private ownership as a common element of the condominium.

Amendments Required to Allow the Development

The proposal requires the following amendments:

- To rezone the property from Institutional to Residential,
- Establishment of site-specific zone standards for the proposal, and
- Addition of holding provisions.

Discussion

Planning Policy Context

The application is consistent with the Provincial Planning Statement (PPS)

The proposal is consistent with the PPS by providing a mix of housing types within an existing settlement area, allowing for efficient use of existing infrastructure, and promoting supportive densities to facilitate a compact urban form and the achievement of complete communities.

The application conforms to the York Region Official Plan, (as deemed part of the Town's Official Plan by Bill 185 on July 1, 2024)

The proposal supports and is consistent with York Region Official Plan policies as this development aligns with the intensification policies in built-up areas.

The application conforms to the Official Plan

This property is designated "Residential" in the Official Plan and therefore no amendment to the Official Plan is required.

The objectives of the Official Plan's Residential Area policies are to provide for a range of dwelling types while maintaining the stability of residential areas by establishing zone standards that acknowledge and respect the existing character of the surrounding neighbourhood. The Official Plan also recognizes the desirability of gradual, ongoing change by allowing for contextually sensitive developments through *Planning Act* applications.

Townhouses are permitted in the Residential Area designation, subject to compatibility with the existing neighbourhood character. The subject lands are a unique situation for a large parcel in Newmarket. The parcel is surrounded on three sides by a park and not

Zoning By-law Amendment – Woodspring Avenue, Marianneville Developments

existing residences. On two sides there will be open space blocks acting as a buffer between the new dwelling units' backyards and the park. On the third side (the east property line) the front doors of the townhouse dwellings (with a walkway) will be adjacent to the park. Front doors are an appropriate interface with a park space. The closest existing residences are located on the south side of Woodspring Avenue. The separation provided by Woodspring Avenue limits the impacts of the new dwellings on the existing residences.

Section 16.1.1.3 sets out the considerations for a Zoning By-law Amendment. All the requirements of this section have been considered and addressed.

The proposed amendments meet the intent of the Zoning By-law.

The subject land is currently zoned Minor Institutional (I-B). Residential uses, such as townhouses are not permitted in this zone. Therefore, an amendment to a residential (R4) zone is required.

Site specific zone standards are required to enable the design of the condominium townhouses. The site-specific zone standards will address development specific heights, encroachments and setbacks. No reductions to the parking requirements are proposed.

For information, a draft version of the proposed site specific zoning by-law amendment is attached to this report. If the application is approved, the final By-law will be brought forward to a subsequent Council meeting.

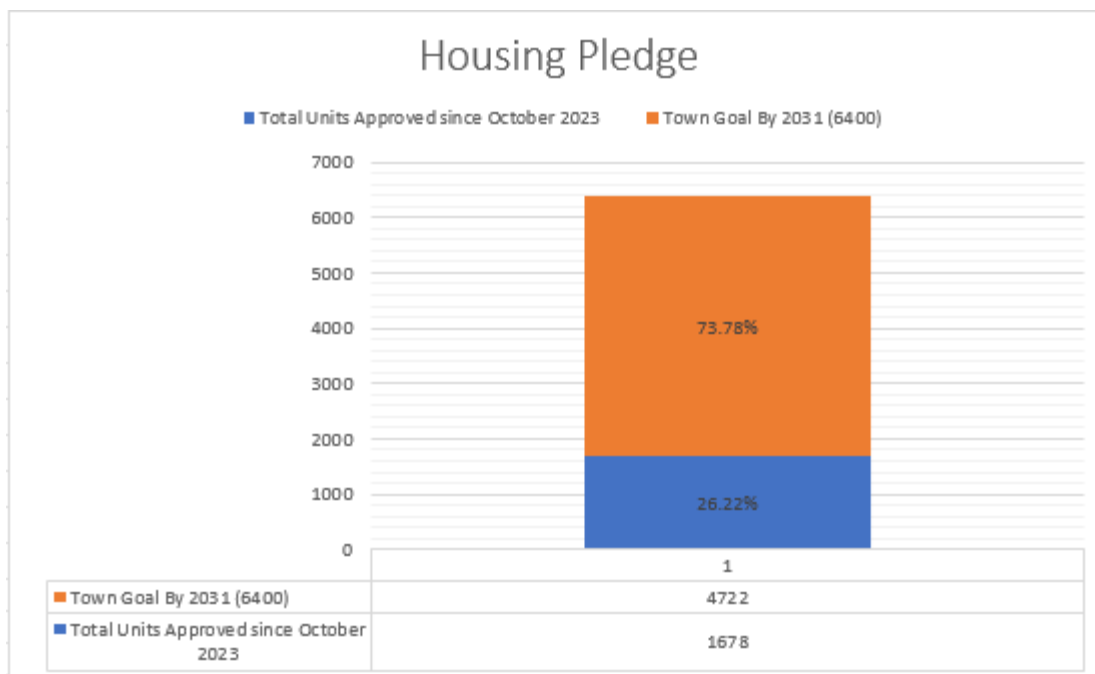
It is the opinion of staff that the proposed zoning by-law amendment is appropriate for the proposed development on the subject land.

Other Planning Considerations

The proposal contributes 122 units to the Housing Pledge

In October 2023, Council approved the Town's housing pledge of approving 6,400 housing units by 2031. Since the adoption of the plan in October 2023, 1,556 residential units have been approved (24.3% of the Pledge).

If approved, this application would bring the total approved residential units to 1,678, or 26.2% of the Town's Housing Pledge, an increase of 1.9% (see Housing Pledge chart below).



The Town's Housing Pledge also includes a target of 1,250 rental units and 400 non-profit/subsidized units. Past applications have contributed to this goal by providing affordable rental units as part of the development, and/or providing payments in lieu of non-profit/subsidized housing providers. Details around how this application will contribute to this goal are to be determined in subsequent phases of the planning process. As such, a holding provision is being recommended as part of the rezoning.

The application will need Servicing Allocation in the future

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

The applicant will need to advise how the application contributes to the Town's affordable housing goals

Section 3.9.2 of the Official Plan states: a minimum of 25% of new housing development outside the Urban Centres Secondary Plan will be affordable to low- and moderate-income households. It is recommended that a holding provision be applied to the Zoning By-law until such time as staff is satisfied that the Official Plan's affordable housing policies are achieved.

Holding Provisions will be implemented

In accordance with Section 36 of the Planning Act, Council may impose Holding Provisions ('H') on a Zoning By-law Amendment to limit the use of land until the holding

provision conditions are satisfied. In this application, the proposed Zoning By-law Amendment include Holding Provisions for:

- Execution of a Site Plan Agreement,
- Servicing Allocation, and
- Addressing the Affordable Housing policy to the satisfaction of Town staff.

Further Applications Will Be Required

Should the Zoning By-law Amendment be approved by Council, future required applications include Site Plan Approval, Condominium Approval applications, and an application to remove the Holding Provision.

Consultation

No objection from external and internal consulting agencies/departments

The application and associated technical reports were circulated to all internal departments and external agencies. Comments received indicate there is no objection to the proposed Zoning By-law Amendment application, subject to application of the proposed Holding Provisions. Any noted technical comments will be addressed through a future Site Plan Application.

Comments from the public were taken into consideration by the applicant

A Statutory Public Meeting was held on June 24th, 2024. This meeting provided the public and interested persons an opportunity to comment on the application. Members of the public also provided comments through email before and after the Public Meeting. The following sections outline the nature of the comments and how they have been addressed.

Concerns about increased traffic

A Transportation Impact Study was submitted in support of the application. As a result of comments heard at the public meeting, the applicant revised the Transportation Impact Study to consider new traffic counts, as the original numbers had been questioned during the public meeting. Their validity was questioned since traffic was counted during the pandemic lockdowns and did not capture regular and usual use of the road. The update memo found that there was not a significant increase in traffic volumes (1.2%) and the original study findings remain valid.

The original study and revision memo have both been reviewed by the Town's Engineering Department, the conclusions were found to be satisfactory and there are no objections to the approval of the proposal.

Concerns about increased density, compatibility and change of character

As mentioned above, the subject lands are a unique situation, as it is surrounded on three sides by park. The new homes do not directly abut any existing residences; therefore, it is a suitable location to achieve a higher density housing mix. In addition, the applicant reduced the number of proposed units from 124 (original submission) to 122 (currently proposed). The proposed development is located along a corridor serviced by existing public transit, which can support a more intensive form of residential development on the subject lands.

Concerns about negative impacts on forested land and the park

Comments were provided that expressed concern about the impact of the development on park space, and specifically the forested area of the park. The subject lands are in private ownership and do not form part of Environmental Park. There are two open space blocks acting as a buffer between the forested area of Environmental Park and the construction of the proposed dwellings. The third interface with the park will be a walkway with front doors adjacent to the open space of the park. No negative impacts on the park, and specifically the forested area, are anticipated.

Conclusion

The proposed Zoning By-law Amendment application has been processed per the *Planning Act* including circulation to the Town's internal departments and external agencies. All zoning related concerns have been addressed.

The proposal supports the goals of the Official Plan and the meets the intent of the Zoning By-law. The proposal conforms to and does not conflict with the Provincial Planning Statement and the York Region Official Plan.

Staff recommend approval of the proposal, subject to the application of specific holding provisions. Further review and refinement of the application will take place through the Site Plan Approval process, within the parameters of the proposed zoning.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

None.

Budget Impact

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

Attachments

Attachment 1 – Location Map

Attachment 2 – Applicant's Concept Site Plan

Attachment 3 – Proposed Zoning By-law Amendment

Submitted By

Meghan White, MCIP RPP, Senior Planner – Development, Building & Planning Services

Approval for Submission

Adrian Cammaert, MCIP, RPP, Manager, Planning Services

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

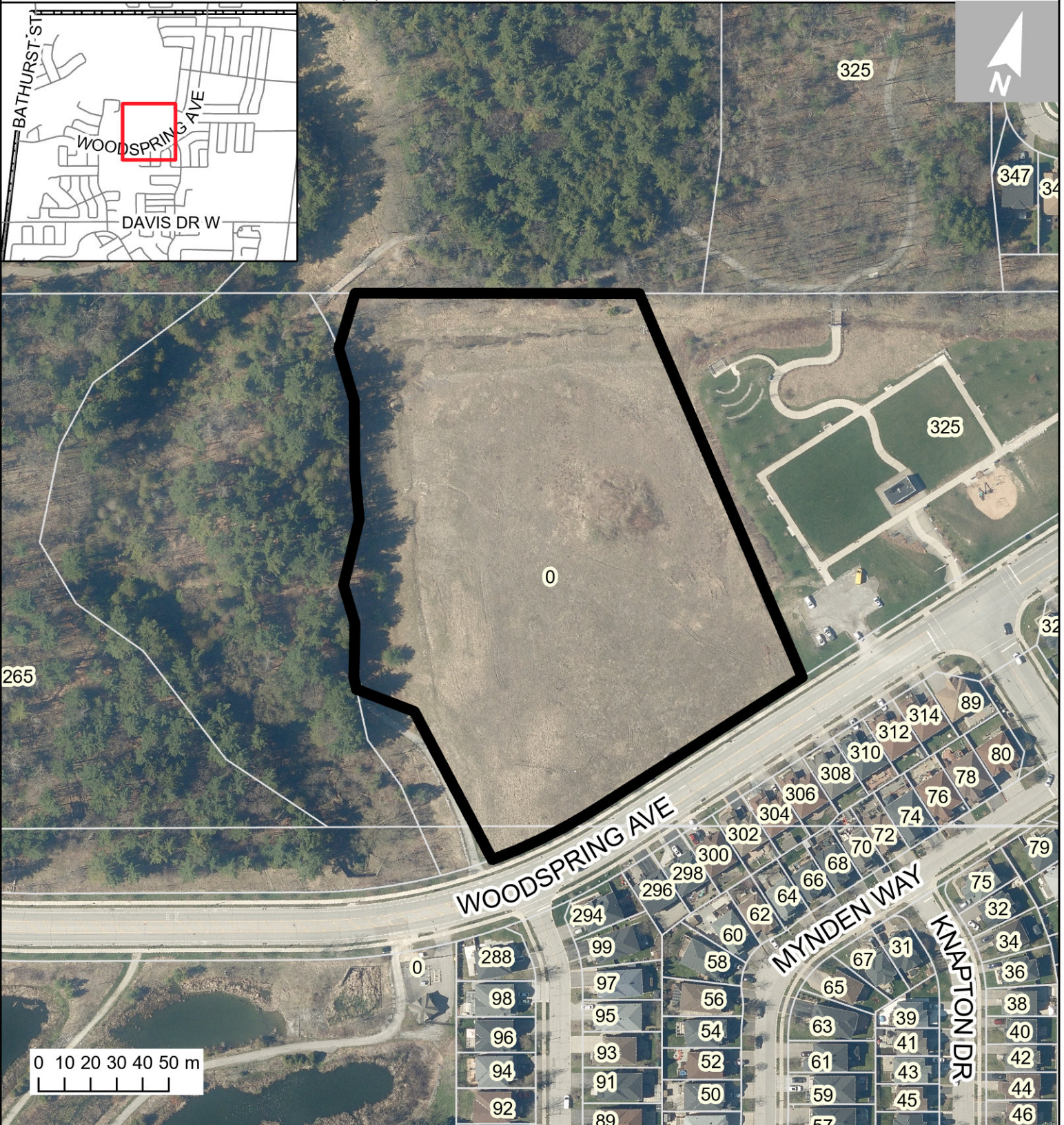
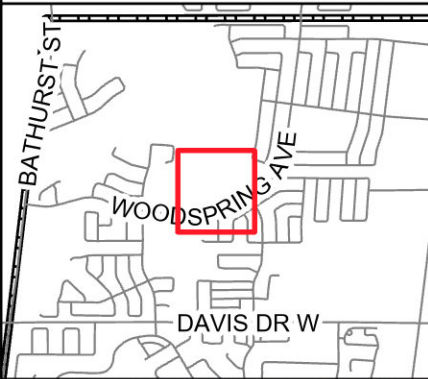
Peter Noehammer, P. Eng. Commissioner, Development & Infrastructure Services

Report Contact

For more information on this report, contact Meghan White, mwhite@newmarket.ca.

Location Map 0 WOODSPRING AVE

BLOCK 194, PLAN 65M3820, EXCEPT PTS 1 & 2, 65R33256; NEWMARKET;
PT LT 97, CON 1 WYS (EG), PT 1, 65R27160, EXCEPT PT 3, 65R33256; NEWMARKET.



 Subject Lands

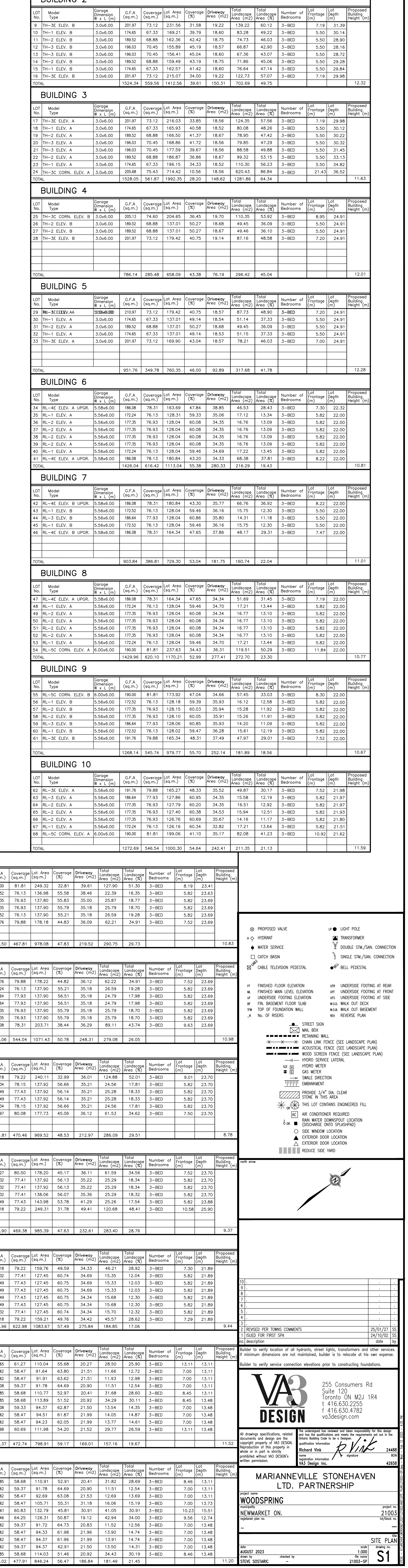
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Sources: 2024 Colour Ortho Imagery – First Base Solutions Inc., 2024 Orthophotography; Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2025; Roads, Railway, Municipal Boundary - Data, Analytics and Visualization Services Branch, Corporate Services, The Regional Municipality of York, 2025; All other data - © Town of Newmarket, 2025. 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_PRO\Development_InfrastructureServices\Planning\MapProjects\Location Map\LocationMap_2025.aprx\WoodspringAve_BLK194_Location Map

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BUILDING 1											Estimated Material Quantity
Col.	Member	Length (feet)	C/A (feet)	Geometry (feet)	Area (sq. feet)	Volume (cu. feet)	Total Weight (lb.)	Number of Elements	Col. Weight (lb.)	Col. Moment (ft.-lb.)	
1	1-3x6 CONC. ELEM.	3.0x6.0	75.43	20.97	27.24	20.14	106.42	430	3.480	7.51	35.01
2	1-2x12 ELEM.	3.0x6.0	75.43	20.97	38.85	28.85	84.66	51	7.480	5.61	33.51
3	1-2x12 ELEM.	3.0x6.0	68.82	68.82	38.14	20.53	61.67	50	7.38	5.60	32.57
4	1-2x12 ELEM.	3.0x6.0	68.82	70.48	37.67	20.60	60.27	48.74	5.60	5.60	32.60
5	1-2x12 ELEM.	3.0x6.0	68.82	70.48	42.62	19.22	63.78	48	5.60	5.60	33.21
6	1-2x12 ELEM.	3.0x6.0	68.82	69.89	41.59	40.55	18.81	24.80	4.580	5.60	5.60
7	1-2x12 ELEM.	3.0x6.0	69.48	67.22	37.48	37.84	18.58	30.32	51.48	5.60	5.60
8	1-2x12 ELEM.	3.0x6.0	69.48	73.12	28.67	27.32	18.21	17.83	65.00	5.60	7.32
BUILDING 1 TOTAL			528.89	561.87	553.01	219.1	812.84	633.0			17.78





Corporation of the Town of Newmarket

By-law 2025-XX

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

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

And whereas it is deemed advisable to amend By-law 2010-40, as amended;

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

- 1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto (Subject Lands);
- 2. That By-law 2010-40, as amended is hereby amended by:
 - a. Deleting from Schedule A Map No. 2 the Minor Institutional Zone (I-B) and substituting therefore the Residential Townhouses Dwelling Zone (R4-R-179), and the Environmental Protection Zone (OS-EP) as shown on Schedule ‘1’ attached hereto, and forming part of this By-law.
 - b. Adding the following regulations to Section 8.1.1 List of Exceptions:

Exceptions 179	Zoning R4-R-179	Map 2	By-law Reference 2025-XX	File Reference PLN-OPZS-2022-002
<div><div>i. Location: North side of Woodspring Ave and east side of Gilpin Drive (generally between Memorial Gardens Way and William Booth Avenue)</div><div>ii. Legal Description: BLOCK 194, PLAN 65M3820, EXCEPT PTS 1 & 2, 65R33256; NEWMARKET & PT LT 97, CON 1 WYS (EG), PT 1, 65R27160, EXCEPT PT 3, 65R33256; NEWMARKET.</div><div>iii. Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to the lands zoned R4-R-179, shown on Schedule ‘1’ attached here to:</div><div>iv. Development Standards:</div></div>				
Zone Standards			R4-R-179	
a) Min. Lot Area (per unit)			n/a	

b) Number of Townhouse units (Maximum)	122
c) Minimum lot frontage (for the properties fronting onto Woodspring Ave)	5.8m
d) Min setback to Woodspring Ave	2.6m
e) Minimum setback from a rear wall to an OS-EP zone	5m
f) Minimum setback from an exterior side wall to an OS-EP zone	1.4m
g) Minimum setback to the (OS-1) Zone (east property line)	2.8m
h) Minimum Building Separation	3.0m
i) Maximum lot coverage (per unit)	n/a
j) Building Height (Maximum)	12.5m (3 storeys)
k) Minimum Driveway width:	
• one car-driveway	2.9m
• two car-driveway	5.2m
l) Minimum Private Road width	6.0m
m) Encroachments (Woodspring Avenue only)	Unenclosed covered or uncovered porch and steps shall be permitted to encroach into the front yard for buildings fronting onto Woodspring Ave: 2.55 metres and no closer than 0.75 metres to the lot line.
n) Projections	Unenclosed covered or uncovered structures shall be permitted to project 3.0 metres from the front or back building wall (not a side wall) for all the lots that are fronting/backing onto a private road This section overrides Section 4.2 of the Zoning By-law 2010-40
o) Section 4.14.1. Landscape Buffers for Parking lots shall not apply for this development.	
p) Section 5.4.3. Location for Visitor Parking shall not apply for this development.	

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

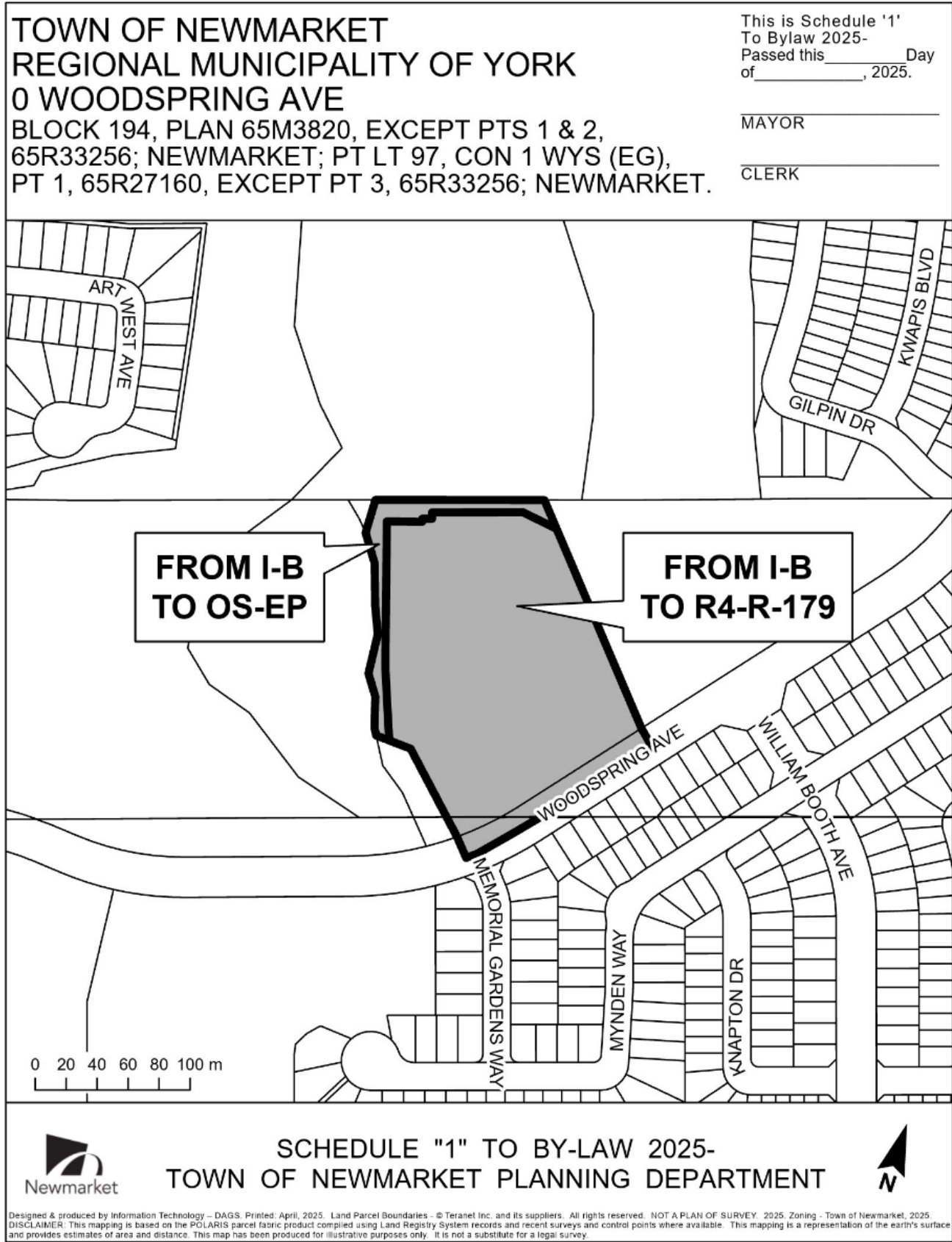
By-law No.	Property Description	Permitted Holding Removed	Uses Provision	Until is	Conditions for Removal
2025-XX Date Enacted: May 5, 2025					<p>That sufficient servicing capacity is available, and has been allocated by the Town;</p> <p>That the Owner has signed the Town's site plan agreement and has posted all performance security contemplated therein;</p> <p>That the Owner has satisfied the affordable housing policies to the satisfaction of the Director, Planning and Building Services.</p> <p>That compensation, in accordance with the Town's Tree Preservation, Protection, Replacement and Enhancement Policy has been provided to the Town for the removal of the trees on the site (if applicable).</p>

4. And that all other provisions of By-law 2010-40, as amended, shall apply to the lands subject to this By-law.
5. That Schedules 1 attached hereto shall form part of By-law 2025-XX.

Enacted this 5th day of May, 2025

John Taylor, Mayor

Lisa Lyons, Town Clerk





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

If you require this document in an alternative format email at clerks@newmarket.ca or call 905-895-5193.

Capital Program Delivery - Resourcing Staff Report to Council

Report Number: 2025-22

Department(s): Engineering Services , Legal and Procurement Services

Author(s): Peter Noehammer, Commissioner, Development & Infrastructure Services

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled Capital Program Delivery - Resourcing dated April 28, 2025 be received; and,
2. That the additional resources identified in this report to adequately deliver capital projects and funded from annual capital spending authorities be approved; and,
3. That the Chief Administrative Officer be given delegated authority to approve similar requests where budget approval has already been given; and,
4. That Delegation By-law 2016-17 be amended to reflect the delegation to the Chief Administrative Officer; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to seek approval from Council to acquire staff resources to adequately deliver current and forecast capital projects. The projects comprise new additions to community spaces and resources are needed for staff in Engineering Services and Procurement Services to secure contract awards and manage construction in a timely and effective way.

Background

Engineering Services is responsible for the design and construction of most of the capital projects at the Town. Two divisions manage the delivery of Infrastructure Projects (e.g., roads, bridges, water mains and sewers) and Community Spaces (e.g.,

parks, trails, sports facilities and community amenities), respectively; each with its own manager and project managers.

The Infrastructure Projects team is gearing up for significantly more asset management work in the coming 5 to 10 years to rehabilitate and replace aging civil infrastructure. This work is expected to continue and grow in the decades that follow, and sufficient capacity will be brought on through a combination of resources, including project management staff, consultants and contracts. The Community Spaces team has recently been established to largely coordinate the significant projects related to the Mulock Park, Mulock House and adjacent Hydro Corridor parking lot. Without introducing additional team resources, this division has also recently taken on planning, design and construction of the new Pickleball Facility at George Richardson Park, in addition to on-going work to establish an Outdoor Ice Rink and Multi-use Sports Pad at the Ray Twinney Recreation Complex. Sufficient capacity to deliver these and the other upcoming projects planned as part of the 10-year Parks and Recreation Capital Plan will need to be acquired to achieve this goal.

Other departments at the Town are also instrumental for the successful and timely delivery of capital projects, in particular the Legal and Procurement Services team who collaborates with Engineering Services and others to facilitate project Request for Proposals (RFPs), evaluates bidder submissions, recommends contract award and prepares legal agreements with successful vendors provide a vital role.

Discussion

The 10-year Parks and Recreation Capital Plan represents the most significant investment and capital expenditure on community facilities in the Town's history. This represents a bold program that promotes a healthy, attractive and responsive approach to current and future recreational and cultural needs of residents in Newmarket.

The draft Parks and Recreation Capital Plan was presented to Council at the June 17, 2024 Committee of the Whole meeting as [Report Number 2024-40](#). Notable features included Major Projects, Park Developments, Parkettes and Sports Pads, Trails and Trail Connections as well as renewal, replacement, lighting and irrigation projects.

In order to keep pace with the schedule of delivery for projects in the 0–5-year timeframe, most notably in 2025 and 2026, and to meet expectations of the community, two (2) additional staff resources are required at this time, being:

- a Senior Project Manager in the Capital Projects Community Spaces division of Engineering Services, and
- a Senior Procurement Officer in the Procurement division of Legal and Procurement Services.

These positions are essential to enable projects currently underway such as the Pickleball facility and those that are upcoming such as Outdoor Ice Rink and Multi-use Sports Pad and others to be advanced to completion, while simultaneously continuing to manage construction of the Mulock Park program.

These positions will be completely funded through the capital spending authority already approved by Council as part of the 2025 Capital Budget for capital projects, and as a result there will be no new additional funding required. Staff would account for time spent on each capital project to track against allocated budgets.

To provide flexibility to plan for necessary capital project resources in the future and to respond swiftly when urgent project delivery needs arise, delegated authority to the Chief Administrative Officer is recommended for approval of similar future requests. These approvals would be predicated on the costs of the resources being funded and available through Council approved budgets and capital spending authority advanced through annual and multi-year capital programs.

Consultation

The Strategic Leadership Team (SLT), and Directors of Engineering Services, Legal and Procurement Services and Human Resources were consulted and contributed to the content of this report.

Conclusion

This report outlines a request to add additional staff resources for timely delivery of capital projects associated with the 10-year Parks and Recreation Capital Plan. They would support the Engineering and Procurement functions needed to complete projects like the Pickleball Facility, Outdoor Ice Rink and Multi-use Sports Pad, and upcoming major parks, trails and community spaces in a sustainable way. Funding is already approved in capital budgets for projects they would work on, and funding is expected to continue with annual budget approvals for upcoming major capital projects.

It is recommended that in future the Chief Administrative Officer be given delegated authority to approve similar resourcing requests where budget has been approved by Council.

Council Priority Association

This report aligns with the following Council Priority: Extraordinary Places and Spaces, by creating exceptional experiences for the community in shared and accessible public spaces, including delivering exciting parks, trails and facilities projects throughout the Town.

Human Resource Considerations

Two (2) regular full-time positions would be created: one (1) in Engineering Services, Capital Projects Community Spaces as a Senior Project Manager, and one (1) in Legal & Procurement Services as a Senior Procurement Officer.

Current workload to support capital project delivery and on-going workload is seen as sustained into the foreseeable future which supports the need and justification from a workforce planning perspective.

Budget Impact

The cost the positions identified would be funded from the capital budgets and capital spending authority approved by Council to advance the projects they work on.

Attachments

None.

Approval for Submission

Esther Armchuk, Commissioner, Corporate Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Ian McDougall, Chief Administrative Officer

Report Contact

For more information on this report, contact: Peter Noehammer, Commissioner, Development & Infrastructure Services, info@newmarket.ca



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Non-Competitive Approval for Payment to AOYS Fire Training Ltd

Staff Report to Council

Report Number: 2025-23

Department(s): Central York Fire Services, Procurement Services

Author(s): Tracy Assis, Manager Procurement Services; Claude Duval, Assistant Deputy Chief; Shara-Marie Orsi, Senior Procurement Officer

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled “Non-Competitive Approval for Payment to AOYS Fire Training Ltd.” dated April 28, 2025, be received; and,
2. That staff continue to non-competitively acquire specialized Fire Training Services for CYFS staff from AOYS Fire Training Ltd; and,
3. That, subject to recommendation 4 below, the Fire Chief be given delegated authority to approve invoices from AOYS Fire Training Ltd. for fire training services for CYFS staff, subject to the amount being within CYFS approved budgets; and,
4. That staff be directed to diligently monitor the market for other training services for CYFS staff that meet the same standards as the AOYS Fire Training Ltd. service, and that upon a competitor service becoming available, that staff be directed to run a competitive process at that point; and,
5. That the Fire Chief and the Manager, Procurement Services be authorized to execute any agreements or documents that are necessary; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to seek Council’s approval to continue acquiring specialized Fire Services training from AOYS Fire Training Ltd. (“AOYS”) on a non-competitive basis for CFYS staff until another solution becomes available.

Background

AOYS is a Canadian owned and operated fire services training organization that is dedicated to reducing firefighter injury through the provision of up-to-date, interactive training programs designed to integrate the most recent scientific research with practical applications. The backbone of the AOYS interactive training program is the Blue Card Command Certifications on-line program that provides for an online training and certification program that standardizes local incident operations across fire and emergency response organizations. Using a combination of on-line and in-class simulation-based training provided by AOYS and their use of the Blue Card Command Certification Program produces proven results for Company Officers and Incident Commanders. AOYS is the exclusive provider of the Blue Card Command on-line portion of the training provided by AOYS.

CFYS engages AOYS on an ongoing basis for the training of approximately sixty (60) to sixty-five (65) CYFS staff.

Discussion

While there are other incident command training solutions in the market, AOYS exclusively provides online and an in-class Fire Training Services that incorporates the Blue Card Command Certification which provides for a standard of certification.

Council approval is required in accordance with the Town's Procurement By-Law

Staff are seeking Council approval to continue acquiring specialized Fire Services training from AOYS Fire Training Ltd. for CFYS staff because the cumulative spend with this vendor to date exceeds the current administrative approval threshold of \$133,799.99 for non-competitive procurements in Schedule D, Table 5 of the Town's Procurement Bylaw 2014-27.

Continuing to engage AOYS non-competitively to provide specialized Fire Services training for CFYS staff is supported by the Town's Procurement Bylaw 2014-27 and by the applicable trade treaties.

Section 13.5(iii) of the Town's Procurement By-Law 2014-27 permits the non-competitive purchase of services where a supplier has a unique capability.

Similarly, the government procurement provisions of the Canadian Free Trade Agreement (CFTA), Article 513, Paragraph (1), Section, (b) permits the acquisition of goods or services that can only be provided by a particular supplier and no reasonable or substitute exists, resulting in an absence of competition due to technical reasons.

These justifications support circumstances where there are no other reasonable alternatives to the deliverables provided by a supplier.

Monitoring for Best Value

CFYS staff maintain vendor accountability by monitoring the market for any emerging incident command training solutions. To date there are no comparable solutions to that provided by AOYS however to ensure costs are reasonable, staff monitor the consulting fees provided to ensure they are consistent with industry norms. If another competitive and compatible solution like AOYS becomes available in the future, staff will initiate a competitive process to secure a contract.

Canadian Preference

AOYS is a Canadian owned and operated fire services training organization headquartered at 121, 53017 Range Road, 223 Ardrossan, Alberta T8E 2M3.

Consultation

Staff from CYFS and Procurement Services collaborated in the preparation of this report.

Conclusion

Continuing to acquire specialized Fire Services training from AOYS Fire Training Ltd. for CYFS staff is critical to ensuring staff are adequately trained and is supported by the non-competitive provisions of the Town's Procurement By-law and applicable trade treaties. Staff will continue to diligently review any alternative options and will run a competitive process should another provider become an option in the future.

Council Priority Association

This report aligns with the following Council Priority: Customer-First Way of Life

Human Resource Considerations

None

Budget Impact

Sufficient funds have been allocated for this project under G/L # 21221.4474

Attachments

None

Approval for Submission

Rocco Volpe, Fire Chief

Karen Reynar, Director, Legal and Procurement Services

Esther Armchuk, Commissioner, Corporate Services

Ian McDougall, Chief Administrative Officer

Report Contact

For more information on this report, contact info@newmarket.ca.



Town of Newmarket

Minutes

Heritage Newmarket Advisory Committee

Date: Tuesday, February 18, 2025
Time: 7:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Elaine Adam, Chair
Joshua Campbell, Vice Chair
Councillor Bisanz (7:10 PM to 7:21 PM)
Pamela Vega
Dan MacPherson

Members Absent: Julian Antonini
Rob Shaw

Staff Present: U. Mahmood, Planner COA & Cultural Heritage
S. Granat, Legislative Coordinator

1. Notice

Elaine Adam advised that members of the public were encouraged to attend an electronic Advisory Committee or Board Meeting in person at 395 Mulock Drive in Council Chambers or via livestream at www.newmarket.ca/meetings

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Deputations

None.

5. Approval of Minutes

5.1 Heritage Newmarket Advisory Committee meeting minutes of January 21, 2025

Moved by: Dan MacPherson

Seconded by: Joshua Campbell

1. That the meeting minutes of the Heritage Newmarket Advisory Committee of January 21, 2025 be approved.

Carried

6. Correspondence

None.

7. Items

7.1 Heritage Permit Application - 16874 Bayview

The Planner Committee of Adjustment and Cultural Heritage provided introductory remarks, background about the permit, rationale, and recommendation.

Members of the Advisory Committee queried staff regarding the response from the property owner.

Moved by: Dan MacPherson

Seconded by: Pamela Vega

1. That the Heritage Newmarket Advisory Committee support the applicant's proposal for 16874 Bayview Avenue as described in the heritage permit application.

Carried

7.2 Appointment to the Elman W. Campbell Museum Board

Joshua Campbell Chaired regarding item 7.2 - Appointment to the Elman W. Campbell Museum Board.

Moved by: Pamela Vega

Seconded by: Dan MacPherson

1. That Elaine Adam be appointed to the Elman W. Campbell Museum Board

Carried

7.3 Heritage Advisory Committee Process for Recommending Future Heritage Designations

Elaine Adam queried staff regarding the Heritage Advisory Committee Process for Recommending Future Heritage Designations including process moving forward.

Advisory Committee members queried staff regarding the annual budget and the process of Heritage Newmarket Advisory Committee bringing properties forward for designation including research, application of Heritage Designation legal requirements under Ontario law and a deadline.

Advisory Committee members discussed forming a sub committee,

8. Committee Reports

8.1 Elman W. Campbell Museum Board

The Legislative Coordinator provided an Elman W. Campbell Museum Board update including the Board's strategic planning and branding exercise.

8.2 Lower Main Street South Heritage Conservation District Advisory Group

Dan MacPherson provided an update regarding the Lower Main Street South Heritage Conservation District Advisory Group including regarding a discussion on new windows for 210 Main Street South.

9. New Business

9.1 Bogart House

Elaine Adam spoke about the Bogart House including a property sale and sign out front of the property.

Advisory Committee members queried staff regarding property severance, and use.

The Planner Cultural Heritage and Committee of Adjustment provided an update regarding plans for staff visits and communications with new owners.

9.2 Dawson Manor Day Care Centre

Elaine Adam spoke about Dawson Manor Daycare regarding renovations to the windows, doors and rear of property as well she queried staff regarding new occupants.

9.3 George Hotel Heritage Plaque

Elaine Adam spoke regarding the George Hotel Heritage Plaque having been delivered.

10. Adjournment

Moved by: Dan MacPherson

Seconded by: Joshua Campbell

- 1. That the meeting be adjourned at 7:21 PM.

Carried

Chair

Date



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

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Carnival Licence Application for Joe Persechini Charity Midway

Staff Report to Council

Report Number: 2025-24

Department(s): Legislative Services

Author(s): Nathan Irvine, Supervisor of Licensing & Permits, Nicole Robson, Licensing Officer

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled Carnival Licence Application for Joe Persechini Charity Midway dated April 28th, 2025, be received; and,
2. That Council approve or deny the Carnival Licence for Joe Persechini Charity Midway; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to obtain Council decision on a Carnival Licence Application for Campbell Amusements to host the Joe Persechini Charity Midway Carnival from May 5th – May 11th, 2025, at Upper Canada Mall, located at 17600 Yonge Street.

Background

The Town of Newmarket's [Carnival By-law 2009-78](#) regulates the operation of Carnivals within the Town of Newmarket and requires that any person seeking to operate a Carnival within Town obtain a licence. Section 2.1 of the By-law requires any Carnival be authorized by Council prior to the issuance of a Carnival Licence.

Discussion

The Town's Licensing Division is in receipt of a Carnival Licence Application for Campbell Amusement to host the Joe Persechini Charity Midway from May 5th-May 11th, 2025, at Upper Canada Mall. The proposed Carnival will be in the southwest parking lot area of the mall (**see Attachment 1**). The Carnival rides and vendors will be set up and erected from May 5th-May 7th, with the Carnival being operational from May 8th -May 11th. Hours of operation for the Carnival are being proposed as follows:

- May 5th-7th 9am-6pm (Setup)
- May 8th-10th 1pm-10pm (Operational)
- May 11th 1pm-6pm (Operational)
- May 11th 6pm-10pm (Teardown)

The charitable organization that will be sponsoring this event is the Easter Seals Society of Ontario. Proceeds from the event will go to the Easter Seals Society of Ontario and Southlake Regional Health Centre.

This applicant has a history of operating licensed Carnivals in the Town of Newmarket, and most recently has operated licensed Carnivals at the Magna Centre in 2018, 2019, 2022, and 2023, and Ray Twinney Recreation Complex in 2024.

In 2025, the organizers of the Joe Persechini Midway, Campbell Amusements, made the decision to return to their former location Upper Canada Mall 17600 Yonge St.

The Carnival applicant has assured that all rides will be positioned away from the nearest residences in the Southwest parking lot of Upper Canada Mall and has committed to controlling and minimizing the overall volume of the Carnival activities.

No noise complaints were reported through the Town's Customer Service Department regarding the Carnivals in 2018, 2019, 2022, 2023 or 2024. While over the years, numerous parking complaints were raised by residents due to overcrowding lots at Town recreational facilities; however, with the event relocating to the mall, these parking concerns are eliminated.

Should Council approve the Carnival licence, the Town's Licensing Division will carry out regular patrols to ensure compliance with the Town's Noise By-law and promptly address any concern raised by residents.

Consultation

The Town's Customer Service Department were consulted in the process of reviewing this application.

Carnival Licence Application for Joe Persechini Charity Midway

Conclusion

Town Staff have reviewed the application and confirmed that all required documents have been submitted. Should Council approve this application, the Town's Licensing Division will work closely with the applicant to finalize key details and ensure compliance with all applicable Town By-laws.

Licensing Officers will be present and available throughout the Carnival's operating hours to address any community concerns and to proactively monitor noise levels.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

None

Budget Impact

The 2025 fee for a Carnival Licence is \$316.10.

Attachments

Attachment 1 – Upper Canada Mall Map

Approval for Submission

John Comeau, Manager of Regulatory Services

Lisa Lyons, Director of Legislative Services

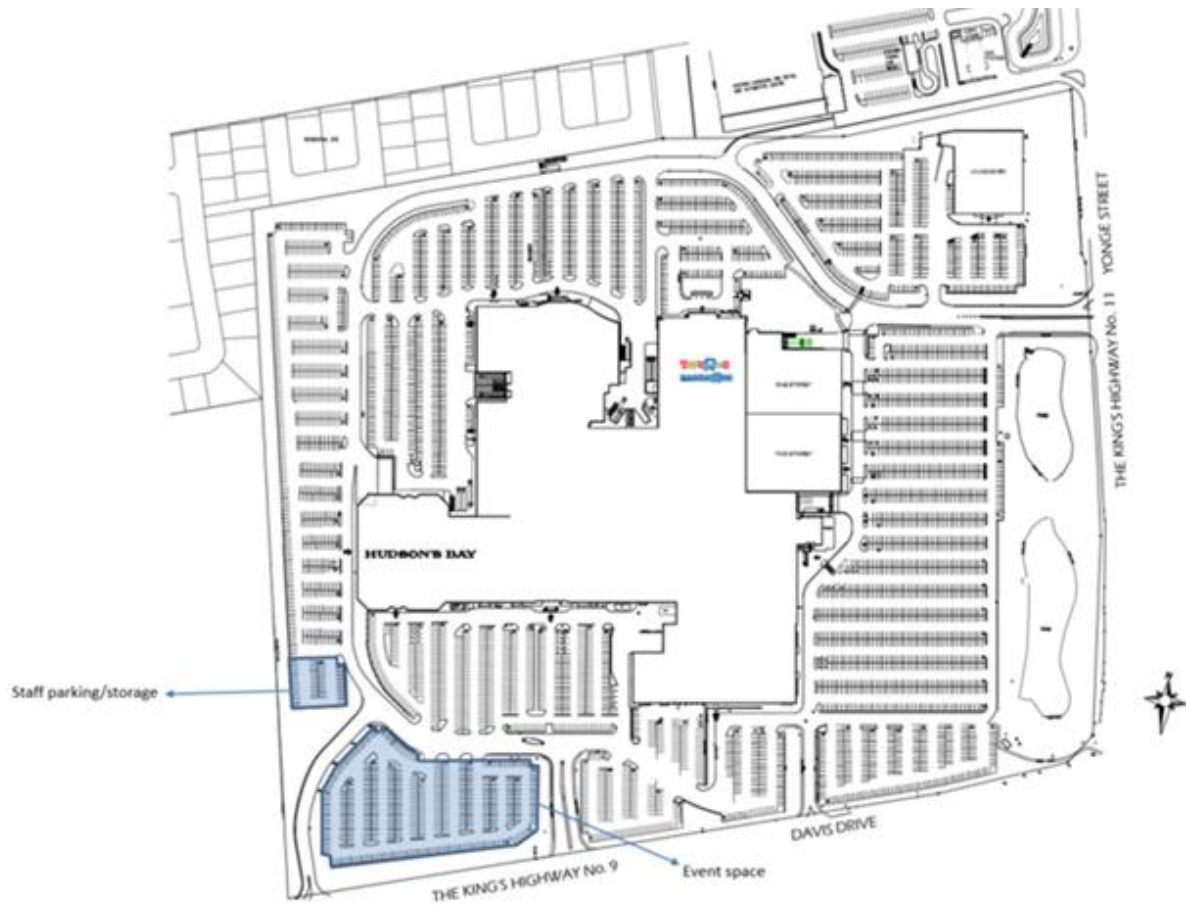
Esther Armchuk, Commissioner, Corporate Services

Report Contact

Nathan Irvine, Supervisor of Licensing & Permits

905-953-5300 extension 2221

nirvine@newmarket.ca





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Newmarket, Ontario, L3Y 4X7

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Carnival Licence Application for Royal Canadian International Circus Staff Report to Council

Report Number: 2025-25

Department(s): Legislative Services

Author(s): Nathan Irvine, Supervisor of Licensing & Permits

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled Carnival Licence Application Royal International Circus dated April 28, 2024 be received; and,
2. That Council approve or deny the Carnival Licence for Royal International Circus; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to obtain Council decision on a Carnival Licence Application for Royal International Circus to host the event from July 21st-July 28th, at the Upper Canada Mall 17600 Yonge St.

Background

The Town of Newmarket's [Carnival By-law 2009-78](#) regulates the operation of Carnivals within the Town of Newmarket and requires that any person seeking to operate a Carnival within Town obtain a licence. Section 2.1 of the By-law requires any Carnival be authorized by Council prior to the issuance of a Carnival Licence.

Discussion

The Town's Licensing Division is in receipt of a Carnival Licence Application for Royal Canadian International Circus to host the event from July 21st-July 28th, at the Upper

Carnival Licence Application for Royal Canadian International Circus

Canada Mall 17600 Yonge St. The proposed Circus will be in the southwest parking lot area (**see Attachment 1**).

If approved the Circus tent and vendors will be set up and erected from July 21st – July 23rd, with the Circus being operational from July 24th- July 27th. Hours of operation for the Carnival are being proposed as follows:

- July 21st-July 23rd (Setup)
- July 24th 7pm (1 show)
- July 25th 4pm & 7:30pm (2 shows)
- July 26th 12pm, 4pm & 7:30pm (3 shows)
- July 27th 1pm & 5pm (2 shows)
- July 28th (Teardown)

The Royal Canadian International Circus is proposing a new event in the Town of Newmarket and is seeking Council's approval to operate under a Carnival licence. A representative from the Royal Canadian International Circus will be in attendance virtually at the Committee of the Whole meeting on April 28th to answer any questions related to the event.

The shows will run for approximately two hours, including a half-hour intermission. The performances feature only trained circus artists—no animals are involved. The event will not include carnival rides or midway attractions. Music will be limited to the performances inside the circus tent.

The circus tent will be set up in the southwest parking lot of Upper Canada Mall, a significant distance from the nearest residential properties. The applicant has committed to minimizing and controlling noise levels throughout the duration of the event.

If Council grants the Carnival licence, the Town's Licensing Division will conduct regular site inspections to ensure compliance with the Town's Noise By-law and respond promptly to any resident concerns.

Consultation

The Town's Customer Service Department were consulted in the process of reviewing this application.

Conclusion

Town Staff have reviewed the application and confirmed that all required documents have been submitted. Should Council approve this application, the Town's Licensing

Carnival Licence Application for Royal Canadian International Circus

Division will work closely with the applicant to finalize key details and ensure compliance with all applicable Town By-laws.

Licensing Officers will be present and available throughout the Circus' operating hours to address any community concerns and to proactively monitor noise levels.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

None.

Budget Impact

The 2025 fee for a Carnival Licence is \$316.10.

Attachments

Attachment 1 – Upper Canada Map

Approval for Submission

John Comeau, Manager Regulatory Services

Lisa Lyons, Director Legislative Services

Esther Armchuk, Commissioner Corporate Services

Report Contact

Nathan Irvine, Supervisor of Licensing & Permits

905-953-5300 extension 2221

nirvine@newmarket.ca



Newmarket, ON
Upper Canada Mall

LEGEND

-  EMERGENCY LANES
- LANE IS 30 FEET WIDE, AND A TURNING RADIUS OF 45 FEET WITHOUT OBSTACLES
- NO PARKING ALLOWED AT ALL TIMES.
-  MANNED EMERGENCY ENTRANCE.
-  MOBILE FENCES ALL AROUND, EASY TO OPEN IN AN EMERGENCY.
-  PARKING TRUCKS & 2 BIG RV'S AND 6 CAMPER STYLE RV'S - FOR STAFF, PERFORMERS & CREW.
-  FIRE HYDRANT - 125 FEET FROM BIG TOP CENTER AND 80 FEET FROM CONCESSION TENT CENTER.
-  ALL EMERGENCY EXITS WILL BE MANNED BY A PERSON CARRYING A FIRE EXTINGUISHER.
-  LIGHT POLES

PERFORMANCE TENT SIZE:

56m = 183.7 diagonal
3136m² = 33745.69 ft²

CONNECTION TENT SIZE:

35x30m = 1050m²
114.8'x98' = 11302.48 ft²



royalcanadiancircus.com